

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chairman Mike Milburn, on March 30, 2009 at 3:15 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. 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. Kendall Van Dyk (D)
Rep. Chas Vincent (R)
Rep. Wendy Warburton (R)

Members Excused: Rep. Tony Belcourt (D)

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 76, 3/23/2009; SB 136,
3/23/2009; SB 193, 3/23/2009

Executive Action: SB 360; SB 76; SB 136; SB 193
SB 246; SB 297

00:00:00 Chairman Milburn

EXECUTIVE ACTION ON SB 360

00:01:20 **Motion:** Rep. Pomnichowski moved that **SB 360 BE CONCURRED IN.**

00:01:35 Joe Kolman, Legislative Services Division

Discussion:

00:02:37 Rep. Dickenson

00:02:51 Reps. Blewett and Hendrick leave.

00:10:31 Rep. Hands

00:14:18 Rep. Hoven

00:15:13 Rep. Hands

00:15:41 Rep. McGillvray

00:16:41 Rep. Menahan

00:19:09 Rep. Dickenson

00:19:29 Rep. Menahan

00:19:39 Rep. Dickenson

00:20:41 Rep. Hands

00:22:02 **Vote:** Motion passed by roll call vote 10-8 with Reps. Pomnichowski, Van Dyk, Reinhart, Hands, Cohenour, and Dickenson voting no. Reps. Hendrick, Blewett, and Belcourt voted by proxy. Rep. Menahan will carry the bill.

00:23:23 Chairman Milburn

HEARING ON SB 76

Opening Statement by Sponsor:

00:23:35 Sen. Jerry Black (R), SD 14, opened the hearing on SB 76, Revise enhanced recovery of oil and gas laws.

Proponents' Testimony:

00:27:21 Tom Richmond, Department of Natural Resources (DNRC)

00:29:14 Allen McAlear, Retired Lawyer, Bozeman

00:31:17 Patrick Montalban, Northern Montana Oil and Gas Association

00:33:47 Dave Galt, Executive Director, Montana Petroleum Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:34:21 Rep. Pomnichowski
00:34:47 Mr. Richmond
00:35:36 Rep. Pomnichowski
00:35:52 Mr. Richmond
00:36:53 Rep. Pomnichowski
00:37:01 Mr. Richmond
00:37:50 Rep. Pomnichowski
00:38:11 Mr. Richmond
00:39:07 Rep. Pomnichowski
00:39:21 Mr. Richmond
00:40:28 Rep. Pomnichowski
00:40:56 Mr. Richmond

Closing by Sponsor:

00:42:11 Sen. Black

HEARING ON SB 136

Opening Statement by Sponsor:

00:44:37 Sen. Kelly Gebhardt (R), SD 23, opened the hearing on SB 136, Clarifying oil well unit spacing requirement laws.

Proponents' Testimony:

00:45:41 Mr. Richmond
00:48:02 Mr. Galt
00:48:26 Mr. Montalban

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:48:58 Sen. Gebhardt

HEARING ON SB 193

Opening Statement by Sponsor:

00:49:42 Sen. Dan McGee (R), SD 29, opened the hearing on SB 193, Survey monument preservation.

00:55:42 Rep. Blewett returns.

Proponents' Testimony:

00:56:20 Joe Roberts, Montana Association of Registered Land Surveyors

Opponents' Testimony: None

Informational Testimony:

00:58:19 Mr. Richmond

Questions from Committee Members and Responses:

00:59:04 Rep. Miller

00:59:27 Sen. McGee

01:00:19 Rep. Miller

01:00:27 Sen. McGee

01:01:42 Rep. Dickenson

01:02:43 Sen. McGee

01:04:01 Rep. Pomnichowski

01:04:32 Sen. McGee

01:05:57 Rep. Pomnichowski

01:06:05 Sen. McGee

01:07:00 Rep. Hendrick returns.

