

MINUTES

MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION COMMITTEE ON NATURAL RESOURCES

Call to Order: Chair Chas Vincent, on February 20, 2015 at 3:00 PM, in Room 303 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)
Sen. Jim Keane (D)
Sen. Cliff Larsen (D)
Sen. Mike Phillips (D)

Members Excused: None

Members Absent: None

Staff Present: Nadine Spencer, 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 203, 2/12/15; SB 330, 2/16/15; SB 368, 2/18/15; SJ 13, 2/16/15

Executive Action: SB 325 - DPAA; SJ 13 - DP; SB 329 - DPAA; SB 330 - DPAA; SB 368 - DP (bill not reported out of committee pending fiscal note); SB 203 - Action Delayed; SB 159 - Tabled

00:01:06 Chairman Vincent

HEARING ON SJ 13

Opening Statement by Sponsor:

00:02:43 Sen. Duane Ankney (R), SD 20, opened the hearing on SJ 13, Joint resolution supporting coal.

Proponents' Testimony:

00:13:07 Bud Clinch, executive director, Montana Coal Council

[EXHIBIT\(nas39a01\)](#)

00:18:59 Cary Hegreberg, executive director, Montana Contractors Association

[EXHIBIT\(nas39a02\)](#)

00:24:05 Leo Berry, Great Northern Properties, also speaking on behalf of Aimee Grmoljez representing Arch Coal

00:26:34 Dan Flynn, International Brotherhood of Electrical Workers (IBEW), Local 1638, Colstrip

00:27:18 Bob Gilbert, representing Dawson, Rosebud, Phillips, and Musselshell Counties, and the city of Glendive. Also speaking on behalf of Richard Dunbar, president, Montana Association of Oil, Gas and Coal Counties

00:27:55 Chris Cavazos, Montana AFL-CIO

00:28:22 Mark Lambrecht Treasure State Resource Industry Association (TSRIA)

00:29:08 Ron Devlin, Northwestern Energy

00:29:48 Jess LaBuff, business manager, Boilermakers Local Lodge #11

00:30:17 Jason Small, Boilermakers Local Lodge #11

00:31:34 Tammy Johnson, Montana Mining Association

00:32:03 Glenn Oppel, Montana Chamber of Commerce

00:33:08 Gary Forrester, Montana Dakota Utilities

Opponents' Testimony:

00:34:42 Anne Hedges, Montana Environmental Information Center (MEIC)

[EXHIBIT\(nas39a03\)](#)

00:46:12 Neal Ullman, Montana Conservation Voters

Informational Testimony: None

Questions from Committee Members and Responses:

00:48:57 Sen. Phillips

00:49:53 Sen. Ankney

00:50:38 Sen. Hamlett

00:50:59 Ms. Hedges, MEIC

00:51:23 Chairman Vincent

00:52:10 Ms. Hedges

00:52:29 Chairman Vincent
00:52:37 Ms. Hedges
00:53:02 Chairman Vincent
00:53:24 Ms. Hedges
00:53:35 Sen. Phillips
00:54:06 Ms. Hedges

Closing by Sponsor:

00:55:38 Sen. Ankney

HEARING ON SB 368

Opening Statement by Sponsor:

00:58:38 Sen. Matthew Rosendale (R), SD 18, opened the hearing on SB 368,
Require certain pipeline information be publicly available.

Proponents' Testimony:

01:02:35 Tom Livers, director, Department of Environmental Quality (DEQ)
01:06:47 Jessica Sena, Montana Petroleum Association
01:07:15 Melissa Lewis, ONEOK, Inc.
01:07:40 Anne Hedges, Montana Environmental Information Center
01:08:17 Dennis Iverson, Northern Montana Oil and Gas Producers
01:08:35 Adam Haight, Northern Plains Resource Council
01:08:52 Mike Green, Crowley Fleck Law Firm, representing MDU Resources
01:09:30 Bob Gilbert, representing Dawson, Rosebud, Musselshell and Phillips Counties,
the City of Glendive, and Montana Association of Oil, Gas and Coal Counties

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:10:16 Sen. Ripley
01:10:49 Sen. Rosendale
01:11:40 Sen. Hamlett
01:12:20 Sen. Phillips
01:12:36 Mr. Livers, DEQ
01:13:52 Sen. Ankney

Closing by Sponsor:

01:14:13 Sen. Rosendale

HEARING ON SB 330

Opening Statement by Sponsor:

01:14:51 Sen. Bradley Hamlett (D), SD 15, opened the hearing on SB 330, Clarify state water reservation reviews.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

01:16:32 Mike McLane, water conservation and instream flow specialist, Department of Fish, Wildlife and Parks (FWP)

Questions from Committee Members and Responses:

01:17:38 Chairman Vincent

01:17:42 Mr. McLane, FWP

Closing by Sponsor:

01:20:14 Sen. Hamlett

HEARING ON SB 203

Opening Statement by Sponsor:

01:20:46 Sen. Bradley Hamlett (D), SD 15, opened the hearing on SB 203, Revise exempt well laws.

