

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chair Gordon R. Hendrick, on February 9, 2011 at 3:48 PM, in Room 472
Capitol

ROLL CALL

Members Present:

Rep. Betsy Hands, Vice Chair (D)
Rep. Brian Hoven, Vice Chair (R)
Rep. Dick Barrett (D)
Rep. Gerald (Jerry) Bennett (R)
Rep. Pat Connell (R)
Rep. Virginia Court (D)
Rep. Alan Hale (R)
Rep. Cleve J. Loney (R)
Rep. Mike Miller (R)
Rep. Kathleen Williams (D)

Members Excused: Rep. Gordon R. Hendrick, Chair (R)
Rep. Bill Harris (R)
Rep. Michele Reinhart (D)

Members Absent: Rep. Kelly Flynn (R)
Rep. Wendy Warburton (R)

Staff Present: Lauren Head, Committee Secretary
Joe Kolman, 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: HB 422, 2/4/2011; HB 411, 2/4/2011

Executive Action: HB 28, HB 383, HB 364

HEARING ON HB 422

Opening Statement by Sponsor:

00:01:47 Rep. Alan Hale (R), HD 77, opened the hearing on HB 422, Allow third party consultants to directly bill mining companies.

00:03:20 Rep. Hands left the meeting.

Proponents' Testimony:

00:04:08 Fess Foster, self

[EXHIBIT\(nah32a01\)](#)

00:05:01 Rep. Hands rejoined the meeting.

00:06:28 Tammy Johnson, Revett Minerals, Inc.

00:07:52 John Schaefer, Montana Tunnels Mining

00:10:18 Chairman Hendrick joined the meeting.

00:11:00 Mark Thompson, Environmental Superintendent, Golden Sunlight Mine

00:12:20 Debbie Shea, Montana Mining Association (MMA)

00:12:34 Rep. Flynn joined the meeting.

Opponents' Testimony: None

Informational Testimony:

00:13:10 Warren McCullough, Department of Environmental Quality (DEQ)

[EXHIBIT\(nah32a02\)](#)

Questions from Committee Members and Responses:

00:14:47 Rep. Connell

00:15:14 Mr. McCullough

00:15:31 Rep. Williams

00:15:47 Mr. McCullough

Closing by Sponsor:

00:16:25 Rep. Hale

HEARING ON HB 411

Opening Statement by Sponsor:

00:17:38 Rep. Franke Wilmer (D), HD 64, opened the hearing on HB 411, Authorizing the actual cost of meals for certain wildland firefighters.

[EXHIBIT\(nah32a03\)](#)

00:18:18 Rep. Warburton joined the meeting.

Proponents' Testimony:

00:21:09 Mary Sexton, Department of Natural Resources and Conservation (DNRC)
00:23:31 Patrick Heffernan, Montana Wood Products Association (MWPA)
00:24:21 Steve Knecht, Chief Operations for Disaster Emergency Service Division,
Department of Military Affairs (DMA)
00:26:00 Chief Master Sergeant Roger Hagan, Retired, Enlisted Montana National Guard

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:27:08 Rep. Barrett
00:28:08 Ms. Sexton
00:28:43 Rep. Barrett
00:28:53 Ms. Sexton
00:29:08 Rep. Barrett
00:29:54 Mr. Knecht
00:31:06 Rep. Barrett
00:31:27 Ms. Sexton
00:32:48 Rep. Miller
00:33:13 Rep. Wilmer
00:33:24 Ms. Sexton
00:33:36 Rep. Williams left the meeting.
00:33:42 Rep. Miller
00:33:59 Ms. Sexton
00:34:41 Rep. Loney
00:34:56 Ms. Sexton
00:35:29 Rep. Williams rejoined the meeting.
00:35:50 Rep. Flynn
00:36:26 Ms. Sexton

Closing by Sponsor:

00:38:18 Rep. Wilmer
00:39:33 Chairman Hendrick
00:40:01 Recess began.
00:46:41 Meeting reconvened.
00:46:41 Chairman Hendrick
00:47:22 Rep. Hands
00:47:46 Chairman Hendrick

EXECUTIVE ACTION ON HB 28

00:48:03 **Motion:** Rep. Hoven moved that **HB 28 BE REMOVED FROM TABLED.**

Discussion:

00:48:15 Rep. Flynn left the meeting.

00:48:21 Rep Hoven

00:49:10 Rep. Harris joined the meeting.

00:50:54 **Vote:** Motion carried 11-2 by roll call vote with Rep. Hale and Rep. Loney voting no. Rep. Flynn and Rep. Reinhart were absent and did not vote.