01:07:17 Rep. Vincent

01:07:29 Sen. McGee

01:07:51 Rep. Vincent

Closing by Sponsor:

01:07:56 Sen. McGee

01:09:17 Chairman Milburn

EXECUTIVE ACTION ON SB 76

01:10:22 **Motion/Vote:** Rep. Pomnichowski moved that **SB 76 BE CONCURRED IN**. Motion carried unanimously by voice vote with Rep. Belcourt voting by proxy. Rep. Pomnichowski will carry the bill.

EXECUTIVE ACTION ON SB 136

01:10:48 **Motion/Vote:** Rep. Pomnichowski moved that **SB 136 BE CONCURRED IN**. Motion carried unanimously by voice vote with Rep. Belcourt voting by proxy. Rep. Pomnichowski will carry the bill.

EXECUTIVE ACTION ON SB 193

01:10:56 **Motion/Vote:** Rep. Pomnichowski moved that **SB 193 BE CONCURRED IN**. Motion carried unanimously by voice vote with Rep. Belcourt voting by proxy. Rep. Bennett will carry the bill.

01:11:12 Chairman Milburn

EXECUTIVE ACTION ON SB 246

01:11:30 **Motion:** Rep. Hendrick moved that **SB 246 BE TAKEN FROM THE TABLE**.

01:12:22 Chairman Milburn

01:12:40 Mr. Kolman

01:12:52 Rep. Bennett

01:13:01 Rep. Mendenhall

01:13:06 Chairman Milburn

01:13:15 Rep. Mendenhall

01:13:26 Mr. Kolman

01:13:39 **Vote:** Motion carried 16-1 by voice vote with Rep. Vincent voting no. Rep. Belcourt voted by proxy.

Discussion:

01:14:09 Chairman Milburn

01:14:16 Mr. Kolman

01:14:40 Rep. Vincent

01:15:06 **Substitute Motion:** Rep. Bennett moved that **SB 246 BE AMENDED.**

EXHIBIT (nah70a01)

Discussion:

01:15:34 Rep. Dickenson

01:15:45 Rep. Bennett

01:16:07 **Vote:** Motion carried 14-4 by voice vote with Reps. Blewett, Cohenour, and Pomnichowski voting no. Rep. Blewett voted by proxy.

01:16:27 Chairman Milburn

01:16:50 **Motion:** Rep. Hendrick moved that **SB 246 BE CONCURRED IN AS AMENDED.**

Discussion:

01:17:00 Rep. Hoven

01:17:27 Rep. Mendenhall

01:17:53 Rep. Cohenour

01:18:12 Rep. Blewett

01:18:25 Mr. Kolman

01:18:51 Rep. Hoven

01:19:02 Rep. Van Dyk

01:19:12 Chairman Milburn

01:20:10 **Vote:** Motion carried 13-5 by voice vote with Reps. Mendenhall, Hoven, McGillvray, Vincent, and Warburton voting no. Rep. Belcourt voted by proxy. Rep. Hendrick will carry the bill.

EXECUTIVE ACTION ON SB 297

01:20:51 **Motion:** Rep. Hendrick moved that **SB 297 BE TAKEN FROM THE TABLE.** Motion carried 13-5 by voice vote with Reps. Warburton, Mendenhall, McGillvray, Bennett, and Vincent voting no. Rep. Belcourt voted by proxy.

Discussion:

01:21:50 **Motion:** Reps. Hendrick moved that **SB 297 BE CONCURRED IN.**

01:22:01 Rep. Vincent
01:22:16 Chairman Milburn
01:22:53 Rep. Menahan
01:23:13 Chairman Milburn
01:23:40 Rep. Hoven
01:24:00 Mr. Kolman
01:24:28 Rep. Miller
01:24:45 Chairman

01:25:01 **Vote:** Motion carried 12-6 with Reps. Mendenhall,
McGillvray, Hoven, Warburton, Bennett, and Vincent
voting no. Rep. Belcourt voted by proxy. Chairman
Milburn will carry the bill.

1:25:47 Chairman Milburn

ADJOURNMENT

01:27:04 Adjournment: 4:40 P.M.

Shirley Chovanak, Secretary

SC

Additional Documents:

EXHIBIT ([nah70aad.pdf](#))