

MINUTES

**MONTANA SENATE
60th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON NATURAL RESOURCES AND ENERGY

Call to Order: By **CHAIRMAN GREG LIND**, on February 19, 2007 at 3:30 P.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Greg Lind, Chairman (D)
Sen. Aubyn Curtiss (R)
Sen. Kelly Gebhardt (R)
Sen. Dan Harrington (D)
Sen. Christine Kaufmann (D)
Sen. Gary L. Perry (R)
Sen. Bill Tash (R)
Sen. Mitch Tropila (D)
Sen. David E. Wanzenried (D)

Members Excused: None.

Members Absent: None.

Staff Present: Claudia Johnson, 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: SB 423, 2/8/2007; SB 452,
2/12/2007; SB 293, 2/12/2007
Executive Action: SB 391, SB 431, SB 376, SB 425, SB
432, SB 145

HEARING ON SB 423

Opening Statement by Sponsor:

00:08:28 **SEN. CHRISTINE KAUFMANN (D), SD 41**, opened the hearing on **SB 423**, Revise laws relating to mercury containing products.

Proponents:

00:12:43 Alexandra Gorman, Women's Voice for the Earth (WVE)

00:17:59 Terry Kendrick, Montana Women Voters (MWV)

EXHIBIT (nas37a01)

EXHIBIT (nas37a02)

00:20:15 Gary Chilsott, Self

00:21:27 Michelle Hutchins, Missoula Water District

00:22:58 Ana Pederson, Montana Environmental Information Center (MEIC)

00:23:29 Dore Gilels, WVE

EXHIBIT (nas37a03)

EXHIBIT (nas37a04)

00:27:14 Erin Thompson, WVE

EXHIBIT (nas37a05)

Opponents: None.

Informational Testimony:

00:31:03 Louise Moore, Bureau Chief, Environmental Quality Division, Department of Natural Resources and Conservation (DNRC)

Questions from Committee Members and Responses:

00:34:53 Sen. Tash to Louise Moore, DNRC

00:35:35 Sen. Tash to Bob Reinke, Department of Environmental Quality (DEQ)

00:37:13 Sen. Tash to Erin Thompson, WVE

Closing by Sponsor:

00:40:03 Sen. Kaufmann

HEARING ON SB 452

Opening Statement by Sponsor:

00:46:02 **SEN. CAROL WILLIAMS (D), SD 46**, opened the hearing on **SB 452**, Working forests, ranches, and watersheds program.

Proponents:

00:49:53 Hank Goetz, Blackfoot Challenge

EXHIBIT (nas37a06)

00:51:04 Jerry Wells, Rocky Mountain Elk Foundation

EXHIBIT (nas37a07)

00:52:13 Glenn Marx, Montana Association of Land Trusts

EXHIBIT (nas37a08)

00:54:32 Jay Erickson, Land Manager

00:55:45 Pete Wool, Flathead

00:57:08 Dusty Crary, Rancher

00:58:16 Janet Ellis, Montana Audubon

00:58:26 Ellen Engstadt, Montana Woods Product Association

EXHIBIT (nas37a09)

01:01:31 Bob Harrington, Forestry Administrator, Department of Natural Resources and Conservation (DNRC)

EXHIBIT (nas37a10)

01:06:07 Jason Todhunter, Montana Logging Association (MLA)

01:06:22 Harold Blattie, Montana Association of Counties (MACO)

01:08:11 Pelah Hoyt, Hellgate Hunters and Anglers of Montana

01:08:57 Peter Kolb, Chair of the Montana Society of Foresters

01:11:35 Greg Tollefson, Five Valleys Land Trust

01:12:26 Jim Stone, Chairman of Blackfoot Challenge

01:13:07 Denley Loge, Chairman of Ronan Planning Board

Opponents:

01:14:39 Steve Pilcher, Montana Stockgrowers Association

EXHIBIT (nas37a11)

01:19:27 Nancy Schlepp, Montana Farm Bureau Federation

Informational Testimony:

01:22:34 Mary Sexton, Director, Department of Natural Resources
and Conervation (DNRC)

Questions from Committee Members and Responses:

01:23:10 Sen. Tash to Mary Sexton, DNRC

01:24:25 Sen. Tash to Dusty Crary, Rancher

01:25:11 Sen. Kaufmann to Sen. Williams

01:29:29 Sen. Lind to Steve Pilcher, Montana Stockgrowers
Association

01:30:48 Sen. Lind to Nancy Schlepp, Montana Farm Bureau
Federation

01:32:11 Sen. Lind to Glenn Marx, Montana Association of Land
Trusts

01:36:06 Sen. Perry to Mary Sexton, DNRC

Closing by Sponsor:

01:36:59 Sen. Williams

EXHIBIT (nas37a12)

EXHIBIT (nas37a13)

HEARING ON SB 293

Opening Statement by Sponsor:

01:42:34 **SEN. RICK LAIBLE (R), SD 44**, opened the hearing on **SB 293**, Sustainable forest management act.

