

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chair Steve Gunderson, on March 29, 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. Paul Fielder (R)
Rep. Ross H. Fitzgerald (R)
Rep. Tom France (D)
Rep. Steven Galloway (R)
Rep. Steve Gist (R)
Rep. Marty Malone (R)
Rep. Brian Putnam (R)
Rep. Kenneth Walsh (R)
Rep. Marvin Weatherwax (D)

Members Excused:

Rep. Robert Farris-Olsen (D)
Rep. Marilyn Marler (D)
Rep. Mark Noland (R)

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: HB 648, 3/24/2021; SB 358, 3/12/2021
Executive Action on: SB 29; SB 40; SB 136; SB 165; SB 233; SB 249; SB 328; SB 348;
SB 352

14:45:26 Chair Gunderson
14:45:47 Recess
15:15:45 Reconvened

EXECUTIVE ACTION ON SB 29

15:16:23 **Motion:** Rep. R. Knudsen moved that **SB 29 BE CONCURRED IN.**

Discussion:

15:16:33 Joe Kolman, Legislative Services Division (LSD)

15:17:20 **Motion/Vote:** Rep. Fitzgerald moved that **SB 29 BE AMENDED.** Motion carried unanimously by voice vote. Rep. Marler and Rep. Noland voted by proxy.

EXHIBIT(nah61a01)

15:18:44 Rep. Farris-Olsen joined the meeting.

15:19:22 **Motion:** Rep. R. Knudsen moved that **SB 29 BE CONCURRED IN AS AMENDED.**

Discussion:

15:19:38 Rep. Putnam

15:20:00 **Substitute Motion/Vote:** Rep. R. Knudsen made a substitute motion that **SB 29 BE TABLED.** Substitute Motion carried 10-5 by roll call vote with Rep. Fitzgerald, Rep. France, Rep. Gunderson, Rep. Putnam and Rep. Walsh voting no. Rep. Marler and Rep. Noland voted by proxy.

EXECUTIVE ACTION ON SB 40

15:21:35 **Motion/Vote:** Rep. R. Knudsen moved that **SB 40 BE CONCURRED IN.** Motion carried unanimously by voice vote. Rep. Marler and Rep. Noland voted by proxy. Rep. Curdy will carry the bill.

EXECUTIVE ACTION ON SB 136

15:22:48 **Motion/Vote:** Rep. R. Knudsen moved that **SB 136 BE CONCURRED IN.** Motion carried unanimously by voice vote. Rep. Marler and Rep. Noland voted by proxy. Rep. Galloway will carry the bill.

EXECUTIVE ACTION ON SB 165

15:24:27 **Motion:** Rep. R. Knudsen moved that **SB 165 BE CONCURRED IN.**

Discussion:

15:24:42 Vice Chair R. Knudsen
15:25:39 Joe Kolman, LSD
15:28:54 Chair Gunderson

15:29:10 **Motion:** Rep. R. Knudsen moved that **SB 165 BE AMENDED.**
EXHIBIT(nah61a02)

Discussion:

15:29:39 Rep. Putnam

15:30:11 **Vote:** Motion carried 14-1 by voice vote with Rep. France voting no. Rep. Marler and Rep. Noland voted by proxy.

15:30:41 **Motion:** Rep. R. Knudsen moved that **SB 165 BE AMENDED.**
EXHIBIT(nah61a03)

Discussion:

15:30:55 Rep. Walsh

15:31:19 **Vote:** Motion carried unanimously by voice vote. Rep. Marler and Rep. Noland voted by proxy.

15:31:39 **Motion:** Rep. R. Knudsen moved that **SB 165 BE CONCURRED IN AS AMENDED.**

15:31:53 **Substitute Motion/Vote:** Rep. Putnam made a substitute motion that **SB 165 BE TABLED.** Substitute Motion carried 8-7 by roll call vote with Rep. Fielder, Rep. Galloway, Rep. Gist, Rep. Gunderson, Rep. R. Knudsen, Rep. Malone and Rep. Noland voting no. Rep. Marler and Rep. Noland voted by proxy.

