

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chairman Mike Milburn, on March 23, 2009 at 3:00 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. Mike Menahan (D)
Rep. Scott Mendenhall (R)
Rep. Mike Miller (R)
Rep. Michele Reinhart (D)
Rep. Kendall Van Dyk (D)
Rep. Chas Vincent (R)
Rep. Wendy Warburton (R)

Members Excused: Rep. Tom McGillvray (R)

Members Absent: None

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: SB 71, 3/12/2009; SB 427, SB 62,
3/12/2009; SB 97, 3/12/2009

Executive Action: SB 95

00:00:02 Chairman Milburn

HEARING ON SB 71

Opening Statement by Sponsor:

00:01:23 Sen. Ron Erickson (D), SD 47, opened the hearing on SB 71, Revise orphan share and environmental quality protection fund laws.

Proponents' Testimony:

00:02:53 Sandy Olson, Department of Environmental Quality (DEQ)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:06:05 Rep. Pomnichowski
00:06:31 Ms. Olson
00:07:55 Rep. Pomnichowski
00:08:33 Ms. Olson
00:10:07 Rep. Pomnichowski
00:10:39 Ms. Olson
00:11:02 Rep. Pomnichowski
00:11:17 Ms. Olson
00:11:24 Rep. Pomnichowski
00:11:27 Ms. Olson
00:11:46 Rep. Pomnichowski
00:12:12 Ms. Olson
00:13:24 Rep. Pomnichowski
00:13:36 Ms. Olson
00:14:01 Rep. Pomnichowski
00:14:34 Ms. Olson

Closing by Sponsor:

00:15:09 Sen. Erickson

00:16:03 Chairman Milburn

EXECUTIVE ACTION ON SB 95

00:16:22 **Motion:** Rep. Pomnichowski moved that **SB 95 BE CONCURRED IN.**

00:16:36 Rep. Cohenour

00:17:08 Chairman Milburn

00:17:54 Rep. Cohenour

00:18:37 **Motion/Vote:** Rep. Cohenour moved that **SB 95 BE AMENDED.**
Motion passed unanimously by voice vote with Reps.
Menahan, Van Dyk, and McGillvray voting by proxy.

EXHIBIT(nah64a01)

00:19:14 **Motion:** Rep. Cohenour moved that **SB 95 BE CONCURRED IN AS AMENDED.**

00:19:42 **Motion/Vote:** Rep. Mendenhall moved that **SB 95 BE AMENDED.** Motion carried unanimously by voice vote with Reps. Menahan, Van Dyk, and McGillvray voting by proxy.

EXHIBIT(nah64a02)

00:20:29 **Motion/Vote:** Moved that **SB 95 BE CONCURRED IN AS AMENDED TWICE.** Motion carried by roll call vote 14-4 with Reps. Mendenhall, McGillvray, Vincent, and Warburton voting no. Reps. Van Dyk, McGillvray, and Menahan voted by proxy. Rep. Cohenour will carry the bill.

HEARING ON SB 427

Opening Statement by Sponsor:

00:22:05 Sen. Jesse Laslovich (D), SD 43, opened the hearing on SB 427, Create the Montana contaminated property compensation and restoration act.

EXHIBIT(nah64a03)

EXHIBIT(nah64a04)

00:26:00 Rep. Menahan arrives.

Proponents' Testimony:

00:29:26 Mark Staples, Representative, Staples Law Firm

00:37:59 Al Smith, Montana Trial Lawyers Association

00:41:52 Buck Pandis, Board Member, Montana Petroleum Marketers and Convenience Stores Association (MPMCSA)

00:42:40 Larry Poulton, President, MPMCSA

00:44:22 Val Jeffries, Regional Director, Holiday Station Stores
00:45:00 Renn Fairchild, City Service Valcon, Kalispell
00:46:01 David Slovak, Lewis, Slovak and Kovacichy, PC

Opponents' Testimony: None

Informational Testimony:

00:49:55 John North, Chief Counsel, DEQ
00:50:48 Terry Wadsworth, Executive Director, Petroleum Tank
Release Compensation Board

Questions from Committee Members and Responses:

00:51:08 Rep. Reinhart
00:51:25 Mr. Slovak
00:52:25 Rep. Reinhart
00:52:46 Mr. Staples
00:55:26 Rep. Reinhart
00:55:30 Mr. Staples
00:55:38 Rep. Vincent
00:55:56 Mr. Staples
00:58:19 Rep. Dickenson
00:59:02 Mr. Staples
00:59:53 Rep. Van Dyk arrives.
01:01:02 Rep. Dickenson
01:01:37 Mr. Smith
01:02:25 Rep. Reinhart
01:03:00 Mr. Slovak
01:04:50 Rep. Blewett
01:05:04 Mr. Slovak
01:05:36 Rep. Warburton
01:06:04 Mr. Slovak

Closing by Sponsor:

01:06:35 Sen. Laslovich

01:08:45 Break
01:21:10 Resume

HEARING ON SB 62

Opening Statement by Sponsor:

01:21:25 Sen. Rick Laible (R), SD 44, opened the hearing on
SB 62, Fix discrepancy in environmental contingency
account funding.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:24:49 Rep. Hoven
01:25:12 Sen. Laible
01:25:33 Rep. Hoven
01:25:44 Sen. Laible
01:25:51 Rep. Hoven
01:26:01 Sen. Laible
01:26:16 Ms. Olson
01:27:12 Rep. Reinhart
01:27:28 Ms. Olson

Closing by Sponsor:

01:27:51 Sen. Laible

HEARING ON SB 97

Opening Statement by Sponsor:

01:28:44 Sen. David Wanzenried (D), SD 49, opened the hearing on SB 97, Revise petroleum tank release laws.

Proponents' Testimony:

01:31:13 Mr. Wadsworth
01:32:44 Ronna Alexander, Executive Director, Petroleum Marketers Convenience Store Association
01:35:41 Jacqueline Lenmark, American Insurance Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:36:58 Sen. Wanzenried
01:37:20 Chairman Milburn
01:39:10 Rep. Cohenour
01:39:20 Chairman Milburn

ADJOURNMENT

01:39:50 Adjournment: 5:00 P.M.

Shirley Chovanak, Secretary

SC

Additional Documents:

EXHIBIT ([nah64aad.pdf](#))