

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES AND TRANSPORTATION

Call to Order: Chair Mike Cuffe, on February 8, 2013 at 8:30 AM, in Room 317C Capitol

ROLL CALL

Members Present:

Rep. Mike Cuffe, Chair (R)
Sen. Matthew M. Rosendale Sr, Vice Chair (R)
Rep. Duane Ankney (R)
Sen. John Brenden (R)

Members Excused: Rep. Galen Hollenbaugh (D)
Sen. Jim Keane (D)
Rep. Lea Whitford (D)

Members Absent: None

Staff Present: Christina Butler, Legislative Branch
Shawn Graham, OBPP
Tia Hunter, Committee Secretary
Gerry Murphy, OBPP

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:

Presentation - Department of Fish, Wildlife, and Parks
Language and Statutory Authority Paragraphs 1-4, Language and Statutory Authority Paragraph 5 as amended, Language and Statutory Authority Paragraph 6, DP 2102, DP 2201, DP 2202, DP 2301, DP 2305, DP 2306, DP 2311, DP 2402, DP 2403, DP 2404, DP 2405, DP 2406, DP 2408, DP 35012, DP 35014, DP 35021, DP 35023, New DP 2312, New DP 2316, New DP 2317, New DP 23108, New DP 2321, New DP 2315, Introduce a committee bill that eliminates the transfer of the coal tax shared account to the general fund for the Fiscal Years 2013, 2014, 2015

00:09:22 Chairman Cuffe

EXHIBIT(jnh28a01)

00:10:11 Sen. Keane entered.

00:10:19 Christina Butler, Legislative Fiscal Division (LFD)

EXHIBIT(jnh28a02)

00:11:03 Chairman Cuffe

00:12:21 Rep. Hollenbaugh entered.

00:12:24 Ms. Butler, LFD

Presentation from Department of Fish, Wildlife, and Parks

00:13:07 Jim Kropp, Law Enforcement Chief, Department of Fish, Wildlife, and Parks
(FWP)

EXHIBIT(jnh28a03)

Questions from Committee Members and Responses:

00:36:47 Sen. Brenden

00:37:03 Mr. Kropp, FWP

00:37:06 Sen. Brenden

00:37:09 Mr. Kropp, FWP

00:37:47 Sen. Brenden

00:38:06 Mr. Kropp, FWP

00:38:35 Sen. Brenden

00:38:42 Mr. Kropp, FWP

00:39:08 Sen. Brenden

00:39:33 Mr. Kropp, FWP

00:40:07 Sen. Rosendale

00:40:21 Mr. Kropp, FWP

EXHIBIT(jnh28a04)

00:40:41 Sen. Rosendale

00:40:53 Mr. Kropp, FWP

00:41:59 Sen. Rosendale

00:42:11 Mr. Kropp, FWP

00:42:49 Sen. Rosendale

00:42:56 Mr. Kropp, FWP

00:43:07 Sen. Rosendale

00:43:30 Mr. Kropp, FWP

00:43:53 Sen. Rosendale

00:43:58 Mr. Kropp, FWP

00:44:07 Sen. Rosendale

00:44:17 Mr. Kropp, FWP

00:44:25 Sen. Rosendale

00:44:31 Mr. Kropp, FWP

00:44:48 Rep. Ankney

00:45:12 Mr. Kropp, FWP

00:45:41 Rep. Ankney

00:46:59 Mr. Kropp, FWP

EXHIBIT(jnh28a05)

00:49:32 Sen. Keane

JOINT APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES AND
TRANSPORTATION

February 8, 2013

PAGE 3 of 8

00:49:46 Mr. Kropp, FWP
00:50:00 Sen. Keane
00:50:02 Mr. Kropp, FWP
00:50:05 Sen. Keane
00:50:24 Mr. Kropp, FWP
00:51:39 Sen. Keane
00:52:18 Mr. Kropp, FWP
00:52:22 Sen. Keane
00:52:31 Mr. Kropp, FWP
00:53:20 Sen. Keane
00:53:26 Mr. Kropp, FWP
00:53:35 Rep. Hollenbaugh
00:54:43 Mr. Kropp, FWP
00:56:08 Rep. Hollenbaugh
00:57:46 Mr. Kropp, FWP
01:00:35 Rep. Hollenbaugh
01:00:45 Mr. Kropp, FWP
01:00:51 Sen. Keane
01:02:09 Mr. Kropp, FWP
01:02:46 Sen. Keane
01:03:11 Mr. Kropp, FWP
01:03:21 Sen. Keane
01:03:29 Mr. Kropp, FWP
01:03:34 Sen. Brenden

