

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 66th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON NATURAL RESOURCES

**Call to Order:** Chair Kerry White, on January 30, 2019 at 3:00 PM, in Room 172 Capitol

#### ROLL CALL

**Members Present:**

Rep. Kerry White, Chair (R)  
Rep. Willis Curdy, Vice Chair (D)  
Rep. Theresa Manzella, Vice Chair (R)  
Rep. Bob Brown (R)  
Rep. Robert Farris-Olsen (D)  
Rep. Ross H. Fitzgerald (R)  
Rep. Steve Gunderson (R)  
Rep. Emma Kerr-Carpenter (D)  
Rep. Rhonda Knudsen (R)  
Rep. Marilyn Marler (D)  
Rep. Dale Mortensen (R)  
Rep. Marvin Weatherwax (D)

**Members Excused:** Rep. Zach Brown (D)  
Rep. Casey Knudsen (R)  
Rep. Mark Noland (R)

**Members Absent:** None

**Staff Present:** Joe Kolman, Legislative Branch  
Jacie Vonada, 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: HB 271, 1/24/2019; HB 220, 1/22/2019; HJ 4, 1/16/2019

- 15:04:30 Chair White
- 15:05:45 Rep. Casey Knudsen entered meeting.

**HEARING ON HB 220**

**Opening Statement by Sponsor:**

- 15:06:10 Rep. Walt Sales (R), HD 69, opened the hearing on HB 220, Revise time period for Water Court decrees.
- 15:06:20 Rep. Mortensen left the meeting.

**Proponents' Testimony:**

- 15:08:01 Krista Lee Evans, Senior Water Rights Coalition (SrWRC), the Association of Gallatin Agricultural Irrigators (AGAI), and the Montana Water Resources Association (MWRA)
- 15:09:41 John Peterson, Department of Natural Resources and Conservation (DNRC)
- 15:10:08 Ron Ostberg, Montana Farmers Union (MFU)
- 15:10:30 Clayton Elliot, Montana Trout Unlimited
- 15:10:52 Liv Stavick, Montana Farm Bureau

**Opponents' Testimony:** None

**Informational Testimony:**

- 15:11:40 Julia Nordlund, Water Court

**Questions from Committee Members and Responses:**

- 15:12:09 Chair White
- 15:12:26 Rep. Sales
- 15:12:52 Chair White
- 15:13:22 Julia Nordlund, Water Court
- 15:13:45 Chair White
- 15:14:07 Vice Chair Curdy
- 15:15:20 Julia Nordlund, Water Court
- 15:15:29 John Peterson, DNRC
- 15:16:25 Chair White
- 15:16:45 John Peterson, DNRC

**Closing by Sponsor:**

- 15:17:20 Rep. Sales
- 15:18:26 Chair White

**HEARING ON HJ 4****Opening Statement by Sponsor:**

- 15:19:13 Rep. Joe Read (R), HD 93, opened the hearing on HJ 4, Resolution to congress to streamline/take control of the exportation of coal.
- 15:19:35 Rep. Mortensen returned to meeting.

**Proponents' Testimony:**

- 15:20:23 Bud Clinch, Executive Director, Montana Coal Council (MCC)
- 15:23:03 Shantil Siaperas, Montana Association of Counties (MACo)
- 15:23:59 Shelby DeMars, Montana Association of Oil, Gas, and Coal Counties
- 15:24:49 Bridger Mahlum, Montana Chamber of Commerce

**Opponents' Testimony:**

- 15:25:27 Harold Hoem, self
- 15:29:27 Robert Filipovich, self

[EXHIBIT\(nah18a01\)](#)

[EXHIBIT\(nah18a02\)](#)

[EXHIBIT\(nah18a03\)](#)

[EXHIBIT\(nah18a04\)](#)

[EXHIBIT\(nah18a05\)](#)

- 15:37:35 Derf Johnson, Montana Environmental Information Center (MEIC)
- [EXHIBIT\(nah18a06\)](#)

- 15:42:10 Wyatt Smith, Montana Audubon
- 15:42:29 Rep. Zach Brown arrived to meeting
- 15:42:35 Whitney Tawney, Montana Conservation Voters (MCV)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

- 15:43:10 Rep. Casey Knudsen
- 15:43:22 Whitney Tawney, MCV
- 15:43:31 Chair White
- 15:44:03 Director Clinch, MCC
- 15:45:32 Chair White
- 15:46:08 Director Clinch, MCC
- 15:47:53 Chair White
- 15:48:44 Director Clinch, MCC
- 15:50:00 Chair White
- 15:50:37 Robert Filipovich, self
- 15:51:11 Chair White
- 15:51:22 Rep. Kerr-Carpenter

15:51:56 Director Clinch, MCC  
15:53:17 Rep. Kerr-Carpenter  
15:53:54 Derf Johnson, MEIC  
15:54:28 Rep. Farris-Olsen  
15:54:59 Director Clinch, MCC  
15:56:16 Rep. Farris-Olsen  
15:56:41 Chair White

**Closing by Sponsor:**

15:57:00 Rep. Read  
  
15:58:39 Chair White  
  
15:59:00 Recessed  
  
16:14:10 Reconvened  
  
16:14:11 Chair White

**HEARING ON HB 271**

**Opening Statement by Sponsor:**

16:15:40 Rep. Bridget Smith (D), HD 31, opened the hearing on HB 271, Revise laws related to siting pipelines.

