

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

**Call to Order:** Chair Steve Gunderson-R, on March 27, 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. Jill Cohenour (D)  
Rep. Ross Fitzgerald (R)  
Rep. Tom France (D)  
Rep. Jonathan Karlen (D)  
Rep. Marty Malone (R)  
Rep. Russel Miner (R)  
Rep. Gary Parry (R)  
Rep. Kenneth Walsh (R)

**Members Excused:** Rep. Jedediah Hinkle (R)  
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:

HB 827 03/17/2023

SB 285 03/16/2023

SB 398 03/16/2023

Executive Action:

SB 240

SB 426

SB 448

SB 398

HB 827 TO TABLE

15:04:59            **Recessed**

15:19:09            **Reconvened**

**HEARING ON SB 285 - Revise subdivision sanitation laws**

**Opening Statement:**

15:19:28            Sen. Carl Glimm (R), SD 6, opened the hearing on SB 285, Revise subdivision sanitation laws.

**Proponent Testimony:**

15:26:21            Jeff Larsen, Montana Environmental Consultants Association, (MECA)

[EXHIBIT\(230327NAHa1\)](#)

[EXHIBIT\(230327NAHa2\)](#)

[EXHIBIT\(230327NAHa3\)](#)

15:31:37            Tobias Liechti, Self

15:32:55            Rick Breckenridge, Proctor Montana

[EXHIBIT\(230327NAHa4\)](#)

15:36:55            Mikel Siemens, Self

15:39:14            Barb Kingery, Self

15:40:45            Randy Brodehl, Flathead County Commissioner

15:42:45            Erica Wirtala, Northwest Montana Association of Realtors, (NMAR)

**Opponent Testimony:**

15:45:55            Lindsey Krywaruchka, Department of Environmental Quality, (DEQ)

[EXHIBIT\(230327NAHa5\)](#)

15:47:33            Thomas Jodoin, Montana League of Cities and Towns, (MLCT)

15:49:51 Shannon Therriault, Montana Environmental Health Association, (MEHA)

15:53:28 Derf Johnson, Montana Environmental Information Center, (MEIC)

15:55:14 Amy Seaman, Montana Audubon

**Informational Witness Testimony:**

None

**Questions from Committee:**

15:58:34 Rep. Jill Cohenour

15:59:26 Thomas Jodoin, MLCT

16:01:51 Rep. Marty Malone

16:02:03 Jeff Larsen, MECA

16:02:39 Rep. Marty Malone

16:02:51 Jeff Larsen, MECA

16:03:07 Vice Chair Marilyn Marler

16:03:28 Sen. Carl Glimm-R

16:04:30 Vice Chair Marilyn Marler

16:04:46 Sen. Carl Glimm-R

16:04:58 Vice Chair Marilyn Marler

16:05:25 Sen. Carl Glimm-R

16:05:35 Vice Chair Marilyn Marler

16:05:58 Sen. Carl Glimm-R

16:06:11 Rachel Clark, Department of Environmental Quality, (DEQ)

16:06:39 Vice Chair Marilyn Marler

16:07:03 Rachel Clark, DEQ

16:07:23 Rep. Gary Parry

16:08:02 Rachel Clark, DEQ

16:08:52 Rep. Gary Parry

16:09:09 Rachel Clark, DEQ

16:09:33 Rep. Gary Parry

16:09:45 Rachel Clark, DEQ

16:10:17 Rep. Jill Cohenour

16:11:02 Sen. Carl Glimm-R

16:11:31 Rep. Jill Cohenour

16:11:58 Rachel Clark, DEQ

16:12:52 Rep. Jill Cohenour

16:13:13 Rachel Clark, DEQ

16:13:44 Rep. Jill Cohenour

16:13:49 Rachel Clark, DEQ

16:14:39 Rep. Gary Parry

16:15:17 Rachel Clark, DEQ

16:16:09 Rep. Gary Parry

16:16:41 Barb Kingery

16:19:50 Chair Steve Gunderson

16:20:16 Barb Kingery

16:20:58 Chair Steve Gunderson

16:21:25 Rachel Clark, DEQ

16:22:22 Vice Chair Marilyn Marler

16:23:07 Rachel Clark, DEQ

16:23:26 Vice Chair Marilyn Marler

16:23:39 Rachel Clark, DEQ

16:23:47 Rep. Gary Parry  
16:24:36 Jeff Larsen, MECA  
16:25:01 Rep. Tom France  
16:26:13 Jeff Larsen, MECA

**Closing Statement:**

16:26:41 Sen. Carl Glimm (R), SD 6, closed the hearing on SB 285.

**HEARING ON SB 398 - Establish a Montana coordinate system for property**

**Opening Statement:**

16:27:48 Sen. Bruce Gillespie (R), SD 9, opened the hearing on SB 398, Establish a Montana coordinate system for property.

