

## MINUTES

### MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON NATURAL RESOURCES

**Call to Order:** Chair Chas Vincent, on January 19, 2015 at 3:00 PM, in Room 422  
Capitol

#### ROLL CALL

**Members Present:**

Sen. Chas Vincent, Chair (R)  
Sen. Rick Ripley, Vice Chair (R)  
Sen. Duane Ankney (R)  
Sen. John Brenden (R)  
Sen. Pat Connell (R)  
Sen. Jennifer Fielder (R)  
Sen. Bradley Hamlett (D)  
Sen. Brian Hoven (R)  
Sen. Christine Kaufmann (D) - arrived after roll call  
Sen. Jim Keane (D)  
Sen. Cliff Larsen (D)  
Sen. Mike Phillips (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Taylor Fridrich, 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 37, 1/8/2015; SB 49, 1/8/2015; SB 97, 1/8/2015; SJ 5,  
1/8/2015

00:01:43 Sen. Ripley assumes role as Chair.

**HEARING ON SJ 5**

**Opening Statement by Sponsor:**

00:01:53 Sen. Chas Vincent (R), SD 1, opened the hearing on SJ 5, Study future water rights administration.

**Proponents' Testimony:**

00:04:32 Krista Lee Evans, Senior Water Rights Coalition (SWRC) and Association of Gallatin Agricultural Irrigators (AGAI)  
00:06:01 Holly Franz, PPL Montana (PPL)  
00:07:24 Tim Schaff, irrigator  
00:14:20 Russ McElyea, chief water judge, Montana Water Court (MWC)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

00:17:01 Chairman Vincent

**HEARING ON SB 97**

**Opening Statement by Sponsor:**

00:17:20 Sen. Chas Vincent (R), SD 1, opened the hearing on SB 97, Revise process for misclassified water bodies.

**[EXHIBIT\(nas11a01\)](#)**

**Proponents' Testimony:**

00:21:21 Eric Urban, program manager, Water Quality Division, Department of Environmental Quality (DEQ)  
00:26:53 Dave Galt, Montana Petroleum Association (MPA)  
00:27:31 Mark Lambrecht, Treasure State Resource Industry Association (TSRIA)  
00:27:50 Tammy Johnson, Montana Mining Association (MMA)  
00:28:34 Ronda Wiggers, Barrick Golden Sunlight Mines (BGSM)  
00:28:58 Julia Altemus, Montana Wood Products Association (MWPA)

**Opponents' Testimony:**

00:29:48 Beth Kaeding, Northern Plains Resource Council (NPRC)  
00:34:03 Anne Hedges, Montana Environmental Information Center (MEIC)

00:36:56 Art Hayes Jr., Tongue River Water Users (TRWU)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:41:01 Sen. Larsen  
 00:42:32 Mr. Urban, DEQ  
 00:43:38 Sen. Larsen  
 00:43:53 Mr. Urban  
 00:44:35 Sen. Larsen  
 00:44:51 Sen. Kaufmann  
 00:45:09 Mr. Urban

00:45:24 Sen. Keane and Sen. Brenden left the hearing.

00:46:25 Sen. Kaufmann  
 00:46:36 Mr. Urban  
 00:46:51 Sen. Kaufmann  
 00:47:13 Mr. Urban  
 00:47:38 Sen. Kaufmann  
 00:47:51 Mr. Urban  
 00:48:34 Sen. Kaufmann  
 00:49:02 Mr. Urban  
 00:49:28 Sen. Phillips  
 00:49:55 Mr. Urban  
 00:50:10 Sen. Hamlett  
 00:50:33 Mr. Urban  
 00:50:59 Sen. Hamlett  
 00:51:16 Mr. Urban  
 00:51:26 Sen. Connell  
 00:51:57 Mr. Urban  
 00:52:48 Sen. Connell  
 00:53:57 Mr. Urban  
 00:54:49 Vice Chair Ripley

**Closing by Sponsor:**

00:55:30 Sen. Vincent  
 00:58:00 Sen. Vincent resumes role as Chair.

**HEARING ON SB 49**

**Opening Statement by Sponsor:**

00:59:17 Sen. Jim Keane (D), SD 38, opened the hearing on SB 49, Expand use of petroleum mixing zones.

**Proponents' Testimony:**

01:01:37 Rebecca Ridenour, supervisor, Remediation Division, Department of Environmental Quality (DEQ)  
01:05:40 Terry Wadsworth, executive director, Petroleum Tank Release Compensation Board (PTRC)  
01:05:58 Ronna Alexander, Petroleum Marketers Convenience Store Association (PMCSA)  
01:08:00 Mark Lambrecht, executive director, Treasure State Resource Industry Association (TSRIA)

**Opponents' Testimony:**

01:08:41 Derf Johnson, Montana Environmental Information Center (MEIC)  
01:10:15 Beth Kaeding, Northern Plains Resource Council (NPRC)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:11:16 Sen. Fielder  
01:11:41 Ms. Ridenour, DEQ  
01:11:57 Sen. Fielder  
01:12:03 Ms. Ridenour  
01:13:12 Sen. Fielder  
01:13:27 Ms. Ridenour  
01:14:55 Sen. Kaufmann  
01:15:20 Ms. Ridenour  
01:15:37 Sen. Kaufmann  
01:16:02 Ms. Ridenour

**Closing by Sponsor:**

01:17:30 Sen. Keane

**HEARING ON SB 37****Opening Statement by Sponsor:**

01:19:55 Sen. Jennifer Fielder (R), SD 7, opened the hearing on SB 37, Revise laws for filing of exempt water right claims.

**Proponents' Testimony:**

01:21:33 Krista Lee Evans, Senior Water Rights Coalition (SWRC) and Association of Gallatin Agricultural Irrigators (AGAI)  
01:23:58 Mike Murphy, Montana Water Resources Association (MWRA)  
01:24:42 Jay Bodner, Montana Stockgrowers Association (MSGA)  
01:25:50 Chelcie Cremer, Montana Farm Bureau Federation (MFBF)

01:26:29 Holly Franz, Montana Water Court Advisory Committee (MWCAC)  
01:26:51 Russ McElyea, chief water judge, Montana Water Court (MWC)

**Opponents' Testimony:** None

**Informational Testimony:**

01:27:33 Tim Davis, administrator, Water Resources Division, Department of Natural Resources and Conservation (DNRC)

**Questions from Committee Members and Responses:**

01:27:54 Sen Keane  
01:28:09 Mr. Davis, DNRC  
01:29:02 Sen. Keane  
01:29:06 Mr. Davis  
01:29:56 Sen. Keane  
01:30:08 Mr. Davis  
01:30:26 Sen. Hamlett  
01:31:06 Sen. Brenden  
01:31:39 Mr. Davis  
01:31:52 Sen. Brenden  
01:32:27 Mr. Davis  
01:32:50 Sen. Brenden  
01:32:57 Mr. Davis  
01:33:04 Chairman Vincent  
01:33:10 Sen. Hoven  
01:33:34 Sen. Fielder  
01:34:29 Sen. Hoven  
01:34:45 Sen. Fielder  
01:35:37 Chairman Vincent

**Closing by Sponsor:**

01:37:00 Sen. Fielder

**Committee Business**

01:37:30 Chairman Vincent

**ADJOURNMENT**

Adjournment: 4:40 pm

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Taylor Fridrich, Secretary

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Additional Documents:

**EXHIBIT([nas11aad.pdf](#))**