[EXHIBIT\(nah18a07\)](#)

[EXHIBIT\(nah18a08\)](#)

[EXHIBIT\(nah18a09\)](#)

**Proponents' Testimony:**

16:24:33 Justin Dupree, Fort Peck Tribes  
  
16:26:47 Rep. Mortensen left the meeting  
  
16:28:04 Rep. Stewart-Peregoy (D), HD 42  
[EXHIBIT\(nah18a10\)](#)  
[EXHIBIT\(nah18a11\)](#)  
  
16:31:02 Cheryl Eagle, Board of Indian People  
16:32:57 Kaci Walette, Fort Peck Tribes  
16:34:11 Lance Fourstar, Western Native Voice  
16:37:31 Derf Johnson, Montana Environmental Information Center (MEIC)  
16:39:58 Cody Ferguson, Northern Plains Resource Council (NPRC)  
  
16:40:28 Rep. Mortensen returned to meeting.  
  
16:41:39 Wyatt Smith, Montana Audubon  
16:44:40 Whitney Tawney, Montana Conservation Voters (MCV)  
16:46:20 Jordan Thompson, Confederated Salish and Kootenai Tribes (CSKT)  
16:47:48 Sen. Frank Smith, SD 16

**EXHIBIT(nah18a12)****EXHIBIT(nah18a13)****EXHIBIT(nah18a14)**

16:50:53 Chair White  
 16:51:03 Rep. Casey Knudsen  
 16:51:15 Chair White

**Opponents' Testimony:**

16:52:01 Alan Olson, Executive Director Montana Petroleum Association (MPA)  
 16:55:27 Richard Dunbar, Phillips County Commissioner and President of the Oil, Gas,  
 and Coal Counties, Montana Association of Counties (MACo)

**EXHIBIT(nah18a15)**

16:58:11 Sandra Barnett, U.S. Compliance Manager for Trans Canada Keystone XL  
 Pipeline (Trans Canada)  
 17:01:52 Tyler Smith, self

**EXHIBIT(nah18a16)**

17:04:07 Aimee Grmoljez, CHS, inc.  
 17:05:55 Zach Bowler, Barnard Companies  
 17:06:49 Ryan Hall, Montana Electric Cooperatives Association  
 17:08:36 Gary Forrester, MDU Resources  
 17:11:53 Peggy Trenk, Treasure State Resources Association (TSRA)  
 17:13:50 Jason Rittal, Montana Association of Counties (MACo)

17:14:45 Rep. Mortensen left the meeting.

17:14:51 Patrick Montalban, Domestic Energy Producer Alliance (DEPA)  
 17:16:09 Paul Tweten, Valley County Commissioner

**EXHIBIT(nah18a17)**

17:18:16 Loren Young, self  
 17:20:35 Nicole Rolf, Montana Farm Bureau Federation (MFBF)  
 17:21:54 Cary Hegreberg, CEO, Montana Chamber of Commerce

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

17:24:23 Chair White  
 17:26:38 Rep. Smith  
 17:26:57 Chair White  
 17:27:37 Rep. Smith  
 17:27:43 Chair White  
 17:28:16 Rep. Smith  
 17:28:40 Chair White  
 17:28:47 Vice Chair Curdy  
 17:29:22 Manager Barnett, Trans Canada  
 17:29:37 Vice Chair Curdy  
 17:29:49 Chair White

17:29:59 Vice Chair Curdy  
17:30:26 Ryan Hall, MECA  
17:30:43 Vice Chair Curdy  
17:31:36 JordanThompson, CSKT  
17:32:02 Vice Chair Curdy  
17:32:17 Rep. Gunderson  
17:33:06 Jordan Thompson, CSKT  
17:33:27 Chair White  
17:33:38 Rep. Kerr-Carpenter  
17:34:25 Commissioner Tweten  
17:35:04 Rep. Kerr-Carpenter  
17:35:16 Commissioner Tweten, Valley County  
17:36:01 Rep. Farris-Olsen  
  
17:36:22 Rep. Noland arrived to the meeting.  
  
17:36:28 Rep. Smith  
17:36:45 Rep. Farris-Olsen  
17:37:18 Rep. Smith  
17:37:31 Rep. Zach Brown  
17:38:03 Zach Bowler, Barnard Co.  
17:38:32 Rep. Zach Brown  
17:39:05 Manager Barnett, Trans Canada  
17:39:29 Rep. Gunderson  
17:40:01 Director Olson, MPA  
17:40:56 Manager Barnett, Trans Canada  
17:42:29 Rep. Gunderson  
17:44:30 Manager Barnett, Trans Canada  
17:44:42 Rep. Weatherwax  
17:45:27 Manager Barnett, Trans Canada  
17:46:46 Rep. Weatherwax  
17:47:26 Manager Barnett, Trans Canada

**Closing by Sponsor:**

17:48:58 Rep. Smith  
  
17:51:25 Chair White

**ADJOURNMENT**

Adjournment: 17:52:43

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Jacie Vonada, Secretary

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Additional Documents:

**EXHIBIT**([nah18aad.pdf](#))