

## MINUTES

### MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION COMMITTEE ON NATURAL RESOURCES

**Call to Order:** Chair Chas Vincent, on January 18, 2013 at 3:00 PM, in Room 422  
Capitol

#### ROLL CALL

**Members Present:**

Sen. Chas Vincent, Chair (R)  
Sen. John Brenden, Vice Chair (R)  
Sen. Debby Barrett (R)  
Sen. Jennifer Fielder (R)  
Sen. Bradley Hamlett (D)  
Sen. Verdell Jackson (R)  
Sen. Christine Kaufmann (D)  
Sen. Jim Keane (D)  
Sen. Cliff Larsen (D)  
Sen. Mike Phillips (D)  
Sen. Matthew M. Rosendale Sr (R)  
Sen. Mitch Tropila (D)  
Sen. Edward Walker (R)

**Members Excused:** Sen. Rick Ripley (R)

**Members Absent:** None

**Staff Present:** Mary Kulawik, 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 137, 1/15/2013; SB 19, 1/14/2013

Executive Action: SB 44 Do Pass, SB 92 Do Pass As Amended, and SB 76 Do  
Pass As Amended

**Committee Business:**

00:28:50 Chairman Vincent  
[EXHIBIT\(nas10a01\)](#)

**HEARING ON SB 137**

**Opening Statement by Sponsor:**

00:29:52 Sen. Alan Olson (R), SD 23, opened the hearing on SB 137, Revise local government laws relate to property environmental clean-up.

**Proponents' Testimony:**

00:33:46 Harold Blattie, Executive Director, Montana Association of Counties (MACo)  
00:36:02 Alec Hansen, Executive Director, Montana League of Cities and Towns (MLCT)  
00:37:37 Bob Gilbert, representing the City of Glendive, and Dawson, Musselshell and Rosebud Counties

**Opponents' Testimony:**

00:38:28 Anne Hedges, Montana Environmental Information Center (MEIC)  
00:39:25 Al Smith, Montana Trial Lawyers Association (MTLA)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:42:20 Sen. Phillips  
00:42:42 Anne Hedges, MEIC  
00:43:27 Sen. Phillips  
00:45:37 Sen. Olson  
00:45:50 John North, Montana Department of Environmental Quality (DEQ)  
00:46:14 Sen. Rosendale  
00:46:35 Sen. Olson  
00:46:52 Sen. Ripley  
00:47:02 Sen. Olson  
00:48:00 Sen. Kaufmann  
00:48:38 Sen. Olson  
00:49:05 Sen. Barrett  
00:49:18 Al Smith, MTLA  
00:49:33 Sen. Keane  
00:50:07 Sonja Nowakowski, Legislative Services Division (LSD)  
00:50:25 Sen. Keane  
00:51:15 John North, DEQ  
00:52:10 Sen. Keane  
00:52:28 Al Smith  
00:53:56 Sen. Rosendale  
00:54:18 John North  
00:54:31 Sen. Brenden

00:55:02 John North  
00:56:10 Sen. Fielder  
00:58:40 Sen. Olson  
01:00:11 Sen. Tropila  
01:00:42 Al Smith  
01:02:13 Chairman Vincent  
01:02:38 Al Smith

**Closing by Sponsor:**

01:03:04 Sen. Olson

**Committee Business:**

01:07:48 Chairman Vincent

**HEARING ON SB 19**

**Opening Statement by Sponsor:**

01:08:39 Sen. Bradley Hamlett (D), SD 10, opened the hearing on SB 19, Define combined appropriation for exempt wells. (See Exhibit 1)

**Proponents' Testimony:**

01:17:42 Ronda Wiggers, Montana Water Well Drillers' Association (MWWDA)

[EXHIBIT\(nas10a02\)](#)

[EXHIBIT\(nas10a03\)](#)

01:23:03 Dustin Stewart, Executive Director, Montana Building Industry Association (MBIA)

[EXHIBIT\(nas10a04\)](#)

01:28:35 Abigail St. Lawrence, Attorney, Montana Association of Realtors (MAR)

01:31:35 Harold Blattie, Executive Director, Montana Association of Counties (MACo)

01:33:56 Dane Gamble, self

01:36:54 Jerry Threlkeld, professional engineer representing himself

01:43:41 Ronda Wiggers, MWWDA

**Opponents' Testimony:**

01:44:32 Krista Lee Evans, Senior Water Rights Coalition (SWRC)

01:52:20 Mike Murphy, Executive Director, Montana Water Resources Association (MWRA)

