

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON NATURAL RESOURCES

**Call to Order:** Chair Gordon R. Hendrick, on February 2, 2011 at 3:00 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. Michele Reinhart (D)  
Rep. Kathleen Williams (D)

**Members Excused:** 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: HB 352, 1/28/2011; HB 364, 1/28/2011

**HEARING ON HB 352****Opening Statement by Sponsor:**

00:02:28 Rep. Ryan Osmundson (R), HD 29, opened the hearing on HB 352, Revise laws relating to water quality standards and provide alternatives.

**Proponents' Testimony:**

00:04:37 Ed Butcher, self  
00:13:23 Rod Bowling, self  
00:18:43 Richard Cusp, self

**Opponents' Testimony:**

00:21:24 Shelly Nolan, Department of Environmental Quality (DEQ)  
**EXHIBIT(nah26a01)**  
00:28:11 Linda Stoll, Missoula County  
**EXHIBIT(nah26a02)**  
00:29:51 Laurel Riek, Environmental Health Specialist, Association of Montana Public Health Officials (AMPHO), Montana Environmental Health Association (MEHA)  
**EXHIBIT(nah26a03)**  
**EXHIBIT(nah26a04)**  
00:33:22 Jim Jensen, Montana Environmental Information Center (MEIC)  
00:34:46 Don MacIntyre, Mountain Water Company (MWC)  
00:35:27 Tom Lythgoe, Jefferson County

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:36:16 Rep. Reinhart  
00:36:35 Ms. Nolan  
00:38:23 Rep. Reinhart  
00:38:37 Ms. Nolan  
00:41:00 Rep. Reinhart  
00:41:12 Ms. Nolan  
00:42:56 Rep. Warburton  
00:43:27 Rep. Reinhart left the meeting.  
00:43:30 Ms. Nolan  
00:44:04 Rep. Warburton  
00:44:08 Ms. Nolan  
00:44:13 Rep. Warburton  
00:44:46 Mr. Bowling  
00:48:20 Rep. Miller  
00:48:36 Ms. Nolan  
00:48:49 Rep. Miller  
00:48:58 Ms. Nolan  
00:49:13 Rep. Miller  
00:49:22 Ms. Nolan

00:50:46 Rep. Miller  
00:50:55 Ms. Nolan  
00:51:18 Rep. Barrett  
00:51:46 Ms. Riek  
00:51:56 Rep. Barrett  
00:52:49 Ms. Riek  
00:53:01 Rep. Loney  
00:53:18 Ms. Riek  
00:53:33 Rep. Loney  
00:53:51 Ms. Riek  
00:54:13 Rep. Loney  
00:54:23 Ms. Nolan  
00:54:46 Rep. Loney  
00:55:14 Mr. Bowling  
00:57:27 Rep. Connell  
00:57:52 Mr. Bowling  
00:58:08 Rep. Connell  
00:58:40 Mr. Bowling  
00:59:46 Rep. Hale  
01:00:06 Mr. Bowling  
01:00:08 Rep. Hale  
01:00:14 Mr. Bowling

**Closing by Sponsor:**

01:00:44 Rep. Osmundson

**HEARING ON HB 364**

**Opening Statement by Sponsor:**

01:05:54 Rep. Alan Hale (R), HD 77, opened the hearing on HB 364, Revise laws related to natural resource permitting.

**Proponents' Testimony:** None

**Opponents' Testimony:**

01:10:20 Judy Hanson, Administrator, DEQ  
01:12:29 Rep. Miller left the meeting.  
01:17:12 Rep. Miller rejoined the meeting.  
01:17:55 Mary Sexton, Executive Director, Department of Natural Resources and Conservation (DNRC)  
01:20:51 Krista Lee Evans, Association of Gallatin Agricultural Irrigators (AGAI), Senior Water Rights Coalition (SWRC), Montana Farm Bureau Federation (MFBF), Montana Stockgrowers Association (MSGA)  
01:22:40 Mike Murphy, Montana Water Resources Association (MWRA)  
01:24:13 Walt Sales, self  
01:26:00 Mark Aagenes, Montana Trout Unlimited (MTU)

01:27:35 Jim Jensen, MEIC

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:30:22 Rep. Connell  
01:31:32 Rep. Hale  
01:31:44 Rep. Connell  
01:32:12 Rep. Hale  
01:32:51 Rep. Connell  
01:33:32 Ms. Hanson  
01:33:49 Warren McCullough, DEQ  
01:39:06 Vice Chairman Hoven  
01:39:16 Rep. Bennett  
01:40:14 Rep. Hale  
01:41:19 Rep. Bennett  
01:41:58 Ms. Hanson  
01:43:00 Rep. Bennett  
01:43:14 Chairman Hendrick  
01:43:43 Ms. Hanson  
01:43:45 Chairman Hendrick  
01:43:54 Mr. McCullough  
01:44:31 Rep. Harris  
01:44:40 Rep. Hands left the meeting.  
01:45:29 Mr. McCullough  
01:45:36 Rep. Harris  
01:45:45 Mr. McCullough  
01:46:14 Rep. Harris  
01:46:35 Mr. McCullough  
01:47:40 Rep. Flynn  
01:48:12 Ms. Hanson  
01:48:39 Rep. Hands rejoined the meeting.  
01:48:58 Rep. Flynn  
01:49:18 Ms. Hanson  
01:49:43 Rep. Flynn  
01:49:54 Ms. Hanson  
01:50:07 Rep. Barrett  
01:51:00 Rep. Hale  
01:51:25 Rep. Barrett  
01:51:41 Rep. Hale  
01:51:52 Rep. Barrett  
01:52:07 Rep. Hale  
01:52:19 Rep. Barrett  
01:53:04 Rep. Hale  
01:53:32 Rep. Barrett  
01:53:55 Chairman Hendrick  
01:54:25 Rep. Barrett  
01:54:34 Chairman Hendrick  
01:54:50 Rep. Miller

01:55:34 Ms. Hanson  
01:55:37 Mr. McCullough  
01:56:22 Rep. Miller  
01:56:32 Mr. McCullough  
01:57:19 Rep. Hoven  
01:58:01 Mr. McCullough  
01:58:13 Rep. Hoven  
01:58:53 Ms. Hanson  
01:59:23 Rep. Warburton  
01:59:50 Mr. McCullough  
02:00:15 Rep. Warburton  
02:00:27 Mr. McCullough

**Closing by Sponsor:**

02:00:54 Rep. Hale  
  
02:01:49 Chairman Hendrick  
02:02:53 Rep. Connell  
02:03:06 Chairman Hendrick

**ADJOURNMENT**

02:03:33      Adjournment

---

Lauren Head, Secretary

lh

**Additional Exhibits:**

**[EXHIBIT\(nah26a05\)](#)**

**[EXHIBIT\(nah26a06\)](#)**

Additional Documents:

**[EXHIBIT\(nah26aad.pdf\)](#)**