

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chair Gordon R. Hendrick, on March 30, 2011 at 3:08 PM, in Room 472
Capitol

ROLL CALL

Members Present:

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. Michele Reinhart (D)
Rep. Kathleen Williams (D)

Members Excused: Rep. Gordon R. Hendrick, Chair (R)

Members Absent: Rep. Betsy Hands, Vice Chair (D)
Rep. Kelly Flynn (R)
Rep. Bill Harris (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: SB 299, 3/28/2011; SB 312, 3/28/2011; SB 409, 3/25/2011

Executive Action on: SB 299, SB 312

HEARING ON SB 409**Opening Statement by Sponsor:**

00:01:17 Sen. Bruce Tutvedt (R), SD 3, opened the hearing on SB 409, Revise methods to establish rental fees and sale of state land cabin sites.

00:01:32 Rep. Miller left the meeting.

00:02:01 Rep. Harris joined the meeting.

00:02:33 Rep. Miller rejoined the meeting.

00:03:56 Rep. Miller left the meeting.

00:04:20 Rep. Hands joined the meeting.

00:04:24 Rep. Warburton joined the meeting.

Proponents' Testimony:

00:04:39 Mark Johnson, self
[EXHIBIT\(nah71a01\)](#)

00:05:38 Rep. Miller rejoined the meeting.

00:08:55 Rep. Flynn joined the meeting.

00:09:36 Warren Illi, Montana Lease Holders Association
[EXHIBIT\(nah71a02\)](#)
[EXHIBIT\(nah71a03\)](#)

00:13:04 Rep. Hands left the meeting.

00:14:32 Rep. Hand rejoined the meeting.

00:18:46 Kelly Sloan, self

00:26:17 Nick Poncelet, self

00:28:30 Kevin Copp, self
[EXHIBIT\(nah71a04\)](#)
[EXHIBIT\(nah71a05\)](#)

00:33:09 Janae Donoghue, Northwest Montana Association of Realtors

00:35:54 Jim Young, self

00:37:38 Rep. Bill Beck, HD 6

00:38:33 Margaret Morgan, Montana Lease Holders Association

00:41:10 Susan Maki, self

00:41:21 John Maki, self

Opponents' Testimony:

00:42:02 Greg Munro, University System
[EXHIBIT\(nah71a06\)](#)

00:53:46 Fred Vollmer, self, Montana State University (MSU)

00:56:30 Caleb Hinkle, self, MSU - Tech
[EXHIBIT\(nah71a07\)](#)

00:57:50 Andrew Beck, self, MSU
[EXHIBIT\(nah71a08\)](#)

00:58:55 Janelle Booth, Montana Associated Students

01:00:02 Blake Robertson, student lobbyist, MSU - Billings

01:00:48 Chairman Hendrick joined the meeting.

01:01:40 Mike Dills, Associated Students, MSU

01:02:44 Frank Gilmore, Chancellor, Montana Tech
01:04:44 Diane Fladmo, Montana Education Association and Montana Federation of
Teachers (MEA-MFT)
01:05:22 Sheila Sterns, Commissioner of Higher Education
01:07:34 Mary Sexton, Executive Director, Department of Natural Resources and
Conservation (DNRC)

[EXHIBIT\(nah71a09\)](#)

