

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: By Chairman Walter McNutt, on February 23, 2007
at 4:15 P.M., in Room 472 Capitol.

ROLL CALL

Members Present:

Rep. Walter McNutt, Chairman (R)
Rep. Ron Erickson, Vice Chairman (D)
Rep. Ralph Heinert, Vice Chairman (R)
Rep. Duane Ankney (R)
Rep. Debby Barrett (R)
Rep. Jill Cohenour (D)
Rep. Sue Dickenson (D)
Rep. Betsy Hands (D)
Rep. Gordon R. Hendrick (R)
Rep. Carol Lambert (R)
Rep. Scott Mendenhall (R)
Rep. JP Pomnichowski (D)
Rep. John (Jack) W. Ross (R)
Rep. Veronica Small-Eastman (D)
Rep. Kendall Van Dyk (D)
Rep. Chas Vincent (R)

Members Excused: None

Members Absent: None

Staff Present: Krista Lee Evans, Legislative Branch
Nancy Kraft, Committee Secretary

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 628, 2/12/2007; 795, 2/22/2007
Executive Action:	HB 795; HB 628; HB 557; HB 584: HB 728; HB 583; HB 138; HB 373

HEARING ON HB 795

Opening Statement by Sponsor:

00:01:38 Rep. Betsy Hands (D), HD 99, opened the hearing on HB 795, Revise special improvement districts for fire protection.

Proponents' Testimony:

00:03:08 Keith Simendinger, Montana State Fireman's Association
00:03:28 Harold Blattie, Montana Association of Counties
00:04:42 John Vincent, Gallatin Gateway, Montana

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:06:17 Rep. Heinert
00:06:56 Mr. Blattie
00:07:26 Rep. Lambert
00:07:53 Mr. Blattie
00:08:05 Rep. Ankney
00:08:15 Rep. Mendenhall
00:08:48 Mr. Blattie
00:09:32 Rep. Pomnichowski
00:10:13 Mr. Blattie
00:10:36 Krista Evans

Closing by Sponsor:

00:11:32 Rep. Hands

HEARING ON HB 628

Opening Statement by Sponsor:

00:12:40 Rep. Ken Peterson (R), HD 46, opened the hearing on HB 628, Revising eligibility requirements for certain underground storage tanks.

[EXHIBIT \(nah41a01\)](#)

Proponents' Testimony:

00:18:43 Bruce Simon, Billings, Montana

[EXHIBIT \(nah41a02\)](#)

Opponents' Testimony:

00:24:50 Ronna Alexander, Petroleum Marketers' Convenience
Stores' Association

EXHIBIT (nah41a03)

Informational Testimony:

00:32:12 Terry Wadsworth, Petroleum Tank Release Compensation
Fund Board

EXHIBIT (nah41a04)

Questions from Committee Members and Responses:

00:39:52 Rep. Lambert

00:41:13 Mr. Wadsworth

Closing by Sponsor:

00:47:26 Rep. Peterson

00:49:02 Break

EXECUTIVE ACTION ON HB 795

01:05:36 **Motion:** Rep. Hands moved that HB 795 **DO PASS.**

Discussion:

01:05:59 Rep. Pomnichowski

01:06:32 Krista Evans

01:07:19 Rep. Ankney

01:07:39 Rep. McNutt

01:07:59 **Vote:** Motion carried 14-2 by voice vote with Reps.
Heinert and Mendenhall voting no. Rep. Small-Eastman
voted by proxy.

EXECUTIVE ACTION ON HB 628

01:09:00 **Motion:** Rep. Heinert moved that HB 628 **DO PASS.**

01:09:08 **Motion/Vote:** Rep. Heinert moved that HB 628 **BE**
AMENDED. Motion carried unanimously by voice vote.
Rep. Small-Eastman voted by proxy.

01:10:00 **Motion/Vote:** Rep. Heinert moved that HB 628 **BE**
AMENDED. Motion carried unanimously by voice vote.
Rep. Small-Eastman voted by proxy.

01:10:34 **Motion:** Rep. Heinert moved that HB 628 **DO PASS AS**
AMENDED.

Discussion:

01:10:48 Rep. Barrett
 01:11:44 Rep. Dickenson
 01:12:16 Ms. Evans
 01:12:35 Rep. Heinert
 01:13:12 Rep. McNutt
 01:13:35 Rep. Cohenour
 01:14:16 Rep. Heinert

01:14:58 **Substitute Motion/Vote:** Rep. Erickson made a substitute motion that HB 628 **BE TABLED**. Substitute motion carried 16-0 by roll call vote. Rep. Small-Eastman voted by proxy.

