

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON LONG-RANGE PLANNING and JOINT APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES AND TRANSPORTATION

Call to Order: Chair Walter McNutt, on February 3, 2011 at 8:10 AM, in Room 317-B & C Capitol

ROLL CALL

Members Present:

Rep. Walter McNutt, Chair (R)
Sen. Taylor Brown, Vice Chair (R)
Rep. Rob Cook (R)
Rep. Ron Ehli (R)
Rep. Bill McChesney (D)
Rep. Jon C. Sesso (D)
Sen. Carol Williams (D)

All members of House Joint Subcommittee on Natural Resources and Transportation were in attendance.

Members Excused: Sen. Jon Sonju (R)

Members Absent: None

Staff Present: Catherine Duncan, Legislative Branch
Mary Ann Mackay, Committee Secretary
Rinay Bender, Committee Secretary
Quinn Holzer, Legislative Branch
Barbara Smith, Legislative Branch
Greg DeWitt, Legislative Branch
James Chamberlain, OBPP

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: HB 316, 2/1/2011; HB 375, 2/1/2011

00:01:29 Chairman McNutt

HEARING ON HB 375

Opening Statement by Sponsor:

00:02:12 Rep. Rob Cook (R), HD 27, opened the hearing on HB 375, Reduce certain general fund transfers.

00:03:18 Chairman McNutt

00:03:23 Rep. Cook

00:04:36 Chairman McNutt

Informational Testimony:

00:05:12 Quinn Holzer, Legislative Fiscal Division (LFD)

[EXHIBIT\(jlh27a01\)](#)

Department of Agriculture

00:08:07 Sen. Sonju arrived.

00:08:19 Chairman McNutt

Opponents' Testimony:

00:08:45 Bob Gilbert, representing Rosebud, Musselshell and Dawson Counties

00:10:38 Carol Lambert, Women Involved in Farm Economics, WIFE

00:11:21 Chairman McNutt

00:11:25 John Youngberg, Montana Farm Bureau Federation

00:12:03 Cort Jensen, Attorney, Department of Agriculture

00:12:50 Greg Ames, Administrator, Agriculture Science Division, Department of Agriculture (DoA)

00:14:23 Chairman McNutt

Questions from Committee Members:

00:14:30 Chairman McNutt

00:14:33 Sen. Brown

00:14:35 Mr. Ames

00:14:40 Sen. Brown

00:14:57 Mr. Ames

00:16:48 Chairman McNutt

00:16:54 Rep. Sesso

00:17:15 Mr. Ames

00:17:37 Rep. Sesso

00:18:45 Mr. Ames

00:20:39 Rep. Sesso

00:21:45 Sen. Keane

00:22:09 Rep. Sesso

00:22:28 Sen. Brenden

00:23:38 Chairman McNutt

00:23:41 Rep. McChesney

00:24:14 Mr. Ames

00:25:34 Rep. McChesney

00:25:47 Mr. Ames
00:26:19 Rep. McChesney
00:27:06 Mr. Ames
00:28:36 Rep. McChesney
00:29:14 Chairman McNutt
00:29:17 Sen. Ripley
00:29:25 Mr. Ames
00:29:28 Sen. Ripley
00:29:46 Mr. Ames
00:30:47 Sen. Williams left.
00:31:22 Sen. Ripley
00:31:30 Mr. Ames
00:32:04 Chairman McNutt
00:32:07 Sen. Sonju
00:32:19 Mr. Ames
00:32:47 Sen. Williams returned.
00:33:38 Sen. Sonju
00:34:36 Mr. Ames
00:35:44 Sen. Brown left.
00:37:14 Sen. Sonju
00:37:29 Mr. Ames
00:37:32 Sen. Sonju
00:37:48 Sen. Keane left.
00:38:01 Mr. Ames
00:38:31 Sen. Sonju
00:38:37 Chairman McNutt
00:38:54 Mr. Holzer
00:39:33 Chairman McNutt

Department of Transportation

00:39:54 Greg DeWitt, LFD
00:41:22 Chairman McNutt

Opponents:

00:41:44 Bob Gilbert, Montana Automobile Dismantelers and Recyclers Association
(MADRA) and Montana Tow Truck Association
00:42:26 Chairman McNutt
00:42:29 Mr. Gilbert
00:42:53 Chairman McNutt

Fish Wildlife and Park Impacts

00:43:23 Sen. Keane returned.
00:43:29 Barb Smith, LFD
00:44:48 Chairman McNutt

Opponents:

00:45:09 Bob Gilbert, Walleyes Unlimited, also spoke for Roger Hagen, Montana Trail
Vehicle Riders
00:46:30 Rep. Sesso and Rep. McChesney left.
00:46:38 Chairman McNutt

