

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: CHAIRMAN KELLY GEBHARDT, on January 26, 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. Jim Keane (D)
Sen. Gary L. Perry (R)
Sen. Donald J. Steinbeisser (R)
Sen. David E. Wanzonried (D)

Members Excused:

Sen. Christine Kaufmann (D)
Sen. Jim Peterson (R)
Sen. Mitch Tropila (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 95, 1/19/2009; SB 101,
1/19/2009; SB 102, 1/19/2009; SJ 7,
1/19/2009

Executive Action: SJ 7

Sen. Jim Peterson came in after roll call.

HEARING ON SJ 7

Opening Statement by Sponsor:

00:01:30 **SEN. JOHN BRENDEN (R), SD 18**, opened the hearing on **SJ 7**, Opposition to HR 2421.

00:02:41 Sen. Tropila came into the committee.

Proponents' Testimony:

00:06:15 Cynthia Johnson, Montana Association of Counties (MACo)
EXHIBIT(nas18a01)

00:07:15 John Youngberg, Montana Farm Bureau (MFB)
00:09:22 Mike Murphy, Montana Water Resources Association (MWRA)
00:10:12 Dustin Frost, State Director of Montana's Congressman
Denny Rehberg
EXHIBIT(nas18a02)

00:12:50 Krista Lee Evans, Association of Gallatin Agricultural
Irrigators (AGAI)
00:13:16 Chris Christiaens, Montana Farmers Union, MFU
00:13:31 Jay Bodner, Montana Stockgrowers Association (MSA)
EXHIBIT(nas18a03)

00:14:27 Ariel Overstreet, Montana Cattle Women, Inc.
00:14:43 Jeff Tiberi, Montana Association of Conservation
Districts (MACD)
EXHIBIT(nas18a04)

Opponents' Testimony:

00:15:35 Janet Ellis, Montana Audubon
EXHIBIT(nas18a05)
EXHIBIT(nas18a06)

Informational Testimony:

00:18:16 Jan Langel, Department of Natural Resources and
Conservation (DNRC)

Questions from Committee Members and Responses:

00:18:39 Sen. Debby Barrett
00:19:07 Ms. Ellis, Montana Audubon
00:20:01 Sen. Barrett

00:20:15 Ms. Ellis, Montana Audubon
00:20:56 Sen. Barrett
00:21:11 Sen. Ken Hansen
00:21:30 Mr. Bodner, MSA
00:21:41 Sen. Hansen
00:21:51 Mr. Bodner, MSA
00:21:59 Sen. Hansen
00:22:06 Mr. Bodner, MSA
00:22:21 Sen. Perry
00:22:52 Sen. Brenden

Closing by Sponsor:

00:23:10 Sen. Brenden

Sen. Christine Kaufmann came into the committee during SJ 7 hearing.

EXECUTIVE ACTION ON SJ 7

00:25:15 **Motion:** SEN. BARRETT moved that **SJ 7 DO PASS.**

Discussion:

00:25:26 Sen. Mitch Tropila
00:25:55 Sen. Barrett
00:26:28 Chairman Gebhardt
00:26:35 Sen. Tropila
00:26:55 Sen. Peterson
00:27:13 Chairman Gebhardt
00:27:24 Sen. Tropila

00:27:34 **Vote:** Motion that **SJ 7 DO PASS** carried 8-3 by voice vote with SEN. KAUFMANN, SEN. TROPILA, and SEN. WANZENRIED voting no.

HEARING ON SB 95

Opening Statement by Sponsor:

00:28:40 **SEN. JOHN BRUEGGEMAN (R), SD 6**, opened the hearing on **SB 95**, Temporary nutrient criteria for discharge permits.

Proponents' Testimony:

00:30:47 George Matthews, Department of Environmental Quality(DEQ)
00:32:55 Tim Burton, City Manager, Helena

EXHIBIT(nas18a07)

00:39:48 Alec Hansan, Montana League of Cities and Towns (MLCT)

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

00:43:32 Sen. Peterson
00:43:55 Sen. Brueggeman
00:44:32 Sen. Peterson
00:44:37 Mr. Matthews, DEQ
00:45:24 Sen. Peterson
00:45:51 Mr. Matthews, DEQ
00:46:02 Sen. Peterson
00:46:39 Mr. Matthews, DEQ
00:46:53 Sen. Peterson
00:46:58 Sen. Brueggeman
00:47:37 Sen. Wanzenried
00:48:00 Sen. Brueggeman
00:48:48 Mr. Matthews, DEQ
00:49:57 Sen. Wanzenried
00:50:17 Mr. Matthews, DEQ
00:51:04 Sen. Peterson
00:51:58 Mr. Matthews, DEQ
00:53:15 Sen. Peterson
00:53:28 Mr. Matthews, DEQ
00:53:44 Sen. Jim Keane
00:54:01 Mr. Matthews, DEQ
00:54:14 Sen. Keane
00:54:56 Mr. Matthews, DEQ
00:55:20 Sen. Perry
00:55:52 Mr. Matthews, DEQ
00:56:10 Sen. Perry
00:56:34 Mr. Matthews, DEQ
00:57:20 Sen. Perry
00:57:28 Mr. Matthews, DEQ
00:57:34 Sen. Kaufmann
00:58:00 Mr. Burton, Helena
01:00:45 Sen. Barrett
01:01:53 Mr. Matthews, DEQ
01:02:17 Sen. Barrett
01:02:23 Sen. Kaufmann