Presentation from Department of Fish, Wildlife, and Parks

01:04:48 Mike Volesky, Deputy Director, FWP
01:08:23 Chairman Cuffe
01:10:20 Jeff Hagener, Director, FWP

[EXHIBIT\(jnh28a06\)](#)

[EXHIBIT\(jnh28a07\)](#)

Questions from Committee Members and Responses:

01:17:23 Sen. Rosendale
01:17:36 Mr. Hagener, FWP
01:18:26 Sen. Rosendale
01:18:52 Mr. Hagener, FWP
01:19:07 Sen. Rosendale
01:19:39 Mr. Hagener, FWP
01:19:50 Rep. Ankney left.
01:19:54 Sen. Rosendale
01:20:07 Mr. Hagener, FWP
01:22:48 Sen. Brenden
01:24:14 Mr. Hagener, FWP

01:25:03 Recessed
02:34:24 Reconvened and Rep. Ankney did not return.

**EXECUTIVE ACTION ON DEPARTMENT OF NATURAL RESOURCES AND
CONSERVATION**

02:34:32 **Motion/Vote:** Rep. Hollenbaugh moved **APPROVAL OF THE FIRST FOUR PARAGRAPHS ON PAGE C-144**. Motion carried unanimously by voice vote. Rep. Ankney and Rep. Whitford voted by proxy.

02:35:20 **Motion/Vote:** Sen. Rosendale moved **APPROVAL OF PARAGRAPH FIVE ON PAGE C-144 AND AMEND \$1,000,000 TO \$200,000**. Motion carried 6-1 by roll call vote with Rep. Hollenbaugh voting no. Rep. Ankney and Rep. Whitford voted by proxy.

Discussion:

02:36:20 Rep. Hollenbaugh

02:36:46 Ray Beck, Administrator, Conservation and Resource Development Division,
Department of Natural Resources and Conservation (DNRC)

02:37:19 **Motion/Vote:** Rep. Hollenbaugh moved **APPROVAL OF PARAGRAPH SIX ON PAGE C-144**. Motion carried 5-2 by roll call vote with Sen. Brenden and Sen. Keane voting no. Rep. Ankney and Rep. Whitford voted by proxy.

02:38:24 **Motion/Vote:** Rep. Hollenbaugh moved **APPROVAL OF DECISION PACKAGE 2102 DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION RECORDS MANAGEMENT**. Motion carried 5-2 by roll call vote with Sen. Brenden and Sen. Rosendale voting no. Rep. Ankney and Rep. Whitford voted by proxy.

02:39:25 **Motion/Vote:** Sen. Brenden moved **APPROVAL OF DECISION PACKAGE 2201 - BOARD OF OIL AND GAS CONSERVATION REGULATORY PROGRAM ADJUSTMENTS, ONE-TIME-ONLY**. Motion carried unanimously by voice vote. Rep. Ankney and Rep. Whitford voted by proxy.

02:40:03 **Motion/Vote:** Sen. Rosendale moved **APPROVAL OF DECISION PACKAGE 2202 - BOARD OF OIL AND GAS CONSERVATION UNDERGROUND INJECTION CONTROL, ONE-TIME-ONLY**. Motion carried unanimously by voice vote. Rep. Ankney and Rep. Whitford voted by proxy.

Discussion:

02:40:31 Sen. Keane

02:40:46 Tom Richmond, Board of Oil and Gas Conservation

02:42:37 Sen. Keane

02:43:18 **Motion/Vote:** Sen. Rosendale moved **APPROVAL OF DECISION PACKAGE 2301 - CONSERVATION AND RESOURCE DEVELOPMENT DIVISION OPERATING ADJUSTMENTS, ONE-TIME-ONLY AND RESTRICTED**. Motion carried unanimously by voice vote. Rep. Ankney and Rep. Whitford voted by proxy.

