

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chair Gordon R. Hendrick, on March 23, 2011 at 3:16 PM, in Room 472
Capitol

ROLL CALL

Members Present:

Rep. Gordon R. Hendrick, Chair (R)
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. Kelly Flynn (R)
Rep. Alan Hale (R)
Rep. Bill Harris (R)
Rep. Cleve J. Loney (R)
Rep. Mike Miller (R)
Rep. Kathleen Williams (D)

Members Excused: Rep. Wendy Warburton (R)

Members Absent: Rep. Michele Reinhart (D)

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: SB 89, 3/18/2011; SB 306, 3/18/2011

Executive Action on: SB 267, SB 297, SB 297, SB 356, SB 367, SJ 6

00:01:48 Rep. Warburton joined the meeting.
00:01:50 Rep. Flynn left the meeting.
00:02:15 Rep. Warburton left the meeting.

HEARING ON SB 89

Opening Statement by Sponsor:

00:02:23 Sen. Art Wittich (R), SD 35, opened the hearing on SB 89, Reduce DEQ and local sanitation review times.

00:03:10 Rep. Reinhart joined the meeting.

Proponents' Testimony:

00:04:50 Dustin Stewart, Montana Building Industry Association (MBIA)
00:07:40 Greg Chilcott, Montana Association of Counties (MACo)
00:08:09 Mike Hughes, self
00:08:54 Joe Roberts, Montana Association of Registered Land Surveyors (MARLS)
00:09:29 Jeff Walsh, Helena Building Industry Association (HBIA)

Opponents' Testimony: None

Informational Testimony:

00:10:18 Steve Kilbreath, Department of Environmental Quality (DEQ)

Questions from Committee Members and Responses:

00:10:49 Vice Chair Hoven
00:11:06 Rep. Miller left the meeting.
00:11:13 Mr. Stewart
00:12:16 Rep. Reinhart
00:12:49 Mr. Kilbreath
00:13:32 Rep. Reinhart
00:13:42 Mr. Kilbreath

Closing by Sponsor:

00:13:54 Sen. Wittich

HEARING ON SB 306**Opening Statement by Sponsor:**

00:17:36 Sen. Terry Murphy (R), SD 39, opened the hearing on SB 306, Revise mining laws regarding cyanide health and vat leach open-pit mining.

00:17:45 Rep. Miller rejoined the meeting.

00:17:52 Rep. Bennett left the meeting.

00:19:28 Rep. Bennett rejoined the meeting.

Proponents' Testimony:

00:20:05 Debbie Shea, Executive Director, Montana Mining Association (MMA)
[EXHIBIT\(nah65a01\)](#)

00:22:34 Tammy Johnson, Revett Minerals
[EXHIBIT\(nah65a02\)](#)
[EXHIBIT\(nah65a03\)](#)

00:26:15 Mark Thompson, Environmental Superintendent, Golden Sunlight Mine
[EXHIBIT\(nah65a04\)](#)

00:27:41 Rep. Flynn rejoined the meeting.

00:29:45 Don Serba, President, Montanans for Multiple Use
[EXHIBIT\(nah65a05\)](#)

00:31:23 Rep. Connell

00:31:52 Tad Dale, President, Majesty Mining
[EXHIBIT\(nah65a06\)](#)

00:35:16 Ted Antonioli, President - Missoula Chapter, MMA
[EXHIBIT\(nah65a07\)](#)

00:38:32 Greg Chilcott, Hard Rock Mining Co, MACo

00:39:00 Tom Lythgoe, Jefferson County Commissioner

00:40:21 Ronda Wiggers, Great Falls Chamber of Commerce

00:41:36 Don Allen, Western Environmental Trade Association (WETA)

Opponents' Testimony:

00:43:08 Sen. Windy Boy, SD 16
[EXHIBIT\(nah65a08\)](#)

00:45:57 Bonnie Gestring, Alan and Stephanie Shammel
[EXHIBIT\(nah65a09\)](#)

00:48:58 Eddie Olwell, self

00:52:08 James Jensen, Executive Director, Montana Environmental Information Center (MEIC)

00:55:15 Richard Parks, Northern Plains Resource Council (NPRC)
[EXHIBIT\(nah65a10\)](#)

00:57:42 Jill Van Alstyne, self

00:59:31 Rep. Hale left the meeting.

01:00:44 Carolyn Adams, self
[EXHIBIT\(nah65a11\)](#)

01:01:44 Vice Chair Hoven left the meeting.

01:02:33 Vice Chair Hoven rejoined the meeting.

