

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON NATURAL RESOURCES

**Call to Order:** Chairman Gordon R. Hendrick, on January 17, 2011 at 3:00 PM, in Room 472 Capitol

#### ROLL CALL

**Members Present:**

Rep. Gordon R. Hendrick, Chairman (R)  
Rep. Brian Hoven, Vice Chairman (R)  
Rep. Gerald (Jerry) Bennett (R)  
Rep. Pat Connell (R)  
Rep. Virginia Court (D)  
Rep. Kelly Flynn (R)  
Rep. Alan Hale (R)  
Rep. Betsy Hands (D)  
Rep. Bill Harris (R)  
Rep. Cleve J. Loney (R)  
Rep. Mike Miller (R)  
Rep. Michele Reinhart (D)  
Rep. Wendy Warburton (R)  
Rep. Kathleen Williams (D)

**Members Excused:** Rep. Dick Barrett (D)

**Members Absent:** None

**Staff Present:** Lauren Head, 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 28, 1/12/2011; HB 52, 1/12/2011; HB 101, 1/12/2011; HB 162, 1/13/2011

**HEARING ON HB 28****Opening Statement by Sponsor:**

00:03:49 Rep. Walter McNutt (R), HD 37, opened the hearing on HB 28, Revise requirements for septic mixing zones.

**Proponents' Testimony:**

00:08:35 Steve Kilbreath, Department of Environmental Quality (DEQ)

**EXHIBIT(nah12a01)**

00:12:21 Jim Carlson, Missoula County

00:16:10 Abigail St. Lawrence, Montana Association of Realtors (MAR)

00:17:25 Dustin Stewart, Montana Building Association (MBA)

00:17:38 Harold Blattie, Montana Association of Counties (MACo)

00:18:57 Alec Hansen, Montana League of Cities and Towns (MLCT)

00:19:08 Vice Chairman Hoven left the meeting.

**Opponents' Testimony:**

00:19:40 Rick Breckenridge, Montana Environmental Consultants Association

**EXHIBIT(nah12a02)**

00:21:35 Vice Chairman Hoven joined the meeting.

**EXHIBIT(nah12a03)**

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:28:56 Chairman Hendrick

**EXHIBIT(nah12a04)**

00:29:47 Rep. McNutt

00:29:59 Chairman Hendrick

00:30:02 Rep. McNutt

00:30:18 Rep. Reinhart

00:30:35 Mr. Kilbreath

00:31:43 Rep. Reinhart

00:32:19 Mr. Kilbreath

00:33:11 Vice Chairman Hoven

00:33:31 Mr. Kilbreath

00:34:38 Rep. Miller

00:35:01 Mr. Breckenridge

00:36:45 Rep. Miller

00:38:00 Rep. Loney

00:38:33 Mr. Kilbreath

00:39:18 Rep. Loney

00:39:24 Mr. Kilbreath

00:39:25 Rep. Loney

00:39:29 Rep. Bennett

00:40:27 Mr. Kilbreath  
00:41:24 Rep. Bennett  
00:41:43 Mr. Kilbreath  
00:42:01 Rep. Harris  
00:43:34 Mr. Kilbreath  
00:44:18 Chairman Hendrick  
00:44:43 Mr. Blattie  
00:45:23 Chairman Hendrick  
00:45:25 Mr. Blattie  
00:45:30 Rep. Connell  
00:46:40 Mr. Kilbreath  
00:47:00 Vice Chairman Hoven  
00:47:23 Mr. Kilbreath

**Closing by Sponsor:**

00:48:12 Rep. McNutt

**HEARING ON HB 52**

**Opening Statement by Sponsor:**

00:53:44 Rep. Duane Ankney (R), HD 43, opened the hearing on HB 52, Authorize municipal wastewater reuse.  
00:55:52 Rep. Barrett joined the meeting.  
00:57:18 Rep Hands left the meeting.  
00:58:26 Rep. Miller left the meeting.