01:55:07 John Youngberg, Montana Farm Bureau (MFB)

01:57:28 Barbara Hall, Legal Director, Clark Fork Coalition (CFC)

02:04:50 Bill Schenk, Montana Department of Fish, Wildlife and Parks (FWP)

[EXHIBIT\(nas10a05\)](#)

02:09:35 Dave Galt, Executive Director, Montana Petroleum Association (MPA)

02:11:18 Mark Aagenes, Conservation Director, Montana Trout Unlimited (MTU)  
 02:13:25 Holly Franz, PPL Montana  
 02:15:06 Casey Perkins, Montana Smart Growth Coalition (MSGC)  
 02:16:16 Jay Bodner, Montana Stockgrowers Association (MSA)  
 02:17:38 Jan Langel, Operations Manager, Montana Department of Natural Resources  
 and Conservation (DNRC)

**EXHIBIT(nas10a06)**

02:19:28 Jacob Cowgill, Montana Farmers Union (MFU)  
 02:20:00 Clayton Elliott, Northern Plains Resource Council (NPRC)  
 02:20:20 Ross Proseri, Director, Montana Conservation Voters (MCV)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:21:26 Sen. Larsen  
 02:22:12 Holly Franz, PPL  
 02:23:48 Sen. Larsen  
 02:24:24 Sen. Hamlett  
 02:25:52 Sen. Kaufmann  
 02:26:14 Krista Lee Evans, SWRC  
 02:28:02 Sen. Phillips  
 02:28:25 Krista Lee Evans  
 02:28:52 Sen. Rosendale  
 02:29:46 Dustin Stewart, MBIA  
 02:31:02 Sen. Rosendale  
 02:31:47 Bill Schenk, FWP  
 02:32:08 Sen. Keane  
 02:32:47 Holly Franz  
 02:34:25 Sen. Keane  
 02:34:47 Jan Langel, DNRC  
 02:35:11 Sen. Barrett  
 02:35:32 Krista Lee Evans  
 02:35:57 Sen. Tropila  
 02:41:05 Holly Franz  
 02:42:16 Sen. Barrett  
 02:43:17 Holly Franz  
 02:43:48 Sen. Barrett

**Closing by Sponsor:**

02:44:34 Sen. Hamlett

**EXECUTIVE ACTION ON SB 44**

02:52:25 **Motion/Vote:** Sen. Keane moved that **SB 44 DO PASS**. Motion carried unanimously by voice vote. Sen. Ripley voted by proxy.

**EXECUTIVE ACTION ON SB 92**

02:53:32 **Motion:** Sen. Brenden moved that **SB 92 DO PASS.**

**Discussion:**

02:53:54 Sonja Nowakowski, Legislative Services Divison (LSD)

02:54:33 **Motion/Vote:** Sen. Larsen moved that **SB 92 BE AMENDED.** Motion carried unanimously by voice vote. Sen. Ripley voted by proxy.

**EXHIBIT(nas10a07)**

02:55:59 **Motion:** Sen. Tropila moved that **SB 92 BE AMENDED.**

**EXHIBIT(nas10a08)**

**Discussion:**

02:56:54 Sen. Kaufmann  
02:57:03 Chairman Vincent  
02:57:08 Sen. Kaufmann  
02:57:28 Sonja Nowakowski, LSD

02:57:42 **Vote:** Motion carried unanimously by voice vote. Sen. Ripley voted by proxy.

02:58:00 **Motion/Vote:** Sen. Brenden moved that **SB 92 DO PASS AS AMENDED.** Motion carried unanimously by voice vote. Sen. Ripley voted by proxy.

**EXECUTIVE ACTION ON SB 76**

02:58:20 **Motion:** Sen. Brenden moved that **SB 76 DO PASS.**

02:58:25 **Motion:** Sen. Brenden moved that **SB 76 BE AMENDED.**

**EXHIBIT(nas10a09)**

**Discussion:**

02:58:31 Chairman Vincent

02:58:58 **Vote:** Motion carried unanimously by voice vote. Sen. Ripley voted by proxy.

02:59:17 **Motion/Vote:** Sen. Brenden moved that **SB 76 DO PASS AS AMENDED.** Motion carried unanimously by voice vote. Sen. Ripley voted by proxy.

**ADJOURNMENT**

Adjournment: 5:34 P.M.

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Mary Kulawik, Secretary

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Additional Documents:

**EXHIBIT([nas10aad.pdf](#))**