00:52:01 **Motion:** Rep. Hoven moved that **HB 28 DO PASS AS AMENDED.**

00:52:16 Joe Kolman, Legislative Services Division (LSD)

00:53:39 **Motion:** Rep. Hoven moved that **HB 28 BE AMENDED.**

EXHIBIT(nah32a04)

Discussion:

00:54:07 Mr. Kolman

00:56:46 Vice Chair Hoven

00:56:37 Chairman Hendrick

00:56:44 Vice Chair Hoven

00:56:48 Chairman Hendrick

00:57:02 Vice Chair Hoven

00:57:30 Chairman Hendrick

00:58:10 Steve Kilbreath, DEQ

00:58:37 Rep. Flynn rejoined the meeting.

01:02:35 Rep. Hands

01:02:58 Vice Chair Hoven

01:03:09 Mr. Kilbreath

01:03:33 Rep. Loney

01:03:49 Mr. Kilbreath

01:04:37 **Vote:** Motion carried 14-1 by roll call vote with Rep. Hale voting no. Rep. Reinhart voted by proxy.

01:05:36 **Motion:** Rep. Hoven moved that **HB 28 DO PASS AS AMENDED.**

Discussion:

01:05:58 Rep. Warburton

01:06:28 Vice Chair Hoven

01:07:12 Rep. Harris

01:07:35 Vice Chair Hoven

01:08:51 Rep. Loney

01:09:31 Vice Chair Hoven

01:09:59 Rep. Loney
01:10:37 Rep. Bennett
01:11:44 Chairman Hendrick
01:13:05 George Mathieus, DEQ
01:14:27 Rep. Loney
01:14:50 Rep. Hale
01:15:09 Rep. Warburton
01:15:20 Rep. Reinhart joined the meeting.
01:15:44 Rep. Miller
01:15:50 Chairman Hendrick
01:16:06 Mr. Kolman
01:17:17 Rep. Harris
01:17:56 Rep. Warburton
01:18:30 Mr. Kolman
01:18:55 Rep. Hands
01:19:35 Rep. Flynn

01:20:03 **Vote:** Motion carried 11-4 by roll call vote with Rep. Bennett, Rep. Hale, Rep. Loney and Rep. Warburton voting no.

01:21:38 Chairman Hendrick

EXECUTIVE ACTION ON HB 383

01:22:02 **Motion:** Rep. Hands moved that **HB 383 DO PASS.**

Discussion:

01:22:17 Rep. Hands
01:22:58 Rep. Loney
01:23:13 Rep. Harris
01:23:33 Rep. Barrett
01:24:21 Rep. Hale left the meeting.
01:24:36 Rep. Warburton
01:25:09 Rep. Hands
01:26:25 Rep. Harris
01:26:40 Vice Chair Hoven
01:26:44 Rep. Hale rejoined the meeting.

01:27:40 **Vote:** Motion failed 5-10 by roll call vote with Rep. Barrett, Rep. Court, Rep. Hands, Rep. Reinhart and Rep. Williams voting aye.

01:28:33 **Motion/Vote:** Rep. Hoven moved that **HB 383 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 364

01:28:53 **Motion:** Rep. Hale moved that **HB 364 DO PASS.**

Discussion:

01:29:11 Rep. Hale
01:29:50 Rep. Hands
01:31:59 Rep. Barrett
01:32:48 Vice Chair Hoven
01:32:56 Rep. Hale
01:33:37 Rep. Barrett
01:35:34 Rep. Harris
01:36:50 Rep. Flynn
01:37:24 Chairman Hendrick
01:38:17 Rep. Connell
01:39:14 Mr. Kolman
01:40:16 Rep. Miller
01:40:37 Rep. Bennett
01:42:36 Rep. Miller
01:42:57 Chairman Hendrick
01:44:07 Rep. Williams
01:45:03 Rep. Hale
01:45:47 Rep. Harris
01:46:37 Rep. Hands
01:49:01 Chairman Hendrick
01:49:50 Rep. Hale
01:50:29 Rep. Williams

01:51:07 **Vote:** Motion failed 4-11 by roll call vote with Rep. Hale, Rep. Hendrick, Rep. Miller and Rep. Warburton voting aye.

01:52:19 Rep. Connell
01:52:52 Chairman Hendrick

01:53:04 **Motion/Vote:** Rep. Hoven moved that **HB 364 BE TABLED AND THE VOTE REVERSED.** Motion carried 14-1 by voice vote with Rep. Hale voting no.

01:54:04 Rep. Barrett
01:54:06 Mr. Kolman
01:55:35 Chairman Hendrick
01:55:53 Rep. Williams
01:56:15 Chairman Hendrick
01:56:28 Mr. Kolman
01:57:21 Chairman Hendrick

ADJOURNMENT

01:58:26 Adjournment

Lauren Head, Secretary

lh

Additional Documents:

EXHIBIT([nah32aad.pdf](#))