

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chair Gordon R. Hendrick, on March 25, 2011 at 3:36 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. Virginia Court (D)
Rep. Kelly Flynn (R)
Rep. Alan Hale (R)
Rep. Bill Harris (R)
Rep. Mike Miller (R)
Rep. Michele Reinhart (D)
Rep. Kathleen Williams (D)

Members Excused: Rep. Pat Connell (R)
Rep. Cleve J. Loney (R)
Rep. Wendy Warburton (R)

Members Absent: None

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: SJ 7, 3/22/2011; SJ 10, 3/22/2011

Executive Action on: SJ 7, SJ 10, SB 89, SB 306

00:01:30 Vice Chair Hoven left the meeting.
00:01:48 Rep. Miller left the meeting.
00:02:21 Rep. Connell joined the meeting.
00:02:33 Rep. Flynn left the meeting.

HEARING ON SJ 7

Opening Statement by Sponsor:

00:02:46 Sen. John Brenden (R), SD 18, opened the hearing on SJ 7, Resolution opposing clean waters restoration act and navigable rivers.
00:03:10 Rep. Hands left the meeting.
00:05:32 Vice Chair Hoven rejoined the meeting.

Proponents' Testimony:

00:06:33 Willie Duffield, Montana Association of Coal and Gas Producing Counties (MACGPC)
00:07:11 Mike Murphy, Montana Water Resources Association (MWRA)
00:08:17 Rep. Warburton joined the meeting.
00:08:31 Jay Bodner, Montana Stockgrowers Association (MSGA), Montana Public Lands Council (MPLC)
00:10:11 Chelci Cremer, Montana Farm Bureau Federation (MFBF)
00:11:13 Patrick Heffernan, Montana Wood Products Association (MWPA), Western Environmental Trade Association (WETA)

Opponents' Testimony:

00:12:23 Casey Perkins, Montana Audubon
00:15:04 Jim Jensen, Montana Environmental Information Center (MEIC)

Informational Testimony:

Questions from Committee Members and Responses:

00:15:35 Rep. Connell
00:17:15 Mr. Murphy
00:18:28 Rep. Williams
00:18:53 Chairman Hendrick left the meeting.
00:19:00 Ms. Perkins
00:19:06 Rep. Williams
00:19:52 Ms. Perkins
00:20:52 Rep. Williams
00:20:57 Rep. Miller rejoined the meeting.
00:21:22 Ms. Perkins
00:21:27 Rep. Hands rejoined the meeting.
00:21:37 Rep. Barrett
00:22:25 Ms. Perkins

00:22:29 Rep. Barrett
00:24:01 Ms. Perkins
00:24:19 Rep. Harris
00:25:14 Ms. Perkins
00:26:01 Rep. Harris
00:26:16 Rep. Flynn rejoined the meeting.
00:26:36 Ms. Perkins
00:27:03 Rep. Harris
00:27:30 Ms. Perkins
00:27:47 Rep. Harris
00:27:53 Ms. Perkins
00:28:17 Rep. Loney joined the meeting.
00:28:25 Rep. Harris
00:28:48 Rep. Warburton joined the meeting.
00:29:06 Ms. Perkins

Closing by Sponsor:

00:29:28 Sen. Brenden

00:29:36 Rep. Miller left the meeting.
00:30:59 Rep. Miller rejoined the meeting.
00:31:00 Chairman Hendrick rejoined the meeting.
00:33:14 Rep. Connell left the meeting.
00:33:40 Chairman Hendrick

EXECUTIVE ACTION ON SJ 7

00:33:52 **Motion:** Rep. Hoven moved that **SJ 7 BE CONCURRED IN.**

Discussion:

00:34:13 Rep. Williams
00:34:43 Rep. Court left the meeting.
00:35:54 Rep. Harris
00:36:06 Rep. Connell rejoined the meeting.
00:37:11 Rep. Barrett
00:38:04 Rep. Miller
00:38:37 Rep. Barrett
00:39:37 Rep. Miller
00:40:17 Rep. Connell

00:41:08 **Vote:** Motion carried 10-5 by roll call vote with Rep. Barrett, Rep. Court, Rep. Hands, Rep. Reinhart and Rep. Williams voting no. Rep. Court voted by proxy. Rep. Connell will carry the bill.

HEARING ON SJ 10**Opening Statement by Sponsor:**

00:42:12 Sen. Jason Priest (R), SD 30, opened the hearing on SJ 10, Resolution urging Congress to prevent EPA from regulating greenhouse gases.

00:42:16 Rep. Hands left the meeting.

Proponents' Testimony:

00:43:43 Todd O'Hair, Senior Affairs Manager, Cloud Peak Energy

00:45:06 Rep. Hands rejoined the meeting.

EXHIBIT(nah67a01)

00:47:03 Rep. Hands left the meeting.

00:47:50 Amy Grmoljez, Arch Coal

EXHIBIT(nah67a02)

00:50:24 Gary Wiems, Montana Electric Cooperatives Association

00:51:11 Ron Lowney, self

Opponents' Testimony:

00:51:44 Anne Hedges, MEIC

00:52:47 Rep. Hands rejoined the meeting.

00:53:02 Rep. Warburton

00:53:07 Ms. Hedges

01:02:51 Shelbi Dantic, Montana Public Interest Resource Group (PIRG)

01:04:01 Casey Perkins, Montana Audubon

Informational Testimony:**Questions from Committee Members and Responses:**

01:06:14 Rep. Barrett

01:06:48 Ms. Hedges

01:06:51 Rep. Barrett

01:07:24 Ms. Hedges

01:07:44 Rep. Barrett

01:07:56 Rep. Miller left the meeting.

01:09:21 Rep. Hale left the meeting.

