

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: CHAIRMAN KELLY GEBHARDT, on January 21, 2009 at 3:00 P.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Kelly Gebhardt, Chairman (R)
Sen. Debby Barrett, Vice Chairman (R)
Sen. Aubyn Curtiss (R)
Sen. Ken (Kim) Hansen (D)
Sen. Christine Kaufmann (D)
Sen. Jim Keane (D)
Sen. Gary L. Perry (R)
Sen. Mitch Tropila (D)

Members Excused:

Sen. Jim Peterson (R)
Sen. Donald J. Steinbeisser (R)
Sen. David E. Wanzenried (D)

Members Absent: None.

Staff Present: Lindsey Hern, Committee Secretary
Sonja Nowakowski, 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 129, 1/16/2009; SB 131,
1/16/2009

Executive Action: SB 131, SB 111

Sen. Perry and Sen. Tropila left after roll call.

HEARING ON SB 129

Opening Statement by Sponsor:

00:01:26 **SEN. DAVE LEWIS (R), SD 42**, opened the hearing on **SB 129**, Fire management easement program.

00:04:24 Sen. Donald Steinbeisser, Sen. David Wanzenried and Sen. Jim Peterson came to committee.

Proponents' Testimony:

00:05:31 Glenn Marks, Associative Director of Montana Land Trusts

EXHIBIT(nas14a01)

00:10:50 Richard Grady, Canyon Creek

EXHIBIT(nas14a02)

EXHIBIT(nas14a03)

00:14:51 Linda Stoll, Missoula County

00:18:10 Janet Ellis, Montana Audubon

00:18:54 Pat McKelvey, Board Member, Fire Safe Montana (FSM)

00:20:11 Sen. Carol Williams, SD 46, Missoula

Opponents' Testimony:

None

Informational Testimony:

00:21:00 Ted Mead, Chief of Montana Fire Suppression, Department of Natural Resources and Conservation(DNRC)

00:22:12 Sen. Mitch Tropila returned to committee.

Questions from Committee Members and Responses:

00:22:42 Sen. Wanzenried

00:23:32 Mr. Mead, DNRC

00:24:07 Chairman Gebhardt

00:24:44 Sen. Lewis

00:25:07 Chairman Gebhardt

00:25:22 Sen. Lewis

00:25:36 Sen. Aubyn Curtiss

00:25:59 Mr. Grady, Canyon Creek

00:26:11 Sen. Curtiss

00:26:24 Mr. Grady, Canyon Creek

00:27:24 Sen. Curtiss

00:27:40 Mr. Grady, Canyon Creek

00:29:18 Sen. Debby Barrett
00:29:35 Sen. Lewis
00:29:41 Sen. Barrett
00:30:15 Sen. Lewis
00:31:35 Sen. Barrett
00:32:11 Sen. Lewis
00:34:55 Sen. Curtiss
00:35:39 Mr. Mead, DNRC
00:35:44 Sen. Curtiss
00:35:59 Mr. Mead, DNRC
00:36:08 Sen. Curtiss
00:36:12 Mr. Mead, DNRC
00:36:22 Sen. Curtiss
00:36:31 Mr. Mead, DNRC

Closing by Sponsor:

00:36:52 Sen. Lewis
[EXHIBIT\(nas14a04\)](#)
00:37:34 Sen. Perry returned to the committee.
00:38:13 Sen. Hansen left the committee.

HEARING ON SB 131

Opening Statement by Sponsor:

00:39:02 **SEN. CAROL WILLIAMS (D), SD 46**, opened the hearing on
SB 131, Require DNRC to designate wildland-urban
interface.
[EXHIBIT\(nas14a05\)](#)
[EXHIBIT\(nas14a06\)](#)
00:42:42 Chairman Gebhardt left committee
[EXHIBIT\(nas14a07\)](#)
00:43:48 Mr. Mead, DNRC

Proponents' Testimony:

00:45:30 Mr. Mead, DNRC
00:48:24 Mr. McKelvey, FSM
00:51:10 Jason Todhunter, Montana Logging Association (MLA), and
Montana Wood Association
00:52:28 Ms. Ellis, Montana Audubon
00:53:28 Anne Hedges, Montana Environmental Information Center
(MEIC)
00:54:29 Richard Van Auken, Fire Chief, Teton County
00:55:28 Jacqueline Lenmark, American Insurance Association
(AIA)
00:56:59 Sen. Peterson left the committee.

