MINUTES

MONTANA HOUSE OF REPRESENTATIVES
62nd LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON LONG-RANGE PLANNING and
JOINT APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES
AND TRANSPORTATION

Call to Order: Chair Walter McNutt, on February 3, 2011 at 8:10 AM, in Room 317-B &
C Capitol

ROLL CALL

Members Present:
   Rep. Walter McNutt, Chair (R)
   Sen. Taylor Brown, Vice Chair (R)
   Rep. Rob Cook (R)
   Rep. Ron Ehli (R)
   Rep. Bill McChesney (D)
   Rep. Jon C. Sesso (D)
   Sen. Carol Williams (D)
   All members of House Joint Subcommittee on Natural Resources and Transportation
   were in attendance.

Members Excused: Sen. Jon Sonju (R)

Members Absent: None

Staff Present: Catherine Duncan, Legislative Branch
               Mary Ann Mackay, Committee Secretary
               Rinay Bender, Committee Secretary
               Quinn Holzer, Legislative Branch
               Barbara Smith, Legislative Branch
               Greg DeWitt, Legislative Branch
               James Chamberlain,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:

Hearing & Date Posted:    HB 316, 2/1/2011; HB 375, 2/1/2011
Opening Statement by Sponsor:

Rep. Rob Cook (R), HD 27, opened the hearing on HB 375, Reduce certain general fund transfers.

Informational Testimony:

Quinn Holzer, Legislative Fiscal Division (LFD)

Department of Agriculture

Sen. Sonju arrived.

Opponents' Testimony:

Bob Gilbert, representing Rosebud, Musselshell and Dawson Counties
Carol Lambert, Women Involved in Farm Economics, WIFE
John Youngberg, Montana Farm Bureau Federation
Cort Jensen, Attorney, Department of Agriculture
Greg Ames, Administrator, Agriculture Science Division, Department of Agriculture (DoA)

Questions from Committee Members:

Chairman McNutt
Sen. Brown
Mr. Ames
Sen. Brown
Mr. Ames
Chairman McNutt
Rep. Sesso
Mr. Ames
Rep. Sesso
Mr. Ames
Rep. Sesso
Sen. Keane
Rep. Sesso
Sen. Brenden
Chairman McNutt
Rep. McChesney
Mr. Ames
Rep. McChesney
Department of Transportation
00:39:54 Greg DeWitt, LFD
00:41:22 Chairman McNutt

Opponents:
00:41:44 Bob Gilbert, Montana Automobile Dismantelers and Recyclers Association (MADRA) and Montana Tow Truck Association
00:42:26 Chairman McNutt
00:42:29 Mr. Gilbert
00:42:53 Chairman McNutt

Fish Wildlife and Park Impacts
00:43:23 Sen. Keane returned.
00:43:29 Barb Smith, LFD
00:44:48 Chairman McNutt

Opponents:
00:45:09 Bob Gilbert, Walleyes Unlimited, also spoke for Roger Hagen, Montana Trail Vehicle Riders
00:46:38 Chairman McNutt
00:46:48 Chas Van Genderen, Administrator, Parks Division, Fish, Wildlife and Parks (FWP)
00:48:11 Bob Walker, Our Montana and member of several outdoor recreational clubs
00:50:29 Rep. Ankney left.
00:51:25 Rhonda Wiggers, Montana Snowmobilers Association
00:52:33 Sen. Sonju left.
00:54:02 Rep. Ankney returned.
00:56:18 Chairman McNutt

**Department of Natural Resources and Conservation (DNRC) Impacts**

00:56:44 Ms. Smith
00:57:28 Chairman McNutt

**Opponents**

00:57:45 Mary Sexton, Director, DNRC
00:59:30 Chairman McNutt
00:59:34 Rep. Sesso returned.
00:59:38 Jessica Brubaker, Attorney, Montana University System (MUS)
01:00:57 Cort Jensen, Attorney (DoA)
01:01:40 Sen. Sonju returned.
01:02:07 Chairman McNutt
01:02:11 Mr. Jensen
01:02:24 Chairman McNutt

**Department of Environmental Quality (DEQ) Impacts**

01:02:41 Ms. Smith
01:03:27 Chairman McNutt

**Opponents**

01:03:46 Bob Gilbert, MADRA and Montana Tow Truck Association (MTTA)
01:06:53 Chairman McNutt