- 02:44:19 **Motion/Vote:** Sen. Brenden moved **APPROVAL OF DECISION PACKAGE 2305 - DRINKING WATER PROGRAM LOAN FORGIVENESS, ONE-TIME-ONLY AND RESTRICTED**. Motion carried unanimously by voice vote. Rep. Ankney and Rep. Whitford voted by proxy.
- 02:44:43 **Motion/Vote:** Sen. Keane moved **APPROVAL OF DECISION PACKAGE 2306 - DRINKING WATER PROGRAM LOAN FORGIVENESS, ONE-TIME-ONLY AND RESTRICTED**. Motion carried unanimously by voice vote. Rep. Ankney and Rep. Whitford voted by proxy.
- 02:45:18 **Motion/Vote:** Sen. Brenden moved **APPROVAL OF DECISION PACKAGE 2311 - CONSERVATION AND RESOURCE DEVELOPMENT DIVISION LOAN APPROPRIATION AUTHORITY**. Motion carried unanimously by voice vote. Rep. Ankney and Rep. Whitford voted by proxy.
- 02:45:40 **Motion/Vote:** Sen. Keane moved **APPROVAL OF DECISION PACKAGE 2402 - WATER RESOURCES DIVISION STREAM GAGING STATIONS, ONE-TIME-ONLY AND RESTRICTED**. Motion carried unanimously by voice vote. Rep. Ankney and Rep. Whitford voted by proxy.
- 02:46:06 **Motion/Vote:** Rep. Hollenbaugh moved **APPROVAL OF DECISION PACKAGE 2403 - WATER RESOURCES DIVISION OPERATING ADJUSTMENT**. Motion carried 5-2 by roll call vote with Sen. Brenden and Sen. Rosendale voting no. Rep. Ankney and Rep. Whitford voted by proxy.
- 02:46:59 **Motion/Vote:** Sen. Keane moved **APPROVAL OF DECISION PACKAGE 2404 - WATER RESOURCES DIVISION STATE WATER PROJECTS ADJUSTMENTS**. Motion carried unanimously by voice vote. Rep. Ankney and Rep. Whitford voted by proxy.
- 02:47:16 **Motion/Vote:** Sen. Keane moved **APPROVAL OF DECISION PACKAGE 2405 - WATER RESOURCES DIVISION FEDERAL EMERGENCY MANAGEMENT AGENCY COMMUNITY ASSISTANCE PROGRAM SPENDING AUTHORITY**. Motion carried unanimously by voice vote. Rep. Ankney and Rep. Whitford voted by proxy.
- 02:47:34 **Motion/Vote:** Sen. Keane moved **APPROVAL OF DECISION PACKAGE 2406 - WATER RESOURCES DIVISION FLOODPLAIN MAPPING, ONE-TIME-ONLY, WITH A FUND SWITCH TO THE COAL BED METHANE FUND**. Motion carried 5-2 by roll call vote with Sen. Brenden and Sen. Rosendale voting no. Rep. Ankney and Rep. Whitford voted by proxy.
- 02:48:25 **Motion/Vote:** Sen. Brenden moved **APPROVAL OF DECISION PACKAGE 2408 - WATER RESOURCES DIVISION ADJUDICATION FULL-TIME EMPLOYEE REDUCTION**. Motion carried unanimously by voice vote. Rep. Ankney and Rep. Whitford voted by proxy.

