

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chair Kerry White, on February 27, 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. Casey Knudsen (R)
Rep. Rhonda Knudsen (R)
Rep. Marilyn Marler (D)
Rep. Mark Noland (R)
Rep. Marvin Weatherwax (D)

Members Excused: Rep. Zach Brown (D)
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 625, 2/26/2019; HB 464, 2/22/2019
Executive Action: HJ 17, HB 118, HB 180, HB 451, HB 464, HB 556, HB 600, HB 625

15:31:30 Chair White

HEARING ON HB 464

Opening Statement by Sponsor:

15:32:33 Rep. Jasmine Krotkov (D), HD 25, opened the hearing on HB 464, Create a hazardous materials spill response task force.

[EXHIBIT\(nah42a01\)](#)

[EXHIBIT\(nah42a02\)](#)

Proponents' Testimony:

15:40:03 Tony O'Donnell, Commissioner, Public Service Commission (PSC)
15:43:02 Dave Maslowski, Montana State Firemen's Association (MSFA)
15:43:54 Cody Ferguson, Northern Plains Resource Council (NPRC)
15:47:05 Malcolm Gilbert, Montana Environmental Information Center (MEIC)
15:49:03 Wyatt Smith, Montana Audubon
15:49:31 Rep. Denise Hayman (D), HD 66

Opponents' Testimony:

15:51:40 Peggy Trenk, Treasure State Resources Association (TSRA)
15:54:44 Alan Olson, Montana Petroleum Association (MPA)
15:55:33 Matt Jones, Burlington Northern Santa Fe Railway (BNSF)

Informational Testimony:

15:58:26 Delila Bruno, Montana Disaster and Emergency Services, (MT DES)
15:58:51 Walt Kerttula, Montana Department of Transportation (MDT)
15:59:17 Diedra Murray, Legislative Audit Division (LAD)
15:59:44 Ross Lane, Montana Rail Link

Questions from Committee Members and Responses:

16:04:50 Rep. Kerr-Carpenter
16:05:49 Ms. Murray, LAD
16:10:00 Rep. Bob Brown
16:10:12 Commissioner O'Donnell, PSC
16:10:30 Rep. Bob Brown
16:11:12 Commissioner O'Donnell, PSC
16:12:16 Justin Kraske, Public Service Commission (PSC)
16:12:38 Rep. Bob Brown
16:13:09 Mr. Kraske, PSC
16:13:45 Rep. Bob Brown
16:14:06 Rep. Krotkov
16:15:41 Rep. Bob Brown
16:16:02 Joe Kolman, Legislative Services Division (LSD)
16:16:29 Rep. Fitzgerald
16:17:20 Ms. Bruno, MT DES
16:17:37 Rep. Fitzgerald
16:17:51 Ms. Bruno, MT DES
16:19:18 Rep. Fitzgerald
16:19:38 Ms. Bruno, MT DES
16:20:19 Rep. Fitzgerald
16:20:33 Ms. Bruno, MT DES

16:21:28 Rep. Gunderson
16:21:56 Rep. Krotkov
16:23:46 Rep. Gunderson
16:24:17 Ms. Bruno, MT DES
16:25:38 Rep. Gunderson
16:26:05 Rep. Fitzgerald
16:28:03 Rep. Kerr-Carpenter
16:29:23 Ms. Bruno, MT DES
16:30:38 Chair White
16:31:27 Ms. Bruno, MT DES
16:32:33 Chair White
16:33:18 Rep. Krotkov
16:34:08 Chair White
16:35:06 Mr. Lane, Montana Rail Link
16:36:16 Rep. Bob Brown
16:37:35 Mr. Kerttula, MDT
16:38:17 Rep. Bob Brown
16:38:59 Mr. Kerttula, MDT
16:39:30 Vice Chair Curdy
16:40:46 Ms. Murray, LAD
16:42:12 Rep. Fitzgerald
16:43:04 Mr. Maslowski, MSFA

Closing by Sponsor:

16:45:39 Rep. Krotkov

HEARING ON HB 625**Opening Statement by Sponsor:**

16:48:46 Rep. Bill Mercer (R), HD 46, opened the hearing on HB 625, Eliminate numeric nutrient standards for water quality laws.

