

MINUTES

MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chair Chas Vincent, on February 22, 2017 at 3:00 PM, in Room 303
Capitol

ROLL CALL

Members Present:

Sen. Chas Vincent, Chair (R)
Sen. Jeffrey W. Welborn, Vice Chair (R)
Sen. Duane Ankney (R)
Sen. Dick Barrett (D)
Sen. Jill Cohenour (D)
Sen. Pat Connell (R)
Sen. Jennifer Fielder (R)
Sen. Jedediah Hinkle (R)
Sen. Mary McNally (D)
Sen. Mike Phillips (D)
Sen. JP Pomnichowski (D)
Sen. Tom Richmond (R)

Members Excused: None

Members Absent: None

Staff Present: Pat Christian, Committee Secretary
Hope Stockwell, 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 313, 2/21/2017; SJ 17, 2/21/2017; SB 190, 2/10/2017; SB
315, 2/10/2017

Executive Action:

SB 315: Do Pass
SB 281: Do Pass as Amended
SB 284" Do Pass as Amended
SJ 17: Be Tabled
SB 18: Be Tabled
SB 313: Motion Withdrawn

HEARING ON SJ 17

Opening Statement by Sponsor:

00:01:22 Sen. Diane Sands (D), SD 49, opened the hearing on SJ 17, Resolution supporting federal land management.

Proponents' Testimony:

00:05:28 Nick Gevock, Montana Wildlife Federation (MWF)
00:08:36 Colin Cooney, Trout Unlimited
00:09:57 Elise Strong, citizen
00:12:42 Dan Roper, Montana Audubon
00:15:03 Jess DellaRossa, Montana Conservation Voters
00:16:59 Laural Hesse, citizen
00:18:26 Eric Bergman, Montana Farmers Union
00:19:01 Stacey Anderson, citizen
00:22:26 Harold Hoem, citizen
00:23:41 Allison Dale-Riddle, citizen
00:25:00 Julia Altemus, Montana Wood Products Association

Opponents' Testimony:

00:27:02 Alan Olson, Montana Petroleum Association

Informational Testimony: None

Questions from Committee Members and Responses:

00:28:40 Sen. Fielder
00:29:20 Rep. Sands
00:29:48 Sen. Fielder
00:30:18 Rep. Sands
00:30:23 Sen. Fielder
00:30:29 Rep. Sands
00:31:01 Sen. Fielder
00:31:55 Rep. Sands
00:32:24 Sen. Fielder
00:33:18 Rep. Sands
00:33:59 Sen. Fielder
00:34:44 Rep. Sands
00:35:17 Sen. Fielder
00:36:22 Rep. Sands
00:37:13 Sen. Fielder
00:37:25 Sen. Hinkle
00:38:43 Chair Vincent
00:38:47 Sen. Hinkle
00:38:56 Mr. Gevock, MWF
00:40:05 Sen. Hinkle
00:40:13 Mr. Gevock

00:40:19 Sen. Hinkle

00:40:39 Mr. Gevock

Closing by Sponsor:

00:41:04 Rep. Sands

HEARING ON SB 190

Opening Statement by Sponsor:

00:42:50 Sen. Mike Phillips (D), SD 31, opened the hearing on SB 190, Establish monitoring and reporting requirements for greenhouse gas emissions.

[EXHIBIT\(nas39a01\)](#)

Proponents' Testimony:

00:56:58 Sen. Dick Barrett, SD 45

[EXHIBIT\(nas39a02\)](#)

01:13:41 Kathy Bramer, citizen

01:16:56 Harold Hoem, citizen

01:21:18 Jan Hoem, citizen

01:23:25 Shiloh Hernandez, Sleeping Giant Citizens Council

01:26:15 Dee Anna, citizen

01:26:58 Jess DellaRossa, Montana Conservation Voters

01:30:03 Roxa Reller, Northern Plains Resource Council

01:31:47 Robert Filipovich, citizen

01:33:57 Elise Strong, citizen

01:37:21 Amy Seaman, Montana Audubon

[EXHIBIT\(nas39a03\)](#)

01:41:55 Eric Bergman, Montana Farmers Union

[EXHIBIT\(nas39a04\)](#)

01:43:47 Nick Gevock, Montana Wildlife Federation

[EXHIBIT\(nas39a05\)](#)

01:44:26 Nadine Nadow, Montana Environmental Information Center

[EXHIBIT\(nas39a06\)](#)

Opponents' Testimony:

01:45:01 Bud Clinch, Montana Coal Council

01:48:53 Peggy Trenk, Treasure State Resource Association

01:51:14 Alan Olson, Montana Petroleum Association

01:51:55 Julia Altemus, Montana Wood Products Association

01:55:13 Todd O'Hair, Cloud Peak Energy

01:57:34 Tammy Johnson, executive director, Montana Mining Association

01:59:02 Bridger Mahlum, Montana Chamber of Commerce (MCC)

02:00:35 Nicole Rolf, Montana Farm Bureau Federation
02:02:28 Kori Anderson, Montana Stockgrowers Association, Montana CattleWomen, Inc.
02:02:48 Gary Wiens, Montana Electric Cooperatives' Association

