

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chair Debby Barrett, on February 16, 2011 at 3:30 PM, in Room 422
Capitol

ROLL CALL

Members Present:

Sen. Debby Barrett, Chairman (R)
Sen. Greg Hinkle, Vice Chairman (R)
Sen. John Brenden (R)
Sen. Bradley Hamlett (D)
Sen. Christine Kaufmann (D)
Sen. Jim Keane (D)
Sen. Cliff Larsen (D)
Sen. Donald J. Steinbeisser (R)
Sen. Mitch Tropila (D)
Sen. Chas Vincent (R)
Sen. Edward Walker (R)
Sen. David E. Wanzenried (D)

Members Excused: Sen. Verdell Jackson (R)
Sen. Jim Peterson (R)

Members Absent: None

Staff Present: Kevin McCue, Committee Secretary
Sonja Nowakowski, 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 348, 2/15/2011; SB 312, 2/14/2011; SB 317, 2/14/2011

Executive Action: SB 299 - Do pass as amended
SB 286 - Do pass as amended

HEARING ON SB 348**Opening Statement by Sponsor:**

00:01:12 Sen. Debby Barrett (R), SD 36, opened the hearing on SB 348, Revise funding for wolf management.

Proponents' Testimony:

00:06:34 Carol Lambert, Women Involved in Farm Economics (WIFE)
00:07:23 Tim Ravndal, self

Opponents' Testimony:

00:08:05 Art Noonan, Deputy Director, Fish, Wildlife & Parks (FWP)
EXHIBIT(nas38a01)
00:10:15 Sen. Jackson joined the hearing.
00:14:02 Ben Lamb, lobbyist, Montana Wildlife Federation, (MWF)
EXHIBIT(nas38a02)
00:16:46 Janet Ellis, lobbyist, Montana Audubon

Informational Testimony:

None

Questions from Committee Members and Responses:

00:19:10 Sen. Keane
00:19:37 Mr. Lamb, MWF
00:19:47 Sen. Keane
00:20:01 Dep. Dir. Noonan, FWP
00:20:35 Sen. Tropila
00:20:53 Sen. Barrett
00:21:11 Sen. Tropila
00:22:04 Dep. Dir. Noonan
00:25:09 Sen. Tropila
00:25:55 Sen. Barrett
00:26:11 Sen. Hamlett
00:26:37 Dep. Dir. Noonan
00:27:08 Without objection, Quintin Kujala, Wildlife Management Section Chief, FWP
00:27:33 Sen. Hamlett
00:27:45 Mr. Kajala
00:29:10 Dep. Dir. Noonan
00:30:03 Sen. Hamlett
00:30:15 Dep. Dir. Noonan
00:30:54 Sen. Hamlett
00:31:15 Mr. Lamb
00:33:28 Sen. Vincent
00:34:01 Without objection, Bob Lane, Chief Legal Counsel, FWP
00:35:32 Sen. Hamlett

00:36:09 Mr. Lane
 00:36:36 Mr. Kujala
 00:36:56 Sen. Hamlett
 00:37:04 Mr. Kujala
 00:39:20 Sen. Hinkle
 00:40:22 Dep. Dir. Noonan
 00:42:20 Sen. Larsen
 00:43:07 Dep. Dir. Noonan
 00:44:41 Sen. Hamlett
 00:45:19 Mr. Lane

Closing by Sponsor:

00:49:25 Sen. Barrett
[EXHIBIT\(nas38a03\)](#)

00:56:40 Committee in Recess

HEARING ON SB 312

Opening Statement by Sponsor:

00:59:02 Sen. Chas Vincent (R), SD 1, opened the hearing on SB 312, Revise metal mine laws.

