

## MINUTES

### MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON NATURAL RESOURCES

**Call to Order:** Chair Chas Vincent, on February 8, 2013 at 3:00 PM, in Room 422  
Capitol

#### ROLL CALL

**Members Present:**

Sen. Chas Vincent, Chair (R)  
Sen. Jennifer Fielder (R)  
Sen. Bradley Hamlett (D)  
Sen. Verdell Jackson (R)  
Sen. Jim Keane (D)  
Sen. Cliff Larsen (D)  
Sen. Mike Phillips (D)  
Sen. Rick Ripley (R)  
Sen. Matthew M. Rosendale Sr (R)  
Sen. Mitch Tropila (D)

**Members Excused:**

Sen. John Brenden, Vice Chair (R)  
Sen. Debby Barrett (R)  
Sen. Christine Kaufmann (D)  
Sen. Edward Walker (R)

**Members Absent:** None

**Staff Present:** Mary Kulawik, 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 233, 2/5/2013; SB 214, 1/30/2013

Executive Action: SB 201 - Do Pass; SB 74 - Tabled

**HEARING ON SB 233**

**Opening Statement by Sponsor:**

00:09:45 Sen. Jim Peterson (R), SD 15, opened the hearing on SB 233, Clarifying DNRC enforcement of interference with prior water right.

**Proponents' Testimony:**

00:12:44 Tom Lowry, self  
[EXHIBIT\(nas28a01\)](#)

00:11:04 Sen. Kaufmann entered the hearing.

00:15:31 Mike Murphy, Montana Water Resources Association (MWRA)

00:18:23 Jay Bodner, Montana Stockgrowers Association (MSGA)

00:19:28 Chelcie Cremer, Montana Farm Bureau Federation (MFBF)

**Opponents' Testimony:**

00:20:44 Jan Langel, Operations Manager, Montana Department of Natural Resources and Conservation (DNRC)

00:23:25 Janet Ellis, Montana Audubon (MA)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:25:13 Sen. Tropila  
00:25:37 Jan Langel, DNRC  
00:26:24 Sen. Tropila  
00:28:00 Sen. Peterson  
00:30:51 Sen. Rosendale  
00:31:29 Sen. Peterson  
00:33:08 Sen. Ripley  
00:34:05 Sen. Peterson  
00:36:04 Chairman Vincent  
00:36:48 Jan Langel  
00:37:18 Sen. Tropila  
00:37:35 Tom Lowry, self  
00:39:50 Sen. Hamlett  
00:40:12 Tom Lowry

**Closing by Sponsor:**

00:41:02 Sen. Peterson

**HEARING ON SB 214****Opening Statement by Sponsor:**

00:44:53 Sen. Mike Phillips (D), SD 33, opened the hearing on SB 214, Revise environmental review process to include analysis of impact beyond Montana.

**Proponents' Testimony:**

00:54:59 Janet Ellis, Montana Audubon (MA)

00:55:58 Sen. Barrett entered the hearing.

00:58:47 Shiloh Hernandez, Sleeping Giant Citizens Council (SGCC)

01:01:54 Anne Hedges, Montana Environmental Information Center (MEIC)

01:06:45 Shelbi Dantic, Montana Conservation Voters (MCV)

01:07:54 Clayton Elliott, Northern Plains Resource Council (NPRC)

**Opponents' Testimony:**

01:11:14 Dave Galt, Executive Director, Montana Petroleum Association (MPA)

01:14:02 Mark Lambrecht, Executive Director, Treasure State Resource Industry Association (TSRIA)

**EXHIBIT(nas28a02)**

01:19:41 Leo Berry, Attorney, Great Northern Properties (GNP) and Burlington Northern Santa Fe Railway (BNSF)

01:23:22 Chris Cavazos, Co-Director, Montana AFL-CIO

01:23:58 Bud Clinch, Montana Coal Council (MCC)

01:26:19 Keith Allen, International Brotherhood of Electrical Workers 233 (IBEW)

01:27:03 Tom Hopgood, Montana Mining Association (MMA)

01:27:50 Aimee Grmoljez, Arch Coal (AC)

01:28:19 Jessie Luther, Montana Contractors Association (MCA)

01:28:47 Tammy Johnson, Golden Sunlight Mine (GSM), Revett Minerals (RM), and Tintina Resources (TR)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:30:29 Sen. Barrett

01:32:19 Sen. Phillips

01:32:54 Sen. Barrett

01:33:10 Sen. Ripley

01:35:41 Sen. Phillips

01:35:52 Sen. Rosendale

01:36:40 Sen. Phillips

01:36:59 Sen. Keane

01:37:42 Leo Berry, GNP and BNSF

**Closing by Sponsor:**

01:38:09 Sen. Phillips

01:40:35 Sen. Ripley left the hearing.

**EXECUTIVE ACTION ON SB 74**

01:42:37 **Motion/Vote:** Sen. Keane moved that **SB 74 BE TABLED**. Motion carried unanimously by voice vote. Sen. Brenden, Sen. Ripley and Sen. Walker voted by proxy.

**EXECUTIVE ACTION ON SB 201**

**Discussion:**

01:43:26 Sen. Tropila

01:43:35 Chairman Vincent

01:44:12 **Motion/Vote:** Sen. Hamlett moved that **SB 201 DO PASS**. Motion carried 13-1 by voice vote with Sen. Kaufmann voting no. Sen. Brenden, Sen. Ripley and Sen. Walker voted by proxy.

**Committee Business:**

01:45:21 Chairman Vincent

**ADJOURNMENT**

Adjournment: 5:00 P.M.

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Mary Kulawik, Secretary

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Additional Documents:

**EXHIBIT([nas28aad.pdf](#))**