

MINUTES

**MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION**

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chairman Kelly Gebhardt, on February 13, 2009 at 3:00 P.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Kelly Gebhardt, Chairman (R)
Sen. Debby Barrett, Vice Chairman (R)
Sen. Aubyn Curtiss (R)
Sen. Christine Kaufmann (D)
Sen. Jim Keane (D)
Sen. Gary L. Perry (R)
Sen. Jim Peterson (R)
Sen. Donald J. Steinbeisser (R)
Sen. Mitch Tropila (D)
Sen. David E. Wanzenried (D)

Members Excused:

Sen. Ken (Kim) Hansen (D)

Members Absent: None.

Staff Present: Lindsey Hern, Committee Secretary
Sonja Nowakowski, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 360, 2/10/2009; SB 417,
2/10/2009

Executive Action:

HEARING ON SB 94 AS AMENDED

Previously Heard 01/14/09
Re-referred 02/11/09

Opening Statement by Sponsor:

00:01:45 Sen. Larry Jent (D), SD 32, opened the hearing on SB 94, Revise closed water basin permitting laws.

Proponents' Testimony:

00:03:33 John Tubbs, Department of Natural Resources (DNRC)

Opponents' Testimony:

00:14:09 John Bloomquist, Montana Stockgrowers Association (MSA)
00:17:47 Abigail St. Lawrence, Montana Association of Relators (MAR)
00:20:15 Vanessa Clark, on behalf of Ronda Wiggers, Montana Water Well Drillers Association (MWWD)

EXHIBIT (nas34a01)

00:22:52 Dustin Stewart, Montana Building Association.

Informational Testimony:

None

Questions from Committee Members and Responses:

00:23:17 Sen. Peterson
00:23:52 Mr. Tubbs, DNRC
00:27:23 Sen. Peterson
00:28:02 Mr. Tubbs, DNRC
00:28:29 Sen. Peterson
00:28:41 Mr. Tubbs, DNRC
00:32:05 Sen. Peterson
00:32:28 Mr. Bloomquist,
00:35:17 Sen. Wanzenried
00:35:37 Chairman Gebhardt
00:35:51 Sen. Wanzenried
00:36:19 Sen. Jent
00:40:58 Sen. Peterson
00:42:10 Mr. Tubbs, DNRC
00:48:10 Sen. Barrett
00:50:39 Chairman Gebhardt
00:50:46 Sen. Barrett
00:51:05 Mr. Tubbs, DNRC

00:57:17 Sen. Curtiss
00:58:04 Mr. Bloomquist, MSA
00:58:09 Sen. Curtiss
00:58:33 Mr. Bloomquist, MSA

Closing by Sponsor:

01:00:01 Sen. Jent
01:00:04 Chairman Gebhardt
01:00:22 Sen. Jent

Additional Exhibits:

[EXHIBIT \(nas34a02\)](#)

HEARING ON SB 360

Sen. Wanzenried left the meeting before SB 360.

Opening Statement by Sponsor:

01:03:08 Sen. Jim Keane (D), SD 38, opened the hearing on SB 360, Revise major facility siting act.

Proponents' Testimony:

01:07:12 John Fitzpatrick, NorthWestern Energy

[EXHIBIT \(nas34a03\)](#)

[EXHIBIT \(nas34a04\)](#)

[EXHIBIT \(nas34a05\)](#)

[EXHIBIT \(nas34a06\)](#)

[EXHIBIT \(nas34a07\)](#)

[EXHIBIT \(nas34a08\)](#)

01:12:50 Van Jamison, Self

01:17:18 Keith Allen, International Brotherhood of Electrical Workers (IBEW)

Opponents' Testimony:

01:17:45 Matt Leow, Northern Plains Resource Council (NPRC)

01:20:18 Janet Ellis, Montana Audubon

01:21:39 Sen. Wanzenried returned to the committee.

01:21:56 Anne Hedges, Montana Environmental Informational Center (MEIC)

Informational Testimony:

01:27:15 Warren McCullough, Department of Environmental Quality (DEQ)

Questions from Committee Members and Responses:

01:27:43 Sen. Perry
01:27:56 Mr. McCullough, DEQ
01:28:11 Sen. Perry
01:28:22 Mr. McCullough, DEQ
01:29:25 Sen. Perry
01:30:06 Mr. McCullough, DEQ
01:29:58 Sen. Kaufmann
01:30:18 Mr. McCullough, DEQ
01:30:36 Sen. Kaufmann
01:30:53 Mr. McCullough, DEQ
01:31:18 Sen. Kaufmann
01:31:31 Mr. McCullough, DEQ
01:31:45 Sen. Perry
01:32:02 Mr. Jamison, Self
01:33:43 Sen. Wanzenried left the committee.
01:37:19 Sen. Perry
01:37:35 Mr. Jamison, Self
01:38:10 Sen. Tropila
01:38:47 Mr. McCullough, DEQ
01:39:13 Sen. Tropila
01:39:32 Mr. McCullough, DEQ
01:39:47 Sen. Tropila
01:39:56 Mr. McCullough, DEQ
01:40:07 Sen. Tropila
01:40:31 Mr. Fitzpatrick, NorthWestern Energy
01:41:19 Mr. McCullough, DEQ
01:41:29 Sen. Tropila
01:41:35 Tom Ring, DEQ
01:44:25 Sen. Tropila

Closing by Sponsor:

01:44:36 Sen. Keane
01:47:05 Recess

HEARING ON SB 417

Sen. Tropila left the meeting before SB 417 began.

Opening Statement by Sponsor:

01:54:31 Sen. Jim Keane (D), SD 38, opened the hearing on SB 417, Revise environmental impact laws.

Proponents' Testimony:

01:56:15 Steve Wade, Attorney, Great Northern Properties (GNP)
01:59:51 Don Allen, Western Environmental Trade Association
(WETA)
02:02:43 Debbie Shea, Montana Mining Association (MMA)
02:04:13 Gail Abercrombie, Montana Petroleum Association (MPA)
02:06:00 Jon Bennion, Montanan Chamber of Commerce
02:08:41 Cary Hegreberg Montana Contractors Association
02:10:11 Keith Allen, IBEW

Opponents' Testimony:

02:11:11 Bob Lane, Fish Wildlife and Parks (FWP)
[EXHIBIT \(nas34a09\)](#)
02:14:22 Ms. Ellis, Montana Audubon
02:16:21 Mark Aagenes, Montana Trout Unlimited (MTU)
02:17:35 Sarah Cobler, Montana Conservation Voters (MCV)
02:21:28 Mr. Leow, NPRC
02:23:42 Bonnie Lovelace, Department of Environmental Equality
(DEQ)
02:25:16 Ms. Hedges, MEIC

Informational Testimony:

None

Questions from Committee Members and Responses:

None

Closing by Sponsor:

02:28:27 Sen. Keane

Additional Exhibits:

[EXHIBIT \(nas34a10\)](#)

02:29:22 Chairman Gebhardt
02:29:35 Sen. Wanzenried
02:29:56 Chairman Gebhardt
02:29:58 Sen. Wanzenried
02:30:34 Chairman Gebhardt
02:30:48 Sen. Perry
02:30:58 Chairman Gebhardt
02:31:21 Sen. Perry
02:31:30 Chairman Gebhardt

SB 314

AT REQUEST OF THE SPONSOR SB 314 DID NOT RECEIVE A HEARING.

EXHIBIT (nas34a11)

ADJOURNMENT

Adjournment: 5:33 P.M.

Lindsey Hern, Secretary

lh

Additional Documents:

EXHIBIT ([nas34aad.pdf](#))