

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chair Kerry White, on February 20, 2019 at 3:00 PM, in Room 172
Capitol

ROLL CALL

Members Present:

Rep. Kerry White, Chair (R)
Rep. Theresa Manzella, Vice Chair (R)
Rep. Robert Farris-Olsen (D)
Rep. Ross H. Fitzgerald (R)
Rep. Emma Kerr-Carpenter (D)
Rep. Rhonda Knudsen (R)
Rep. Marilyn Marler (D)
Rep. Mark Noland (R)
Rep. Marvin Weatherwax (D)

Members Excused: Rep. Willis Curdy, Vice Chair (D)
Rep. Bob Brown (R)
Rep. Zach Brown (D)
Rep. Steve Gunderson (R)
Rep. Casey Knudsen (R)
Rep. Dale Mortensen (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 417, 2/13/2019; HB 441, 2/13/2019; HB 505, 2/15/2019
Executive Action: HB 229, HB 399, HB 418

15:05:55 Chair White
15:07:18 Julian Adler, Montana Public Interest Research Group (MontPIRG)
15:07:42 Chair White
15:08:39 Mr. Adler, MontPIRG
15:09:09 Chair White

HEARING ON HB 505

Opening Statement by Sponsor:

15:10:30 Rep. Walt Sales (R), HD 69, opened the hearing on HB 505, Require notice to shared water conveyance facilities.
15:15:09 Rep. Casey Knudsen arrived to the meeting.

Proponents' Testimony:

15:18:48 Dave Pruitt, self
15:20:43 Krista Lee Evans, Senior Water Rights Coalition (SrWRC), Association of Gallatin Agricultural Irrigators (AGAI)
15:22:55 Brian Ohs, Montana Stockgrowers Association (MSGA)
15:23:52 Clayton Elliott, Montana Trout Unlimited (MTU)
15:24:25 Liv Stavick, Montana Farm Bureau
15:24:52 Mike Murphy, Montana Water Resources Association (MWRA)

Opponents' Testimony: None

Informational Testimony:

15:25:46 Millie Heffner, Department of Natural Resources and Conservation (DNRC)

Questions from Committee Members and Responses:

15:26:11 Vice Chair Manzella
15:26:35 Rep. Sales
15:27:43 Vice Chair Manzella
15:27:58 Rep. Sales
15:29:04 Vice Chair Manzella
15:29:24 Ms. Heffner, DNRC
15:30:04 Rep. Weatherwax
15:30:35 Rep. Sales
15:31:09 Rep. Weatherwax
15:31:39 Rep. Sales
15:32:07 Ms. Heffner, DNRC
15:32:25 Rep. Weatherwax
15:32:37 John Tubbs, Director, Department of Natural Resources and Conservation (DNRC)
15:32:48 Rep. Weatherwax
15:32:54 Director Tubbs, DNRC
15:33:49 Rep. Weatherwax
15:34:07 Director Tubbs, DNRC
15:34:30 Chair White
15:35:13 Ms. Heffner, DNRC

15:35:35 Vice Chair Curdy arrived to the meeting.
 15:35:38 Chair White
 15:36:47 Rep. Sales
 15:37:13 Chair White
 15:38:31 Ms. Evans, SrWRC, AGAI
 15:39:31 Chair White
 15:40:04 Ms. Evans, SrWRC, AGAI
 15:40:51 Rep. Noland
 15:41:42 Director Tubbs, DNRC

Closing by Sponsor:

15:42:12 Rep. Sales

HEARING ON HB 417**Opening Statement by Sponsor:**

15:43:39 Rep. Marvin Weatherwax (D), HD 15, opened the hearing on HB 417, Generally revise major facility siting act.

Proponents' Testimony:

15:49:41 Dan Wenner, Fort Peck Tribes
 15:50:58 Rep. Gunderson arrived to the meeting.
 15:52:42 Susan Fenner, Western Native Voice, Confederated Salish Kootenai Tribes (CSKT)
 15:54:10 Colleen Campbell, self
 15:55:07 Cody Ferguson, Northern Plains Resource Council (NPRC)
 15:56:58 Rep. Peppers (D), HD 41
 15:58:11 Rep. Stewart-Peregoy (D), HD 42
 16:00:19 Derf Johnson, Montana Environmental Information Center (MEIC)
 16:01:54 Amy Seaman, Montana Audubon
 16:05:40 Rep. Morigeau (D), HD 95
 16:07:14 Whitney Tawney, Montana Conservation Voters (MCV)
 16:08:02 Rep. Smith (D), HD 31

Opponents' Testimony:

16:12:02 Alan Olson, Montana Petroleum Association (MPA)
 16:15:03 Darryl James, Enbridge Energy Partners (EEP)
 16:21:57 Gary Wiens, Montana Electric Cooperatives Association (MECA)
 16:23:12 Bridger Mahlum, Montana Chamber of Commerce
 16:24:08 Shelby DeMars, Montana Association of Oil, Gas, and Coal Counties (MAOGCC)
 16:25:58 Jason Rittal, Montana Association of Counties (MACo)
 16:26:29 Peggy Trenk, Treasure State Resources Association (TSRA)
 16:27:37 Bob Gilbert, self

Informational Testimony: None

Questions from Committee Members and Responses:

16:31:36 Rep. Gunderson
16:32:04 Rep. Smith
16:33:07 Rep. Gunderson
16:33:21 Rep. Smith
16:34:02 Rep. Gunderson
16:35:01 Rep. Kerr-Carpenter
16:36:16 Ms. Seaman, Montana Audubon
16:37:07 Rep. Farris-Olsen
16:37:27 Rep. Smith
16:38:34 Mr. Wenner, Fort Peck Tribes
16:38:43 Rep. Farris-Olsen
16:39:00 Mr. Wenner, Fort Peck Tribes
16:39:22 Rep. Fitzgerald
16:40:14 Director Olson, MPA

16:41:10 Rep. Zach Brown arrived to the meeting.

