

BUSINESS REPORT

**MONTANA SENATE
62nd LEGISLATURE - REGULAR SESSION**

SENATE NATURAL RESOURCES COMMITTEE

Date: Wednesday, February 2, 2011
Place: Capitol

Time: 3:00 PM
Room: 422

BILLS and RESOLUTIONS HEARD:

SB 233 - Generally revise environmental impact laws
SB 239 - Temporarily prohibiting DEQ enforcement authority for public water systems

EXECUTIVE ACTION TAKEN:

SB 86 - Tabled
SB 89 - Do pass as amended

Comments:



SEN. Debby Barrett, Chair

MONTANA STATE SENATE
ROLL CALL
 NATURAL RESOURCES
 COMMITTEE

DATE: February 2, 2011

NAME	PRESENT	ABSENT/ EXCUSED
Vice Chair Hinkle	✓	
Senator Brenden	✓	
Senator Hamlett	✓	
Senator Jackson	✓	
Senator Kaufmann	✓	
Senator Keane	✓	
Senator Larsen		✓
Senator Peterson		✓
Senator Steinbeisser	✓	
Senator Tropila	✓	
Senator Vincent		✓
Senator Walker	✓	
Senator Wanzenried	✓	
Chairperson Barrett	✓	

14 Committee Members

COMMITTEE FILE COPY

BILL TABLED NOTICE

SENATE NATURAL RESOURCES COMMITTEE

The **SENATE NATURAL RESOURCES COMMITTEE** TABLED **SB 86 - Disclosure of fracturing fluid for oil and gas wells**, by motion, on **Wednesday, February 2, 2011**.

(For the Committee)

Susan Anderson

(For the Secretary of the Senate)

7:30 / 2-3-11
(Time) (Date)

February 2, 2011

Kevin McCue, Secretary

Phone: 7363

MONTANA STATE SENATE
Roll Call Vote
NATURAL RESOURCES COMMITTEE

DATE 2/2/11 BILL NO SB 86 MOTION NO. _____
 MOTION: _____

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	<u>If Proxy Vote, check here & include signed Proxy Form with minutes</u>
<u>SENATOR GREG HINKLE, VICE CHAIR</u>		✓	
<u>SENATOR JOHN BRENDAN</u>		✓	
<u>SENATOR BRADLEY MAXON HAMLETT</u>	✓		
<u>SENATOR VERDELL JACKSON</u>		✓	
<u>SENATOR CHRISTINE KAUFMANN</u>	✓		
<u>SENATOR JIM KEANE</u>	✓		
<u>SENATOR CLIFF LARSEN</u>	✓		✓
<u>SENATOR JIM PETERSON</u>		✓	✓
<u>SENATOR DONALD STEINBEISSER</u>		✓	
<u>SENATOR MITCH TROPILA</u>	✓		
<u>SENATOR CHAS VINCENT</u>		✓	✓
<u>SENATOR EDWARD WALKER</u>		✓	
<u>SENATOR DAVID WANZENRIED</u>	✓		
<u>SENATOR DEBBY BARRETT, CHAIR</u>		✓	
	6	8	

MONTANA STATE SENATE
Roll Call Vote
NATURAL RESOURCES COMMITTEE

DATE 2/2/11 BILL NO SB89 MOTION NO. _____
 MOTION: Sen. Kaufmann - Amendment with
conceptual change

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	<u>If Proxy Vote, check here & include signed Proxy Form with minutes</u>
<u>SENATOR GREG HINKLE, VICE CHAIR</u>		✓	
<u>SENATOR JOHN BRENDAN</u>		✓	
<u>SENATOR BRADLEY MAXON HAMLETT</u>		✓	
<u>SENATOR VERDELL JACKSON</u>		✓	
<u>SENATOR CHRISTINE KAUFMANN</u>	✓		
<u>SENATOR JIM KEANE</u>		✓	
<u>SENATOR CLIFF LARSEN</u>	✓		✓
<u>SENATOR JIM PETERSON</u>		✓	✓
<u>SENATOR DONALD STEINBEISSER</u>		✓	
<u>SENATOR MITCH TROPILA</u>	✓		
<u>SENATOR CHAS VINCENT</u>		✓	✓
<u>SENATOR EDWARD WALKER</u>		✓	
<u>SENATOR DAVID WANZENRIED</u>	✓		
<u>SENATOR DEBBY BARRETT, CHAIR</u>		✓	

MONTANA STATE SENATE
Roll Call Vote
NATURAL RESOURCES COMMITTEE

DATE 2/2/11 BILL NO. SB89 MOTION NO. _____
 MOTION: Sen. Wittich Amendment SB008902.ah

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	<u>If Proxy Vote, check here & include signed Proxy Form with minutes</u>
<u>SENATOR GREG HINKLE, VICE CHAIR</u>	✓		
<u>SENATOR JOHN BRENDAN</u>	✓		
<u>SENATOR BRADLEY MAXON HAMLETT</u>	✓		
<u>SENATOR VERDELL JACKSON</u>	✓		
<u>SENATOR CHRISTINE KAUFMANN</u>	✓		
<u>SENATOR JIM KEANE</u>	✓		
<u>SENATOR CLIFF LARSEN</u>	✓		✓
<u>SENATOR JIM PETERSON</u>	✓		✓
<u>SENATOR DONALD STEINBEISSER</u>	✓		
<u>SENATOR MITCH TROPILA</u>	✓		
<u>SENATOR CHAS VINCENT</u>	✓		✓
<u>SENATOR EDWARD WALKER</u>	✓		
<u>SENATOR DAVID WANZENRIED</u>	✓		
<u>SENATOR DEBBY BARRETT, CHAIR</u>	✓		
	14		

