

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chair Gordon R. Hendrick, on February 14, 2011 at 3:00 PM, in Room 472 Capitol

ROLL CALL

Members Present:

Rep. Gordon R. Hendrick, Chair (R)
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. Cleve J. Loney (R)
Rep. Mike Miller (R)
Rep. Wendy Warburton (R)
Rep. Kathleen Williams (D)

Members Excused: Rep. Bill Harris (R)
Rep. Michele Reinhart (D)

Members Absent: Rep. Betsy Hands, Vice Chair (D)

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 433, 2/9/2011; HB 434, 2/9/2011

00:02:19 Rep. Hands joined the meeting.

HEARING ON HB 434

Opening Statement by Sponsor:

00:02:50 Rep. Steve Fitzpatrick (R), HD 20, opened the hearing on HB 434, Revise Comprehensive Environmental Cleanup and Responsibility Act.

00:06:20 Rep. Harris joined the meeting.

Proponents' Testimony:

00:07:12 Leo Berry, Burlington Northern Santa Fe (BNSF)

00:14:29 Ronna Alexander, Petroleum Marketers Association of America (PMAA)

EXHIBIT(nah36a01)

00:16:45 Don Allen, Western Environmental Trade Association (WETA)

Opponents' Testimony:

00:18:25 Richard Opper, Director, Department of Environmental Quality (DEQ)

00:27:20 Kerry Fee, Executive Director, Park County Environmental Council (PCEC)

00:35:04 Anne Hedges, Montana Environmental Information Center (MEIC)

EXHIBIT(nah36a02)

00:39:27 Brianna Randall, Clark Fork Coalition

00:41:13 Rachel Greene, Northern Plains Resource Council (NPRC)

00:41:50 Rep. Miller left the meeting.

Informational Testimony: None

Questions from Committee Members and Responses:

00:42:16 Rep. Connell

00:42:59 Mr. Berry

00:45:01 Rep. Connell

00:45:34 Mr. Berry

00:45:40 Rep. Connell

00:45:51 Rep. Flynn left the meeting.

00:46:05 Mr. Berry

00:46:41 Rep. Hands

00:47:09 Mr. Opper

00:47:35 Rep. Hands

00:47:47 Mr. Opper

00:48:13 Rep. Hands

00:48:29 Mr. Opper

00:48:40 Cindy Brooks, Senior Superfund Attorney, DEQ

00:49:29 Vice Chair Hoven

00:49:56 Mr. Opper

00:49:58 Vice Chair Hoven

00:50:05 Mr. Opper

00:50:45 Vice Chair Hoven
00:51:01 Mr. Opper
00:51:48 Rep. Barrett
00:52:51 Ms. Brooks
00:53:25 Rep. Barrett
00:53:30 Rep. Miller rejoined the meeting.
00:54:23 Ms. Brooks
00:56:48 Rep. Williams
00:57:03 Mr. Opper
00:57:14 Rep. Williams
00:57:41 Mr. Berry
00:58:00 Rep. Connell
00:58:17 Rep. Williams
00:58:47 Chairman Hendrick
00:59:00 Rep. Williams
00:59:16 Mr. Berry
01:01:26 Chairman Hendrick
01:01:46 Mr. Berry
01:04:15 Rep. Hands
01:05:18 Mr. Opper
01:06:23 Chairman Hendrick
01:06:40 Rep. Hands
01:07:07 Mr. Opper
01:07:17 Ms. Brooks
01:09:50 Rep. Flynn rejoined the meeting.
01:10:05 Rep. Hale
01:10:28 Mr. Berry
01:10:40 Rep. Harris
01:11:10 Mr. Opper
01:12:50 Rep. Harris
01:13:02 Mr. Opper
01:13:37 Mr. Berry
01:16:33 Rep. Williams
01:16:46 Mr. Opper
01:16:48 Rep. Williams
01:16:55 Mr. Opper
01:17:05 Rep. Williams

Closing by Sponsor:

01:17:25 Rep. Fitzpatrick

HEARING ON HB 433**Opening Statement by Sponsor:**

01:24:42 Rep. Gerald (Jerry) Bennett (R), HD 1, opened the hearing on HB 433, Clarify exempt well laws.

Proponents' Testimony:

01:28:29 Abigail St. Lawrence, Montana Association of Realtors (MAR)

01:33:07 Rep. Reinhart joined the meeting.

EXHIBIT(nah36a03)

EXHIBIT(nah36a04)

01:37:23 Rick Breckenridge,

01:38:00 Dustin Stewart, Montana Building Industry

01:42:10 Ronda Wiggers, Montana Water Well Drillers Association (MWWDA)

EXHIBIT(nah36a05)

01:50:29 Clinton Kane, self

EXHIBIT(nah36a06)

01:58:49 Rep. Hands left the meeting.

02:03:46 Mike Hughes, self

02:04:25 Rep. Miller left the meeting.