EXECUTIVE ACTION ON HB 557

01:16:20 **Motion:** Rep. Heinert moved that HB 557 **DO PASS**.
 01:16:33 **Motion:** Rep. Heinert moved that HB 557 **BE AMENDED**.
[**EXHIBIT \(nah41a05\)**](#)

Discussion:

01:17:46 Rep. Cohenour
 01:18:00 Rep. Heinert
 01:18:48 Rep. Ross
 01:19:07 Krista Evans
 01:19:23 Rep. Erickson

01:19:45 **Vote:** Motion carried 15-1 by voice vote with Rep. Pomnichowski voting no. Rep. Small-Eastman voted by proxy.
 01:20:10 **Motion:** Rep. Hands moved that HB 557 **DO PASS AS AMENDED**.

Discussion:

01:20:21 Rep. Erickson
 01:22:08 Rep. Heinert
 01:25:34 Rep. Hands
 01:28:08 Rep. Dickenson
 01:30:18 Rep. Lambert
 01:31:08 Rep. Hands
 01:34:02 Rep. Hendrick
 01:34:37 Rep. Cohenour
 01:36:22 Rep. Lambert
 01:36:57 Rep. Ankney
 01:38:07 Rep. Heinert
 01:39:16 Rep. Hands

01:39:38 Rep. Erickson

01:40:18 Rep. Ankney

01:40:37 **Vote:** Motion carried 9-7 by roll call vote with Reps. Cohenour, Dickenson, Erickson, Hands, Pomnichowski, Small-Eastman, and Van Dyk voting no. Rep. Small-Eastman voted by proxy.

EXECUTIVE ACTION ON HB 584

01:41:48 **Motion:** Rep. Heinert moved that HB 584 **DO PASS.**

Discussion:

01:42:14 Rep. Heinert

01:42:35 Rep. McNutt

01:42:50 **Vote:** Motion carried 13-3 by voice vote with Reps. Barrett, Mendenhall, and Vincent voting no. Rep. Small-Eastman voted by proxy.

EXECUTIVE ACTION ON HB 728

01:43:36 **Motion:** Rep. Heinert moved that HB 728 **DO PASS.**

01:44:17 **Motion/Vote:** Rep. Heinert moved that HB 728 **BE AMENDED.** Motion carried 15-1 by voice vote with Rep. Ankney voting no. Rep. Small-Eastman voted by proxy.

EXHIBIT (nah41a06)

01:47:15 **Motion:** Rep. Heinert moved that HB 728 **DO PASS AS AMENDED.**

Discussion:

01:47:26 Rep. Erickson

01:47:52 Rep. Van Dyk

01:48:45 Rep. Mendenhall

01:49:37 Rep. Heinert

01:51:29 **Vote:** Motion carried 14-2 by voice vote with Reps. Pomnichowski and Van Dyk voting no.

EXECUTIVE ACTION ON HB 583

01:52:35 **Motion:** Rep. Heinert moved that HB 583 **DO PASS.**

01:52:45 **Motion:** Rep. Heinert moved that HB 583 **BE AMENDED.**

EXHIBIT (nah41a07)

Discussion:

01:56:41 Rep. Erickson

01:56:56 Krista Evans

01:57:16 Rep. McNutt

01:57:33 **Vote:** Motion carried unanimously by voice vote.

01:57:51 **Motion:** Rep. Heinert moved that HB 583 **DO PASS AS AMENDED.**

Discussion:

01:58:20 Rep. McNutt

01:59:05 Rep. Cohenour

01:59:23 Ms. Evans

02:00:02 **Vote:** Motion carried 11-5 by voice vote with Reps. Ankney, Hendrick, Lambert, Mendenhall, and Ross voting no.

EXECUTIVE ACTION ON HB 138

02:00:59 **Motion/Vote:** Rep. Heinert moved that HB 138 **BE TABLED.** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 373

02:01:35 **Motion/Vote:** Rep. Heinert moved that HB 373 **BE TABLED.** Motion carried 14-2 by voice vote with Reps. Hendrick and Mendenhall voting no.

ADJOURNMENT

02:02:39 Adjournment: 7:00 P.M.

REP. WALTER MCNUTT, Chairman

NANCY KRAFT, Secretary

WM/nk

Additional Exhibits:

EXHIBIT ([nah41aad.pdf](#))