

MINUTES

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

Call to Order: Chair Debby Barrett, on February 21, 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. Chas Vincent (R)
Sen. David E. Wanzonried (D)

Members Excused: Sen. Jim Peterson (R)
Sen. Mitch Tropila (D)
Sen. Edward Walker (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:

Executive Action: SB 364 - Do pass
SB 306 - Do pass as amended
SB 312 - Do pass as amended
SB 316 - Tabled
SB 317 - Do pass as amended
SB 327 - Do pass
SB 356 - Do pass
SB 367 - Do pass as amended

EXECUTIVE ACTION ON SB 364

00:01:09 **Motion:** Sen. Brenden moved that **SB 364 DO PASS.**

Discussion:

00:01:58 Sen. Hamlett
 00:02:15 Without objection, Mary Sexton, Director, Department of Natural Resources and Conservation (DNRC)
 00:04:02 Sen. Brenden
 00:04:52 Sen. Keane
 00:05:14 Sen. Brenden
 00:06:10 Sen. Kaufmann
 00:06:23 Sen. Brenden
 00:07:43 Sen. Barrett
 00:08:30 Sen. Brenden
 00:08:50 Sen. Larsen
 00:09:16 Sen. Barrett
 00:09:34 Sen. Larsen
 00:09:56 Dir. Sexton, DNRC
 00:11:55 Sen. Hamlett
 00:12:19 Dir. Sexton
 00:13:38 Sen. Brenden
 00:13:44 Sen. Tropila joined the hearing
 00:14:57 Sen. Hamlett
 00:15:08 Sen. Keane
 00:15:21 Sen. Hamlett
 00:15:51 Sen. Brenden
 00:17:01 Sen. Jackson
 00:17:31 Sen. Brenden
 00:19:43 Sen. Barrett

 00:20:47 **Vote:** Motion carried 9-5 by roll call vote with Sen. Hamlett, Sen. Kaufmann, Sen. Larsen, Sen. Tropila and Sen. Wanzenried voting no. Sen. Peterson and Sen. Walker voted by proxy.

EXECUTIVE ACTION ON SB 306

00:21:46 **Motion:** Sen. Brenden moved that **SB 306 DO PASS.**

Discussion:

00:22:03 Sen. Wanzenried
 00:23:03 Sen. Keane
 00:24:32 Sen. Wanzenried
[**EXHIBIT**](#)(nas42a01)
 00:25:26 Sen. Keane
 00:26:00 Sen. Barrett
 00:26:05 Ms. Nowakowski, Legislative Services
 00:26:44 Sen. Tropila

00:27:15 Sen. Keane
00:27:39 Sen. Wanzenried

00:28:27 **Motion:** Sen. Vincent moved that **SB 306 BE AMENDED.**
EXHIBIT(nas42a02)

Discussion:

00:28:37 Sen. Kaufmann
00:29:15 Sen. Keane
00:30:04 Sen. Vincent
00:30:36 Sen. Hamlett
00:31:08 Sen. Keane

00:32:20 **Vote:** Motion carried 10-4 by roll call vote with Sen. Kaufmann, Sen. Larsen, Sen. Tropila and Sen. Wanzenried voting no. Sen. Brenden, Sen. Peterson and Sen. Walker voted by proxy.

Discussion:

00:33:10 Sen. Kaufmann
00:33:40 Sen. Keane
00:34:21 Sen. Barrett
00:35:00 Sen. Wanzenried
00:36:00 Sen. Keane

00:37:22 **Motion/Vote:** Sen. Vincent moved that **SB 306 DO PASS AS AMENDED.**
Motion carried 10-4 by roll call vote with Sen. Kaufmann, Sen. Larsen, Sen. Tropila and Sen. Wanzenried voting no. Sen. Brenden, Sen. Peterson and Sen. Walker voted by proxy.

EXECUTIVE ACTION ON SB 312

00:38:18 **Motion:** Sen. Vincent moved that **SB 312 DO PASS.**

Discussion:

00:38:56 Sen. Vincent

00:39:47 **Motion:** Sen. Vincent moved that **SB 312 BE AMENDED.**
EXHIBIT(nas42a03)

Discussion:

00:40:27 Ms. Nowakowski
00:42:15 Sen. Tropila
00:43:16 Sen. Vincent

00:48:02 **Vote:** Motion carried 12-2 by roll call vote with Sen. Kaufmann and Sen. Tropila voting no. Sen. Brenden, Sen. Peterson and Sen. Walker voted by proxy.

Discussion:

00:48:39 Sen. Hamlett
 00:48:45 Sen. Walker joined the hearing
 00:49:05 Sen. Kaufmann
 00:50:07 Sen. Keane
 00:51:56 Sen. Larsen
 00:52:43 Sen. Barrett
 00:53:00 Sen. Vincent
 00:55:03 Sen. Wanzenried
 00:56:34 Sen. Barrett

00:57:33 **Motion/Vote:** Sen. Vincent moved that **SB 312 DO PASS AS AMENDED**. Motion carried 10-4 by roll call vote with Sen. Kaufmann, Sen. Larsen, Sen. Tropila and Sen. Wanzenried voting no. Sen. Brenden and Sen. Peterson voted by proxy.