02:07:47 Rich Byrne, Pat Byrne Drilling, MWWDA

02:09:50 Rep. Hands rejoined the meeting.

02:11:08 Rep. Miller rejoined the meeting.

02:11:26 Chip Pigman, self

02:13:29 Rep. Reinhart left the meeting.

02:13:32 Jeff Larsen, Montana Environmental Consultants Association (MECA), Flathead County Coalition

EXHIBIT(nah36a07)

EXHIBIT(nah36a08)

02:16:45 Mark Smith, self, MWWDA

02:18:14 Terry Lindsay, self

02:17:56 Rep. Hands left the meeting.

02:19:14 Rep. Connell left the meeting.

02:19:16 Ron Bartsch, self

02:20:50 Charles Lapp, self

02:21:16 David Graham, self

02:21:30 Rep Reinhart rejoined the meeting.

02:22:43 Kirk Sampson, self

02:23:07 Rep. Connell rejoined the meeting

02:23:36 Basil Jacobson, United Materials & Co.

02:24:20 Will Hayes, self

02:24:39 Roger Long, Two M Company

02:25:13 Troy Hauser, self

Opponents' Testimony:

02:26:11 Bob Simms, self

EXHIBIT(nah36a09)

02:32:09 Holly Franz, PPL Montana

EXHIBIT(nah36a10)

02:37:38 Rep. Hale left the meeting.

02:39:02 Alan English, Gallatin Local Water Quality District

EXHIBIT(nah36a11)

02:48:05 Brianna Randall, Clark Fork Coalition

EXHIBIT(nah36a12)

02:52:49 John Youngburg, Montana Farm Bureau Federation (MFBF)

EXHIBIT(nah36a13)

02:55:34 Chairman Hendrick left the meeting.

02:55:49 Mike Murphy, Montana Water Resources Association (MWRA)

02:56:45 Chairman Hendrick joined the meeting.

02:56:55 Walt Sales, self

02:58:06 Mark Aagenes, Montana Trout Unlimited (MTU)

03:00:46 Bill Schenk, Montana Department of Fish, Wildlife, and Parks (FWP)

03:01:17 Rep. Hale left the meeting.

EXHIBIT(nah36a14)

03:03:50 Brenda Lindlief-Hall, Tongue River Water Users Association

03:04:53 Cindy Swank, self

03:06:31 Clayton Elliot, NPRC

03:06:48 Jay Bodner, Montana Stockgrower Association (MSGA)

03:08:31 Lezlie Kinne, Water Commissioner, Willow Creek Water Storage Project,
Cataract Water Users Association, Madison County Conservation District

03:09:14 Robin Cunningham, Fishing Outfitters Association of Montana (FOAM)

03:10:17 Krista Lee Evans, Senior Water Right Coalition (SWRC), Association of Gallatin
Agricultural Irrigators (AGAI)

EXHIBIT(nah36a15)

03:12:44 Dusty Hahn, self

EXHIBIT(nah36a16)

03:13:50 Mary Sexton, Executive Director, Department of Natural Resources and
Conservation (DNRC)

03:15:49 Rep. Hands rejoined the meeting.

Informational Testimony: None**Questions from Committee Members and Responses:**

03:19:54 Rep. Reinhart

03:20:21 Ms. Sexton

03:20:55 Rep. Reinhart

03:21:06 Ms. Sexton

03:21:41 Rep. Reinhart

03:21:53 Ms. Sexton

03:22:22 Rep. Loney

03:22:50 Ms. Sexton

03:24:15 Rep. Loney

03:24:38 Ms. Sexton
03:25:03 Rep. Hale
03:25:26 Mr. Lindsay
03:26:34 Rep. Miller
03:26:55 Ms. Sexton
03:27:09 Terry McLaughlin, DNRC
03:28:23 Rep. Miller
03:28:40 Ms. McLaughlin
03:28:57 Rep. Miller
03:29:30 Mr. Lindsay
03:30:34 Rep. Miller
03:30:41 Mr. Lindsay
03:31:44 Rep. Harris
03:32:56 Ms. Sexton
03:33:43 Rep. Harris
03:33:54 Rep. Barrett
03:34:35 Mr. English
03:36:04 Rep. Williams
03:36:39 Mr. Lindsay
03:37:05 Rep. Williams
03:37:14 Mr. Lindsay
03:37:40 Rep. Williams
03:38:14 Ms. Sexton
03:39:50 Rep. Williams
03:40:07 Ms. Sexton
03:40:27 Rep. Loney
03:41:00 Mr. Lindsay

Closing by Sponsor:

03:41:59 Rep. Bennett

03:45:34 Chairman Hendrick
03:46:40 Rep Barrett
03:46:48 Chairman Hendrick
03:47:00 Joe Kolman, Legislative Services Division (LSD)
03:47:11 Rep Barrett
03:47:17 Chairman

ADJOURNMENT

03:47:33 Adjournment

Lauren Head, Secretary

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Additional Documents:

EXHIBIT([nah36aad.pdf](#))