**Questions from Committee:**

01:07:03 Rep. Cook
01:07:11 Chairman McNutt

**House Bill 316 Impacts on Natural Resources and Transportation**

01:07:34 Ms. Smith
**EXHIBIT (jlh27a02)**

**Resource Indemnity Trust (State Super Fund)**

01:08:10 Ms. Smith
**EXHIBIT (jlh27a03)**

**Hazardous Waste, DEQ**

01:09:35 Ms. Smith

**Environmental Quality Protection Fund**

01:10:25 Ms. Smith
**Orphan Share Fund**

01:10:47 Ms. Smith

**Coal and Uranium Mine Account**

01:11:40 Ms. Smith
01:12:17 Chairman McNutt

**Opponents:**

01:12:41 Tom Livers, Deputy Director, DEQ
01:16:05 Chairman McNutt

**Questions from Committee:**

<table>
<thead>
<tr>
<th>Time</th>
<th>Speaker</th>
</tr>
</thead>
<tbody>
<tr>
<td>01:16:15</td>
<td>Sen. Ripley</td>
</tr>
<tr>
<td>01:16:37</td>
<td>Ms. Smith</td>
</tr>
<tr>
<td>01:17:09</td>
<td>Sen. Ripley</td>
</tr>
<tr>
<td>01:17:22</td>
<td>Ms. Smith</td>
</tr>
<tr>
<td>01:17:26</td>
<td>Chairman McNutt</td>
</tr>
<tr>
<td>01:17:29</td>
<td>Sen. Brown</td>
</tr>
<tr>
<td>01:17:50</td>
<td>Mr. Livers</td>
</tr>
<tr>
<td>01:18:41</td>
<td>Sen. Brown</td>
</tr>
<tr>
<td>01:19:07</td>
<td>Mr. Livers</td>
</tr>
<tr>
<td>01:20:02</td>
<td>Sen. Brown</td>
</tr>
<tr>
<td>01:20:22</td>
<td>Mr. Livers</td>
</tr>
<tr>
<td>01:20:40</td>
<td>Rep. Sesso</td>
</tr>
<tr>
<td>01:21:43</td>
<td>Ms. Smith</td>
</tr>
<tr>
<td>01:21:46</td>
<td>Rep. Sesso</td>
</tr>
<tr>
<td>01:22:03</td>
<td>Ms. Smith</td>
</tr>
<tr>
<td>01:22:06</td>
<td>Rep. Sesso</td>
</tr>
<tr>
<td>01:22:31</td>
<td>Chairman McNutt</td>
</tr>
<tr>
<td>01:23:00</td>
<td>Mr. Livers</td>
</tr>
<tr>
<td>01:23:33</td>
<td>Ms. Smith</td>
</tr>
<tr>
<td>01:23:46</td>
<td>Rep. Sesso</td>
</tr>
<tr>
<td>01:24:09</td>
<td>Mr. Livers</td>
</tr>
<tr>
<td>01:24:53</td>
<td>Chairman McNutt</td>
</tr>
<tr>
<td>01:24:59</td>
<td>Ms. Smith</td>
</tr>
<tr>
<td>01:25:08</td>
<td>Sen. Brown</td>
</tr>
<tr>
<td>01:25:11</td>
<td>Ms. Smith</td>
</tr>
<tr>
<td>01:25:42</td>
<td>Sen. Sonju</td>
</tr>
<tr>
<td>01:25:51</td>
<td>Ms. Smith</td>
</tr>
<tr>
<td>01:26:05</td>
<td>Sen. Sonju</td>
</tr>
<tr>
<td>01:26:28</td>
<td>Ms. Smith</td>
</tr>
<tr>
<td>01:26:43</td>
<td>Chairman McNutt</td>
</tr>
<tr>
<td>01:26:51</td>
<td>Sen. Ripley</td>
</tr>
<tr>
<td>01:27:49</td>
<td>Chairman McNutt</td>
</tr>
<tr>
<td>01:28:13</td>
<td>Sen. Ripley</td>
</tr>
<tr>
<td>01:28:18</td>
<td>Chairman McNutt</td>
</tr>
<tr>
<td>01:28:20</td>
<td>Sen. Ripley</td>
</tr>
</tbody>
</table>
Fish, Wildlife and Parks, FWP
01:28:28  Ms. Smith

FWP, Resource Indemnity; Bull/CutThroat Trout (Future Fisheries Trust)
01:28:45  Ms. Smith

FWP, Accommodation Tax (Bed Tax)
01:29:16  Ms. Smith

FWP, Revenue Sources Interest from Coal Tax Trust Account (Maintenance of State Parks System)
01:29:37  Ms. Smith
01:29:59  Chairman McNutt

Fish, Wildlife and Parks (FWP) Impacts

Opponents
01:30:20  Chaz Van Genderen, Administrator, Parks Division, FWP
01:32:10  Bob Walker, Our Montana, represents seven State Parks and State Travelers Associations
01:34:42  Chairman McNutt
01:34:48  Chere Jiusto, Executive Director, Montana Preservation Alliance

EXHIBIT (jih27a04)
01:37:00  Sen. Keane left.
01:39:30  Chairman McNutt
01:39:38  Bruce Rich, Bureau Chief, Fisheries, FWP
01:40:59  Chairman McNutt
01:41:07  Mark Aagnes, Conservation Director, Montana Trout Unlimited
01:41:59  Chairman McNutt

Questions from Committee:
01:42:07  Rep. Cook
01:42:54  Mr. Rich
01:43:52  Chairman McNutt