EXHIBIT (nas37a14)

Proponents:

01:46:46 Bob Harrington, DNRC

EXHIBIT (nas37a15)

01:59:19 Ellen Engstadt, Montana Wood Products Association

EXHIBIT (nas37a16)

02:02:12 Jason Todhunter, MLA

02:03:06 Harold Blattie, MACO

02:04:20 Peter Kolb, Chair, American Society of Foresters

02:12:15 Janet Ellis, Montana Audubon

02:14:45 Don Judge, Montana Chapter of the Sierra Club

02:15:41 Tim Baker, Executive Director, Montana Wilderness Association

EXHIBIT (nas37a17)

Opponents: None.

Informational Testimony:

02:18:43 Jerry Meyer, Governor's Liaison for Montana National Forest Service (Governor's Office)

Questions from Committee Members and Responses:

02:19:41 Sen. Tash to Tim Baker, Montana Wilderness Association

02:21:53 Sen. Kaufmann to Bob Harrington, DNRC

02:26:21 Sen. Gebhardt to Janet Ellis, Montana Audubon

02:27:46 Sen. Lind to Bob Harrington, DNRC

02:31:58 Sen. Lind to Jerry Meyer, Governor's Office

Closing by Sponsor:

02:33:03 Sen. Laible

02:38:15 Chairman Lind

02:39:23 Joe Kolman, LSD

EXECUTIVE ACTION ON SB 391

02:50:22 **Motion:** SEN. TROPILA moved that SB 391 DO PASS.

Discussion:

02:50:36 Sen. Perry

EXHIBIT (nas37a18)

02:51:39 **Motion:** SEN. PERRY moved that AMENDMENT SB039102.AJK BE ADOPTED.

Discussion:

02:52:04 Joe Kolman, LSD

02:53:39 Sen. Perry

02:54:21 **Motion/Vote:** SEN. HARRINGTON moved that AMENDMENT SB039102.AJK BE ADOPTED. Motion carried unanimously by voice vote.

02:54:43 **Motion:** SEN. TROPILA moved that SB 391 DO PASS AS AMENDED.

Discussion:

02:54:56 Sen. Gebhardt

02:56:23 Sen. Perry to Joe Kolman, LSD

02:57:27 Sen. Tash

02:58:37 Sen. Lind to Sen. Tash

02:59:22 Sen. Curtiss

02:59:48 Sen. Gebhardt

03:00:55 **Vote:** Motion that SB 391 DO PASS AS AMENDED carried 6-3 by roll call vote with SEN. CURTISS, SEN. GEBHARDT, and SEN. TASH voting no.

EXECUTIVE ACTION ON SB 431

03:02:45 **Motion:** SEN. LIND moved that SB 431 DO PASS.

Discussion:

03:03:51 Sen. Tash to Sen. Lind

03:05:10 Sen. Perry

03:06:06 Sen. Lind withdrew his motion on SB 431.

EXECUTIVE ACTION ON SB 376

03:07:40 Joe Kolman, LSD

03:07:47 **Motion:** SEN. TROPILA moved that SB 376 DO PASS.

Discussion:

03:07:57 **Motion:** SEN. TROPILA moved that AMENDMENT SB037602.AJK BE ADOPTED.

EXHIBIT (nas37a19)

Discussion:

03:10:16 Sen. Tash to John Tubbs, DNRC

03:11:47 **Motion/Vote:** SEN. GEBHARDT CALLED THE QUESTION ON AMENDMENT SB03702.AJK. Motion carried unanimously by voice vote.

03:12:07 **Motion/Vote:** SEN. TROPILA moved that SB 391 DO PASS AS AMENDED. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 425

03:13:44 Motion: SEN. TROPILA moved that SB 425 DO PASS.

Discussion:

03:14:17 Motion/Vote: SEN. GEBHARDT moved that AMENDMENT SB042501.AKL BE ADOPTED.

EXHIBIT (nas37a20)

Discussion:

03:16:04 Sen. Perry to John Tubbs, DNRC

03:17:52 Sen. Tropila to Sen. Tash

03:19:57 Vote: Motion that AMENDMENT BE ADOPTED carried 8-1 by voice vote with SEN. KAUFMANN voting no.

03:20:13 Substitute Motion/Vote: SEN. PERRY made a substitute motion that SB 425 BE TABLED. Substitute motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 432

03:21:08 Motion: SEN. GEBHARDT moved that SB 432 BE TABLED.

Discussion:

03:21:56 Sen. Gebhardt withdrew his motion to table SB 432.

03:22:58 Motion: SEN. TROPILA moved that AMENDMENT SB043201.ASL BE ADOPTED.