**Proponent Testimony:**

16:31:34 Evan Hammer, Montana State Library, (MSL)  
16:32:35 Shannon Marinko, Montana Association of Land Surveyors, (MARLS)  
16:33:23 Troy Jenson, Board of Professional Engineers and Professional Land Surveyors, (PE/PLS)  
16:35:24 Wallace Gladstone, Self

**Opponent Testimony:**

None

**Informational Witness Testimony:**

16:38:32 Ryan Dahlke, Department of Transportation, (DOT)  
16:38:58 Brain Shaw, National Geodetic Survey (NGS)

**Questions from Committee:**

16:39:44 Rep. Tom France  
16:40:38 Evan Hammer, MSL  
16:41:24 Shannon Marinko, MARLS

16:41:55 Rep. Tom France  
16:42:04 Shannon Marinko, MARLS  
16:42:24 Brian Shaw, NGS  
16:43:51 Rep. Kenneth Walsh  
16:44:25 Evan Hammer, MSL  
16:44:50 Rep. Gary Parry  
16:45:15 Sponsor  
16:46:28 Chair Steve Gunderson  
16:46:32 Brian Shaw, NGS  
16:47:09 Brian Shaw, NGS  
16:49:05 Chair Steve Gunderson  
16:49:23 Wallace Gladstone  
16:50:52 Chair Steve Gunderson  
16:50:59 Evan Hammer, MSL

**Closing Statement:**

16:51:33 Sen. Bruce Gillespie (R), SD 9, closed the hearing on SB 398.  
  
16:52:27 **Recessed**  
  
16:55:03 **Reconvened**

**HEARING ON HB 827 - Appropriate funds for waterworks at new treatment plant in  
Yellowstone County**

**Opening Statement:**

16:55:08 Rep. Larry Brewster (R), HD 44, opened the hearing on HB 827,  
Appropriate funds for waterworks at new treatment plant in Yellowstone  
County.

**Discussion:**

[EXHIBIT\(230327NAHa6\)](#)

**Proponent Testimony:**

16:56:51 Chris Kukulski, City Administrator, Billings  
17:00:01 Stacy Robinson, Yellowstone Conservation District, (YCD)

[EXHIBIT\(230327NAHa7\)](#)

17:04:29 Sherry Essmann, Representative, HD 52  
17:06:53 Allison Corbyn, Big Sky Economic Development, (BSED)  
17:09:12 Thomas Jodoin, Montana League of Cities and Towns, (MLCT)  
17:10:55 David Smith, Montana Contractors Association, (MCA)  
17:12:00 Jack Jennaway, Billings Chamber of Commerce  
17:14:32 John Ostlund, Yellowstone County Commissioner

**Opponent Testimony:**

None

**Informational Witness Testimony:**

None

**Questions from Committee:**

17:16:43 Rep. Gary Parry  
17:17:13 Stacy Robinson, YCD  
17:17:25 Rep. Gary Parry  
17:17:42 Stacy Robinson, YCD  
17:18:22 Rep. Marty Malone  
17:18:43 Rep. Larry Brewster-R

**Closing Statement:**

17:19:32 Rep. Larry Brewster (R), HD 44, closed the hearing on HB 827.

17:23:08           **Recessed**

17:38:31           Vice Chair Gist has left

17:38:46           **Reconvened**

17:41:06           Rep. Karlen has left

17:41:30           Rep. Hinkle has arrived

17:44:57           Rep. France has left

**EXECUTIVE ACTION ON SB 240 - Exempt certain subdivisions from environmental review**

17:51:18           **Motion:** Vice Chair Marilyn Marler moved that **SB 240 BE CONCURRED IN.**

11:16:45           **Vote:** Motion carried 10 - 5 by roll call vote with Rep. Cohenour, Rep. France, Rep. Karlen, Rep. Marler, Rep. Weatherwax, voting no.  
Rep. France, Rep. Karlen, Rep. Weatherwax, By Proxy

17:51:18           **Carrier Assigned:** Rep. Marty Malone

**EXECUTIVE ACTION ON SB 426 - Revising the definition of natural gas**

17:53:40           **Motion:** Vice Chair Steve Gist moved that **SB 426 BE CONCURRED IN.**

11:16:45           **Vote:** Motion carried unanimously by voice vote.

17:53:40           **Carrier Assigned:** Rep. Gary Parry

**EXECUTIVE ACTION ON SB 448 - Clarify law on immediate attendance for slash burning**

17:54:44           **Motion:** Vice Chair Steve Gist moved that **SB 448 BE CONCURRED IN.**

17:54:57           **Motion:** Vice Chair Steve Gist moved that **SB 448 BE AMENDED.**

11:16:45           **Vote:** Motion carried unanimously by voice vote.

17:56:12           **Motion:** Vice Chair Steve Gist moved that **SB 448 BE CONCURRED IN AS AMENDED.**

11:16:45           **Vote:** Motion carried unanimously by voice vote.

17:56:12           **Carrier Assigned:** Rep. Steve Gist

**EXECUTIVE ACTION ON SB 398 - Establish a Montana coordinate system for property**

17:57:16 **Motion:** Vice Chair Steve Gist moved that **SB 398 BE CONCURRED IN.**

11:16:45 **Vote:** Motion carried unanimously by voice vote.

17:57:16 **Carrier Assigned:** Rep. Marty Malone

**EXECUTIVE ACTION ON HB 827 - Appropriate funds for waterworks at new treatment plant in Yellowstone County**

17:58:24 **Motion:** Vice Chair Steve Gist moved that **HB 827 DO PASS.**

11:16:45 **Vote:** Motion failed 12 - 3 by roll call vote with Rep. Malone, Rep. Parry, Rep. Vinton, voting yes.  
Rep. Vinton, By Proxy

17:59:40 **Motion:** Vice Chair Steve Gist moved that **HB 827 TO TABLE.**

11:16:45 **Vote:** Motion carried unanimously by voice vote.

**ADJOURNMENT**

Adjournment: 18:00:45

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LJ Jennings, Secretary

Additional Documents: [EXHIBIT\(230327NAHaad\)](#)