

MINUTES

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

COMMITTEE ON NATURAL RESOURCES AND ENERGY

Call to Order: By **CHAIRMAN GREG LIND**, on April 4, 2007 at 3:00
A.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. Wanzonried (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: HB 473, HB 304, HB 569, HB 835, HB
831
Executive Action: None.

HEARING ON HB 473

Opening Statement by Sponsor:

00:00:00 REP. JOHN (JACK) ROSS (R), HD 60, opened the hearing on HB 473, Eliminate water adjudication fee.

Proponents:

00:00:45 Mary Sexton, Director, Department of Natural Resources and Conservation (DNRC)

00:01:55 John Bloomquist, Montana Stockgrowers Association

00:02:29 John Youngberg, Montana Farm Bureau Federation

00:02:34 Mark Aagenes, Montana Trout unlimited

00:02:52 Mike Murphy, Montana Water Resources Association

Opponents: None.

Informational Testimony: None

Questions from Committee Members and Responses:

00:03:37 Sen. Kaufmann to Mary Sexton, DNRC

00:06:08 Sen. Perry to Rep. Ross

00:08:53 Sen. Lind to Rep. Ross

00:09:22 Sen. Lind to Mary Dalton, DNRC

00:09:35 Sen. Curtiss to Rep. Ross

00:10:16 Sen. Harrington to Mary Sexton, DNRC

Closing by Sponsor:

00:11:23 Rep. Ross

HEARING ON HB 304

Opening Statement by Sponsor:

00:16:45 **SEN. KELLY GEBHARDT** opened the hearing for **REP. KEVIN FUREY (D)**, HD 91, on **HB 304**, Create interim water policy committee.

Proponents:

00:17:16 Mary Sexton, Director, DNRC

00:20:32 Mick Seeberg, Montana Gallatin Irrigators

00:21:14 Stan Bradshaw, Montana Trout Unlimited

00:21:29 Jeff Barber, Montana Environmental Information Center (MEIC)

00:22:12 Bob Lane, Chief Legal Counsel, Department of Fish, Wildlife and Parks (FWP)

00:23:17 Glenn Oppel, Montana Association of Realtors

Opponents: None.

Informational Testimony:

00:23:55 Tom Patton, Montana Bureau of Mines and Geology

Questions from Committee Members and Responses:

00:24:25 Sen. Gebhardt to Mary Sexton, DNRC

00:25:52 Sen. Gebhardt to Chris Evans, LSD

00:26:33 Sen. Curtiss to Tom Patton, Montana Bureau of Mines

00:29:20 Sen. Tash to Tom Patton, Montana Bureau of Mines

00:29:56 Sen. Tash to Mary Sexton, DNRC

00:30:45 Rep. Furey

00:32:48 Sen. Kaufmann to Rep. Furey

Closing by Sponsor:

00:36:20 Sen. Gebhardt

HEARING ON HB 569

Opening Statement by Sponsor:

00:39:28 SEN. KELLY GEBHARDT opened the hearing for REP. DIANE RICE (R), HD 71, on HB 569, Generally revise nursery laws.

Proponents:

00:40:02 Chris Wagner, Montana Nursery Association (MNA)

Opponents: None.

Informational Testimony:

00:41:45 Greg Ames, Administrator, Department of Agriculture (DOA)

Questions from Committee Members and Responses:

00:42:31 Sen. Tash to Greg Ames, DOA

00:43:53 Sen. Gebhardt to Greg Ames, DOA

00:46:23 Sen. Lind to Greg Ames, DOA

00:48:43 Sen. Lind to Chris Wagner, MNA

00:49:50 Sen. Curtiss to Chris Wagner, MNA

00:51:25 Sen. Curtiss to Greg Ames, DOA

00:55:36 Sen. Gebhardt to Greg Ames, DOA

Closing by Sponsor:

00:57:49 Sen. Gebhardt

HEARING ON HB 835

Opening Statement by Sponsor:

00:59:03 SEN. KELLY GEBHARDT opened the hearing for REP. WAYNE STAHL (R), HD 35, on HB 835, Facilitate environmental permit laws and create a college internship program.

Proponents:

00:59:40 Don Allen, Western Environmental Trade Association
(WETA)

Opponents:

01:01:45 Tom Livers, Department of Environmental Quality (DEQ)

01:09:22 Anne Hedges, Montana Environmental Information Center
(MEIC)

EXHIBIT(nas72a01)

Informational Testimony:

01:14:52 Frank Gilmore, Chancellor, Montana Technical School of
Mines (Butte)

01:15:39 Doug Abbott, Vice Chancellor, Montana Technical School
of Mines

01:16:50 Robin Shropshire, Teacher, Helena College of
Technology

Questions from Committee Members and Responses:

01:17:38 Sen. Harrington to Tom Livers, DEQ

01:26:04 Sen. Curtiss to Robin Shropshire

01:28:28 Sen. Gebhardt to Rep. Stahl

01:30:39 Sen. Lind to Tom Livers, DEQ

01:31:33 Sen. Kaufmann

01:32:40 Sen. Gebhardt

Closing by Sponsor:

01:33:34 Rep. Stahl

01:37:59 Sen. Kaufmann to Rep. Stahl

01:40:02 Sen. Lind to Rep. Rice

Break 6:00 p.m.

Back from Break 11:20 p.m.

00:23:56 Chairman Lind

HEARING ON HB 831

Opening Statement by Sponsor:

05:45:29 **REP. WALTER MCNUTT (R), HD 37**, opened the hearing on **HB 831**, Revise water use laws.

Proponents:

05:51:12 Holly Franz, PPL Montana

EXHIBIT(nas72a02)

05:56:40 Stan Bradshaw, Montana Trout Unlimited

EXHIBIT(nas72a03)

06:04:58 Al Jaeger, G2-Green Growth, LLC

06:08:13 Mary Sexton, DNRC

06:14:12 Don MacIntyre, Utility Solutions, LLC

EXHIBIT(nas72a04)

06:14:12 Bob Lane, Chief Legal Counsel, Department of Fish, Wildlife and Parks (FWP)

00:00:55 Tony Kolnik, Gallatin County Water Users

Opponents:

00:04:05 John Bloomquist, Attorney for Water Right Users and Montana Stockgrowers Association

00:18:34 John Youngberg, Montana Farm Bureau

00:23:22 Russ McLeyea, Moonlight Ski Area-Big Sky

00:30:21 Mike Murphy, Montana Water Resource Association

00:34:06 Jay Skoog, American Council of Engineering Companies in Montana

EXHIBIT(nas72a05)

00:37:53 Glenn Oppel, Montana Association of Realtors

EXHIBIT(nas72a06)

EXHIBIT(nas72a07)

00:42:58 Abigail St. Lawrence, Attorney, Helena

Informational Testimony:

00:48:14 Tom Patton, Bureau of Mines, Butte

Questions from Committee Members and Responses:

00:49:33 Sen. Lind

00:49:53 Sen. Tash to Rep. McNutt

00:50:25 Sen. Kaufmann to Sen. Lind

00:51:33 Sen. Perry

00:52:55 Joe Kolman, LSD

EXHIBIT(nas72a08)

Closing by Sponsor:

00:53:20 Rep. McNutt

ADJOURNMENT

Adjournment: 1:00 A.M.

SEN. GREG LIND, Chairman

CLAUDIA JOHNSON, Secretary

GL/cj

Additional Exhibits:

EXHIBIT ([nas72aad.pdf](#))