[EXHIBIT\(nah42a03\)](#)

[EXHIBIT\(nah42a04\)](#)

[EXHIBIT\(nah42a05\)](#)

[EXHIBIT\(nah42a06\)](#)

[EXHIBIT\(nah42a07\)](#)

[EXHIBIT\(nah42a08\)](#)

[EXHIBIT\(nah42a09\)](#)

[EXHIBIT\(nah42a10\)](#)

Proponents' Testimony:

17:04:16 Alan Olson, Montana Petroleum Association (MPA)

17:04:52 Ronda Wiggers, Montana Mining Association (MMA)

Opponents' Testimony:

17:10:48 George Mathieus, Department of Environment Quality (DEQ)

17:16:59 Jim Jensen, Montana Environmental Information Center (MEIC)

17:18:47 Vice Chair Curdy

17:18:59 Chair White

17:19:07 Mr. Jensen, MEIC
17:22:22 Cody Ferguson, Northern Plains Resource Council (NPRC)
17:23:57 Wyatt Smith, Montana Audubon

Informational Testimony: None

Questions from Committee Members and Responses:

17:24:29 Rep. Marler
17:25:29 Rep. Mercer
17:26:42 Rep. Marler
17:26:55 Rep. Mercer
17:27:35 Rep. Marler
17:28:10 Rep. Mercer
17:29:22 Rep. Marler
17:29:38 Rep. Mercer
17:31:07 Rep. Farris-Olsen
17:31:43 Rep. Mercer
17:32:49 Rep. Farris-Olsen
17:33:11 Rep. Mercer
17:33:27 Tim Davis, Department of Environmental Quality (DEQ)
17:34:15 Chair White
17:34:26 Mr. Davis, DEQ
17:34:40 Chair White
17:34:43 Vice Chair Curdy
17:35:16 Mr. Mathieus, DEQ
17:36:34 Vice Chair Curdy
17:36:50 Mr. Mathieus, DEQ
17:38:13 Vice Chair Curdy
17:38:33 Mr. Mathieus, DEQ
17:39:04 Chair White
17:40:25 Mr. Mathieus, DEQ
17:40:48 Rep. Kerr-Carpenter
17:41:33 Mr. Mathieus, DEQ
17:41:58 Rep. Marler
17:42:42 Rep. Noland
17:43:14 Rep. Mercer
17:47:34 Rep. Marler
17:48:28 Rep. Mercer
17:50:17 Rep. Marler
17:51:02 Mr. Mathieus, DEQ
17:52:25 Vice Chair Curdy
17:53:20 Rep. Mercer
17:54:44 Vice Chair Curdy
17:55:10 Mr. Mathieus, DEQ
17:55:28 Vice Chair Curdy
17:56:01 Mr. Mathieus, DEQ
17:56:41 Rep. Gunderson
17:57:12 Mr. Davis, DEQ
17:57:30 Rep. Rhonda Knudsen
17:57:41 Mr. Davis, DEQ

17:57:50 Chair White
17:59:15 Mr. Olson, MPA

Closing by Sponsor:

17:59:43 Rep. Mercer

18:03:29 Chair White

18:03:47 Recessed
18:29:52 Reconvened

EXECUTIVE ACTION ON HB 451

18:31:02 **Motion:** Rep. Manzella moved that **HB 451 DO PASS.**

Discussion:

18:31:16 Vice Chair Manzella
18:32:21 Vice Chair Curdy
18:33:09 Chair White

18:35:09 **Vote:** Motion failed 7-8 by roll call vote with Rep. Z. Brown, Rep. Curdy, Rep. Farris-Olsen, Rep. Kerr-Carpenter, Rep. Marler, Rep. Weatherwax and Rep. White voting aye. Rep. Z. Brown and Rep. Mortensen voted by proxy.

18:36:58 **Motion/Vote:** Rep. Manzella moved that **HB 451 BE TABLED.** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 118

18:35:32 **Motion:** Rep. Manzella moved that **HB 118 DO PASS.**

Discussion:

18:36:04 **Motion/Vote:** Rep. Manzella moved that **HB 118 BE AMENDED.** Motion carried unanimously by voice vote. Rep. Z. Brown and Rep. Mortensen voted by proxy.

18:36:44 **Motion/Vote:** Rep. Manzella moved that **HB 118 DO PASS AS AMENDED.** Motion failed 7-8 by roll call vote with Rep. B. Brown, Rep. Z. Brown, Rep. Curdy, Rep. Farris-Olsen, Rep. Kerr-Carpenter, Rep. Marler and Rep. Weatherwax voting aye. Rep. Z. Brown and Rep. Mortensen voted by proxy.