EXECUTIVE ACTION ON SB 316

00:58:45 **Motion:** Sen. Jackson moved that **SB 316 DO PASS**.

Discussion:

00:59:07 Sen. Keane
 00:59:24 Ms. Nowakowski

00:59:46 **Motion:** Sen. Kaufmann made a **SUBSTITUTE MOTION** that **SB 316 BE TABLED**.

00:59:59 **Motion:** Sen. Kaufmann withdrew her **SUBSTITUTE MOTION** that **SB 316 BE TABLED**.

01:00:04 Sen. Jackson

01:02:10 **Motion/Vote:** Sen. Wanzenried moved that **SB 316 BE TABLED**. Motion carried 12-2 by roll call vote with Sen. Hinkle and Sen. Jackson voting no. Sen. Brenden and Sen. Peterson voted by proxy.

EXECUTIVE ACTION ON SB 317

01:03:21 **Motion:** Sen. Vincent moved that **SB 317 DO PASS**.

01:03:42 **Motion:** Sen. Vincent moved that **SB 317 BE AMENDED**.
[**EXHIBIT\(nas42a04\)**](#)

Discussion:

01:04:20 Ms. Nowakowski
 01:07:41 Sen. Kaufmann
 01:08:10 Sen. Barrett

01:08:31 Sen. Vincent
 01:10:53 Sen. Kaufmann
 01:12:10 Sen. Vincent
 01:12:20 Ms. Nowakowski
 01:12:50 Sen. Kaufmann
 01:13:24 Sen. Vincent
 01:13:53 Sen. Barrett
 01:14:21 Sen. Hamlett
 01:14:42 Sen. Larsen

01:15:58 **Vote:** Motion carried 8-6 by roll call vote with Sen. Hamlett, Sen. Kaufmann, Sen. Keane, Sen. Larsen, Sen. Tropila and Sen. Wanzenried voting no. Sen. Brenden and Sen. Peterson voted by proxy.

Discussion:

01:17:11 Sen. Wanzenried
 01:17:28 Sen. Vincent
 01:24:33 Sen. Keane
 01:25:26 Sen. Hamlett
 01:26:02 Without objection, Richard Opper, Director, Department of Environmental Quality (DEQ)

01:27:58 **Motion/Vote:** Sen. Wanzenried moved that **SB 317 DO PASS AS AMENDED**. Motion carried 8-6 by roll call vote with Sen. Hamlett, Sen. Kaufmann, Sen. Keane, Sen. Larsen, Sen. Tropila and Sen. Wanzenried voting no. Sen. Brenden and Sen. Peterson voted by proxy.

EXECUTIVE ACTION ON SB 327

01:28:57 **Motion:** Sen. Larsen moved that **SB 327 DO PASS**.

Discussion:

01:29:14 Sen. Larsen
 01:29:57 **Vote:** Motion carried 10-4 by voice vote with Sen. Brenden, Sen. Hinkle, Sen. Jackson and Sen. Peterson voting no. Sen. Brenden and Sen. Peterson voted by proxy.

EXECUTIVE ACTION ON SB 356

01:31:05 **Motion:** Sen. Hamlett moved that **SB 356 DO PASS**.

Discussion:

01:31:37 Sen. Wanzenried
 01:32:04 Sen. Keane
 01:32:11 Sen. Wanzenried
 01:32:22 Sen. Hamlett

01:32:40 Without objection, Mark Aagenes, lobbyist, Montana Trout Unlimited (MTU)
01:34:28 Sen. Hamlett
01:34:52 Without objection, Bob Lane, chief legal counsel, Fish, Wildlife, & Parks (FWP)
01:36:04 Sen. Jackson
01:36:53 Sen. Larsen
01:37:26 Sen. Barrett
01:37:48 Sen. Keane
01:37:59 Ms. Nowakowski
01:38:25 Sen. Larsen
01:38:38 Without objection, Abigail St. Lawrence, lobbyist, Montana Association of Realtors (MAR)
01:39:47 Sen. Jackson
01:40:27 Without objection, Holly Franz, lobbyist, PPL Montana, LLC

01:41:05 **Vote:** Motion carried 10-4 by roll call vote with Sen. Kaufmann, Sen. Larsen, Sen. Tropila and Sen. Wanzonried voting no. Sen. Brenden and Sen. Peterson voted by proxy.

EXECUTIVE ACTION ON SB 367

01:42:26 **Motion:** Sen. Vincent moved that **SB 367 DO PASS.**

01:43:20 **Motion:** Sen. Vincent moved that **SB 367 BE AMENDED.**
EXHIBIT(nas42a05)

Discussion:

01:43:28 Ms. Nowakowski
01:44:05 Sen. Vincent

01:44:27 **Vote:** Motion carried unanimously by voice vote. Sen. Brenden and Sen. Peterson voted by proxy.

01:44:45 **Motion/Vote:** Sen. Vincent moved that **SB 367 DO PASS AS AMENDED.** Motion carried unanimously by roll call vote. Sen. Brenden and Sen. Peterson voted by proxy.

ADJOURNMENT

Adjournment:

01:45:52

Kevin McCue, Secretary

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Additional Documents:

EXHIBIT([nas42aad.pdf](#))