01:03:07 Pam Erickson, self
01:04:39 Rep. Hale rejoined the meeting.
01:05:24 Tracy King, President, Fort Belknap Indian Community
[EXHIBIT\(nah65a12\)](#)
[EXHIBIT\(nah65a13\)](#)
01:08:15 Bum Stiffarm, State Administrative Officer, Fort Belknap Indian Community
01:11:24 Kate Grant, self
[EXHIBIT\(nah65a14\)](#)
01:12:05 Arlo Skari, self
[EXHIBIT\(nah65a15\)](#)
01:15:04 Juanita Vero, self
01:16:22 Tiffany E, self
01:16:41 Joe Gutkoski, self
01:18:08 Paul Roos, self
01:19:49 Kaitlyn Dugherty, President, Helena High Green Group
01:20:10 Vicki Freyholtz, self
[EXHIBIT\(nah65a16\)](#)
01:23:47 Mert Freyholtz, self
01:25:06 Stephanie Ambrose Tubbs, self
01:26:09 Steve Kloetzel, self
[EXHIBIT\(nah65a17\)](#)
01:27:02 Robin Poole, self
01:29:05 Jim Posewitz, self
[EXHIBIT\(nah65a18\)](#)
01:30:04 Steven Hunts, self
01:31:04 Mark Stergios, self
01:31:55 Shebly Dantie, Montana Public Interest Research Group (PIRG)
01:32:23 Chris Brick, Science Director, Clark Fork Coalition
[EXHIBIT\(nah65a19\)](#)
[EXHIBIT\(nah65a20\)](#)
01:33:58 George Golie, Montana Wildlife Federation (MWF)
01:34:17 Jeff Barber, Montana Nature Conservancy
01:34:48 Ross Prosperi, Montana Conservation Voters
01:35:20 Jack Mauer, self
01:36:20 Casey Perkins, Montana Audubon
01:36:33 Mark Aagenes, Montana Trout Unlimited (MTU)

Informational Testimony:

01:37:27 Warren McCullough, DEQ
01:37:48 Chairman Hendrick
01:38:37 Rep. Barrett
01:38:59 Chairman Hendrick
01:39:17 Rep. Barrett
01:39:28 Chairman Hendrick
01:39:34 Rep. Barrett
01:39:38 Chairman Hendrick

01:40:01 Recess began.
01:50:40 Meeting reconvened without Rep. Warburton.

Questions from Committee Members and Responses:

01:51:03 Rep. Loney
01:51:20 Mr. Dale
01:54:00 Rep. Loney
01:54:21 Mr. Dale
01:55:30 Rep. Bennett
01:55:59 Mr. Thompson
01:57:49 Rep. Barrett
01:58:48 Ms. Brick
02:00:35 Rep. Miller
02:00:51 Mr. McCullough
02:00:58 Rep. Miller
02:01:02 Mr. McCullough
02:01:11 Rep. Miller
02:01:24 Mr. McCullough
02:03:03 Rep. Miller
02:03:19 Mr. Thompson
02:03:54 Rep. Miller
02:04:12 Mr. Thompson
02:04:16 Rep. Miller
02:04:27 Mr. Thompson
02:05:10 Rep. Miller
02:05:21 Mr. Thompson
02:05:25 Rep. Miller
02:05:40 Mr. Thompson
02:07:12 Rep. Miller
02:07:25 Mr. Thompson
02:07:51 Rep. Harris
02:08:33 Mr. McCullough
02:09:33 Rep. Bennett left the meeting.
02:10:12 Rep. Bennett rejoined the meeting.
02:11:05 Rep. Harris
02:11:36 Mr. McCullough
02:12:20 Rep. Hands
02:12:37 Mr. McCullough
02:13:35 Rep. Hands
02:13:55 Mr. McCullough
02:14:27 Rep. Hands
02:14:51 Mr. McCullough
02:15:45 Rep. Hands
02:15:58 Mr. McCullough
02:18:29 Rep. Hands
02:19:16 Mr. McCullough
02:20:40 Rep. Hands
02:20:54 Vice Chair Hoven
02:21:23 Mr. Dale

02:21:45 Vice Chair Hoven
02:22:05 Mr. Dale
02:22:15 Rep. Hale
02:22:40 Mr. Dale
02:22:43 Rep. Hale
02:22:50 Mr. Dale
02:23:13 Chairman Hendrick

02:23:46 Recess began.
02:59:09 Meeting reconvened without Rep. Hands, Rep. Flynn, and Rep. Warburton.

02:59:28 Rep. Reinhart
02:59:55 Mr. McCullough
03:00:40 Joe Kolman, Legislative Services Division (LSD)
03:00:50 Mr. McCullough
03:01:15 Rep. Reinhart
03:01:21 Mr. McCullough
03:02:05 Rep. Hands rejoined the meeting.
03:02:20 Rep. Reinhart
03:02:40 Mr. McCullough
03:03:10 Rep. Reinhart
03:03:24 Ms. Brick
03:03:46 Rep. Reinhart
03:03:56 Ms. Brick
03:04:23 Rep. Loney
03:04:38 Mr. Thompson
03:05:28 Rep. Flynn rejoined the meeting.
03:05:55 Rep. Loney
03:06:05 Mr. Thompson
03:06:38 Rep. Williams
03:07:24 Mr. McCullough
03:08:22 Rep. Williams
03:08:34 Mr. McCullough
03:08:42 Rep. Williams
03:09:17 Mr. McCullough
03:10:29 Rep. Williams
03:10:47 Mr. McCullough
03:10:57 Rep. Williams
03:11:01 Mr. Thompson
03:11:38 Rep. Williams
03:11:48 Mr. Thompson
03:12:01 Rep. Williams
03:12:29 Mr. McCullough
03:13:14 Rep. Hands
03:13:38 Chairman Hendrick
03:13:50 Rep. Bennett
03:14:27 Mr. McCullough
03:14:31 Rep. Bennett
03:15:07 Mr. McCullough
03:15:52 Rep. Hale

