

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

**Call to Order:** Chair Steve Gunderson-R, on March 17, 2023 at 3:00 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. Tom France (D)  
Rep. Jedediah Hinkle (R)  
Rep. Marty Malone (R)  
Rep. Russel Miner (R)  
Rep. Gary Parry (R)  
Rep. Kenneth Walsh (R)

**Members Excused:** Rep. Jonathan Karlen (D)  
Rep. Rhonda Knudsen (R)  
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:

SB 42 03/09/2023  
SB 55 03/09/2023  
SB 215 03/13/2023

Executive Action:

SB 83  
SB 49  
SB 55  
SB 215



15:02:39 Vice Chair Gist has left  
15:02:58 **Recessed**  
15:05:22 **Reconvened**  
15:19:13 Rep. Karlen has arrived  
15:33:17 Vice Chair Gist has arrived

**HEARING ON SB 55 - Join Interstate Mining Compact Commission**

**Opening Statement:**

15:05:37 Sen. Steve Hinebauch (R), SD 18, opened the hearing on SB 55, Join Interstate Mining Compact Commission.

**Proponent Testimony:**

15:08:10 James Fehr, Department of Environmental Quality, (DEQ)  
15:12:09 Bill Snodey, Self  
15:15:21 Jon Bennion, Washington Companies  
15:16:33 Peggy Trenk, Treasure State Resources Association, (TSRA)  
15:17:15 Jon Sonju, Montana Mining Association, (MMA)  
15:17:51 Darryl James, Westmoreland Mining  
15:18:37 George Harris, Montana Coal Council  
15:19:31 Thomas Clarke, Interstate Mining Compact Commission, (IMCC)  
15:22:45 Heather McDowell, Sibanye-Stillwater Mining Company

**Opponent Testimony:**

15:24:58 Caroline Canarios, Northern Plains Council, (NPC)  
15:25:47 Derf Johnson, Montana Environmental Information Center, (MEIC)

[EXHIBIT\(230317NAHa1\)](#)

**Informational Witness Testimony:**

None

**Questions from Committee:**

15:30:30	Rep. Gary Parry
15:31:44	James Fehr, DEQ
15:31:53	Rep. Tom France
15:32:29	Thomas Clarke, IMCC
15:34:41	Rep. Tom France
15:35:10	Thomas Clarke, IMCC
15:37:41	Rep. Tom France
15:38:07	Chair Steve Gunderson
15:38:19	Caroline Canarios, NPC
15:39:46	Chair Steve Gunderson
15:40:00	Caroline Canarios, NPC
15:40:20	Chair Steve Gunderson
15:40:28	James Fehr, DEQ
15:40:38	Chair Steve Gunderson
15:40:53	James Fehr, DEQ
15:41:11	Chair Steve Gunderson
15:41:14	James Fehr, DEQ
15:41:36	Chair Steve Gunderson

**Closing Statement:**

15:42:01	Sen. Steve Hinebauch (R), SD 18, closed the hearing on SB 55.
----------	---

**HEARING ON SB 42 - Revise laws related to easements on state lands**

**Opening Statement:**

15:43:04 Sen. Steve Hinebauch (R), SD 18, opened the hearing on SB 42, Revise laws related to easements on state lands.

**Proponent Testimony:**

15:44:45 Ryan Weiss, Department of Natural Resources and Conservation, (DNRC)

**Opponent Testimony:**

None

**Informational Witness Testimony:**

None

**Questions from Committee:**

15:49:51 Rep. Marty Malone  
15:50:43 Ryan Weiss, DNRC  
15:51:38 Rep. Marty Malone  
15:51:56 Ryan Weiss, DNRC  
15:52:22 Chair Steve Gunderson  
15:52:23 Joe Kolman  
15:53:04 Ryan Weiss, DNRC  
15:53:38 Rep. Marty Malone  
15:53:50 Ryan Weiss, DNRC  
15:54:06 Rep. Tom France  
15:54:28 Ryan Weiss, DNRC  
15:55:01 Rep. Tom France  
15:55:18 Ryan Weiss, DNRC  
15:55:56 Rep. Tom France

15:56:22 Ryan Weiss, DNRC

15:57:20 Rep. Tom France

15:57:53 Chair Steve Gunderson

15:58:32 Ryan Weiss, DNRC

**Closing Statement:**

15:59:15 Sen. Steve Hinebauch (R), SD 18, closed the hearing on SB 42.

**HEARING ON SB 215 - Revise DEQ rule ARM 17.36.328 to require connection from proposed subdivision**

**Opening Statement:**

16:00:27 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 215, Revise DEQ rule ARM 17.36.328 to require connection from proposed subdivision.