EXECUTIVE ACTION ON SB 233

15:33:34 **Motion/Vote:** Rep. R. Knudsen moved that **SB 233 BE CONCURRED IN.** Motion carried 14-1 by voice vote with Rep. Putnam voting no. Rep. Marler and Rep. Noland voted by proxy. Rep. Putnam will carry the bill.

EXECUTIVE ACTION ON SB 249

15:35:28 **Motion/Vote:** Rep. R. Knudsen moved that **SB 249 BE CONCURRED IN.** Motion carried unanimously by voice vote. Rep. Marler and Rep. Noland voted by proxy. Rep. Knudsen will carry the bill.

EXECUTIVE ACTION ON SB 328

15:36:54 **Motion:** Rep. R. Knudsen moved that **SB 328 BE CONCURRED IN.**

Discussion:

15:37:10 Vice Chair R. Knudsen

15:37:35 Joe Kolman, LSD

15:38:56 Rep. Malone

15:39:17 Joe Kolman, LSD

15:39:44 Vice Chair Curdy

15:39:53 Rep. France

15:41:25 **Motion/Vote:** Rep. Curdy moved that **SB 328 BE AMENDED**. Motion carried 8-7 by roll call vote with Rep. Fielder, Rep. Galloway, Rep. Gunderson, Rep. R. Knudsen, Rep. Malone, Rep. Noland and Rep. Walsh voting no. Rep. Marler and Rep. Noland voted by proxy.

EXHIBIT(nah61a04)

15:43:29 **Motion:** Rep. R. Knudsen moved that **SB 328 BE CONCURRED IN AS AMENDED**.

Discussion:

15:43:43 Rep. Malone
15:44:00 Rep. Walsh
15:44:24 Vice Chair Curdy
15:45:12 Rep. France
15:46:05 Vice Chair Curdy

15:46:17 **Vote:** Motion carried 12-3 by roll call vote with Rep. Fielder, Rep. Gunderson and Rep. Malone voting no. Rep. Marler and Rep. Noland voted by proxy. Rep. France will carry the bill.

EXECUTIVE ACTION ON SB 348

15:47:45 **Motion/Vote:** Rep. R. Knudsen moved that **SB 348 BE CONCURRED IN**. Motion carried unanimously by voice vote. Rep. Marler and Rep. Noland voted by proxy. Rep. Walsh will carry the bill.

EXECUTIVE ACTION ON SB 352

15:49:14 **Motion:** Rep. R. Knudsen moved that **SB 352 BE CONCURRED IN**.

Discussion:

15:49:21 Vice Chair R. Knudsen
15:49:49 Joe Kolman, LSD

15:51:20 **Motion/Vote:** Rep. R. Knudsen moved that **SB 352 BE AMENDED**. Motion carried 13-2 by voice vote with Rep. R. Knudsen and Rep. Noland voting no. Rep. Marler and Rep. Noland voted by proxy.

EXHIBIT(nah61a05)

15:52:14 **Motion/Vote:** Rep. Curdy moved that **SB 352 BE TABLED**. Motion carried 11-4 by roll call vote with Rep. Fielder, Rep. Fitzgerald, Rep. Galloway and Rep. Malone voting no. Rep. Marler and Rep. Noland voted by proxy.

HEARING ON HB 648

Opening Statement by Sponsor:

15:54:12 Rep. Joshua Kassmier (R), HD 27, opened the hearing on HB 648, Generally revise natural resource laws.

Proponents' Testimony:

15:56:17 Tony O'Donnell, Montana Public Service Commission (PSC)

Opponents' Testimony:

15:58:05 Amy Seaman, Montana Audubon
15:58:48 Derf Johnson, Montana Environmental Information Center (MEIC)
15:59:00 Rep. Farris-Olsen left the meeting.
16:02:40 Charles Sangmeister, self

Informational Testimony:

16:01:55 John Metesh, Montana Bureau of Minds and Geology (MBMG)

Questions from Committee Members and Responses:

16:04:15 Rep. Malone
16:04:37 Rep. Kassmier

Closing by Sponsor:

16:05:08 Rep. Kassmier

HEARING ON SB 358**Opening Statement by Sponsor:**

16:07:09 Sen. John Esp (R), SD 30, opened the hearing on SB 358, Repeal numeric nutrient standards for water quality.