03:16:20 Mr. Thompson
03:16:30 Vice Chair Hoven
03:16:56 Mr. McCullough
03:17:29 Vice Chair Hoven
03:17:40 Mr. McCullough
03:18:29 Vice Chair Hoven
03:18:45 Mr. McCullough
03:19:24 Rep. Miller
03:19:49 Mr. Agenes
03:21:14 Rep. Court
03:21:47 Mr. Thompson
03:22:04 Rep. Court
03:22:19 Mr. Thompson
03:22:57 Rep. Harris
03:23:34 Mr. McCullough

Closing by Sponsor:

03:24:45 Sen. Murphy

00:28:14 Chariman Hendrick
03:29:37 Mr. Kolman
03:30:11 Rep. Reinhart
03:30:16 Chairman Hendrick

EXECUTIVE ACTION ON SB 267

03:31:59 **Motion:** Rep. Hoven moved that **SB 267 BE CONCURRED IN.**

Discussion:

03:32:14 Mr. Kolman
03:33:23 Rep. Connell adjust

03:33:35 **Vote:** Motion carried unanimously by roll call vote. Rep. Warburton voted by proxy. Rep. Bennett will carry the bill.

EXECUTIVE ACTION ON SB 297

03:34:36 **Motion:** Rep. Hoven moved that **SB 297 BE CONCURRED IN.**

Discussion:

03:34:46 Mr. Kolman

03:35:33 **Vote:** Motion carried 10-5 by roll call vote with Rep. Barrett, Rep. Court, Rep. Hands, Rep. Reinhart and Rep. Williams voting no. Rep. Warburton voted by proxy. Rep. Loney will carry the bill.

EXECUTIVE ACTION ON SB 356

03:36:30 **Motion:** Rep. Hoven moved that **SB 356 BE CONCURRED IN.**

Discussion:

03:36:43 Mr. Kolman
03:37:27 Rep. Harris
03:38:04 Rep. Flynn
03:39:00 Rep. Loney
03:39:08 Rep. Hands
03:41:30 Rep. Reinhart
03:43:42 Rep. Barrett
03:45:09 Rep. Miller
03:46:02 Vice Chair Hoven
03:46:37 Rep. Barrett
03:47:42 Rep. Harris
03:48:54 Rep. Williams
03:50:25 Rep. Connell
03:52:42 Rep. Hands
03:53:41 Rep. Flynn
03:54:22 Rep. Reinhart

03:55:35 **Vote:** Motion carried 9-6 by roll call vote with Rep. Barrett, Rep. Court, Rep. Hands, Rep. Hoven, Rep. Reinhart and Rep. Williams voting no. Rep. Warburton voted by proxy. Rep. Flynn will carry the bill.

EXECUTIVE ACTION ON SB 367

03:56:33 **Motion:** Rep. Hoven moved that **SB 367 BE CONCURRED IN.**

Discussion:

03:56:44 Mr. Kolman
03:57:29 Rep. Barrett
03:57:45 Mr. Kolman
03:58:46 Rep. Williams
03:59:38 Rep. Miller
03:59:52 Rep. Bennett
04:01:29 Chairman Hendrick
04:01:39 Rep. Barrett
04:02:06 Rep. Bennett

04:03:26 **Vote:** Motion carried unanimously by roll call vote. Rep. Warburton voted by proxy. Rep. Bennett will carry the bill.

EXECUTIVE ACTION ON SJ 6

04:04:18 **Motion:** Rep. Hoven moved that **SJ 6 BE CONCURRED IN.**

Discussion:

04:04:33 Mr. Kolman
04:04:57 Rep. Barrett
04:06:54 Rep. Harris
04:08:46 Rep. Connell
04:10:43 Rep. Court
04:12:11 Rep. Miller
04:12:49 Rep. Reinhart
04:15:20 Vice Chair Hoven
04:15:42 Rep. Harris
04:15:45 Vice Chair Hoven
04:15:52 Rep. Harris
04:16:19 Vice Chair Hoven
04:17:15 Rep. Barrett
04:20:09 Rep. Flynn

04:21:31 **Vote:** Motion carried 10-5 by roll call vote with Rep. Barrett, Rep. Court, Rep. Hands, Rep. Reinhart and Rep. Williams voting no. Rep. Warburton voted by proxy. Rep. Connell will carry the bill.

04:22:16 Rep. Connell

ADJOURNMENT

04:22:56 Adjournment

Lauren Head, Secretary

lh

Additional Exhibits:

[EXHIBIT\(nah65a21\)](#)

[EXHIBIT\(nah65a22\)](#)

Additional Documents:

[EXHIBIT\(nah65aad.pdf\)](#)