Opponents' Testimony:

00:57:01 Dustin Stewart, Montana Building Industry Association
(MBIA)

00:59:11 Joe Roberts, Montana Association of Realtors (MAR)

Informational Testimony:

None

Questions from Committee Members and Responses:

01:03:35 Sen. Wanzenried
01:03:48 Sen. Williams
01:05:01 Sen. Tropila
01:05:20 Mr. Roberts, MAR
01:05:28 Sen. Tropila
01:05:52 Mr. Roberts, MAR
01:06:15 Sen. Jim Keane
01:07:02 Sen. Gebhardt returned to the committee.
01:07:03 Mr. Roberts, MAR
01:07:42 Sen. Keane
01:07:50 Mr. Roberts, MAR
01:08:29 Mr. Keane
01:08:59 Mr. Mead, DNRC
01:10:39 Sen. Curtiss
01:11:07 Mr. Mead, DNRC
01:12:12 Sen. Steinbeisser left the committee.
01:12:26 Chairwoman Barrett
01:12:43 Mr. Mead, DNRC
01:13:22 Chairwoman Barrett
01:13:47 Sen. Williams
01:14:03 Mr. Mead, DNRC
01:14:19 Chairwoman Barrett
01:14:26 Mr. Mead
01:14:33 Chairwoman Barrett

Closing by Sponsor:

01:15:38 Sen. Williams

Additional Business:

01:18:49 Sen. Gebhardt
EXHIBIT (nas14a08) SB 22 heard 01/12/09
01:19:21 Sen. Perry returned to the committee.
01:20:39 Sen. Wanzenried
01:21:06 Chairman Gebhardt

EXECUTIVE ACTION ON SB 129

01:21:15 **Motion:** SEN. BARRETT moved **SB 129 BE RE-REFERRED** to the Tax Committee.

01:21:37 Chairman Gebhardt

01:22:19 Sen. Barrett

01:22:31 Chairman Gebhardt

01:22:48 **Motion:** SEN. BARRETT with permission rescinded motion on **SB 129**.

01:23:03 Sen. Perry

EXECUTIVE ACTION ON SB 131

01:23:19 **Motion:** SEN. PERRY moved that **SB 131 DO PASS**.
[EXHIBIT \(nas14a09\)](#)

01:23:29 **Motion:** SEN. PERRY moved that **SB 131 BE AMENDED**.

01:23:43 Chairman Gebhardt

Discussion:

01:24:03 **Vote:** Motion that **SB 131 BE AMENDED** carried unanimously by voice vote. Sen. Hansen and Sen. Peterson voted by proxy.

01:24:13 **Motion/Vote:** Sen. Perry moved that **SB 131 DO PASS AS AMENDED**. Motion carried 9-2 by voice vote with Sen. Barrett and Sen. Curtiss voting no. Sen. Hansen and Sen. Peterson voted by proxy.

EXECUTIVE ACTION ON SB 111

01:27:06 Chairman Gebhardt

01:27:16 **Motion/Vote:** Sen. Keane moved **SB 111**. Motion carried unanimously by voice vote. Sen. Hansen and Sen. Peterson voted by proxy.

EXECUTIVE ACTION ON SB 113

01:28:29 **Motion:** SEN. KEANE moved that **SB 113 DO PASS**.

01:29:09 **Motion:** SEN. KEANE moved that **SB 113 BE AMENDED.**

EXHIBIT(nas14a10)

Discussion:

01:30:01 Chairman Gebhardt

01:31:00 Sen. Kean

01:31:06 Chairman Gebhardt

01:31:20 Sen. Kean

01:31:26 Chairman Gebhardt

01:31:30 Sen. Kaufmann

01:32:44 Sen. Barrett

01:33:05 Sen. Keane

01:33:40 Sen. Barrett

01:34:02 Sen. Keane

01:34:16 Sonja Nowakowski, Legislative Service Division (LSD)

01:34:31 Sen. Kaufmann

EXHIBIT(nas14a11)

EXHIBIT(nas14a12)

01:35:03 Chairman Gebhardt

01:36:44 Sen. Keane, at recommendation of Sen. Gebhardt withdrew the motion SB 113 Be Amended.

01:37:06 Sen. Kaufmann

01:37:18 Chairman Gebhardt

01:37:24 Sen. Keane

01:37:29 Chairman Gebhardt

01:37:38 Sen. Kaufmann

01:39:43 Chairman Gebhardt

01:40:11 Sen. Wanzenried

01:40:18 Chairman Gebhardt

01:40:24 Sen. Wanzenried

01:40:50 Sen. Keane

01:41:11 Chairman Gebhardt

01:41:36 Sen. Curtiss

01:41:52 Mrs. Nowakowski, LSD

01:42:26 Sen. Keane

01:43:51 Sen. Kaufmann

01:43:57 Sen. Perry

01:44:07 Sen Keane, with Chairman Gebhardts's recommendation withdrew the motion Do Pass on SB 113.

01:44:46 Chairman Gebhardt

ADJOURNMENT

Adjournment: 4:47 P.M.

LINDSEY HERN, Secretary

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Additional Documents:

EXHIBIT ([nas14aad.pdf](#))