EXHIBIT (nas37a21)

Discussion:

03:23:44 Sen. Curtiss to Sen. Brueggeman

03:26:06 Vote: Motion that AMENDMENT SB043201.ASL BE ADOPTED carried unanimously by voice vote. SEN. HARRINGTON voted by proxy.

03:26:24 Motion: SEN. TASH moved that SB 432 DO PASS AS AMENDED.

Discussion:

03:27:28 Sen. Wanzenried

03:27:54 **Motion: SEN. WANZENRIED moved that CONCEPTUAL AMENDMENT BE ADOPTED.**

Discussion:

03:28:44 Sen. Tash

03:29:27 Sen. Wanzenried to Sen. Lind

03:29:53 Sen. Curtiss

03:30:34 **Vote: Motion that a CONCEPTUAL AMENDMENT BE ADOPTED carried unanimously by voice vote. SEN. HARRINGTON voted by proxy.**

03:30:53 **Motion: SEN. WANZENRIED moved that SB 432 DO PASS AS AMENDED.**

Discussion:

03:32:31 Sen. Gebhardt

03:32:57 Sen. Perry

03:33:29 Sen. Lind to Sen. Kaufmann

03:33:59 Joe Kolman, LSD

03:34:11 Sen. Perry

03:34:35 Sen. Wanzenried

03:35:27 Sen. Brueggeman

03:36:10 Sen. Kaufmann

03:36:37 Sen. Perry

03:37:21 Sen. Gebhardt

03:37:33 Joe Kolman, LSD

03:38:05 **Motion/Vote: SEN. KAUFMANN moved that CONCEPTUAL AMENDMENT BE ADOPTED. Motion carried 8-1 by voice vote**

with SEN. GEBHARDT voting no. SEN. HARRINGTON voted by proxy.

03:38:42 **Motion:** SEN. WANZENRIED moved that SB 432 DO PASS AS AMENDED.

Discussion:

03:42:14 Sen. Gebhardt

03:42:24 Sen. Lind to Sen. Gebhardt

03:44:15 Sen. Lind to Sen. Brueggeman

03:45:54 Sen. Kaufmann

03:46:53 Sen. Tash

03:47:50 Sen. Wanzenried to Sen. Brueggeman

03:49:08 Sen. Perry to Sen. Brueggeman

03:49:41 Sen. Perry

03:50:20 Sen. Curtiss to Sen. Brueggeman

03:51:47 Sen. Tropila to Sen. Lind

03:52:43 **Vote:** Motion that SB 432 DO PASS AS AMENDED carried 6-3 by roll call vote with SEN. CURTISS, SEN. GEBHARDT, and SEN. PERRY voting no. SEN. HARRINGTON voted by proxy.

EXECUTIVE ACTION ON SB 145

03:54:13 **Motion:** SEN. GEBHARDT moved that SB 145 DO PASS.

Discussion:

03:56:57 **Motion:** SEN. GEBHARDT moved that AMENDMENT SB014503.ALH BE ADOPTED.

EXHIBIT (nas37a22)

Discussion:

03:57:56 Sen. Lind to Sen. Gebhardt

03:59:35 **Vote:** Motion carried unanimously by voice vote.

03:59:51 **Motion:** SEN. GEBHARDT moved that AMENDMENT SB 014504.AJK BE ADOPTED.

EXHIBIT (nas37a23)

Discussion:

04:07:26 Sen. Lind to Bob Harrington, DNRC

04:07:52 Sen. Kaufmann to Bob Harrington, DNRC

04:10:40 **Vote:** MOTION that AMENDMENT SB014504.AJK BE ADOPTED carried unanimously by voice vote.

04:12:18 **Motion/Vote:** SEN. GEBHARDT moved that a CONCEPTUAL AMENDMENT BE ADOPTED. Motion carried unanimously by voice vote.

04:13:05 **Motion:** SEN. GEBHARDT moved that SB 145 DO PASS AS AMENDED.

Discussion:

04:14:52 Sen. Gebhardt

04:15:19 Sen. Kaufmann to Sen. Lind

04:16:17 Sen. Tash

04:16:43 Sen. Lind to Bob Harrington, DNRC

04:18:04 Joe Kolman, LSD

04:20:02 Sen. Gebhardt

04:20:24 Joe Kolman, LSD

04:20:44 **Motion/Vote:** SEN. WANZENRIED moved that a CONCEPTUAL AMENDMENT BE ADOPTED. Motion carried unanimously by voice vote.

04:21:06 **Motion/Vote:** SEN. GEBHARDT moved that SB 145 DO PASS AS AMENDED. Motion carried unanimously by voice vote. SEN. HARRINGTON voted by proxy.

ADJOURNMENT

Adjournment: 7:45 P.M.

SEN. GREG LIND, Chairman

CLAUDIA JOHNSON, Secretary

GL/cj

Additional Exhibits:

EXHIBIT ([nas37aad.pdf](#))