Informational Testimony:

02:03:10 David Klemp, Air Quality Bureau chief, Department of Environmental Quality (DEQ)

Questions from Committee Members and Responses:

02:03:41 Chair Vincent
02:04:35 Sen. Phillips
02:04:49 Chair Vincent
02:05:41 Sen. Phillips
02:06:32 Chair Vincent
02:06:51 Sen. Phillips
02:07:51 Chair Vincent
02:09:32 Sen. Phillips
02:10:08 Chair Vincent
02:10:36 Mr. Klemp, DEQ
02:13:23 Chair Vincent
02:13:41 Mr. Klemp
02:13:54 Sen. McNally
02:15:05 Mr. Mahlum, MCC
02:16:05 Sen. McNally
02:16:41 Mr. Mahlum
02:17:26 Sen. McNally
02:18:17 Sen. Barrett
02:19:13 Sen. McNally
02:19:32 Sen. Barrett
02:19:39 Sen. Hinkle
02:21:21 Sen. Phillips
02:22:10 Sen. Hinkle
02:22:30 Sen. Phillips

Closing by Sponsor:

02:23:07 Sen. Phillips

HEARING ON SB 313

Opening Statement by Sponsor:

02:33:09 Sen. Jon Sesso (D), SD 37, opened the hearing on SB 313, Exempt stream restoration from flood plain permit.

Proponents' Testimony:

02:38:52 Elena Evans, executive director, Montana Association of Conservation Districts

[EXHIBIT\(nas39a07\)](#)

[EXHIBIT\(nas39a08\)](#)

02:43:32 Jeff Barber, Clark Fork Coalition

02:44:50 Alicia Stickney, Natural Resource Damage Program, Department of Justice

02:45:14 Jeff Ryan, supervisor, Lewis and Clark Conservation District

02:50:37 John Moodry, Mile High Conservation District

02:53:20 Julia Altemus, Montana Wood Products Association

Opponents' Testimony:

02:55:15 Jan Langel, Water Resources Division administrator, Department of Natural Resources and Conservation (DNRC)

02:58:20 Lisa Oedewaldt, Association of Montana Floodplain Managers (AMFM)

Informational Testimony: None

Questions from Committee Members and Responses:

02:59:48 Sen. Pomnichowski

03:00:25 Sen. Sesso

03:02:51 Sen. Pomnichowski

03:03:10 Mr. Langel, DNRC

03:03:24 Steve Story, Water Operations Bureau chief, Water Resources Division, DNRC

03:03:43 Sen. Pomnichowski

03:04:10 Mr. Story, DNRC

03:04:44 Sen. Pomnichowski

03:05:22 Mr. Story

03:05:38 Sen. Connell

03:06:36 Sen. Sesso

03:06:44 Chair Vincent

03:06:49 Sen. Connell

03:06:54 Sen Phillips

03:07:38 Sen. Sesso

03:09:14 Sen. Phillips

03:09:33 Sen. Sesso

03:11:57 Sen. Fielder

03:12:19 Sen. Sesso

03:12:36 Sen. Fielder

03:12:45 Sen. Sesso

03:13:09 Ms. Oedewaldt, AMFM

03:13:57 Sen. Fielder

03:14:29 Sen. Sesso

03:16:23 Sen. Fielder

03:16:53 Sen. Sesso

03:17:06 Sen. Fielder

03:17:10 Sen. Sesso

03:17:34 Sen. Fielder
03:17:43 Sen. Sesso
03:18:09 Sen. Cohenour
03:19:09 Sen. Sesso
03:20:16 Chair Vincent
03:21:56 Mr. Langel
03:22:36 Chair Vincent

Closing by Sponsor:

03:22:59 Sen. Sesso

Vice Chair Welborn assumed the duties of the chair.

HEARING ON SB 315

Opening Statement by Sponsor:

03:25:58 Sen. Chas Vincent (R), SD 1, opened the hearing on SB 315, Create Libby asbestos cleanup oversight team and funding.

Proponents' Testimony:

03:31:47 Julia Altemus, Montana Wood Products Association

Opponents' Testimony: None

Informational Testimony:

03:33:53 Jenny Chambers, Waste Management Remediation Division administrator, Department of Environmental Quality (DEQ)

Questions from Committee Members and Responses:

03:34:32 Sen. Phillips
03:34:53 Sen. Vincent
03:36:06 Sen. Phillips
03:36:17 Sen. Vincent
03:36:36 Sen. Phillips
03:36:47 Sen. Vincent
03:37:07 Sen. Cohenour
03:37:23 Sen. Vincent
03:38:45 Sen. Pomnichowski
03:39:02 Sen. Vincent
03:39:10 Sen. Pomnichowski
03:39:32 Sen. Vincent
03:40:17 Sen. Pomnichowski
03:40:27 Sen. Vincent
03:40:48 Sen. Pomnichowski
03:41:06 Sen. Vincent

03:41:43 Sen. Pomnichowski
 03:42:08 Ms. Chambers, DEQ
 03:42:35 Sen. Pomnichowski
 03:42:44 Ms. Chambers
 03:42:55 Sen. Pomnichowski
 03:43:10 Ms. Chambers
 03:43:37 Sen. Pomnichowski
 03:44:29 Sen. Vincent
 03:46:23 Sen. Pomnichowski
 03:46:41 Sen. Vincent

Closing by Sponsor:

03:47:27 Sen. Vincent
 03:48:09 Chair Vincent resumed the chair.