**Proponents' Testimony:**

01:01:09 George Mathieus, DEQ  
[EXHIBIT\(nah12a05\)](#)  
01:01:48 Rep. Hands joined the meeting.  
01:03:10 Rep. Miller joined the meeting.  
01:06:50 Jim Jensen, Montana Environmental Information Center (MEIC)  
01:08:20 Alec Hansen, MLCT  
01:10:17 Jim Carlson, Missoula County  
01:12:33 Scott Murphy, Licensed Professional Engineer

**Opponents' Testimony:**

01:15:14 Krista Lee Evans, Senior Water Rights Coalition (SWRC), Montana Farm Bureau Federation (MFBF), Association of Gallatin Agricultural Irrigators (AGAI), Montana Water Rights Association (MRWA)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:17:54 Rep. Connell  
01:19:01 Rep. Ankney  
01:19:39 Rep. Connell  
01:20:15 Rep. Ankney  
01:20:35 Rep. Connell  
01:21:10 Rep. Ankney  
01:21:41 Rep. Williams  
01:23:26 Rep. Ankney  
01:24:43 Rep. Williams  
01:24:51 Rep. Ankney  
01:25:02 Rep. Loney  
01:25:11 Rep. Ankney  
01:25:17 Rep. Loney  
01:25:22 Rep. Ankney  
01:25:46 Rep. Harris  
01:26:54 Rep. Ankney  
  
01:27:06 Rep. Hands left the meeting.  
  
01:27:39 Rep. Harris  
01:28:04 Rep. Ankney  
01:28:29 Chairman Hendrick  
01:28:57 Rep. Ankney  
  
01:29:03 Rep. Harris left the meeting  
  
01:29:44 Chairman Hendrick  
01:30:18 Rep. Ankney  
01:30:26 Chairman Hendrick  
01:30:30 Rep. Ankney

**Closing by Sponsor:**

01:30:51 Rep. Ankney

**HEARING ON HB 101**

**Opening Statement by Sponsor:**

01:32:46 Rep. Margaret (Margie) MacDonald (D), HD 54, opened the hearing on HB 101, Revise sewer and water district finance laws and water authority laws.  
  
01:36:09 Rep Connell joined the meeting  
01:37:17 Rep. Bennett left the meeting.

**Proponents' Testimony:**

01:36:40 Anna Miller, Department of Natural Resources and Conservation (DNRC)

[EXHIBIT\(nah12a06\)](#)

[EXHIBIT\(nah12a07\)](#)

[EXHIBIT\(nah12a08\)](#)

01:40:49 Steve Wade, Montana Rural Water Systems (MRWS)

01:42:31 Rep. Bennett joined the meeting.

01:42:57 Harold Blattie, MACo

01:44:00 Dan Keil, MRWS

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:45:36 Chairman Hendrick

01:45:49 Rep. MacDonald

01:46:24 Ms. Miller

**Closing by Sponsor:**

01:47:32 Rep. MacDonald

01:54:29 Rep. Hands joined the meeting.

**HEARING ON HB 162**

**Opening Statement by Sponsor:**

01:54:36 Rep. Wayne Stahl (R), HD 35, opened the hearing on HB 162, Prohibit mixing zones for city wastewater discharge.

**Proponents' Testimony:**

01:57:27 Jim Jensen, MEIC

**Opponents' Testimony:**

02:00:27 Jenny Chambers, DEQ

02:02:59 Don Allen, Western Environmental Trade Association (WETA)

02:03:13 Rep. Reinhart joined the meeting.

02:06:17 Debbie Shea, Montana Mining Association (MMA)

02:08:02 John MacDonald, City of Missoula

02:09:12 Steve Wade, MRWS

02:10:06 Alec Hansen, MLCT

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:13:23 Rep. Harris  
02:15:06 Mr. Jensen  
02:17:42 Rep. Barrett  
02:18:15 Mr. Jensen  
02:19:19 Rep. Barrett  
02:19:59 Mr. Jensen  
02:20:52 Rep. Hale  
02:21:05 Mr. Jensen  
02:21:08 Rep. Hale  
02:21:12 Mr. Jensen  
02:22:01 Rep. Hale  
02:22:06 Mr. Jensen  
02:22:18 Rep. Bennett  
02:22:36 Mr. Jensen  
02:23:04 Rep. Bennett  
02:23:44 Mr. Hansen  
02:25:30 Rep. Connell  
02:26:00 Mr. Kolman  
02:26:09 Rep. Loney  
02:26:44 Mr. Jensen  
02:27:20 Rep. Loney  
02:27:31 Mr. Jensen

**Closing by Sponsor:**

02:27:46 Rep. Stahl  
02:30:01 Chairman Hendrick

**ADJOURNMENT**

02:30:53      Adjournment

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Lauren Head, Secretary

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Additional Documents:

**EXHIBIT([nah12aad.pdf](#))**