

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

Call to Order: Chair Rep. Steve Gunderson-R, on February 24, 2023 at 4:26 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. Jill Cohenour (D)
Rep. Ross Fitzgerald (R)
Rep. Jedediah Hinkle (R)
Rep. Jonathan Karlen (D)
Rep. Rhonda Knudsen (R)
Rep. Marty Malone (R)
Rep. Russel Miner (R)
Rep. Gary Parry (R)
Rep. Kenneth Walsh (R)

Members Excused: Rep. Tom France (D)
Rep. Sue Vinton (R)
Rep. Marvin Weatherwax (D)

Staff Present: LJ Jennings, Secretary
Joe Kolman, Research Analyst
John Olson, 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 537 02/23/2023
HB 592 02/17/2023
HB 753 02/22/2023
HB 775 02/23/2023
HB 795 02/23/2023
HR 2 02/23/2023

Executive Action:

HB 537 TO TABLE

HB 586 DO PASS AS AMENDED
HB 642 PASS FOR
CONSIDERATION
HB 656 DO PASS AS AMENDED
HB 671 TO TABLE
HB 672 DO PASS AS AMENDED
HB 753 TO TABLE
HB 775 DO PASS
HB 795 DO PASS AS AMENDED
HR 2 DO PASS
HB 592 DO PASS AS AMENDED

HEARING ON HB 537 - Provide exception for use of oil/gas water

Opening Statement:

16:29:07 Rep. John Fitzpatrick (R), HD 77, opened the hearing on HB 537, Provide exception for use of oil/gas water.

Proponent Testimony:

None

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

None

Closing Statement:

16:31:59 Rep. John Fitzpatrick (R), HD 77, closed the hearing on HB 537.

EXECUTIVE ACTION ON HB 537 - Provide exception for use of oil/gas water

16:33:35 **Motion:** Rep. Steve Gist moved that **HB 537 DO PASS.**

16:33:43 **Motion:** Rep. Marty Malone moved that **HB 537 BE TABLED.**

Vote: Motion carried unanimously by voice vote.

HEARING ON HB 753 - Generally revise laws regulating coal ash

Opening Statement:

16:34:12 Rep. Jerry Schillinger (R), HD 37, opened the hearing on HB 753, Generally revise laws regulating coal ash.

Proponent Testimony:

16:36:01 Tony O'Donnell, Commissioner

16:39:24 Randy Pinocci, Public Service Commission District 1 (PSC)

Opponent Testimony:

16:42:44 Mark Taylor, Talen, Montana
EXHIBIT1
16:45:36 Peggy Trenk, Treasure State Resources Association (TSRA)
EXHIBIT2
16:47:21 Carolyn Canarios, Northern Plains Reservation Council
16:50:24 Ann Hedges, Montana Environmental Information Center (MEIC)
16:52:10 George Harris, Montana Coal Council

Informational Witness Testimony:

16:54:28 Nick Whitaker, Departmental Environmental Quality (DEQ)

Questions from Committee:

16:55:12 Rep. Gary Parry
16:55:47 Tony O'Donnell, Commissioner
16:59:41 Rep. Jerry Schillinger-R
17:00:09 Rep. Marilyn Marler
17:03:51 Rep. Steve Gist
17:04:15 Eric Whitaker, DEQ
17:04:59 Rep. Jill Cohenour
17:07:15 Randy Pinocci, PSC
17:08:57 Mark Taylor, Talen, MT
17:12:02 Rep. Steve Gunderson

Closing Statement:

17:17:19 Rep. Jerry Schillinger (R), HD 37, closed the hearing on HB 753.

HEARING ON HB 775 - Revise certain RRGL loan process

Opening Statement:

17:19:30 Rep. Mike Hopkins (R), HD 92, opened the hearing on HB 775, Revise certain RRGL loan process.

