

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order:

CHAIRMAN MIKE MILBURN, on January 14, 2009 at 3 P.M., in Room 472 Capitol.

ROLL CALL

Members Present:

Rep. Mike Milburn, Chairman (R)
Rep. Gordon R. Hendrick, Vice Chairman (R)
Rep. JP Pomnichowski, Vice Chairman (D)
Rep. Tony Belcourt (D)
Rep. Gerald Bennett (R)
Rep. Anders Blewett (D)
Rep. Jill Cohenour (D)
Rep. Sue Dickenson (D)
Rep. Betsy Hands (D)
Rep. Brian Hoven (R)
Rep. Tom McGillvray (R)
Rep. Mike Menahan (D)
Rep. Scott Mendenhall (R)
Rep. Mike Miller (R)
Rep. Michele Reinhart (D)
Rep. Chas Vincent (R)
Rep. Wendy Warburton (R)

Members Excused: None.

Members Absent: Rep. Kendall Van Dyk (D)

Staff Present: Shirley Chovanak, 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 39, 1/8/2009, HB 41, 1/8/2009

Executive Action: None

HEARING ON HB 41

Opening Statement by Sponsor:

00:02:04 **REP. JILL COHENOUR (D), HD 78**, opened the hearing on **HB 41**, Revise water quality laws for aquifer recharge or mitigation.

Proponents' Testimony:

00:06:34 Robert Lane, Chief Legal Counsel, Fish, Wildlife, and Parks (FWP)

[EXHIBIT \(nah08a01\)](#)

00:08:10 Chairman Milburn

00:08:14 Glen Opel, Montana Association of Realtors (MAR)

Opponents' Testimony:

00:09:45 Don Allen, Western Environmental Trade Association (WETA)

00:14:26 Chairman Milburn

Informational Testimony:

00:14:46 Bonnie Lovelace, Department of Environmental Quality (DEQ)

00:15:14 Tom Richmond, Administrator, Petroleum Engineer, Board of Petroleum and Gas (BOPG)

Questions from Committee Members and Responses:

00:17:26 Rep. Pomnichowski

00:18:04 Ms. Lovelace (DEQ)

00:19:23 Chairman Milburn

00:19:26 Rep. Reinhart

00:19:50 Rep. Cohenour

00:21:25 Rep. Reinhart

00:21:56 Rep. Cohenour

00:23:59 Ch. Milburn

00:24:05 Rep. Hendrick

00:24:33 Rep. Cohenour

00:25:42 Chairman Milburn

00:25:46 Rep. Vincent

00:26:05 Ms. Lovelace
00:26:30 Rep. Vincent
00:26:54 Ms. Lovelace
00:27:40 Rep. Vincent
00:27:47 Ms. Lovelace
00:28:20 Rep. Vincent
00:28:40 Ms. Lovelace
00:29:18 Rep. Vincent
00:29:24 Ms. Lovelace
00:29:32 Rep. Vincent
00:29:36 Chairman Milburn
00:29:42 Rep. Hoven
00:29:46 Rep. Cohenour
00:31:05 Rep. Hoven
00:31:08 Rep. Cohenour
00:32:06 Chairman Milburn
00:32:11 Rep. Mendenhall
00:32:24 Ms. Lovelace
00:33:03 Rep. Mendenhall
00:34:10 Mr. Opel (MAR)
00:35:22 Rep. Mendenhall
00:35:54 Mr. Opel
00:36:43 Chairman Milburn
00:36:48 Rep. Hoven
00:37:01 Rep. Cohenour
00:37:07 Rep. Hoven
00:37:23 Rep. Cohenour
00:38:28 Chairman Milburn
00:38:34 Rep. Miller
00:38:50 Rep. Cohenour
00:39:30 Chairman Milburn
00:39:34 Rep. Pomnichowski
00:40:14 Rep. Cohenour
00:40:24 Rep. Pomnichowski
00:40:36 Rep. Cohenour
00:40:48 Rep. Pomnichowski
00:41:02 Rep. Cohenour
00:41:07 Rep. Pomnichowski
00:41:20 Rep. Cohenour
00:42:35 Rep. Pomnichowski
00:42:39 Mr. Allen (WETA)
00:42:54 Rep. Pomnichowski
00:43:28 Mr. Allen
00:45:03 Rep. Pomnichowski
00:45:35 Mr. Allen
00:46:20 Chairman Milburn
00:46:44 Rep. Cohenour
00:47:06 Chairman Milburn
00:47:19 Rep. Cohenour
00:47:49 Chairman Milburn

00:48:09 Rep. Hoven
00:48:32 Rep. Cohenour

Closing by Sponsor:

00:49:16 Rep. Cohenour

HEARING ON HB 39

Opening Statement by Sponsor:

00:51:15 **REP. JILL COHENOUR (D), HD 78**, opened the hearing on **HB 39**, Revise water right enforcement laws.

