

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON NATURAL RESOURCES

**Call to Order:** Chair Kerry White, on March 23, 2015 at 3:00 PM, in Room 172 Capitol

#### ROLL CALL

**Members Present:**

Rep. Kerry White, Chair (R)  
Rep. Steve Fitzpatrick, Vice Chair (R)  
Rep. Ed Lieser, Vice Chair (D)  
Rep. Gerald (Jerry) Bennett (R)  
Rep. Bob Brown (R)  
Rep. Zach Brown (D)  
Rep. Virginia Court (D)  
Rep. Kelly Flynn (R)  
Rep. Theresa Manzella (R)  
Rep. Nate McConnell (D)  
Rep. Dale Mortensen (R)  
Rep. Andrea Olsen (D)  
Rep. Ray L. Shaw (R)  
Rep. Scott Staffanson (R)  
Rep. Kathleen Williams (D)

**Members Excused:** Rep. Mary Ann Dunwell (D)  
Rep. Mark Noland (R)  
Rep. Keith Regier (R)

**Members Absent:** None

**Staff Present:** Joe Kolman, Legislative Branch  
Sherri Row, Committee Secretary

**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 355, 3/9/2015; SB 112, 3/9/2015; SB 160, 3/9/2015

Executive Action: HB 510

00:00:04 Chairman White

**EXECUTIVE ACTION ON HB 510**

00:01:40 **Motion:** Rep. Fitzpatrick moved that **HB 510 DO PASS.**

**Discussion:**

00:02:09 Joe Kolman, Legislative Services Division (LSD)

**EXHIBIT(nah60a01)**

00:02:55 **Motion:** Rep. Fitzpatrick moved that **HB 510 BE AMENDED.**

**Discussion:**

00:03:12 Joe Kolman, LSD  
00:06:33 Rep. Flynn  
00:06:47 Chairman White  
00:07:21 Rep. Flynn  
00:08:02 Rep. Lieser  
00:08:26 Chairman White  
00:08:45 Rep. Lieser  
00:09:00 Chairman White  
00:09:08 Joe Kolman, LSD  
00:09:29 Rep. McConnell  
00:09:45 Chairman White  
00:10:39 Joe Kolman, LSD  
00:10:58 Rep. McConnell  
00:11:58 Rep. Flynn  
00:12:16 Chairman White  
00:12:26 Joe Kolman, LSD  
00:12:40 Rep. Zach Brown left  
00:12:52 Chairman White  
00:12:55 Joe Kolman, LSD  
00:13:08 Chairman White  
00:13:24 Rep. Lieser  
00:13:59 Rep. Regier arrived  
00:14:18 Rep. Court  
00:14:38 Joe Kolman, LSD  
00:14:47 Rep. Olsen  
00:15:05 Chairman White  
00:17:06 Rep. Flynn  
00:17:45 Rep. Williams  
00:18:07 Joe Kolman, LSD  
00:18:14 Rep. Williams

00:18:26 **Vote:** Motion carried 16-2 by roll call vote with Rep. McConnell and Rep. Williams voting no. Rep. Zach Brown, Rep. Dunwell and Rep. Noland voted by proxy.

00:19:45 **Motion:** Rep. Fitzpatrick moved that **HB 510 DO PASS AS AMENDED.**

**Discussion:**

00:19:52 Rep. Williams

00:21:14 Chairman White

00:21:49 Rep. Lieser

00:22:29 **Vote:** Motion carried 11-7 by roll call vote with Rep. Zach Brown, Rep. Court, Rep. Dunwell, Rep. Lieser, Rep. McConnell, Rep. Olsen and Rep. Williams voting no. Rep. Zach Brown, Rep. Dunwell and Rep. Noland voted by proxy.

**HEARING ON SB 355**

**Opening Statement by Sponsor:**

00:24:12 Sen. Duane Ankney (R), SD 20, opened the hearing on SB 355, Revise brownfield site clean up eligibility laws.

**EXHIBIT(nah60a02)**

**Proponents' Testimony:**

00:26:41 Rep. Smith, HD 31

00:27:13 Jim Atchison, Southeast Montana Development Corporation

00:29:51 Jenny Chambers, Department of Environmental Quality (DEQ)

00:32:54 Jason Rittal, Eastern Plains Economic Development Corporation

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:35:20 Rep. Williams

00:35:47 Jenny Chambers, DEQ

00:37:32 Rep. Williams

00:37:50 Jenny Chambers, DEQ

00:38:52 Rep. Williams

00:39:11 Jenny Chambers, DEQ

00:39:27 Terry Wadsworth, Department of Environmental Quality (DEQ)

00:40:08 Rep. Dunwell arrived

00:41:19 Chairman White

00:41:36 Terry Wadsworth, DEQ

00:41:57 Chairman White

00:42:41 Terry Wadsworth, DEQ

00:44:02 Chairman White

00:45:03 Terry Wadsworth, DEQ

00:45:33 Rep. Lieser

00:46:17 Jenny Chambers, DEQ

00:47:32 Rep. Williams

00:47:48 Joe Kolman, LSD

00:47:57 Chairman White  
00:48:00 Joe Kolman, LSD

**Closing by Sponsor:**

00:48:16 Sen. Ankney

**HEARING ON SB 112**

**Opening Statement by Sponsor:**

00:50:48 Sen. Duane Ankney (R), SD 20, opened the hearing on SB 112, Require TMDL development for certain water bodies.

