

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION COMMITTEE ON NATURAL RESOURCES

Call to Order: Chair Debby Barrett, on February 11, 2011 at 3:00 PM, in Room 422 Capitol

ROLL CALL

Members Present:

Sen. Debby Barrett, Chairman (R)
Sen. Greg Hinkle, Vice Chairman (R)
Sen. John Brenden (R)
Sen. Bradley Hamlett (D)
Sen. Verdell Jackson (R)
Sen. Christine Kaufmann (D)
Sen. Jim Keane (D)
Sen. Cliff Larsen (D)
Sen. Donald J. Steinbeisser (R)
Sen. Mitch Tropila (D)
Sen. Chas Vincent (R)
Sen. Edward Walker (R)
Sen. David E. Wanzenried (D)

Members Excused: Sen. Jim Peterson (R)

Members Absent: None

Staff Present: Kevin McCue, 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 286, 2/8/2011

Executive Action: SB 206 - Do pass as amended
SJ 10 - Do pass as amended
SB 267 - Do pass
SB 239 - Tabled

HEARING ON SB 286

Opening Statement by Sponsor:

00:01:02 Sen. Alan Olson (R), SD 23, opened the hearing on SB 286, Revise certain coal prospecting procedures.

Proponents' Testimony:

00:02:46 Steve Wade, lobbyist, Coal Mountain Mining, LP
00:04:23 Bud Clinch, lobbyist, Montana Coal Council (MCC)
00:05:26 Don Allen, lobbyist, Western Environmental Trade Association (WETA)

Opponents' Testimony:

00:05:58 Ed Coleman, Industrial and Energy Minerals Bureau Chief, Department of Environmental Quality (DEQ)

Informational Testimony:

None

Questions from Committee Members and Responses:

00:06:51 Sen. Wanzenried
00:07:14 Sen. Olson
00:10:29 Sen. Kaufmann
00:11:15 Mr. Coleman, DEQ
00:11:38 Sen. Olson

Closing by Sponsor:

00:12:38 Sen. Olson

EXECUTIVE ACTION ON SB 206

00:14:21 **Motion:** Sen. Brenden moved that **SB 206 DO PASS.**

00:15:22 **Motion:** Sen. Brenden moved that **SB 206 BE AMENDED.**
EXHIBIT(nas34a01)

Discussion:

00:15:37 Sonja Nowakowski, Legislative Services Division (LSD)
EXHIBIT(nas34a02)

00:19:52 Sen. Barrett
00:20:21 Sen. Brenden
00:20:43 Ms. Nowakowski
00:22:49 Sen. Brenden

00:22:54 Without objection, Darryl James, Montana Alberta Tie, Ltd (MATL LLP)
 00:24:04 Sen. Barrett
 00:24:28 Without objection, John North, Chief Legal Council, DEQ
 00:24:50 Sen. Keane
 00:25:09 Mr. North
 00:25:43 Sen. Wanzenried
 00:26:15 Ms. Nowakowski
 00:26:44 Mr. North
 00:27:36 Sen. Tropila
 00:28:07 Ms. Nowakowski
 00:28:14 Sen. Barrett
 00:28:29 Ms. Nowakowski
 00:29:01 Sen. Jackson
 00:29:27 Mr. North
 00:30:19 Sen. Tropila
 00:30:50 Mr. James

00:32:02 **Motion:** Sen. Brenden moved that **SB 206 DO PASS AS AMENDED.**

00:33:00 **Vote:** Motion carried 13-1 by roll call vote with Sen. Barrett voting no. Sen. Peterson and Sen. Tropila voted by proxy.

EXECUTIVE ACTION ON SJ 10

00:33:35 **Motion:** Sen. Brenden moved that **SJ 10 DO PASS.**

00:34:05 **Motion:** Sen. Keane moved that **SJ 10 BE AMENDED.**
EXHIBIT(nas34a03)

Discussion:

00:34:17 Ms. Nowakowski
 00:35:46 Sen. Keane
 00:35:58 Sen. Kaufmann
 00:36:18 Ms. Nowakowski
 00:36:37 Sen. Kaufmann
 00:37:03 Sen. Keane
 00:37:32 Sen. Kaufmann
 00:38:23 Sen. Keane

00:39:14 **Vote:** Motion carried 10-4 by voice vote with Sen. Kaufmann, Sen. Larsen, Sen. Tropila and Sen. Wanzenried voting no. Sen. Peterson and Sen. Tropila voted by proxy.

00:39:31 **Motion:** Sen. Keane moved that **SJ 10 DO PASS AS AMENDED.**

Discussion:

00:39:55 Sen. Larsen

00:40:18 Sen. Wanzenried

00:40:51 Sen. Vincent

00:43:10 **Vote:** Motion carried 10-4 by roll call vote with Sen. Kaufmann, Sen. Larsen, Sen. Tropila and Sen. Wanzenried voting no. Sen. Peterson and Sen. Tropila voted by proxy.

EXECUTIVE ACTION ON SB 267

00:43:35 **Motion:** Sen. Vincent moved that **SB 267 DO PASS.**

00:43:54 Sen. Brenden left the room.

Discussion:

00:44:18 Sen. Vincent

00:44:50 Sen. Kaufmann

00:46:21 Sen. Vincent

00:48:08 **Vote:** Motion carried 13-1 by roll call vote with Sen. Kaufmann voting no. Sen. Brenden, Sen. Peterson and Sen. Tropila voted by proxy.

EXECUTIVE ACTION ON SB 239

00:49:16 **Motion:** Sen. Hinkle moved that **SB 239 DO PASS.**

Discussion:

00:50:00 Sen. Larsen and Sen. Walker left the room.

00:50:21 Sen. Kaufmann

00:50:47 Sen. Hamlett

00:51:00 Sen. Vincent

00:52:12 Sen. Wanzenried

00:52:43 Ms. Nowakowski

00:53:04 **Motion/Vote:** Sen. Kaufmann made a substitute motion that **SB 239 BE TABLED.** Motion carried unanimously by roll call vote. Sen. Brenden, Sen. Larsen, Sen. Peterson, Sen. Tropila and Sen. Walker voted by proxy.

ADDITIONAL EXHIBITS

EXHIBIT(nas34a04)

Testimony related to SB 206 submitted to committee by John S. Fitzpatrick of Northwest Energy on February 4, 2011.

ADJOURNMENT

Adjournment:

00:54:35

Kevin McCue, Secretary

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Additional Documents:

EXHIBIT([nas34aad.pdf](#))