00:46:48 Chas Van Genderen, Administrator, Parks Division, Fish, Wildlife and Parks (FWP)
 00:48:11 Bob Walker, Our Montana and member of several outdoor recreational clubs
 00:50:29 Rep. Ankney left.
 00:51:25 Rhonda Wiggers, Montana Snowmobilers Association
 00:52:33 Sen. Sonju left.
 00:53:17 Sen. Brown returned.
 00:54:02 Rep. Ankney returned.
 00:56:18 Chairman McNutt

Department of Natural Resources and Conservation (DNRC) Impacts

00:56:44 Ms. Smith
 00:57:28 Chairman McNutt

Opponents

00:57:45 Mary Sexton, Director, DNRC
 00:59:30 Chairman McNutt
 00:59:34 Rep. Sesso returned.
 00:59:38 Jessica Brubaker, Attorney, Montana University System (MUS)
 01:00:57 Cort Jensen, Attorney (DoA)
 01:01:40 Sen. Sonju returned.
 01:02:07 Chairman McNutt
 01:02:11 Mr. Jensen
 01:02:24 Chairman McNutt

Department of Environmental Quality (DEQ) Impacts

01:02:41 Ms. Smith
 01:03:27 Chairman McNutt

Opponents

01:03:46 Bob Gilbert, MADRA and Montana Tow Truck Association (MTTA)
 01:06:53 Chairman McNutt

Questions from Committee:

01:07:03 Rep. Cook
 01:07:11 Chairman McNutt

House Bill 316 Impacts on Natural Resources and Transportation

01:07:34 Ms. Smith
[EXHIBIT\(jlh27a02\)](#)

Resource Indemnity Trust (State Super Fund)

01:08:10 Ms. Smith
[EXHIBIT\(jlh27a03\)](#)

Hazardous Waste, DEQ

01:09:35 Ms. Smith

Environmental Quality Protection Fund

01:10:25 Ms. Smith

Orphan Share Fund

01:10:47 Ms. Smith

Coal and Uranium Mine Account

01:11:40 Ms. Smith

01:12:17 Chairman McNutt

Opponents:

01:12:41 Tom Livers, Deputy Director, DEQ

01:16:05 Chairman McNutt

Questions from Committee:

01:16:15 Sen. Ripley

01:16:37 Ms. Smith

01:17:09 Sen. Ripley

01:17:22 Ms. Smith

01:17:26 Chairman McNutt

01:17:29 Sen. Brown

01:17:50 Mr. Livers

01:18:41 Sen. Brown

01:19:07 Mr. Livers

01:20:02 Sen. Brown

01:20:22 Mr. Livers

01:20:40 Rep. Sesso

01:21:43 Ms. Smith

01:21:46 Rep. Sesso

01:22:03 Ms. Smith

01:22:06 Rep. Sesso

01:22:31 Chairman McNutt

01:22:41 Rep. Sesso

01:23:00 Mr. Livers

01:23:33 Ms. Smith

01:23:46 Rep. Sesso

01:24:09 Mr. Livers

01:24:53 Chairman McNutt

01:24:59 Ms. Smith

01:25:08 Sen. Brown

01:25:11 Ms. Smith

01:25:42 Sen. Sonju

01:25:51 Ms. Smith

01:26:05 Sen. Sonju

01:26:28 Ms. Smith

01:26:43 Chairman McNutt

01:26:51 Sen. Ripley

01:27:49 Chairman McNutt

01:28:13 Sen. Ripely

01:28:18 Chairman McNutt

01:28:20 Sen. Ripley

Fish, Wildlife and Parks, FWP

01:28:28 Ms. Smith

FWP, Resource Indemnity; Bull/Cutthroat Trout (Future Fisheries Trust)

01:28:45 Ms. Smith

FWP, Accommodation Tax (Bed Tax)

01:29:16 Ms. Smith

FWP, Revenue Sources Interest from Coal Tax Trust Account (Maintenance of State Parks System)

01:29:37 Ms. Smith

01:29:59 Chairman McNutt

Fish, Wildlife and Parks (FWP) Impacts

Opponents

01:30:20 Chaz Van Genderen, Administrator, Parks Division, FWP

01:32:10 Bob Walker, Our Montana, represents seven State Parks and State Travelers Associations

01:34:42 Chairman McNutt

01:34:48 Chere Jiusto, Executive Director, Montana Preservation Alliance

EXHIBIT(jlh27a04)

01:36:40 Rep. Cuffe left.

01:37:00 Sen. Keane left.

01:39:30 Chairman McNutt

01:39:38 Bruce Rich, Bureau Chief, Fisheries, FWP

01:40:47 Sen. Keane returned.

