

MINUTES
MONTANA HOUSE OF REPRESENTATIVES
68th LEGISLATURE - REGULAR SESSION
COMMITTEE ON (H) NATURAL RESOURCES

Call to Order: Chair Rep. Steve Gunderson-R, on February 20, 2023 at 3:03 PM, in 172

ROLL CALL

Members Present: Rep. Steve Gunderson, Chair (R)
Rep. Steve Gist, Vice Chair (R)
Rep. Marilyn Marler, Vice Chair (D)
Rep. Ross Fitzgerald (R)
Rep. Tom France (D)
Rep. Jedediah Hinkle (R)
Rep. Jonathan Karlen (D)
Rep. Marty Malone (R)
Rep. Russel Miner (R)
Rep. Gary Parry (R)
Rep. Kenneth Walsh (R)

Members Excused: Rep. Jill Cohenour (D)
Rep. Rhonda Knudsen (R)
Rep. Sue Vinton (R)
Rep. Marvin Weatherwax (D)

Staff Present: LJ Jennings, Secretary
Joe Kolman, Research Analyst
John Olson, Attorney

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 520 02/15/2023
HB 561 02/16/2023
HB 581 02/16/2023
HB 641 02/17/2023

Executive Action:

HB 581 TO TABLE
HB 473 DO PASS AS AMENDED
HB 521 DO PASS AS AMENDED

HB 520 DO PASS
HB 641 DO PASS

HEARING ON HB 520 - Interim study of private ponds

Opening Statement:

15:05:29 Rep. Denley Loge (R), HD 14, opened the hearing on HB 520, Interim study of private ponds.

Proponent Testimony:

15:08:38 Eileen Ryce, Montana Fish, Wildlife and Parks (FWP)

15:12:31 Colin Cooney, Trout Unlimited

15:13:06 Krista Lee Evans, Association of Gallatin Agricultural Irrigators (AGAI)

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

15:14:30 Rep. Gary Parry

15:14:49 Eileen Ryce, FWP

15:15:14 Rep. Tom France

15:15:37 Rep. Denley Loge-R

Closing Statement:

15:15:59 Rep. Denley Loge (R), HD 14, closed the hearing on HB 520.

HEARING ON HB 561 - Revise water discharge permitting

Opening Statement:

15:17:25 Rep. Marty Malone (R), HD 59, opened the hearing on HB 561, Revise water discharge permitting.

Proponent Testimony:

15:19:29 Matt Vincent, Montana Mining Association (MMA)

15:22:16 Shelby DeMars, Montana Association of Oil, Gas and Coal Counties (MAOGCC)

15:23:11 Alan Olson, Montana Petroleum Association (MPA)

15:23:44 Peggy Trenk, Treasure State Resources Association (TSRA)

15:24:43 Charles Robison, Montana Chamber of Commerce and Montana Manufacturers Association

Opponent Testimony:

15:25:45 Derf Johnson, Montana Environmental Information Center (MEIC)

15:27:11 Chris Dorrington, Department of Environmental Quality (DEQ)

Informational Witness Testimony:

15:28:15 Eric Sivers, Department of Environmental Quality (DEQ)

Questions from Committee:

15:28:48 Rep. Tom France

15:29:25 Chris Dorrington, (DEQ)

15:30:33 Rep. Steve Gunderson

15:31:02 Rep. Gary Parry

Closing Statement:

15:31:55 Rep. Marty Malone (R), HD 59, closed the hearing on HB 561.

15:34:00 **Recessed**

15:42:17 **Reconvened**

HEARING ON HB 641 - Allow environmental impact reviews beyond Montana's borders

Opening Statement:

15:42:29 Rep. Katie Zolnikov (R), HD 45, opened the hearing on HB 641, Allow environmental impact reviews beyond Montana's borders.

Proponent Testimony:

15:45:15 John Metropoulos, Westmoreland Mine

- 15:47:45 Darryl James, Self
- 15:50:01 Alan Olson, Montana Petroleum Association, (MPA)
- 15:50:54 Shelby DeMars, Montana Association of Oil, Gas and Coal Counties (MAOGCC)
- 15:51:19 Peggy Trenk, Treasure State Resources Association (TSRA)

Opponent Testimony:

None

Informational Witness Testimony:

- 15:52:20 Chris Dorrington, Department of Environmental Quality (DEQ)

Questions from Committee:

- 15:53:09 Rep. Steve Gunderson
- 15:53:39 John Metropoulos, Westmoreland Mine
- 15:54:36 Rep. Kenneth Walsh
- 15:55:00 Chris Dorrington, DEQ
- 15:55:28 Rep. Jill Cohenour

Closing Statement:

- 15:56:11 Rep. Katie Zolnikov (R), HD 45, closed the hearing on HB 641.

HEARING ON HB 581 - Generally revise open cut laws

Opening Statement:

- 15:58:46 Rep. Laurie Bishop (D), HD 60, opened the hearing on HB 581, Generally revise open cut laws.