Oil and Gas Mitigation Account
01:44:06  Ms. Smith

Treasure State Endowment Program (TSEP) Regional Water System
01:45:32  Ms. Smith

Environmental Contingency Account
01:45:45  Ms. Smith

Water Storage State Special Revenue Account
01:46:06  Ms. Smith
Coal Severance Tax Shared Account
01:46:30 Ms. Smith

Related Growth Through Agriculture
01:47:15 Ms. Smith

Oil and Gas ERA
01:47:34 Ms. Smith

Natural Resources Operation Account
01:47:51 Ms. Smith

Natural Resources Project Account
01:49:03 Ms. Smith

Coal Bed Methane Protection Fund
01:49:28 Ms. Smith
01:50:17 Chairman McNutt

informational Witnesses:
01:50:25 Thomas Patton, Montana Bureau of Mines and Geology
EXHIBIT (jlh27a05)
01:57:02 Chairman McNutt

Opponents:
01:57:19 Ms. Sexton, DNRC
02:02:37 Sen. Williams left.
02:02:46 Chairman McNutt
02:03:06 Cort Jensen, Attorney, DoA
02:04:59 Chairman McNutt
02:05:11 Ms. Lambert
02:05:58 Chairman McNutt
02:06:01 Ms. Lambert
02:06:10 Chairman McNutt
02:06:17 Chris Christiaens, Montana Farmers Union
02:07:45 Chairman McNutt
02:07:53 Jeff Tiberi, Executive Director, Montana Association of Conservation Districts (MACD)
02:09:01 Sen. Sonju left.
02:10:06 Pete Woll, Supervisor, MACD
02:12:52 Clint Jacobs, Manager, Dry Prairie Rural Water Project
02:17:35 Chairman McNutt left.
02:18:29 Chairman Ankney
02:18:33 Bryan Gion, Chief Executive Officer, Montana Cooperative Development Center
02:18:52 Chairman McNutt returned.

**EXHIBIT** (jlh27a06)

**EXHIBIT** (jlh27a07)

**EXHIBIT** (jlh27a08)

02:23:14 Chairman McNutt
02:23:19 Mary Heller, General Manager, North Central Regional Water Authority, on behalf of the Rocky Boy/North Central Regional Water Authority
02:24:12 Chairman McNutt left.
02:25:24 Rep. Ankney
02:25:32 Ms. Lambert

**EXHIBIT** (jlh27a09)

02:27:41 Chris Christiaens, Montana Farmers Union
02:28:54 Chairman McNutt returned.

**EXHIBIT** (jlh27a10)

02:30:27 Chairman McNutt
02:30:30 Greg Jergeson, representing self, Chinook
02:34:43 Chairman McNutt
02:34:52 Jane Holzer, Program Director, Montana Salinity Control Association and Ground Water Association Program, representing Conservation Districts

**EXHIBIT** (jlh27a11)

02:39:23 Chairman McNutt
02:39:27 Mr. Amestoy, Richland County Economic Development Association
02:42:19 Sen. Ripley left.
02:43:32 Chairman McNutt
02:43:47 Gayla Wortman, member, Board of Supervisors, Cascade County Conservation District
02:47:35 Chairman McNutt
02:47:47 John Chase, Board Chairman, Cascade County Conservation District and represents Cascade County District as a member of Missouri River Conservation District Council
02:49:14 Chairman McNutt

**Discussion:**

02:49:37 Ms. Smith

**EXHIBIT** (jlh27a12)

**EXHIBIT** (jlh27a13)

02:52:40 Chairman McNutt
02:52:51 Rep. Ankney
02:54:00 Chairman McNutt

**Questions from Committee:**

02:54:08 Sen. Sonju
02:54:53 Ms. Smith
02:55:05 Sen. Sonju
<table>
<thead>
<tr>
<th>Time</th>
<th>Speaker</th>
</tr>
</thead>
<tbody>
<tr>
<td>02:55:52</td>
<td>Sen. Sonju</td>
</tr>
<tr>
<td>02:56:05</td>
<td>Chairman McNutt</td>
</tr>
<tr>
<td>02:56:46</td>
<td>Rep. Ankney</td>
</tr>
<tr>
<td>02:57:36</td>
<td>Sen. Brenden</td>
</tr>
<tr>
<td>02:58:04</td>
<td>Rep. Ankney</td>
</tr>
<tr>
<td>02:58:09</td>
<td>Chairman McNutt</td>
</tr>
<tr>
<td>02:59:02</td>
<td>Rep. Hollenbaugh</td>
</tr>
<tr>
<td>02:59:22</td>
<td>Chairman McNutt</td>
</tr>
</tbody>
</table>
ADJOURNMENT

02:59:30    Adjournment:

Mary Ann Mackay, Secretary

mm

Additional Exhibit:
EXHIBIT(jlh27a14)

Additional Documents:

EXHIBIT(jlh27aad.pdf)