01:40:59 Chairman McNutt

01:41:07 Mark Aagnes, Conservation Director, Montana Trout Unlimited

01:41:59 Chairman McNutt

Questions from Committee:

01:42:07 Rep. Cook

01:42:54 Mr. Rich

01:43:52 Chairman McNutt

Oil and Gas Mitigation Account

01:44:06 Ms. Smith

Treasure State Endowment Program (TSEP) Regional Water System

01:45:32 Ms. Smith

Environmental Contingency Account

01:45:45 Ms. Smith

Water Storage State Special Revenue Account

01:46:06 Ms. Smith

Coal Severance Tax Shared Account

01:46:30 Ms. Smith

Related Growth Through Agriculture

01:47:15 Ms. Smith

Oil and Gas ERA

01:47:34 Ms. Smith

Natural Resources Operation Account

01:47:51 Ms. Smith

Natural Resources Project Account

01:49:03 Ms. Smith

Coal Bed Methane Protection Fund

01:49:28 Ms. Smith

01:50:17 Chairman McNutt

01:50:20 Rep. Cuffe returned.

informational Witnesses:

01:50:25 Thomas Patton, Montana Bureau of Mines and Geology

EXHIBIT(jlh27a05)

01:54:21 Rep. Sesso left.

01:55:08 Sen. Brown left.

01:56:21 Rep. Sesso returned.

01:57:02 Chairman McNutt

Opponents:

01:57:19 Ms. Sexton, DNRC

01:58:35 Rep. Hollenbaugh and Rep. Ankney left.

02:02:37 Sen. Williams left.

02:02:46 Chairman McNutt

02:03:06 Cort Jensen, Attorney, DoA

02:03:28 Rep. Hollenbaugh and Rep. Ankney returned.

02:04:59 Chairman McNutt

02:05:11 Ms. Lambert

02:05:58 Chairman McNutt

02:06:01 Ms. Lambert

02:06:10 Chairman McNutt

02:06:17 Chris Christiaens, Montana Farmers Union

02:07:45 Chairman McNutt

02:07:53 Jeff Tiberi, Executive Director, Montana Association of Conservation Districts (MACD)

02:09:01 Sen. Sonju left.

02:09:55 Rep. Hollenbaugh left.

02:10:06 Pete Woll, Supervisor, MACD

02:12:52 Clint Jacobs, Manager, Dry Prairie Rural Water Project

02:17:24 Sen. Sonju and Rep. Hollenbaugh returned.

02:17:35 Chairman McNutt left.

02:18:29 Chairman Ankney
02:18:33 Bryan Gion, Chief Executive Officer, Montana Cooperative Development Center
02:18:52 Chairman McNutt returned.

[EXHIBIT\(jlh27a06\)](#)

[EXHIBIT\(jlh27a07\)](#)

[EXHIBIT\(jlh27a08\)](#)

02:23:14 Chairman McNutt
02:23:19 Mary Heller, General Manager, North Central Regional Water Authority, on behalf of the Rocky Boy/North Central Regional Water Authority
02:24:12 Chairman McNutt left.
02:25:24 Rep. Ankney
02:25:32 Ms. Lambert

[EXHIBIT\(jlh27a09\)](#)

02:26:58 Rep. Sesso left.
02:27:41 Chris Christiaens, Montana Farmers Union
02:28:54 Chairman McNutt returned.

[EXHIBIT\(jlh27a10\)](#)

02:30:27 Chairman McNutt
02:30:30 Greg Jergeson, representing self, Chinook
02:34:43 Chairman McNutt
02:34:52 Jane Holzer, Program Director, Montana Salinity Control Association and Ground Water Association Program, representing Conservation Districts

[EXHIBIT\(jlh27a11\)](#)

02:39:23 Chairman McNutt
02:39:27 Mr. Amestoy, Richland County Economic Development Association
02:42:19 Sen. Ripley left.
02:43:32 Chairman McNutt
02:43:47 Gayla Wortman, member, Board of Supervisors, Cascade County Conservation District
02:47:35 Chairman McNutt
02:47:47 John Chase, Board Chairman, Cascade County Conservation District and represents Cascade County District as a member of Missouri River Conservation District Council
02:48:15 Sen. Ripley returned.
02:49:14 Chairman McNutt

Discussion:

02:49:37 Ms. Smith
02:49:40 Rep. McChesney returned.

[EXHIBIT\(jlh27a12\)](#)

[EXHIBIT\(jlh27a13\)](#)

02:52:40 Chairman McNutt
02:52:51 Rep. Ankney
02:54:00 Chairman McNutt

Questions from Committee:

02:54:08 Sen. Sonju
02:54:53 Ms. Smith
02:55:05 Sen. Sonju
02:55:44 Rep. Ankney

JOINT APPROPRIATIONS SUBCOMMITTEE ON LONG-RANGE PLANNING

February 3, 2011

PAGE 9 of 10

02:55:52	Sen. Sonju
02:56:05	Chairman McNutt
02:56:46	Rep. Ankney
02:57:36	Sen. Brenden
02:58:04	Rep. Ankney
02:58:09	Chairman McNutt
02:59:02	Rep. Hollenbaugh
02:59:22	Chairman McNutt

ADJOURNMENT

02:59:30 Adjournment:

Mary Ann Mackay, Secretary

mm

Additional Exhibit:
[EXHIBIT\(jlh27a14\)](#)

Additional Documents:

[EXHIBIT\(jlh27aad.pdf\)](#)