Proponent Testimony:

17:20:59 Anna Miller, Department of Natural Resources and Conservation (DNRC)

EXHIBIT3

17:23:37 Mike Murphy, Montana Water Resources District (MWRD)

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

17:27:36 Rep. Rhonda Knudsen

17:28:12 Anna Miller, DNRC

17:29:56 Rep. Steve Gunderson

17:31:12 Rep. Marilyn Marler

17:33:46 Rep. Jedediah Hinkle

17:35:55 Rep. Steve Gist

Closing Statement:

17:36:25 Rep. Mike Hopkins (R), HD 92, closed the hearing on HB 775.

HEARING ON HB 795 - Exempt Commerce, Coal Boards grants from MEPA

Opening Statement:

17:37:19 Rep. Paul Tuss (D), HD 28, opened the hearing on HB 795, Exempt Commerce, Coal Boards grants from MEPA.

Proponent Testimony:

17:39:47 Renee Lemon, Montana Department of Commerce
17:43:11 Kelly Lynch, Montana League of Cities and Towns (MLCT)
17:43:43 Eric Bryson, Montana Association of Counties (MAC)

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

None

Closing Statement:

17:44:54 Rep. Paul Tuss (D), HD 28, closed the hearing on HB 795.
17:45:40 Vice Chair Gist assumed position of the Chair.

HEARING ON HR 2 - Resolution supporting the CARD clinic

Opening Statement:

17:46:56 Rep. Steve Gunderson (R), HD 1, opened the hearing on HR 2, Resolution supporting the CARD clinic.

Proponent Testimony:

17:51:41 Jean Pfau McClellan, Center for Asbestos Related Disease (CARD)
17:55:30 Tracy McNew, Center of Asbestos Related Disease (CARD)
17:57:32 Dr. Brad Black, Center of Asbestos Related Disease (CARD)

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

18:03:45 Rep. Jedediah Hinkle
18:04:54 Rep. Steve Gunderson-R
18:04:56 Rep. Jill Cohenour
18:05:32 Dr Brad Black, CARD

Closing Statement:

18:09:14 Rep. Steve Gunderson (R), HD 1, closed the hearing on HR 2.
18:12:34 Chair Gunderson assumed position of the Chair.

HEARING ON HB 592 - Direct DEQ to allow the installation of certain new septic systems

Opening Statement:

18:12:50 Rep. Jedediah Hinkle (R), HD 67, opened the hearing on HB 592, Direct DEQ to allow the installation of certain new septic systems.

Proponent Testimony:

18:15:48 Ken Miller, Self

Opponent Testimony:

18:19:00 Shannon Therriault, Montana Environmental Health Association (MEHA)

Informational Witness Testimony:

18:21:22 Rachel Clark, Department of Environmental Quality (DEQ)

Questions from Committee:

18:22:11 Rep. Jill Cohenour
18:22:43 Rachel Clark, DEQ

Closing Statement:

18:23:04 Rep. Jedediah Hinkle (R), HD 67, closed the hearing on HB 592.
18:23:50 **Recessed**
19:10:39 **Reconvened**

EXECUTIVE ACTION ON HB 586 - Allow fossils found on state lands to be housed in local museums

- 19:12:46 **Motion:** Rep. Steve Gist moved that **HB 586 DO PASS.**
- 19:13:14 **Motion:** Rep. Steve Gist moved that **HB 586 BE AMENDED.**
Vote: Motion carried unanimously by voice vote.
- 19:15:08 **Motion:** Rep. Steve Gist moved that **HB 586 DO PASS AS AMENDED.**
Vote: Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 642 - Revise exempt wells laws

- 19:15:56 **Motion:** Rep. Steve Gist moved that **HB 642 DO PASS.**
Vote: Motion failed 10 - 5 by roll call vote with Rep. Cohenour, Rep. France, Rep. Karlen, Rep. Marler, Rep. Weatherwax, voting yes.
Rep. Weatherwax, By Proxy

- 19:18:51 **Motion:** Rep. Steve Gist moved that **HB 642 BE AMENDED.**

Discussion:

- 19:19:26 Rep. Jill Cohenour
- 19:19:32 Rep. Steve Gunderson
- 19:20:19 Rep. Marilyn Marler
- 19:21:05 Rep. Kenneth Walsh
- 19:21:58 Anna Pakenham-Stevenson, Dep. Natural Resources and Conversation (DNRC)
- 19:24:49 Rep. Tom France
Vote: Motion carried 9 - 6 by roll call vote with Rep. Cohenour, Rep. France, Rep. Karlen, Rep. Marler, Rep. Walsh, Rep. Weatherwax, voting no.
Rep. Weatherwax, By Proxy
- 19:28:36 **Motion:** Rep. Steve Gist moved that **HB 642 PASS FOR CONSIDERATION.**
Vote: Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 656 - Revise changes to coal mining operations

- 19:27:47 **Motion:** Rep. Steve Gist moved that **HB 656 DO PASS.**

19:29:17 **Motion:** Rep. Steve Gist moved that **HB 656 BE AMENDED.**

Vote: Motion carried unanimously by voice vote.

19:32:14 **Motion:** Rep. Steve Gist moved that **HB 656 DO PASS AS AMENDED.**

Vote: Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 671 - Generally revise environmental protection laws

19:33:02 **Motion:** Rep. Steve Gist moved that **HB 671 DO PASS.**

19:33:16 **Motion:** Rep. Marilyn Marler moved that **HB 671 BE TABLED.**

Vote: Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 672 - Generally revise environmental protection laws

19:34:07 **Motion:** Rep. Steve Gist moved that **HB 672 DO PASS.**

19:34:19 **Motion:** Rep. Steve Gist moved that **HB 672 BE AMENDED.**

Vote: Motion carried 14 - 1 by roll call vote with Rep. Cohenour, voting no.

19:37:44 **Motion:** Rep. Steve Gist moved that **HB 672 DO PASS AS AMENDED.**

Vote: Motion carried 13 - 2 by voice vote with Rep. Cohenour, Rep. Miner, voting no.

Rep. Miner, By Proxy

EXECUTIVE ACTION ON HB 753 - Generally revise laws regulating coal ash

19:38:50 **Motion:** Rep. Steve Gist moved that **HB 753 DO PASS.**

19:38:56 **Motion:** Rep. Rhonda Knudsen moved that **HB 753 BE TABLED.**

Vote: Motion carried 13 - 2 by voice vote with Rep. Cohenour, Rep. Hinkle, voting no.

EXECUTIVE ACTION ON HB 775 - Revise certain RRGL loan process

19:39:43 **Motion:** Rep. Steve Gist moved that **HB 775 DO PASS.**

Vote: Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 795 - Exempt Commerce, Coal Boards grants from MEPA

19:40:55 **Motion:** Rep. Steve Gist moved that **HB 795 DO PASS.**

19:41:03 **Motion:** Rep. Steve Gist moved that **HB 795 BE AMENDED.**

Vote: Motion carried unanimously by voice vote.

19:42:08 **Motion:** Rep. Steve Gist moved that **HB 795 DO PASS AS AMENDED.**

Vote: Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HR 2 - Resolution supporting the CARD clinic

19:43:00 **Motion:** Rep. Steve Gist moved that **HR 2 DO PASS.**

19:43:00 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 592 - Direct DEQ to allow the installation of certain new septic systems

19:44:01 **Motion:** Rep. Steve Gist moved that **HB 592 DO PASS.**

19:44:05 **Motion:** Rep. Steve Gist moved that **HB 592 BE AMENDED.**

Vote: Motion carried unanimously by voice vote.

19:44:57 **Motion:** Rep. Steve Gist moved that **HB 592 DO PASS AS AMENDED.**

Vote: Motion carried 14 - 1 by voice vote with Rep. Cohenour, voting no.

ADJOURNMENT

Adjournment: 19:46:09

LJ Jennings, Secretary

Additional Documents: [EXHIBIT\(230224NAHaad\)](#)