

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chair Steve Gunderson, on March 17, 2021 at 3:00 PM, in Room 172
Capitol

ROLL CALL

Members Present:

Rep. Steve Gunderson, Chair (R)
Rep. Willis Curdy, Vice Chair (D)
Rep. Rhonda Knudsen, Vice Chair (R)
Rep. Ross H. Fitzgerald (R)
Rep. Tom France (D)
Rep. Steven Galloway (R)
Rep. Steve Gist (R)
Rep. Marty Malone (R)
Rep. Marilyn Marler (D)
Rep. Brian Putnam (R)

Members Excused:

Rep. Robert Farris-Olsen (D)
Rep. Paul Fielder (R)
Rep. Mark Noland (R)
Rep. Kenneth Walsh (R)
Rep. Marvin Weatherwax (D)

Members Absent: None

Staff Present:

Jacquelynn Bomgardner, Committee Secretary
Joe Kolman, Legislative Branch
Rachael Foe, Remote Meeting Coordinator

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 63, 3/10/2021; SB 163, 3/10/2021; SB 328, 3/10/2021; SB 164, 3/15/2021

Executive Action on: SJ 6; SJ 7; SJ 16; SJ 21; SB 230; HB 627

14:52:23 Recess
15:13:54 Reconvened with Vice Chair R. Knudsen as Chair. Rep. Walsh, Rep. Fielder
Rep. Farris-Olsen present and Rep. Gunderson excused.

EXECUTIVE ACTION ON SJ 6

15:14:10 **Motion:** Rep. Fielder moved that **SJ 6 BE CONCURRED IN.**

15:14:21 **Motion:** Rep. Fielder moved that **SJ 6 BE AMENDED.**
EXHIBIT(nah53a01)

Discussion:

15:14:44 Joe Kolman, Legislative Services Division (LSD)

15:15:15 **Vote:** Motion carried unanimously by voice vote. Rep. Gunderson, Rep. Noland
and Rep. Weatherwax voted by proxy.

15:16:30 **Motion:** Rep. Fielder moved that **SJ 6 BE CONCURRED IN AS AMENDED.**

Discussion:

15:16:44 Rep. Galloway

15:17:09 **Vote:** Motion carried unanimously by voice vote. Rep. Gunderson, Rep. Noland
and Rep. Weatherwax voted by proxy. Rep. Curdy will carry the bill.

EXECUTIVE ACTION ON SJ 7

15:18:02 **Motion:** Rep. Fielder moved that **SJ 7 BE CONCURRED IN.**

Discussion:

15:18:13 Rep. France

15:18:34 Vice Chair R. Knudsen

15:18:53 **Vote:** Motion carried 10-5 by roll call vote with Rep. Curdy, Rep. Farris-Olsen,
Rep. France, Rep. Marler and Rep. Weatherwax voting no. Rep. Gunderson,
Rep. Noland and Rep. Weatherwax voted by proxy. Rep. Walsh will carry the bill.

EXECUTIVE ACTION ON SJ 16

15:20:34 **Motion:** Rep. Fielder moved that **SJ 16 BE CONCURRED IN.**

Discussion:

15:20:51 Joe Kolman, LSD

15:21:29 Vice Chair Curdy

15:21:56 Joe Kolman, LSD

15:22:25 **Motion/Vote:** Rep. Fielder moved that **SJ 16 BE AMENDED**. Motion carried 9-6 by roll call vote with Rep. Curdy, Rep. Farris-Olsen, Rep. France, Rep. Marler, Rep. Putnam and Rep. Weatherwax voting no. Rep. Gunderson, Rep. Noland and Rep. Weatherwax voted by proxy.

EXHIBIT(nah53a02)

15:24:03 **Vote:** Motion carried 10-5 by roll call vote with Rep. Curdy, Rep. Farris-Olsen, Rep. France, Rep. Marler and Rep. Weatherwax voting no. Rep. Gunderson, Rep. Noland and Rep. Weatherwax voted by proxy. Rep. Schillinger will carry the bill.

EXECUTIVE ACTION ON SJ 21

15:25:44 **Motion/Vote:** Rep. Fielder moved that **SJ 21 BE CONCURRED IN**. Motion carried 14-1 by voice vote with Rep. France voting no. Rep. Galloway, Rep. Noland and Rep. Weatherwax voted by proxy. Rep. Gunderson will carry the bill.