**Discussion:**

[EXHIBIT\(230317NAHa2\)](#)

**Proponent Testimony:**

16:04:12 John Sinrud, Self

16:07:40 Derf Johnson, Montana Environmental Information Center, (MEIC)

**Opponent Testimony:**

None

**Informational Witness Testimony:**

16:08:54 Rachel Clark, Department of Environmental Quality, (DEQ)

**Questions from Committee:**

16:09:32 Rep. Marty Malone

16:09:54 Sen. Steve Fitzpatrick-R

16:10:51 Rep. Marty Malone

16:10:55 Sen. Steve Fitzpatrick-R

16:11:28 Vice Chair Marilyn Marler  
16:12:02 John Sinrud  
16:14:01 Rep. Jedediah Hinkle  
16:14:37 Rachel Clark, DEQ  
16:15:16 Rep. Jedediah Hinkle  
16:15:24 Rep. Kenneth Walsh  
16:15:57 John Sinrud  
16:17:16 Rep. Jill Cohenour  
16:17:44 Sen. Steve Fitzpatrick-R  
16:18:14 Rep. Jill Cohenour  
16:18:22 Sen. Steve Fitzpatrick-R  
16:18:39 Rep. Gary Parry  
16:18:56 Sen. Steve Fitzpatrick-R  
16:19:09 Rep. Tom France  
16:19:35 Sen. Steve Fitzpatrick-R  
16:19:56 Rep. Tom France  
16:20:18 Rachel Clark, DEQ  
16:21:00 Rep. Jill Cohenour  
16:21:33 Rachel Clark, DEQ  
16:21:54 Rep. Jill Cohenour  
16:22:35 Rachel Clark, DEQ  
16:23:04 Rep. Jill Cohenour  
16:23:30 Sen. Steve Fitzpatrick-R  
16:23:54 Rep. Jonathan Karlen

16:24:48 Sen. Steve Fitzpatrick-R

**Closing Statement:**

16:25:48 Sen. Steve Fitzpatrick (R), SD 10, closed the hearing on SB 215.

16:28:42 **Recessed**

16:30:43 **Reconvened**

**EXECUTIVE ACTION ON SB 83 - Create western Montana conservation commission**

16:51:23 **Motion:** Vice Chair Steve Gist moved that **SB 83 TO TAKE FROM THE TABLE.**

10:12:38 **Vote:** Motion carried unanimously by voice vote.

16:52:38 **Motion:** Vice Chair Steve Gist moved that **SB 83 BE CONCURRED IN.**

16:52:47 **Motion:** Rep. Tom France moved that **SB 83 BE AMENDED.**

**Discussion:**

16:53:52 Chair Steve Gunderson

10:12:38 **Vote:** Motion carried unanimously by voice vote.

16:54:44 **Motion:** Vice Chair Steve Gist moved that **SB 83 BE CONCURRED IN AS AMENDED.**

10:12:38 **Vote:** Motion carried unanimously by voice vote.

16:54:44 **Carrier Assigned:** Rep. Steve Gunderson

**EXECUTIVE ACTION ON SB 49 - Generally revise cabin site sales**

16:55:52 **Motion:** Vice Chair Steve Gist moved that **SB 49 BE CONCURRED IN.**

10:12:38 **Vote:** Motion carried 14 - 1 by voice vote with Rep. Fitzgerald, voting no.

16:55:52 **Carrier Assigned:** Rep. Gary Parry

**EXECUTIVE ACTION ON SB 55 - Join Interstate Mining Compact Commission**

16:56:38 **Motion:** Vice Chair Steve Gist moved that **SB 55 BE CONCURRED IN.**

**Discussion:**

16:57:31 Chair Steve Gunderson

16:57:32 Rep. Jill Cohenour  
10:12:38 **Vote:** Motion carried unanimously by voice vote.  
16:56:38 **Carrier Assigned:** Rep. Steve Gist

**EXECUTIVE ACTION ON SB 215 - Revise DEQ rule ARM 17.36.328 to require connection from proposed subdivision**

17:00:14 **Motion:** Vice Chair Steve Gist moved that **SB 215 BE CONCURRED IN.**

**Discussion:**

17:01:11 Rep. Tom France  
17:01:13 Rep. Marty Malone  
17:01:16 Vice Chair Marilyn Marler  
17:01:37 Rep. Jill Cohenour  
17:02:03 Chair Steve Gunderson  
10:12:38 **Vote:** Motion carried 14 - 1 by voice vote with Rep. France, voting no.  
17:00:14 **Carrier Assigned:** Rep. Jedediah Hinkle

**ADJOURNMENT**

Adjournment: 17:04:15

---

LJ Jennings, Secretary

Additional Documents: [EXHIBIT\(230317NAHaad\)](#)