18:38:11 **Motion/Vote:** Rep. Manzella moved that **HB 118 BE TABLED.** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 180

18:38:34 **Motion/Vote:** Rep. Gunderson moved that **HB 180 BE TABLED**. Motion carried unanimously by voice vote. Rep. Z. Brown and Rep. Mortensen voted by proxy.

EXECUTIVE ACTION ON HB 556

18:39:15 **Motion/Vote:** Rep. Gunderson moved that **HB 556 BE TABLED**. Motion carried unanimously by voice vote. Rep. Z. Brown and Rep. Mortensen voted by proxy.

EXECUTIVE ACTION ON HB 600

18:40:00 **Motion:** Rep. Manzella moved that **HB 600 DO PASS**.

Discussion:

18:40:19 Rep. Bob Brown

18:42:09 **Vote:** Motion failed unanimously by roll call vote. Rep. Z. Brown and Rep. Mortensen voted by proxy.

19:35:22 **Motion/Vote:** Rep. Manzella moved that **HB 600 BE TABLED**. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 464

18:43:04 **Motion:** Rep. Manzella moved that **HB 464 DO PASS**.

Discussion:

18:43:27 Chair White

18:43:37 **Motion:** Rep. Manzella moved that **HB 464 BE AMENDED**.

Discussion:

18:43:52 Joe Kolman, LSD

[EXHIBIT\(nah42a11\)](#)

18:44:18 Chair White

18:44:25 Rep. Bob Brown

18:45:56 **Vote:** Motion carried unanimously by voice vote. Rep. Z. Brown and Rep. Mortensen voted by proxy.

18:46:17 Rep. Marler

18:46:34 **Substitute Motion/Vote:** Rep. B. Brown made a substitute motion that **HB 464 BE TABLED**. Substitute Motion carried 9-6 by roll call vote with Rep. Z. Brown, Rep. Curdy, Rep. Farris-Olsen, Rep. Kerr-Carpenter, Rep. Marler and Rep. Weatherwax voting no. Rep. Z. Brown and Rep. Mortensen voted by proxy.

EXECUTIVE ACTION ON HB 625

18:48:09 **Motion:** Rep. Manzella moved that **HB 625 DO PASS**.

Discussion:

18:48:29 Rep. Farris-Olsen
 18:48:48 Rep. Marler
 18:49:15 Rep. Bob Brown
 18:51:03 Chair White
 18:52:47 Vice Chair Curdy
 18:53:05 Rep. Marler
 18:53:23 Chair White
 18:53:39 Vice Chair Curdy
 18:53:48 Chair White
 18:53:51 Rep. Noland
 18:54:34 Rep. Gunderson
 18:54:53 Chair White
 18:55:20 Rep. Rhonda Knudsen
 18:55:52 Rep. Kerr-Carpenter
 18:56:20 Joe Kolman, Legislative Services Division (LSD)

18:57:13 **Vote:** Motion carried 9-6 by roll call vote with Rep. Z. Brown, Rep. Curdy, Rep. Farris-Olsen, Rep. Kerr-Carpenter, Rep. Marler and Rep. Weatherwax voting no. Rep. Z. Brown and Rep. Mortensen voted by proxy.

EXECUTIVE ACTION ON HJ 17

18:58:53 **Motion:** Rep. Curdy moved that **HJ 17 DO PASS**.

Discussion:

18:59:06 Vice Chair Curdy
 18:59:47 Rep. Casey Knudsen
 19:01:35 Rep. Bob Brown

19:02:12 **Vote:** Motion failed 7-8 by roll call vote with Rep. Z. Brown, Rep. Curdy, Rep. Farris-Olsen, Rep. Kerr-Carpenter, Rep. Marler, Rep. Weatherwax and Rep. White voting aye. Rep. Z. Brown and Rep. Mortensen voted by proxy.

19:03:29 **Motion/Vote:** Rep. Manzella moved that **HJ 17 BE TABLED**. Motion carried unanimously by voice vote.

19:02:40 Chair White

ADJOURNMENT

Adjournment: 19:04:13

Jacie Vonada, Secretary

jv

Additional Documents:

EXHIBIT([nah42aad.pdf](#))