EXECUTIVE ACTION ON SB 230

15:27:33 **Motion:** Rep. Fielder moved that **SB 230 BE CONCURRED IN**.

15:28:11 **Motion:** Rep. Fielder moved that **SB 230 BE AMENDED**.

EXHIBIT(nah53a03)

Discussion:

15:28:25 Joe Kolman, LSD

15:29:33 **Vote:** Motion carried 14-1 by voice vote with Rep. Marler voting no. Rep. Gunderson, Rep. Noland and Rep. Weatherwax voted by proxy.

15:30:18 **Motion:** Rep. Fielder moved that **SB 230 BE CONCURRED IN AS AMENDED**.

Discussion:

15:30:32 Rep. Galloway

15:31:07 **Vote:** Motion carried 14-1 by voice vote with Rep. Marler voting no. Rep. Gunderson, Rep. Noland and Rep. Weatherwax voted by proxy. Rep. Knudsen will carry the bill.

EXECUTIVE ACTION ON HB 627

15:32:03 **Motion:** Rep. Fielder moved that **HB 627 DO PASS**.

Discussion:

15:32:42 Vice Chair Curdy

15:33:26 Rep. Malone

15:33:50 Rep. France

15:34:09 Rep. Gist

- 15:34:40 **Vote:** Motion failed 2-13 by roll call vote with Rep. Galloway and Rep. Gist voting aye. Rep. Gunderson, Rep. Noland and Rep. Weatherwax voted by proxy.
- 15:35:48 **Motion/Vote:** Rep. Fitzgerald moved that **HB 627 BE TABLED**. Motion carried unanimously by voice vote. Rep. Gunderson, Rep. Noland and Rep. Weatherwax voted by proxy.
- 15:38:39 Rep. Farris-Olsen left the meeting.

HEARING ON SB 328

Opening Statement by Sponsor:

- 15:39:07 Sen. Duane Ankney (R), SD 20, opened the hearing on SB 328, Revise coal bonding laws.

Proponents' Testimony:

- 15:47:11 Darryl James, Westmoreland Mining LLC

[EXHIBIT\(nah53a04\)](#)

- 15:53:42 Commissioner Doug Martens, Rosebud County
15:54:21 Molly Schwend, Montana Coal Council (MCC)
15:56:30 Bob Gilbert, City of Colstrip
15:57:03 Shelby DeMars, Montana Association of Oil Gas & Coal Counties (MAOGCC)
15:57:56 Rep. Gunderson rejoined the meeting.
15:58:36 Peggy Trenk, Treasure State Resources Association (TSRA)

Opponents' Testimony:

- 15:59:51 Clint McRae, self
16:04:13 Rep. Noland joined the meeting.
16:06:08 Derf Johnson, Montana Environmental Information Center (MEIC)
16:12:07 Steve Charter, Northern Plains Resource Council (NPRC)

[EXHIBIT\(nah53a05\)](#)

- 16:15:35 Ellen Pfister, Northern Plains Resource Council (NPRC)

Informational Testimony:

- 16:20:34 Ed Coleman, Department of Environmental Quality (DEQ)

Questions from Committee Members and Responses:

- 16:21:19 Rep. Gist
16:21:57 Ed Colman, DEQ
16:22:28 Rep. Malone
16:25:51 Clint McRae, self

[EXHIBIT\(nah53a06\)](#)

- 16:26:52 Vice Chair Curdy
16:27:44 Clint McRae
16:28:37 Rep. Marler
16:29:20 Steve Charter, NPRC
16:30:33 Rep. France

16:31:05 Clint McRae, self
16:31:19 Rep. France
16:32:33 Ed Coleman, DEQ
16:33:00 Rep. Walsh
16:34:05 Ed Coleman, DEQ
16:34:22 Rep. Fitzgerald
16:35:51 Darryl James, Westmoreland Mining LLC
16:39:47 Rep. Gist
16:40:08 Darryl James, Westmoreland Mining LLC
16:40:29 Vice Chair Curdy
16:41:41 Ed Coleman, DEQ
16:42:34 Rep. Putnam
16:43:26 Darryl James, Westmoreland Mining LLC

Closing by Sponsor:

16:44:24 Sen. Ankney

16:49:14 Rep. Gunderson assumed the Chair.

HEARING ON SB 63**Opening Statement by Sponsor:**

16:50:56 Sen. Duane Ankney (R), SD 20, opened the hearing on SB 63, Establish wind and solar development ground lease for state trust lands.