01:09:26 Mr. O'Hair

01:11:03 Vice Chair Hoven

01:11:21 Ms. Hedges

01:11:38 Rep. Harris

01:11:57 Rep. Miller rejoined the meeting.

01:12:04 Rep. Hale rejoined the meeting.

01:12:11 Rep. Miller left the meeting

01:12:15 Ms. Hedges

01:13:18 Rep. Harris

01:13:43 Ms. Hedges

01:14:22 Rep. Harris
01:14:43 Ms. Hedges
01:14:48 Rep. Miller rejoined the meeting.
01:15:01 Rep. Hale
01:15:19 Ms. Hedges
01:15:39 Rep. Hale
01:15:49 Ms. Hedges
01:16:57 Rep. Hale
01:17:00 Ms. Hedges
01:17:07 Rep. Hale
01:17:09 Ms. Hedges
01:17:19 Rep. Hale
01:17:36 Mr. Lowney
01:17:47 Rep. Hale
01:17:52 Mr. Lowney
01:18:02 Rep. Reinhart
01:18:30 Ms. Hedges
01:20:27 Rep. Reinhart
01:20:42 Ms. Hedges
01:20:59 Rep. Reinhart
01:21:19 Ms. Hedges
01:22:00 Rep. Reinhart
01:22:23 Mr. O'Hair
01:24:51 Rep. Reinhart
01:25:10 Mr. O'Hair
01:26:11 Rep. Reinhart
01:26:36 Ms. Grmoljez
01:28:46 Rep. Williams
01:29:47 Mr. O'Hair
01:31:36 Rep. Williams
01:32:06 Mr. O'Hair
01:32:53 Rep. Williams
01:33:28 Mr. O'Hair
01:33:52 Rep. Warburton
01:35:21 Sen. Priest
01:35:46 Rep. Hands
01:36:58 Sen. Priest
01:38:33 Rep. Hands
01:39:04 Mr. O'Hair
01:39:44 Rep. Hale left the meeting.

Closing by Sponsor:

01:40:01 Sen. Priest

01:40:14 Rep. Hands left the meeting.
01:42:42 Rep. Hale rejoined the meeting.

01:43:40 Recess began.
01:55:57 Meeting reconvened without Rep. Flynn and Rep. Court.

EXECUTIVE ACTION ON SJ 10

01:56:18 **Motion:** Rep. Hoven moved that **SJ 10 BE CONCURRED IN.**

Discussion:

01:56:37 Rep. Hands
01:57:12 Rep. Williams
01:57:38 Rep. Flynn rejoined the meeting.
01:58:11 Rep. Barrett
01:58:49 Rep. Flynn
01:59:03 Rep. Harris
02:00:28 Rep. Connell

02:01:31 **Vote:** Motion carried 10-5 by roll call vote with Rep. Barrett, Rep. Court, Rep. Hands, Rep. Reinhart and Rep. Williams voting no. Rep. Court voted by proxy. Rep. Hale will carry the bill.

EXECUTIVE ACTION ON SB 306

02:03:05 **Motion:** Rep. Hoven moved that **SB 306 BE CONCURRED IN.**

Discussion:

02:03:25 Rep. Hale
EXHIBIT(nah67a03)
02:05:54 Rep. Barrett
02:07:49 Rep. Miller
02:08:24 Rep. Loney
02:08:44 Rep. Hands

02:09:28 **Motion:** Rep. Hands moved that **SB 306 BE AMENDED.**
EXHIBIT(nah67a04)

Discussion:

02:09:45 Rep. Hands
02:09:52 Joe Kolman, Legislative Services Division, (LSD)
02:14:24 Rep. Hands
02:16:42 Rep. Hale
02:17:28 Rep. Connell
02:20:04 Rep. Reinhart
02:22:21 Rep. Loney
02:22:50 Rep. Barrett
02:24:57 Chairman Hendrick

02:25:13 Rep. Hale
02:25:22 Rep. Hands left the meeting.
02:25:45 Chairman Hendrick
02:27:07 Rep. Flynn
02:27:16 Rep. Hand rejoined the meeting.
02:27:54 Rep. Barrett
02:28:54 Rep. Williams
02:31:20 Rep. Harris
02:32:59 Rep. Bennett

02:33:28 **Vote:** Motion failed 6-9 by roll call vote with Rep. Barrett, Rep. Court, Rep. Hands, Rep. Miller, Rep. Reinhart and Rep. Williams voting aye. Rep. Connell and Rep. Court voted by proxy.

02:34:28 Rep. Hoven
02:34:47 Rep. Bennett
02:34:57 Rep. Reinhart
02:35:16 Rep. Bennett
02:36:39 Rep. Flynn
02:37:50 Rep. Reinhart
02:40:30 Rep. Loney
02:40:41 Mr. Kolman
02:40:48 Rep. Loney
02:41:10 Rep. Hale
02:42:01 Rep. Bennett
02:43:25 Rep. Loney
02:44:35 Rep. Hands
02:44:41 Rep. Loney
02:44:45 Rep. Hands
02:45:40 Rep. Harris
02:46:00 Rep. Hands

02:46:26 **Vote:** Motion carried 10-5 by roll call vote with Rep. Barrett, Rep. Court, Rep. Hands, Rep. Reinhart and Rep. Williams voting no. Rep. Connell and Rep. Court voted by proxy. Rep. Ankney will carry the bill.

02:47:23 Chairman Hendrick

EXECUTIVE ACTION ON SB 89

02:48:03 **Motion/Vote:** Rep. Hoven moved that **SB 89 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. Connell and Rep. Court voted by proxy. Rep. Hale will carry the bill.

02:49:17 Mr. Kolman

ADJOURNMENT

02:50:15 Adjournment

Lauren Head, Secretary

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Additional Documents:

EXHIBIT([nah67aad.pdf](#))