MONTANA STATE SENATE
Roll Call Vote
NATURAL RESOURCES COMMITTEE

DATE 2/2/11 BILL NO. SB 89 MOTION NO. _____
 MOTION: as amended

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	<u>If Proxy Vote, check here & include signed Proxy Form with minutes</u>
<u>SENATOR GREG HINKLE, VICE CHAIR</u>	✓		
<u>SENATOR JOHN BRENDAN</u>	✓		
<u>SENATOR BRADLEY MAXON HAMLETT</u>	✓		
<u>SENATOR VERDELL JACKSON</u>	✓		
<u>SENATOR CHRISTINE KAUFMANN</u>		✓	
<u>SENATOR JIM KEANE</u>	✓		
<u>SENATOR CLIFF LARSEN</u>		✓	✓
<u>SENATOR JIM PETERSON</u>	✓		✓
<u>SENATOR DONALD STEINBEISSER</u>	✓		
<u>SENATOR MITCH TROPILA</u>	✓		
<u>SENATOR CHAS VINCENT</u>	✓		✓
<u>SENATOR EDWARD WALKER</u>	✓		
<u>SENATOR DAVID WANZENRIED</u>	✓		
<u>SENATOR DEBBY BARRETT, CHAIR</u>	✓		
	12	2	



SENATE STANDING COMMITTEE REPORT

February 2, 2011
Page 1 of 2

Mr. President:

We, your committee on **Natural Resources** recommend that **Senate Bill 89** (first reading copy -- white) **do pass as amended.**

Signed: _____

Debby Barrett
Senator Debby Barrett, Chair

And, that such amendments read:

1. Title, page 1, line 7.

Following: "HEALTH;"

Insert: "CLARIFYING PROCEDURES FOR PROVIDING EVIDENCE OF SYSTEMS COMPLIANCE; REQUIRING THE DEPARTMENT TO NOTIFY APPLICANTS UNDER CERTAIN CIRCUMSTANCES IF AN APPLICATION DOES NOT INCLUDE EVIDENCE OF CERTIFICATION FROM THE LOCAL HEALTH DEPARTMENT OR APPROVAL FROM THE LOCAL GOVERNING BODY; REVISING PROCEDURES FOR DEPARTMENT REVIEW OF SUBDIVISION APPLICATIONS;"

2. Page 3, line 5.

Following: "plat"

Strike: "; and"

Insert: ". Evidence that the systems will comply with local laws and regulations must be in the form of a certification from the local health department as provided by department rule"

3. Page 3, line 10.

Strike: "20"

Insert: "45"

4. Page 3, line 12.

Strike: "30"

Insert: "55"

5. Page 4, line 10.

Following: line 10

Committee Vote:

Yes 12, No 2

Fiscal Note Required

OR

Insert: "(b) Within 5 working days after receipt of an application that is not subject to review by a local reviewing authority under 76-4-104, the department shall provide a written notice for informational purposes to the applicant if the application does not include a copy of the certification from the local health department required by 76-4-104(6)(j) or, if applicable, contain an approval from the local governing body under title 76, chapter 3, together with any public comments or summaries of public comments collected as provided in 76-3-604(7)(a).

(c) If the reviewing authority denies an application and the applicant resubmits a corrected application within 30 days after the date of the denial letter, the reviewing authority shall complete review of the resubmitted application within 30 days after receipt of the resubmitted application. If the review of the resubmitted application is conducted by a local department or board of health that is certified under 76-4-104, the department shall make a final decision on the application within 10 days after the local reviewing authority completes its review."

Renumber: subsequent subsection

6. Page 4, line 12.

Strike: "30"

Insert: "55"

- END -

**AUTHORIZED
SENATE COMMITTEE PROXY**

I request to be excused from Natural Resources Committee because of other commitments. I desire to leave my proxy vote with:

Sen. Kaufmann

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

AYE NO

BILL/AMENDMENT

AYE NO

Hinkle Amend 86	X	
Do Pass - 86	X	
Kaufmann Amend - 89	X	
Hinkle Amend - 89	X	
Do Pass as Amend - 89		X

Sen. Chiff Luan

(Signature)

Date _____

MONTANA STATE SENATE
Visitors Register
SENATE NATURAL RESOURCES COMMITTEE

2nd

Wednesday, February 2, 2011

SB 233 - Generally revise environmental impact laws

Sponsor: Senator Jim Keane

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PLEASE PRINT

Name	Representing	Support	Oppose
RACHEL ROBERTS	Concerned Citizens MT		X
John Handman KRISTINE MATHER	SEAF		X
Richard E. Grady	Citizen	X	
Beth Kaeding	Northern Plains Resource Council		X
Tim RAUNDAL	COATIP	X	X
DAVE GALT	MPA	X	
JOHN ROEBE	MSIBCTC	X	
Anne Hedges	MEIC		X
BUD CLINCH	MCC	X	
Janet Ellis	MT Audubon		X
Bob Winger	Boilermakers Local 11	X	
Loz Berry	GWP	X	
Ross Prosperi	MT Conservation Voters		X
Jon Allen	WEFA	X	
James Busby	MRC	X	
Todd O'Hair	Cloud Peak Energy	X	
Bill Peterson	Self		X
Bill Bob HASEMAN	Self		X
J. D. Lynell	MT ST Builders Const Trac	X	
Debbie Henry	MMA	X	
Cary Hegreberg	Contractors ASSO.	X	

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