EXECUTIVE ACTION ON SB 18

03:48:53 **Motion/Vote:** Sen. Connell moved that **SB 18 BE TABLED**. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 284

03:49:27 Hope Stockwell, Legislative Services Division (LSD)
 03:49:55 **Motion:** Sen. Welborn moved that **SB 284 DO PASS**.
 03:50:07 Ms. Stockwell, LSD
 03:50:25 **Motion:** Sen. Phillips moved that **SB 284 BE AMENDED**.
[EXHIBIT\(nas39a09\)](#)

Discussion:

03:51:49 Sen. Connell
 03:52:27 **Vote:** Motion carried 10-2 by voice vote with Sen. Ankney and Sen. Fielder voting no.
 03:52:52 **Motion:** Sen. Welborn moved that **SB 284 DO PASS AS AMENDED**.

Discussion:

03:53:16 Ms. Stockwell
 03:53:43 Sen. Phillips
 03:54:04 Chair Vincent
 03:54:26 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 281

03:55:11 **Motion:** Sen. Vincent moved that **SB 281 DO PASS.**

03:55:31 **Motion:** Sen. Vincent moved that **SB 281 BE AMENDED.**
EXHIBIT(nas39a10)

Discussion:

03:58:17 Sen. Connell
03:59:24 Sen. Pomnichowski
04:00:20 Chair Vincent
04:01:45 Sen. Pomnichowski
04:02:02 Chair Vincent
04:02:13 Sen. Pomnichowski
04:02:18 Chair Vincent
04:02:23 Sen. Pomnichowski
04:02:34 Chair Vincent
04:02:58 Sen. Fielder
04:04:26 Chair Vincent
04:04:35 Sen. Cohenour
04:05:39 Ms. Stockwell
04:06:07 Sen. Cohenour

04:06:19 **Vote:** Motion carried unanimously by voice vote.

04:06:36 **Motion:** Sen. Vincent moved that **SB 281 DO PASS AS AMENDED.**

Discussion:

04:06:45 Sen. McNally
04:07:04 Chair Vincent

04:09:03 **Vote:** Motion carried 10-2 by voice vote with Sen. Cohenour and Sen. Pomnichowski voting no.

EXECUTIVE ACTION ON SB 313

Discussion:

04:10:06 Sen Cohenour
04:11:04 Chair Vincent
04:11:40 Sen. Ankney
04:12:21 Sen. Barrett
04:13:14 Sen. Connell
04:13:50 Chair Vincent
04:14:53 Sen. Pomnichowski
04:15:09 Chair Vincent
04:15:14 Sen. Pomnichowski

04:16:08 Chair Vincent

04:16:14 **Motion:** Sen. Cohenour moved that **SB 313 DO PASS.**

Discussion:

04:16:35 Chair Vincent

04:16:47 Sen. Cohenour

04:16:51 Sen. Pomnichowski

04:15:53 Sen. Cohenour

04:17:02 Chair Vincent

04:17:14 **Motion:** Sen. Ankney moved that **SB 313 BE AMENDED CONCEPTUALLY.**

04:18:06 Ms. Stockwell

04:18:16 Chair Vincent

04:18:37 Sen Barrett

04:18:52 Sen. Ankney

04:18:54 Chair Vincent

04:19:13 Without objection, Sen. Cohenour withdrew the DO PASS motion.

04:19:21 Without objection, Sen. Ankney withdrew the BE AMENDED motion.

EXECUTIVE ACTION ON SB 315

Discussion:

04:19:51 Chair Vincent

04:20:09 Sen. Pomnichowski

04:20:21 Chair Vincent

04:20:30 Sen. Pomnichowski

04:20:38 Chair Vincent

04:20:50 Sen. Pomnichowski

04:20:57 Chair Vincent

04:21:33 **Motion/Vote:** Sen. Vincent moved that **SB 315 DO PASS.** Motion carried 11-1 by voice vote with Sen. Pomnichowski voting no.

EXECUTIVE ACTION ON SJ 17

04:22:25 **Motion:** Sen. Cohenour moved that **SJ 17 DO PASS.**

Discussion:

04:22:37 Sen. Phillips

04:23:17 Sen. Fielder

04:24:44 **Substitute Motion/Vote:** Sen. Fielder made a Substitute Motion that **SJ 17 BE TABLED**. Substitute Motion carried 7-5 by roll call vote with Sen. Barrett, Sen. Cohenour, Sen. McNally, Sen. Phillips and Sen. Pomnichowski voting no.

Discussion:

04:25:55 Chair Vincent
04:26:09 Sen. Barrett
04:26:13 Chair Vincent

ADJOURNMENT

Adjournment: 7:30 PM

Pat Christian, Secretary

pc

Additional Documents:

EXHIBIT([nas39aad.pdf](#))