Proponents' Testimony:

01:01:06 Debbie Shea, Executive Director, Montana Mining Association (MMA)
[EXHIBIT\(nas38a04\)](#)
 01:02:48 Fess Foster, self
[EXHIBIT\(nas38a05\)](#)
 01:06:23 Mark Thompson, Environmental Superintendent, Golden Sunlight Mine (GSM)
 01:11:30 Tim Dimock, General Manager, Golden Sunlight Mine (GSM)
 01:13:08 Harold Blattie, lobbyist, Montana Association of Hard Rock Mining Impacted Counties
 01:15:11 Margaret Morgan, Holcim's Trident Cement Plant
 01:15:37 Tammy Johnson, lobbyist, Revett Minerals and the Montana Mining Association (MMA)
 01:21:26 Jon Bennion, lobbyist, Montana Chamber of Commerce
 01:22:44 Don Allen, lobbyist, Western Environmental Trade Association (WETA)

Opponents' Testimony:

01:24:11 Jim Jensen, lobbyist, Montana Environmental Information Center (MEIC)
 01:29:33 Brianna Randall, lobbyist, Clark Fork Coalition (CFC)
 01:32:33 Clayton Elliot, lobbyist, Northern Plains Resource Council (NPRC)

Informational Testimony:

01:35:32 Richard Opper, Director, Department of Environmental Quality (DEQ)

Questions from Committee Members and Responses:

01:36:17 Sen. Wanzenried
 01:37:29 Sen. Vincent
 01:40:20 Sen. Wanzenried
 01:41:22 Mr. Thompson, GSM
 01:43:51 Sen. Kaufmann
 01:44:13 Dir. Opper, DEQ
 01:45:35 Sen. Tropila
 01:46:09 Sen. Vincent
 01:47:16 Sen. Tropila
 01:47:21 Without objection, Warren McCullough, Environmental Management Chief, DEQ
 01:48:18 Sen. Tropila
 01:48:36 Sen. Vincent
 01:49:31 Dir. Opper
 01:50:15 Ms. Shea, MMA
 01:52:27 Sen. Tropila
 01:52:58 Dir. Opper
 01:56:07 Sen. Tropila
 01:56:22 Sen. Vincent
 02:00:29 Sen. Hamlett
 02:01:08 Ms. Johnson, MMA
 02:04:27 Sen. Kaufmann
 02:05:30 Mr. Jensen, MEIC
 02:08:45 Sen. Barrett
 02:08:56 Dir. Opper
 02:09:35 Sen. Barrett
 02:10:00 Ms. Johnson

Closing by Sponsor:

02:14:15 Sen. Vincent
 02:16:58 Recess. Sens. Wanzenried, Brenden, Steinbeisser and Keane left the hearing.

HEARING ON SB 317

Opening Statement by Sponsor:

02:24:25 Sen. Chas Vincent (R), SD 1, opened the hearing on SB 317, Generally revise the Montana Environmental Policy Act.

Proponents' Testimony:

02:27:54 Bob Winger, President, Boilermakers Union of Montana
 02:29:44 Jim Metropoulos, self
 02:33:56 Todd O'Hair, Senior Government Affairs Officer, Cloud Peak Energy
 02:37:35 Don Allen, lobbyist, Western Environmental Trade Association (WETA)
 02:41:47 Mark Thompson, Environmental Superintendent, Golden Sunlight Mine (GSM)

02:45:26 Jason Toddhunter, lobbyist, Montana Logging Association (MLA) and on behalf of John Youngberg, Montana Farm Bureau Association (MFBA)
 02:47:35 Dave Galt, lobbyist, Montana Petroleum Association (MPA) and Montana Contractors Association (MCA)
 02:47:57 Carol Lambert, Women Involved in Farm Economics (WIFE)
 02:48:35 Tammy Johnson, lobbyist, Revett Minerals
 02:50:56 Patrick Heffernan, lobbyist, Montana Wood Products Association (MWPA)

Opponents' Testimony:

02:52:14 Anne Hedges, lobbyist, Montana Environmental Information Center (MEIC)
EXHIBIT(nas38a06)
 03:05:17 Brianna Randall, lobbyist, Clark Fork Coalition (CFC)
 03:08:27 Janet Ellis, lobbyist, Montana Audubon
EXHIBIT(nas38a07)
 03:12:46 Sarah Sather, Montana Public Interest Resource Group (MontPIRG)
 03:13:36 Clayton Elliot, lobbyist, Northern Plains Resource Council (NPRC)
 03:19:31 Mark Aagenes, lobbyist, Montana Trout Unlimited (MTU)

Informational Testimony:

03:20:00 Richard Opper, Director, Department of Environmental Quality (DEQ)
 03:20:18 Candace West, Chief Council, Department of Natural Resources and Conservation (DNRC)

Questions from Committee Members and Responses:

03:22:59 Sen. Tropila
 03:23:35 Mr. Metropoulos
 03:24:31 Sen. Tropila
 03:25:33 Sen. Vincent
 03:26:33 Sen. Tropila
 03:27:03 Mr. Toddhunter, MLA
 03:27:26 Sen. Tropila
 03:28:02 Mr. Metropoulos
 03:28:45 Sen. Hinkle
 03:29:08 Ms. Hedges, MEIC
 03:30:20 Sen. Larsen
 03:30:53 Sen. Vincent
 03:32:33 Sen. Kaufmann
 03:32:59 Mr. Metropoulos
 03:39:35 Sen. Tropila
 03:40:17 Dir. Opper, DEQ
 03:41:07 Sen. Tropila
 03:41:43 Sen. Vincent
 03:43:15 Sen. Barrett
 03:43:29 Mr. Metropoulos
 03:47:11 Sen. Barrett
 03:47:24 Mr. O'Hair, Cloud Peak Energy
 03:49:15 Sen. Kaufmann

03:49:36 Ms. Ellis, Montana Audubon
 03:51:12 Sen. Kaufmann
 03:51:37 Ms. Hedges

Closing by Sponsor:

03:52:15 Sen. Vincent
 03:57:26 Committee in Recess

EXECUTIVE ACTION ON SB 299

04:09:01 **Motion:** Sen. Hamlett moved that **SB 299 DO PASS.**

04:09:51 **Motion:** Sen. Hamlett moved that **SB 299 BE AMENDED.**
EXHIBIT(nas38a08)

Discussion:

04:10:08 Sen. Kaufmann

04:10:47 **Vote:** Motion carried 13-1 by roll call vote with Sen. Kaufmann voting no. Sen. Brenden, Sen. Keane, Sen. Peterson, Sen. Steinbeisser and Sen. Wanzenried voted by proxy.

04:11:51 **Motion/Vote:** Sen. Hamlett moved that **SB 299 DO PASS AS AMENDED.**
 Motion carried 13-1 by roll call vote with Sen. Kaufmann voting no. Sen. Brenden, Sen. Keane, Sen. Peterson, Sen. Steinbeisser and Sen. Wanzenried voted by proxy.

EXECUTIVE ACTION ON SB 286

04:13:53 **Motion:** Sen. Walker moved that **SB 286 DO PASS.**

04:14:03 **Motion:** Sen. Walker moved that **SB 286 BE AMENDED.**

EXHIBIT(nas38a09)

Discussion:

04:14:27 Ms. Nowakowski, LSD

04:15:37 **Vote:** Motion carried unanimously by voice vote. Sen. Brenden, Sen. Keane, Sen. Peterson, Sen. Steinbeisser and Sen. Wanzenried voted by proxy.

04:16:16 **Motion/Vote:** Sen. Walker moved that **SB 286 DO PASS AS AMENDED.**
 Motion carried unanimously by voice vote. Sen. Brenden, Sen. Keane, Sen. Peterson, Sen. Steinbeisser and Sen. Wanzenried voted by proxy.

EXECUTIVE ACTION ON SB 348

04:17:30 **Motion:** Sen. Barrett moved that **SB 348 DO PASS.**

Discussion:

04:17:39 Sen. Hinkle
04:18:26 Sen. Vincent
04:21:55 Sen. Kaufmann
04:22:11 Sen. Barrett
04:24:43 Sen. Larsen
04:25:02 Sen. Barrett
04:26:51 Sen. Hamlett
04:27:45 Sen. Barrett
04:27:52 Ms. Nowakowski
04:28:17 Sen. Hamlett
04:28:36 Sen. Tropila
04:28:48 Ms. Nowakowski
04:28:58 Sen. Tropila
04:30:03 Sen. Barrett
04:31:46 Sen. Tropila
04:32:05 Ms. Nowakowski
04:33:06 Sen. Vincent
04:33:45 Sen. Hamlett
04:34:07 Ms. Nowakowski
04:34:46 Sen. Larsen

04:35:06 **Motion:** Sen. Barrett **WITHDREW HER MOTION THAT SB 348 DO PASS.**

ADJOURNMENT

Adjournment:

04:35:42

Kevin McCue, Secretary

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Additional Documents:

EXHIBIT([nas38aad.pdf](#))