[EXHIBIT\(nah71a10\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

01:20:10 Rep. Harris
01:21:00 Ms. Sexton
01:21:47 Rep. Harris
01:22:08 Ms. Sexton
01:22:44 Rep. Harris
01:23:24 Ms. Sexton
01:24:13 Rep. Harris
01:24:24 Ms. Sexton
01:24:31 Rep. Bennett
01:25:11 Ms. Sexton
01:25:55 Rep. Bennett
01:26:34 Ms. Sexton
01:27:09 Jeanie Holmgren, DNRC
01:27:29 Rep. Bennett
01:28:04 Ms. Morgan
01:31:45 Rep. Bennett
01:31:48 Ms. Morgan
01:31:59 Rep. Court
01:32:27 Ms. Sexton
01:32:41 Ms. Holmgren
01:33:05 Rep. Court
01:33:21 Ms. Sexton
01:33:27 Rep. Court
01:33:39 Ms. Sexton
01:33:57 Rep. Court
01:34:11 Ms. Sexton
01:34:17 Rep. Court
01:34:43 Sen. Tutvedt
01:35:11 Rep. Court
01:35:22 Sen. Tutvedt
01:36:15 Rep. Reinhart
01:36:43 Ms. Sexton
01:37:54 Rep. Reinhart
01:38:06 Ms. Sexton
01:38:58 Rep. Reinhart
01:39:08 Ms. Holmgren
01:40:44 Rep. Reinhart

01:40:54 Ms. Holmgren
01:41:06 Rep. Reinhart
01:41:36 Ms. Holmgren
01:42:30 Rep. Reinhart
01:43:05 Mr. Munro
01:43:52 Rep. Hands left the meeting.
01:44:04 Rep. Reinhart
01:44:13 Mr. Munro
01:44:54 Rep. Miller
01:45:17 Ms. Sexton
01:45:41 Chairman Hendrick
01:46:04 Rep. Miller
01:46:13 Ms. Sexton
01:46:26 Rep. Hands rejoined the meeting.
01:46:58 Rep. Miller
01:47:09 Ms. Sexton
01:47:31 Rep. Miller
01:47:44 Ms. Sexton
01:48:57 Rep. Miller
01:49:08 Ms. Sexton
01:49:33 Rep. Miller
01:49:44 Ms. Sexton
01:50:08 Rep. Reinhart left the meeting.
01:51:15 Rep. Miller
01:51:24 Ms. Sexton
01:51:35 Rep. Barrett
01:51:57 Ms. Sexton
01:53:47 Rep. Barrett
01:54:01 Ms. Sexton
01:54:21 Rep. Hands
01:55:00 Ms. Sexton
01:56:05 Rep. Hands
01:56:29 Ms. Sexton
01:59:00 Rep. Hands
02:01:21 Ms. Sexton
02:03:37 Rep. Reinhart rejoined the meeting.
02:03:42 Rep. Hands
02:05:16 Ms. Sexton
02:07:18 Rep. Loney
02:07:52 Mr. Munro
02:08:19 Rep. Loney
02:08:32 Mr. Munro
02:09:34 Rep. Loney
02:09:52 Mr. Munro
02:10:55 Chairman Hendrick left the meeting.
02:11:12 Rep. Harris
02:10:24 Rep. Bennett left the meeting.
02:13:19 Ms. Sexton
02:13:36 Rep. Hands left the meeting.
02:15:28 Chairman Hendrick rejoined the meeting.

02:15:36 Rep. Bennett rejoined the meeting.
02:15:55 Rep. Harris
02:16:39 Rep. Miller left the meeting.
02:17:03 Ms. Sexton
02:17:37 Rep. Harris
02:18:04 Ms. Sexton
02:18:36 Rep. Williams
02:19:07 Ms. Sterns
02:19:44 Rep. Flynn
02:20:10 Ms. Sexton
02:20:16 Rep. Flynn
02:20:31 Ms. Sexton
02:21:03 Ms. Holgram
02:21:42 Rep. Flynn
02:21:58 Ms. Holgram
02:22:23 Rep. Flynn
02:22:41 Ms. Holgram
02:22:56 Rep. Miller rejoined the meeting.
02:23:09 Rep. Flynn
02:23:33 Ms. Holgram
02:24:17 Chairman Hendrick

Closing by Sponsor:

02:24:36 Rep. Blasdel
[EXHIBIT\(nah71a11\)](#)
02:24:47 Rep. Bennett rejoined the meeting.
02:25:55 Chairman Hendrick
02:26:57 Rep. Hands rejoined the meeting
02:27:03 Chairman Hendrick
02:27:37 Joe Kolman, Legislative Services Division (LSD)
02:28:06 Chairman Hendrick
02:28:10 Mr. Kolman

HEARING ON SB 312

Opening Statement by Sponsor:

02:29:55 Sen. Chas Vincent (R), SD 1, opened the hearing on SB 312, Revise metal mine laws.