Proponent Testimony:

- 16:05:09 Matthew Passini, Self
- [EXHIBIT\(230220NAHa1\)](#)
- [EXHIBIT\(230220NAHa2\)](#)
- [EXHIBIT\(230220NAHa3\)](#)

16:08:24 Kim Wilson, Self

16:11:57 Ann Hedges, Montana Environmental Information Center (MEIC)

16:15:20 Amy Seaman, Montana Audubon

16:18:10 James Coefield, Self

16:21:12 Kurt Vause, Self

16:24:33 Elizabeth McCambridge, Self

16:26:56 Doug Olson, Self

16:29:17 Jennifer Knoetgen, Self

Opponent Testimony:

16:31:17 David Smith, Montana Contractors Association (MCA)

[EXHIBIT\(230220NAHa4\)](#)

[EXHIBIT\(230220NAHa5\)](#)

16:34:19 Mike Newton, Fisher Sand and Gravel

16:38:04 Stacy Hill, Riverside Contracting

16:44:38 Pat Drynan, Helena Sand and Gravel

16:46:29 Joe Smith, Knife River

16:49:52 Ken Murphy, TMC Sand and Gravel

16:51:31 Darryl James, Montana Infrastructure Coalition

16:53:58 Shelby DeMars, Montana Association of Oil, Gas and Coal Counties (MAOGCC)

16:55:09 Peggy Trenk, Treasure State Resources Association (TSRA)

Informational Witness Testimony:

16:57:03 Chris Dorrington, Department of Environmental Quality (DEQ)

Questions from Committee:

16:57:42 Rep. Jedediah Hinkle

16:59:09 Rep. Laurie Bishop-D
17:01:05 Rep. Marilyn Marler
17:02:04 Chris Dorrington, DEQ
17:03:03 Dan Walsh, Department of Environmental Quality (DEQ)
17:04:21 Rep. Marty Malone
17:07:00 Mike Newton, Fisher Sand and Gravel
17:07:58 Rep. Jill Cohenour
17:10:25 Rep. Kenneth Walsh
17:11:20 Kim Wilson
17:12:35 Rep. Tom France
17:13:25 Chris Dorrington, DEQ
17:20:37 Rep. Gary Parry
17:21:21 Rep. Steve Gunderson
17:21:43 David Smith, MCA
17:25:22 Ann Hedges, MEIC
17:28:55 Matthew Passini

Closing Statement:

17:30:05 Rep. Laurie Bishop (D), HD 60, closed the hearing on HB 581.
17:35:29 **Recessed**
18:12:33 **Reconvened**

EXECUTIVE ACTION ON HB 581 - Generally revise open cut laws

18:12:44 **Motion:** Rep. Steve Gist moved that **HB 581 DO PASS.**

Discussion:

18:13:20 Rep. Jill Cohenour

18:13:49 Rep. Steve Gunderson

18:14:40 Rep. Marty Malone

18:15:05 Rep. Gary Parry

18:16:40 **Motion:** Rep. Gary Parry moved that **HB 581 BE TABLED.**

Vote: Motion carried 10 - 5 by roll call vote with Rep. Cohenour, Rep. France, Rep. Karlen, Rep. Marler, Rep. Weatherwax, voting no.
Rep. Weatherwax, By Proxy

EXECUTIVE ACTION ON HB 473 - Provide selenium standard for Lake Kooconusa

18:17:09 **Motion:** Rep. Steve Gist moved that **HB 473 DO PASS.**

18:18:09 **Motion:** Rep. Steve Gist moved that **HB 473 BE AMENDED.**

Discussion:

18:20:10 Rep. Jill Cohenour

18:20:35 Joe Kolman

18:21:53 Rep. Steve Gunderson

18:25:27 Rep. Marilyn Marler

Vote: Motion carried 10 - 5 by roll call vote with Rep. Cohenour, Rep. France, Rep. Karlen, Rep. Marler, Rep. Weatherwax, voting no.
Rep. Weatherwax, By Proxy

18:27:09 **Motion:** Rep. Steve Gist moved that **HB 473 DO PASS AS AMENDED.**

Discussion:

18:27:18 Rep. Marilyn Marler

Vote: Motion carried 10 - 5 by roll call vote with Rep. Cohenour, Rep. France, Rep. Karlen, Rep. Marler, Rep. Weatherwax, voting no.
Rep. Weatherwax, By Proxy

EXECUTIVE ACTION ON HB 521 - Revising laws related to conservation licenses on state lands

18:29:41 **Motion:** Rep. Steve Gist moved that **HB 521 DO PASS.**

18:32:12 **Motion:** Rep. Steve Gist moved that **HB 521 BE AMENDED.**

Discussion:

18:32:25 Rep. Marty Malone

Vote: Motion carried 10 - 5 by roll call vote with Rep. Cohenour, Rep. France, Rep. Gunderson, Rep. Marler, Rep. Weatherwax, voting no.
Rep. Weatherwax, By Proxy

18:36:33 **Motion:** Rep. Steve Gist moved that **HB 521 DO PASS AS AMENDED.**

Vote: Motion carried 13 - 2 by roll call vote with Rep. France, Rep. Gunderson, voting no.

EXECUTIVE ACTION ON HB 520 - Interim study of private ponds

18:39:32 **Motion:** Rep. Steve Gist moved that **HB 520 DO PASS.**

Vote: Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 641 - Allow environmental impact reviews beyond Montana's borders

18:40:37 **Motion:** Rep. Steve Gist moved that **HB 641 DO PASS.**

Vote: Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 18:42:42

LJ Jennings, Secretary

Additional Documents: [EXHIBIT\(230220NAHaad\)](#)