Proponents' Testimony:

00:57:21 Holly Franz, PPL - Montana, Water Rights Lawyer in Helena, and Montana Society of Certified Public Accountants

01:00:50 Chairman Milburn

01:00:56 Candace West, Chief Counsel, Montana Water and Conservation (DNRC)

01:08:33 Chairman Milburn

01:08:40 Nancy Schlepp, Montana Farm Bureau Federation (MFBF)

01:09:15 Chairman Milburn

01:09:22 Sarah Bond, Attorney Generals Office (AG)

EXHIBIT (nah08a02)

01:12:54 Chairman Milburn

01:13:14 Tracy Turek, Stevensville, Water Rights Committee (WRC)

EXHIBIT (nah08a03)

01:17:49 Chairman Milburn

01:17:58 Ms. Turek (WRC)

01:18:43 Chairman Milburn

01:18:56 Mr. Lane (FWP)

01:21:41 Chairman Milburn

01:21:48 Sen. Robert Story, SD 30

01:24:50 Chairman Milburn

01:24:59 David Schmidt, Water Rights Consultant, Helena

01:26:10 Chairman Milburn

01:26:16 Chris Christians, Montana Farmers' Union (MFU)

01:27:51 Chairman Milburn

Opponents' Testimony:

01:28:03 Rhonda Wiggers, Montana Water Well Drillers Association (MWWDA)

01:29:32 Chairman Milburn

Informational Testimony:

01:29:46 Colleen Coyle, Watermaster, Montana Water Court (MWC)

Questions from Committee Members and Responses:

01:31:01 Rep. Pomnichowski
01:31:43 Ms. Coyle (MWC)
01:33:08 Rep. Dickenson
01:33:17 Rep. Cohenour
01:33:23 Rep. Dickenson
01:33:45 Rep. Cohenour
01:38:06 Rep. Dickenson
01:38:37 Rep. Cohenour
01:39:04 Rep. Vincent
01:39:32 Ms. West (DNRC)
01:39:35 Rep. Vincent
01:39:48 Ms. West
01:40:33 Rep. Vincent
01:41:08 Ms. West
01:41:50 Rep. Vincent
01:42:03 Ms. West
01:42:58 Rep. Vincent
01:43:15 Ms. West
01:43:32 Rep. Vincent
01:43:54 Ms. West
01:44:41 Rep. Vincent
01:44:48 Ms. West
01:45:12 Rep. Vincent
01:45:17 Rep. McGillvray
01:45:37 Ms. Coyle
01:45:44 Rep. McGillvray
01:45:56 Ms. Coyle
01:47:07 Rep. McGillvray
01:47:13 Ms. Coyle
01:47:37 Rep. McGillllyvray
01:47:44 Ms. Coyle
01:48:14 Rep. McGillvray
01:48:34 Ms. Coyle
01:48:37 Rep. McGillvray
01:48:48 Ms. Coyle

EXHIBIT (nah08a04)

01:49:50 Chairman Milburn
01:49:57 Rep. Reinhart
01:50:04 Ms. Wiggers (MWWDA)
01:50:16 Rep. Reinhart
01:50:21 Ms. Wiggers
01:50:41 Rep. Reinhart
01:50:57 Ms. Wiggers
01:51:14 Rep. Reinhart

01:52:22 Ms. Bond (AG)
01:55:20 Rep. Reinhart
01:55:59 Ms. West
01:57:58 Rep. Hoven
01:58:13 Ms. West
01:58:46 Rep. Hoven
01:59:08 Ms. West
02:01:02 Chairman Milburn
02:01:36 Ms. West
02:01:38 Chairman Milburn
02:02:11 Ms. West
02:04:20 Rep. Hoven
02:04:44 Ms. West
02:05:50 Chairman Milburn

Closing by Sponsor:

02:05:55 Rep. Cohenour

02:08:47 Chairman Milburn announced that executive action on HB
39 and HB 41 will be on Friday.
02:09:20 Adjournment

ADJOURNMENT

02:09:20 Adjournment Adjournment: 5 P.M.

SHIRLEY CHOVANAK, Secretary

SC

Additional Exhibit

EXHIBIT (**nah08a05**)

Additional Exhibits:

EXHIBIT (**nah08aad.pdf**)