16:41:22 Rep. Fitzgerald
16:42:14 Mr. Olson, MPA
16:42:39 Chair White
16:43:08 Rep. Fitzgerald
16:43:27 Rep. Gunderson
16:43:48 Mr. Olson, MPA
16:44:05 Chair White
16:45:27 Mr. Johnson, MEIC
16:46:35 Chair White
16:47:31 Mr. James, EEP

Closing by Sponsor:

16:49:02 Rep. Weatherwax

16:51:09 Recessed
17:02:30 Reconvened

17:02:33 Vice Chair Manzella assumed the Chair.

HEARING ON HB 441**Opening Statement by Sponsor:**

17:02:45 Rep. Kerry White (R), HD 64, opened the hearing on HB 441, Repeal timber conservation license in lieu of sale.

Proponents' Testimony:

17:07:49 Julia Altemus, Montana Wood Products Association

[EXHIBIT\(nah36a01\)](#)

17:10:58 Nick Jose, Sun Mountain Lumber

17:12:51 Ed Regan, RY Timber Inc.

[EXHIBIT\(nah36a02\)](#)

17:16:55 Will Selph, Montana Secretary of State's Office
17:17:51 Mark Lambrecht, Rocky Mountain Elk Foundation (RMEF)
17:19:13 Chuck Roady, F.H. Stoltze Land & Lumber Company
17:22:52 Michael Christianson, Montana Forest Owners Association (MFOA)

EXHIBIT(nah36a03)

17:25:43 Paul McKenzie, F.H. Stoltze Land & Lumber Company
17:27:17 Peggy Trenk, Treasure State Resources Association (TSRA)
17:28:01 Jason Todhunter, Montana Logging Association (MLA)

Opponents' Testimony:

17:30:03 John Tubbs, Director, Department of Natural Resources and Conservation
(DNRC)

EXHIBIT(nah36a04)

Informational Testimony: None

Questions from Committee Members and Responses:

17:34:40 Rep. Zach Brown
17:36:08 Director Tubbs, DNRC
17:36:26 Rep. Zach Brown
17:37:02 Rep. Gunderson
17:37:57 Director Tubbs, DNRC
17:39:30 Rep. Gunderson
17:40:14 Mr. Tubbs, DNRC
17:42:11 Vice Chair Curdy
17:43:22 Mr. Tubbs, DNRC
17:46:35 Vice Chair Curdy
17:47:00 Rep. Noland
17:47:38 Mr. Roady, F.H. Stoltze Land & Lumber Company
17:49:15 Rep. Noland
17:49:45 Director Tubbs, DNRC
17:51:09 Rep. Noland
17:51:59 Rep. White
17:56:14 Rep. Marler
17:57:05 Rep. White
17:57:42 Rep. Marler
17:57:57 Vice Chair Curdy
17:59:14 Director Tubbs, DNRC
17:59:42 Chair Manzella
18:00:07 Director Tubbs, DNRC
18:00:28 Chair Manzella
18:00:37 Director Tubbs, DNRC
18:02:05 Rep. Casey Knudsen

Closing by Sponsor:

18:02:21 Rep. White

18:03:20 Recessed
18:13:00 Reconvened

18:13:04 Chair White assumed the Chair.

EXECUTIVE ACTION ON HB 229

18:13:00 **Motion:** Rep. Manzella moved that **HB 229 DO PASS.**

18:13:27 **Motion:** Rep. Manzella moved that **HB 229 BE AMENDED.**
EXHIBIT(nah36a05)

Discussion:

18:13:54 Joe Kolman, Legislative Services Division (LSD)

18:16:44 Rep. Zach Brown

18:17:27 **Vote:** Motion carried unanimously by voice vote. Rep. B. Brown and Rep. Mortensen voted by proxy.

18:18:00 **Motion/Vote:** Rep. Manzella moved that **HB 229 DO PASS AS AMENDED.** Motion carried unanimously by voice vote. Rep. B. Brown and Rep. Mortensen voted by proxy.

EXECUTIVE ACTION ON HB 399

18:18:39 **Motion:** Rep. Manzella moved that **HB 399 DO PASS.**

18:18:46 **Substitute Motion/Vote:** Rep. Curdy made a substitute motion that **HB 399 BE TABLED.** Substitute Motion carried 12-3 by roll call vote with Rep. B. Brown, Rep. Manzella and Rep. White voting no. Rep. B. Brown and Rep. Mortensen voted by proxy.

EXECUTIVE ACTION ON HB 418

18:20:44 **Motion:** Rep. Manzella moved that **HB 418 DO PASS.**

Discussion:

18:20:52 Rep. Zach Brown

18:21:50 Chair White

18:22:05 Rep. Zach Brown

18:22:07 Chair White

18:22:26 **Substitute Motion/Vote:** Rep. C. Knudsen made a substitute motion that **HB 418 BE TABLED.** Substitute Motion carried 9-6 by roll call vote with Rep. Fitzgerald, Rep. R. Knudsen, Rep. Manzella, Rep. Mortensen, Rep. Noland and Rep. White voting no. Rep. B. Brown and Rep. Mortensen voted by proxy.

18:24:10 Chair White

ADJOURNMENT

Adjournment: 18:24:34

Jacie Vonada, Secretary

jv

Additional Documents:

EXHIBIT([nah36aad.pdf](#))