[EXHIBIT\(nah61a06\)](#)

[EXHIBIT\(nah61a07\)](#)

Proponents' Testimony:

16:12:07 Alan Olson, Montana Petroleum Association (MPA)
16:13:35 Tammy Johnson, Montana Mining Association (MMA)
16:16:46 Peggy Trenk, Treasure State Resources Association (TSRA)
16:18:51 Molly Schwend, Montana Coal Council (MCC)
16:19:40 Kelly Lynch, Montana League of Cities and Towns (MLCT)

Opponents' Testimony:

16:22:49 Abigail St. Lawrence, Montana Building Industry Association (MBIA)
16:24:25 Clayton Elliott, Trout Unlimited (TU)
16:25:16 Ruben Castren, Montana Public Interest Research Group (MontPIRG)
16:26:31 Vicki Watson, self

[EXHIBIT\(nah61a08\)](#)

16:29:42 Sam Carlson, self

[EXHIBIT\(nah61a09\)](#)

16:32:01 Betsy Baxter, self
16:35:48 Charles Sangmeister, self
16:37:57 Jerry Iverson, self
16:40:57 Sarah Zuzulock, self
16:45:07 Richard Parks, self

16:47:16 Travis Ross, Missoula City-County Health Department (MCCHD); Missoula Valley Water Quality District (MVWQD); Montana Environmental Health Association (MEHA)

EXHIBIT(nah61a10)

16:50:22 Guy Alsentzer, Upper Missouri Waterkeeper (UMW)

EXHIBIT(nah61a11)

16:54:02 Paul Hawks, self

16:56:36 Amy Seaman, Montana Audubon

16:58:53 Derf Johnson, Montana Environmental Information Center (MEIC)

Informational Testimony:

17:01:24 Myla Kelly, Department Environmental Quality (DEQ)

Questions from Committee Members and Responses:

17:03:15 Rep. Malone

17:03:41 Myla Kelly, DEQ

17:04:28 Rep. Gist

17:04:42 Myla Kelly, DEQ

17:05:15 Rep. Walsh

17:06:05 Myla Kelly, DEQ

17:06:35 Kurt Moser, Department Environmental Quality (DEQ)

17:08:16 Rep. Walsh

17:08:55 Kurt Moser, DEQ

17:09:56 Chair Gunderson

17:12:37 Tammy Johnson, MMA

17:13:24 Chair Gunderson

17:13:34 Alan Olson, MPA

17:15:25 Dave Galt, Montana Petroleum Association (MPA)

17:15:43 Chair Gunderson

17:15:53 Dave Galt, MPA

17:17:19 Vice Chair Curdy

17:17:59 Director Chris Dorrington, Department Environmental Quality (DEQ)

17:18:23 Dr. Mike Suplee, Department Environmental Quality (DEQ)

17:19:45 Vice Chair Curdy

17:22:05 Kurt Moser, DEQ

17:23:51 Rep. Putnam

17:24:42 Myla Kelly, DEQ

17:25:17 Rep. France

17:25:43 Myla Kelly, DEQ

17:26:12 Rep. France

17:27:43 Director Dorrington, DEQ

17:29:03 Tim Burton, Montana League of Cities and Towns (MLCT)

17:31:11 Rep. France

17:34:03 Tim Burton, MLCT

17:35:26 Vice Chair Curdy

17:37:14 Director Dorrington, DEQ

17:37:38 Rep. Galloway

17:40:05 Myla Kelly, DEQ

17:40:27 Director Dorrington, DEQ
17:41:17 Rep. France
17:41:47 Sen. Esp
17:42:27 Rep. France
17:42:43 Rep. Putnam
17:43:08 Tim Burton, MLCT
17:44:05 Chair Gunderson
17:44:43 Dr. Suplee, DEQ

Closing by Sponsor:

17:46:53 Sen. Esp

17:49:57 Rep. Malone

17:50:06 Chair Gunderson

ADJOURNMENT

Adjournment: 17:50:44

Jacquelynn Bomgardner, Secretary

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Additional Documents:

EXHIBIT([nah61aad.pdf](#))