- 02:48:49 **Motion/Vote:** Chairman Cuffe moved **APPROVAL OF DECISION PACKAGE 35012 - FORESTRY DIVISION FEDERAL AND STATE SPECIAL AUTHORITY**. Motion carried unanimously by voice vote. Rep. Ankney and Rep. Whitford voted by proxy.
- 02:49:09 **Motion/Vote:** Sen. Rosendale moved **APPROVAL OF DECISION PACKAGE 35014 - AIR OPERATIONS TRANSFER**. Motion carried unanimously by voice vote. Rep. Ankney and Rep. Whitford voted by proxy.
- 02:49:30 **Motion/Vote:** Rep. Hollenbaugh moved **APPROVAL OF DECISION PACKAGE 35021 - TRUST LAND MANAGEMENT DIVISION MONTANA STATE UNIVERSITY - MORRILL TRUST PROJECTS, BIENNIAL, ONE-TIME-ONLY**. Motion carried unanimously by voice vote. Rep. Ankney and Rep. Whitford voted by proxy.
- 02:49:49 **Motion/Vote:** Rep. Hollenbaugh moved **APPROVAL OF DECISION PACKAGE 35023 - TRUST LAND MANAGEMENT DIVISION LAND TRANSACTION FUNDS**. Motion carried unanimously by voice vote. Rep. Ankney and Rep. Whitford voted by proxy.
- 02:50:37 Rep. Hollenbaugh **WITHDREW PREVIOUS MOTION**.
- 02:51:04 **Motion:** Rep. Hollenbaugh moved **APPROVAL OF DECISION PACKAGE 35021 AND DECISION PACKAGE 35023** motions.
- 02:51:28 **Vote:** Motion carried unanimously by voice vote. Rep. Ankney and Rep. Whitford voted by proxy.
- 02:51:37 **Motion/Vote:** Rep. Hollenbaugh resubmitted **APPROVAL OF DECISION PACKAGE 35021 AND DECISION PACKAGE 35023, ONE-TIME-ONLY**. Motion carried unanimously by voice vote. Rep. Ankney and Rep. Whitford voted by proxy.
- 02:52:12 **Motion/Vote:** Sen. Brenden moved **APPROVAL OF NEW DECISION PACKAGE 2312 - MONTANA RURAL WATER SYSTEMS FUNDING, ONE-TIME-ONLY**. Motion carried unanimously by voice vote. Rep. Ankney and Rep. Whitford voted by proxy.
- 02:52:59 **Motion/Vote:** Sen. Brenden moved **APPROVAL OF NEW DECISION PACKAGE 2316 - SHERIDAN COUNTY CONSERVATION DISTRICT GROUNDWATER MONITORING, ONE-TIME-ONLY**. Motion carried unanimously by voice vote. Rep. Ankney and Rep. Whitford voted by proxy.
- 02:53:27 **Motion:** Sen. Brenden moved **APPROVAL OF NEW DECISION PACKAGE 2317 - CONSERVATION DISTRICTS FOR SUPPORT OF THE NATURAL STREAMBED PRESERVATION ACT, ONE-TIME-ONLY**

Discussion:

- 02:53:43 Sen. Keane
02:53:53 Sen. Brenden
- 02:53:56 **Vote:** Motion carried unanimously by voice vote. Rep. Ankney and Rep. Whitford voted by proxy.
- 02:54:08 **Motion:** Sen. Brenden moved **APPROVAL OF NEW DECISION PACKAGE 23108 - UPGRADE DRILLING EQUIPMENT FOR THE MONTANA SALINITY CONTROL ASSOCIATION, ONE-TIME-ONLY.**

Discussion:

- 02:54:21 Sen. Keane
02:54:29 Sen. Brenden
- 02:54:47 **Vote:** Motion carried unanimously by voice vote. Rep. Ankney and Rep. Whitford voted by proxy.
- 02:54:56 **Motion/Vote:** Sen. Brenden moved **APPROVAL OF NEW DECISION PACKAGE 2321 - MONTANA GRASS CONSERVATION COMMISSION, ONE-TIME-ONLY.** Motion carried unanimously by voice vote. Rep. Ankney and Rep. Whitford voted by proxy.
- 02:55:27 **Motion/Vote:** Sen. Rosendale moved **APPROVAL OF NEW DECISION PACKAGE 2315 - YELLOWSTONE RIVER CONSERVATION DISTRICT COUNCIL, ONE-TIME-ONLY.** Motion carried unanimously by voice vote. Rep. Ankney and Rep. Whitford voted by proxy.
- 02:55:51 Sen. Keane
02:56:02 Chairman Cuffe
- 02:56:10 **Motion/Vote:** Chairman Cuffe moved **TO INTRODUCE A COMMITTEE BILL THAT ELIMINATES THE TRANSFER OF THE COAL TAX SHARED ACCOUNT TO THE GENERAL FUND FOR THE FISCAL YEARS 2013, 2014, 2015.** Motion carried unanimously by voice vote. Rep. Ankney and Rep. Whitford voted by proxy.
- 02:56:40 Chairman Cuffe

ADJOURNMENT

Adjournment: 02:56:56

Tia Hunter, Secretary

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Additional Documents:

EXHIBIT([jnh28aad.pdf](#))