Proponents' Testimony:

02:31:34 Debbie Shea, Montana Mining Association (MMA)
[EXHIBIT\(nah71a12\)](#)
02:33:13 Terry Grotbo, self
02:35:42 Fess Foster, self
[EXHIBIT\(nah71a13\)](#)

02:38:40 Mark Thompson, Environmental Superintendant, Golden Sunlight Mine

[EXHIBIT\(nah71a14\)](#)

[EXHIBIT\(nah71a15\)](#)

02:44:21 Tammy Johnson, Revett Minerals

[EXHIBIT\(nah71a16\)](#)

02:46:41 Don Allen, Western Environmental Trade Association (WETA)

02:48:05 Rep. Bennett left the meeting.

Opponents' Testimony:

02:48:37 Jim Jensen, Montana Environmental Information Center (MEIC)

[EXHIBIT\(nah71a17\)](#)

02:52:20 Rep. Bennett rejoined the meeting.

02:54:04 Clayton Elliot, Northern Plains Resource Council (NPRC)

03:02:24 Brianna Randall, Clark Fork Coalition

03:03:47 Rep. Hale left the meeting.

03:05:51 Rep. Reinhart left the meeting.

Informational Testimony:

03:06:01 Warren McCullough

03:06:11 Rep. Reinhart left the meeting.

Questions from Committee Members and Responses:

03:06:31 Rep. Connell

03:07:25 Rep. Hale rejoined the meeting.

03:08:28 Ms. Randall

03:08:52 Rep. Connell

03:09:17 Mr. McCullough

03:09:55 Rep. Connell

03:10:58 Mr. McCullough

03:11:26 Rep. Reinhart

03:12:17 Mr. McCullough

03:13:34 Rep. Reinhart

03:13:56 Mr. McCullough

03:14:05 Rep. Reinhart

03:14:21 Mr. McCullough

03:14:41 Rep. Reinhart

03:15:11 Mr. McCullough

03:15:27 Vice Chair Hoven

03:15:51 Mr. McCullough

03:16:33 Rep. Miller

03:17:08 Mr. Thompson

03:17:40 Rep. Miller

03:17:49 Mr. Thompson

03:17:54 Rep. Miller

03:18:13 Mr. McCullough

03:18:48 Rep. Miller

03:19:07 Mr. McCullough

03:19:34 Rep. Williams
03:19:39 Vice Chair Hoven left the meeting.
03:20:02 Mr. McCullough
03:20:51 Rep. Williams
03:21:14 Mr. McCullough
03:21:38 Rep. Williams
03:22:01 Mr. McCullough
03:22:07 Rep. Williams
03:22:29 Mr. McCullough
03:23:16 Rep. Hands left the meeting.

Closing by Sponsor:

03:23:19 Sen. Vincent

03:26:34 Recess began.
03:37:37 Meeting reconvened without Rep. Hands and Rep. Flynn.

HEARING ON SB 299

Opening Statement by Sponsor:

03:38:23 Sen. Bradley Hamlett (D), SD 10, opened the hearing on SB 299, Clarify taxation and ownership river channel changed by avulsion.

03:39:26 Rep. Hands rejoined the meeting.