Proponents' Testimony:

16:54:42 Raylee Honeycutt, Montana Stockgrowers Association (MSGA)
16:56:14 Nicole Rolf, Montana Farm Bureau Federation (MFBF)
16:57:49 Commissioner Doug Martens, Rosebud County
16:59:11 Shelby DeMars, Montana Association of Oil Gas & Coal Counties (MAOGCC)
17:00:00 Jessica Hoag, Department of Natural Resources & Conservation (DNRC)

[EXHIBIT\(nah53a07\)](#)

17:05:04 Amy Seaman, Montana Audubon

[EXHIBIT\(nah53a08\)](#)**Opponents' Testimony:** None**Informational Testimony:** None**Questions from Committee Members and Responses:**

17:06:31 Rep. Galloway
17:07:23 Sen. Ankney
17:08:04 Jessica Hoag, DNRC
17:08:48 Rep. Fielder
17:10:18 Commissioner Martens, Rosebud County
17:11:06 Rep. Fitzgerald
17:13:29 Jessica Hoag, DNRC
17:13:55 Chair Gunderson
17:14:59 Jessica Hoag, DNRC

17:15:33 Rep. Walsh
17:16:08 Jessica Hoag, DNRC

Closing by Sponsor:

17:16:43 Sen. Ankney

HEARING ON SB 163

Opening Statement by Sponsor:

17:20:04 Sen. Carl Glimm (R), SD 2, opened the hearing on SB 163, Increase membership for the board of water well contractors.

Proponents' Testimony:

17:23:34 Ronda Wiggers, Department of Natural Resources & Conservation (DNRC)
[EXHIBIT\(nah53a09\)](#)

17:26:10 Rep. Noland left the meeting.

Opponents' Testimony: None

Informational Testimony:

17:27:16 Steve Story, Department of Natural Resources & Conservation (DNRC)
17:27:58 Art Robinson, Department of Natural Resources & Conservation (DNRC)

Questions from Committee Members and Responses: None

Closing by Sponsor:

17:28:44 Sen. Glimm

HEARING ON SB 164

Opening Statement by Sponsor:

17:29:25 Sen. Carl Glimm (R), SD 2, opened the hearing on SB 164, Revise non-degradation standard for nitrates.

Proponents' Testimony:

17:35:51 Ron Warren, self
17:37:53 Jeff Larsen, self
17:39:19 Rick Breckenridge, self

EXHIBIT(nah53a10)

Opponents' Testimony:

17:42:42 Eric Sivers, Department of Environmental Quality (DEQ)
17:45:00 Justin Buchanan, self
17:47:06 John Semple, Montana Grain Growers Association (MGGA)
17:47:40 Krista Lee Evans, Montana Agriculture Business Association (MABA)
17:49:42 Rachel Cone, Montana Farm Bureau Federation (MFBF)
17:51:16 Cort Jensen, Montana Department of Agriculture (AGR)
17:52:38 Raylee Honeycutt, Montana Stockgrowers Association (MSGGA)
17:53:03 Ruben Castren, Montana Public Interest Research Group (MontPIRG)

17:53:57 Joe Griffin, self
17:55:23 Vicki Watson, self

[EXHIBIT\(nah53a11\)](#)

17:58:23 Guy Alsentzer, Upper Missouri Waterkeeper (UMW)

[EXHIBIT\(nah53a12\)](#)

18:01:30 Andrew Gorder, Clark Fork Coalition (CFC)
18:04:44 Shannon Therriault, Montana Environmental Health Association (MEHA)

[EXHIBIT\(nah53a13\)](#)

18:07:15 Kelly Lynch, Montana League of Cities and Towns (MLCT)
18:09:09 Derf Johnson, Montana Environmental Information Center (MEIC)
18:10:51 Amanda Knuteson, self
18:13:01 Amy Seaman, Montana Audubon

[EXHIBIT\(nah53a14\)](#)

18:14:21 Thomas Kallenbach, self

Informational Testimony:

18:18:07 Ed Evanson, Department of Public Health and Human Services (DPHHS)
18:18:39 Eric Regensburger, Department of Environmental Quality (DEQ)

Questions from Committee Members and Responses: None

Closing by Sponsor:

18:19:27 Sen. Glimm

ADJOURNMENT

Adjournment: 18:21:39

Jacquelynn Bomgardner, Secretary

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Additional Documents:

EXHIBIT([nah53aad.pdf](#))