01:02:36 Sen. Tropila left the committee.
01:02:47 Mr. Matthews, DEQ
01:03:14 Sen. Kaufmann
01:03:22 Mr. Matthews, DEQ
01:03:47 Chairman Gebhardt
01:04:11 Mr. Burton, Helena
01:04:23 Chairman Gebhardt
01:04:28 Mr. Burton, Helena
01:05:01 Chairman Gebhardt
01:05:07 Mr. Burton, Helena
01:06:41 Chairman Gebhardt
01:06:58 Mr. Burton, Helena
01:07:10 Chairman Gebhardt
01:07:24 Sen. Keane
01:07:43 Mr. Hansan, MLCT
01:08:37 Sen. Barrett
01:08:57 Mr. Hansan, MLCT
01:09:14 Mr. Matthews, DEQ

Closing by Sponsor:

01:10:11 Sen. Brueggeman

HEARING ON SB 101

Opening Statement by Sponsor:

01:12:14 **SEN. JOHN BRUEGGEMAN (R), SD 6**, opened the hearing on
SB 101, Certification for wastewater collection system
operators.

EXHIBIT(nas18a08)

Proponents' Testimony:

01:13:36 Shelly Nolan, DEQ
01:14:23 Sen. Tropila returned to the committee.
01:17:06 Barb Coffman, Interim Director, Montana Environmental
Training Center (METC)

EXHIBIT(nas18a09)

EXHIBIT(nas18a10)

Opponents' Testimony:

01:22:04 Rep. Julie French, HD 36
01:24:01 Gary Forrester, Lockwood Sewer Division (LWSD)

Informational Testimony:

None

Questions from Committee Members and Responses:

01:27:37 Sen. Wanzenried
01:28:00 Sen. Brueggeman
01:28:23 Sen. Wanzenried
01:28:38 Sen. Brueggeman
01:28:47 Ms. Nolan, DEQ
01:29:23 Sen. Wanzenried
01:29:40 Ms. Nolan, DEQ
01:30:50 Sen. Kaufmann
01:31:08 Mr. Forrester, LWSD
01:32:13 Sen. Perry
01:32:47 Mr. Forrester, LWSD
01:33:20 Sen. Perry
01:33:31 Mr. Forrester, LWSD
01:33:50 Sen. Perry
01:34:19 Mr. Forrester, LWSD
01:35:23 Sen. Kaufmann
01:35:51 Ms. Nolan, DEQ
01:36:07 Sen. Kaufmann
01:36:27 John Dillard, DEQ
01:37:45 Sen. Kauffman
01:37:55 Mr. Dillard, DEQ
01:38:03 Chairman Gebhardt
01:38:36 Ms. Nolan, DEQ
01:39:10 Chairman Gebhardt
01:39:25 Ms. Nolan, DEQ
01:39:39 Chairman Gebhardt
01:40:20 Ms. Nolan, DEQ
01:40:30 Sen. Tropila
01:40:54 Mr. Dillard, DEQ
01:41:17 Sen. Tropila

Closing by Sponsor:

01:42:05 Sen. Brueggeman

HEARING ON SB 102

Opening Statement by Sponsor:

01:44:33 **SEN. JOHN BRUEGGEMAN (R), SD 6**, opened the hearing on
SB 102, Revise public water supply laws.

Proponents' Testimony:

01:45:44 Mr. Dillard, DEQ

01:49:31 Donna Jansen, Cadmus Group

[EXHIBIT\(nas18a11\)](#)

[EXHIBIT\(nas18a12\)](#)

01:53:48 Sen. Steinbeisser left the committee.

01:54:15 Marty Hoven, Butte Silver Bowl Water Division

01:56:09 Ms. Coffman, METC

[EXHIBIT\(nas18a13\)](#)

01:58:52 Sen. Steinbeisser returned to committee.

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

01:59:15 Sen. Keane

01:59:43 Mr. Dillard, DEQ

02:00:10 Sen. Peterson

02:00:23 Mr. Dillard, DEQ

02:01:34 Sen. Wanzenried and Sen. Tropila left the committee.

02:01:57 Sen. Keane

02:02:30 Mr. Dillard, DEQ

02:03:26 Sen. Peterson and Sen. Hansen left the committee.

Closing by Sponsor:

02:03:33 Sen. Brueggeman

02:04:55 Sen. Barrett left the committee

Additional Exhibits:

[EXHIBIT\(nas18a14\)](#) Reference to SB 97 heard 1/23/09

ADJOURNMENT

Adjournment: 5:05 P.M.

LINDSEY HERN, Secretary

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Additional Documents:

EXHIBIT ([nas18aad.pdf](#))