Proponents' Testimony:

03:40:02 Krista Lee Evans, Association of Gallatin Agricultural Irrigators (AGAI)
03:40:56 Rep. Flynn rejoined the meeting.
03:41:30 Mike Murphy, Montana Water Resources Association (MWRA)
03:41:55 John Youngberg, Montana Farm Bureau Federation (MFBF)

Opponents' Testimony: None

Informational Testimony:

03:42:30 Chuck Willy, Professor
03:44:31 Tom Schultz, DNRC

[EXHIBIT\(nah71a18\)](#)

Questions from Committee Members and Responses:

03:45:58 Rep. Loney
03:46:11 Mr. Schultz
03:46:36 Rep. Loney
03:46:41 Mr. Schultz
03:47:04 Rep. Harris

03:47:41 Mr. Schultz
03:48:17 Rep. Harris
03:48:32 Mr. Schultz
03:49:30 Rep. Harris
03:49:50 Mr. Schultz
03:50:00 Rep. Harris
03:50:15 Mr. Schultz
03:50:34 Rep. Barrett
03:51:19 Mr. Schultz
03:51:21 Rep. Barrett
03:51:38 Mr. Schultz
03:51:41 Rep. Barrett
03:52:01 Mr. Schultz
03:52:25 Sen. Hamlett
03:53:25 Rep. Barrett
03:54:28 Rep. Loney
03:55:04 Sen. Hamlett
03:55:22 Mr. Willy
03:56:32 Rep. Barrett
03:56:51 Mr. Willy
03:57:42 Rep. Warburton
03:58:23 Mr. Willy
03:58:54 Rep. Warburton
03:59:14 Mr. Willy
03:59:52 Rep. Warburton
04:00:19 Mr. Willy
04:01:18 Rep. Warburton
04:01:33 Mr. Willy
04:02:34 Rep. Flynn
04:03:03 Sen. Hamlett
04:05:11 Rep. Flynn
04:05:26 Sen. Hamlett
04:05:53 Rep. Williams
04:06:29 Mr. Schultz
04:06:31 Rep. Williams
04:06:39 Mr. Schultz
04:06:51 Rep. Williams
04:06:59 Mr. Schultz

Closing by Sponsor:

04:07:13 Sen. Hamlett

EXECUTIVE ACTION ON SB 299

04:09:08 **Motion:** Rep. Flynn moved that **SB 299 BE CONCURRED IN.**

04:09:18 Mr. Kolman
04:11:00 Chairman Hendrick

04:11:07 **Motion:** Rep. Hoven moved that **SB 299 BE AMENDED.**
EXHIBIT(nah71a19)

Discussion:

04:11:19 Mr. Kolman

04:12:26 **Vote:** Motion carried unanimously by voice vote.

04:12:47 **Motion:** Rep. Hoven moved that **SB 299 BE CONCURRED IN AS AMENDED.**

Discussion:

04:13:01 Rep. Miller
04:13:21 Mr. Kolman
04:13:58 Rep. Connell

04:14:38 **Vote:** Motion carried unanimously by voice vote. Rep. Flynn will carry the bill.

04:15:04 Rep. Flynn
04:15:10 Chairman Hendrick

EXECUTIVE ACTION ON SB 312

04:15:31 **Motion:** Rep. Hoven moved that **SB 312 BE CONCURRED IN.**

Discussion:

04:16:00 Rep. Loney
04:16:21 Vice Chair Hoven
04:16:56 Rep. Williams
04:17:35 Rep. Connell

04:18:56 **Vote:** Motion carried 10-5 by roll call vote with Rep. Barrett, Rep. Court, Rep. Hands, Rep. Reinhart and Rep. Williams voting no. Rep. Bennett will carry the bill.

04:20:00 Chairman Hendrick
04:20:13 Rep. Barrett
04:20:45 Rep. Miller
04:21:20 Mr. Kolman
04:21:32 Rep. Miller

04:21:38 Mr. Kolman
04:21:47 Rep. Miller
04:21:52 Rep. Reinhart
04:22:50 Rep. Miller
04:22:58 Vice Chair Hoven
04:23:47 Rep. Bennett
04:24:20 Chairman Hendrick
04:24:41 Rep. Connell
04:25:16 Chairman Hendrick
04:25:50 Mr. Kolman

ADJOURNMENT

04:26:55 Adjournment

Lauren Head, Secretary

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Additional Documents:

EXHIBIT([nah71aad.pdf](#))