**Proponents' Testimony:**

00:53:26 Aimee Grmoljez, Arch Coal  
00:54:23 Chris Stonebeck, Arch Coal  
00:59:42 Bud Clinch, Montana Coal Council  
01:01:44 Leo Berry, Great Northern Properties  
01:02:38 Aimee Grmoljez, Montana Chamber of Commerce

**Opponents' Testimony:**

01:03:04 Steve Muggli, Northern Plains Resource Council, self  
01:14:55 Anne Hedges, Montana Environmental Information Center (MEIC)

**Informational Testimony:**

01:23:11 George Mathieus, Department of Environmental Quality (DEQ)

**Questions from Committee Members and Responses:**

01:23:38 Rep. Dunwell  
01:24:32 George Mathieus, DEQ  
01:25:08 Rep. Dunwell  
01:25:36 George Mathieus, DEQ  
01:26:36 Rep. Lieser  
01:27:07 George Mathieus, DEQ  
01:29:02 Rep. Lieser  
01:29:20 George Mathieus, DEQ  
01:30:06 Rep. Bob Brown  
01:30:49 George Mathieus, DEQ  
01:31:27 Rep. Bob Brown  
01:31:43 George Mathieus, DEQ  
01:32:20 Rep. Williams  
01:33:11 George Mathieus, DEQ  
01:34:21 Rep. Williams  
01:35:35 George Mathieus, DEQ  
01:36:31 Rep. Court  
01:37:24 George Mathieus, DEQ  
01:37:29 Rep. Court

01:37:52 George Mathieus, DEQ  
01:38:55 Rep. Shaw  
01:40:13 Bud Clinch, Montana Coal Council  
01:42:18 Rep. McConnell  
01:43:14 George Mathieus, DEQ  
01:43:48 Rep. McConnell  
01:44:41 George Mathieus, DEQ  
01:45:16 Rep. Staffanson  
01:45:44 Bud Clinch, Montana Coal Council  
01:46:45 Rep. Staffanson  
01:46:56 Bud Clinch, Montana Coal Council  
01:48:11 Rep. Flynn  
01:48:57 Steve Muggli, Northern Plains Resource Council  
01:50:43 Rep. Dunwell  
01:51:39 George Mathieus, DEQ  
01:52:27 Rep. Dunwell  
01:53:10 George Mathieus, DEQ  
01:53:18 Rep. Williams  
01:54:15 George Mathieus, DEQ  
01:56:34 Rep. Williams  
01:57:26 John North, Department of Environmental Quality (DEQ)  
01:58:09 Rep. Williams  
01:58:21 George Mathieus, DEQ  
01:59:44 Rep. Olsen  
02:00:31 George Mathieus, DEQ  
02:00:43 Rep. Olsen  
02:01:09 George Mathieus, DEQ  
02:01:18 Rep. Olsen  
02:02:24 George Mathieus, DEQ  
02:02:55 Rep. Court  
02:03:19 George Mathieus, DEQ  
02:03:32 Rep. Court  
02:03:36 George Mathieus, DEQ

**Closing by Sponsor:**

02:04:23 Sen. Ankney

**HEARING ON SB 160**

**Opening Statement by Sponsor:**

02:07:00 Sen. Duane Ankney (R), SD 20, opened the hearing on SB 160, Add definitions for natural condition of stream.

02:08:06 Rep. Jerry Bennett takes over chair

**Proponents' Testimony:**

02:08:44 Chris Stonebeck, Arch Coal

02:10:22 Aimee Grmoljez, Arch Coal, Montana Chamber of Commerce, Montana  
Petroleum Association  
02:10:43 Bud Clinch, Montana Coal Council  
02:11:05 Leo Berry, Great Northern Properties

**Opponents' Testimony:**

02:12:00 Steve Muggli, Northern Plains Resource Council, self  
02:14:11 Anne Hedges, MEIC

**Informational Testimony:**

02:15:56 George Mathieus, DEQ

**Questions from Committee Members and Responses:**

02:16:17 Rep. Lieser  
02:16:41 Chairman White resumes chair  
02:17:25 Sen. Ankney  
02:17:30 Rep. Lieser  
02:17:44 Rep. Olsen  
02:18:14 Anne Hedges, MEIC  
02:18:37 Rep. Williams  
02:19:01 George Mathieus, DEQ  
02:19:34 Rep. Williams  
02:19:53 George Mathieus, DEQ  
02:20:13 Rep. Dunwell  
02:20:50 John North, DEQ

**Closing by Sponsor:**

02:21:48 Sen. Ankney  
  
02:23:07 Chairman White  
02:23:30 Sen Ankney  
02:24:04 Chairman White  
02:24:18 Rep. Lieser  
02:24:50 Chairman White  
02:25:02 Joe Kolman, LSD  
02:25:31 Chairman White  
02:25:35 Joe Kolman, LSD  
02:25:42 Chairman White

**ADJOURNMENT**

02:26:22      Adjournment

---

Sherri Row, Secretary

sr

Additional Documents:

**EXHIBIT([nah60aad.pdf](#))**