Proponents' Testimony:

01:22:25 Ronda Wiggers, Montana Water Well Drillers Association

01:24:46 Abigail St. Lawrence, Montana Association of Realtors (MAR)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:26:09 Chairman Vincent

01:26:31 Ms. St. Lawrence, MAR

Closing by Sponsor:

01:26:57 Sen. Hamlett

01:28:22 Recess
 01:40:30 Reconvene

EXECUTIVE ACTION ON SB 325

01:40:42 **Motion:** Sen. Keane moved that **SB 325 DO PASS.**

01:41:00 **Motion:** Sen. Keane moved that **SB 325 BE AMENDED.**
EXHIBIT(nas39a04)

Discussion:

01:41:14 Sonja Nowakowski, Legislative Services Division (LSD)
 01:42:39 Sen. Keane
 01:43:25 Sen. Fielder
 01:43:38 Sen. Keane
 01:43:57 Sen. Fielder
 01:44:04 Sen. Keane
 01:44:19 Sen. Kaufmann
 01:44:26 Sen. Keane
 01:44:42 Sen. Kaufmann

01:45:06 **Vote:** Motion carried unanimously by voice vote.

01:45:13 **Motion:** Sen. Keane moved that **SB 325 DO PASS AS AMENDED.**

Discussion:

01:45:20 Sen. Phillips
 01:45:58 Sen. Keane

01:46:15 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SJ 13

01:46:40 **Motion:** Sen. Ankney moved that **SJ 13 DO PASS.**

Discussion:

01:46:48 Sen. Brenden

01:49:09 **Vote:** Motion carried 10-2 by roll call vote with Sen. Kaufmann and Sen. Phillips voting no.

EXECUTIVE ACTION ON SB 329

01:50:18 **Motion:** Sen. Connell moved that **SB 329 DO PASS.**

01:50:35 **Motion:** Sen. Connell moved that **SB 329 BE AMENDED.**
EXHIBIT(nas39a05)

Discussion:

01:51:34 Sen. Fielder
01:51:44 Chairman Vincent

01:52:00 **Vote:** Motion carried 11-1 by voice vote with Sen. Keane voting no.

01:52:11 **Motion:** Sen. Connell moved that **SB 329 DO PASS AS AMENDED.**

Discussion:

01:52:20 Sen. Connell
01:53:31 Sen. Fielder
01:53:45 Sen. Connell
01:54:17 Sen. Hamlett

01:54:43 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 330

01:55:00 **Motion:** Sen. Hamlett moved that **SB 330 DO PASS.**

Discussion:

01:55:27 Chairman Vincent

01:55:42 **Motion/Vote:** Sen. Hamlett moved that **SB 330 BE AMENDED.** Motion carried unanimously by voice vote.

EXHIBIT(nas39a06)

01:56:03 **Motion:** Sen. Hamlett moved that **SB 330 DO PASS AS AMENDED.**

Discussion:

01:56:17 Sen. Kaufmann

01:57:04 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 368

01:57:27 Without objection, Chairman Vincent opened executive action on SB 368.

01:57:47 **Motion/Vote:** Sen. Ripley moved that **SB 368 DO PASS.** Motion carried unanimously by voice vote. (The vote was not reported out of committee without the fiscal note.)

EXECUTIVE ACTION ON SB 203

01:58:10 **Motion:** Sen. Hamlett moved that **SB 203 DO PASS.**

Discussion:

01:58:29 Chairman Vincent
 01:58:45 Sen. Hamlett
 01:58:56 Chairman Vincent
 01:59:04 Sen. Hamlett

01:59:22 **Motion:** Sen. Hamlett moved that **SB 203 BE AMENDED.**
EXHIBIT(nas39a07)

Discussion:

01:59:37 Sonja Nowakowski, Legislative Services Division (LSD)
 02:00:22 Chairman Vincent
 02:00:30 Sen. Hamlett
 02:00:44 Sen. Brenden
 02:00:57 Sen. Hamlett
 02:01:14 Sen. Phillips
 02:01:22 Chairman Vincent
 02:01:31 Sen. Fielder
 02:01:39 Chairman Vincent
 02:01:49 Sen. Fielder
 02:01:58 Chairman Vincent
 02:02:25 Sen. Hamlett

02:02:40 **Substitute Motion/Vote:** Sen. Keane made a substitute motion **TO DELAY ACTION ON SB 203.** Substitute Motion carried 11-1 by roll call vote with Sen. Vincent voting no.

EXECUTIVE ACTION ON SB 159

02:03:45 **Motion:** Sen. Ankney moved that **SB 159 DO PASS.**

02:04:22 **Motion:** Sen. Ankney moved that **SB 159 BE AMENDED.**
EXHIBIT(nas39a08)

Discussion:

02:04:36 Sen. Ankney
 02:06:20 **Vote:** Motion carried unanimously by voice vote.
 02:06:27 **Motion:** Sen. Ankney moved that **SB 159 DO PASS AS AMENDED.**

Discussion:

02:07:56 Sen. Ripley
02:08:32 Sonja Nowakowski, Legislative Services Division (LSD)
02:09:40 Sen. Ripley
02:10:02 Sen. Ankney
02:10:13 Chairman Vincent
02:11:04 Sen. Ripley
02:11:20 Ms. Nowakowski, LSD
02:11:45 Sen. Ankney
02:12:15 Ms. Nowakowski
02:12:46 Sen. Keane

02:13:26 **Vote:** Motion failed 3-9 by roll call vote with Sen. Ankney, Sen. Keane and Sen. Ripley voting aye.

02:14:38 **Motion/Vote:** Sen. Ripley moved that **SB 159 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote.

02:15:03 Chairman Vincent

ADJOURNMENT

Adjournment: 5:15 P.M.

Nadine Spencer, Secretary

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Additional Documents:

EXHIBIT([nas39aad.pdf](#))