

MINUTES
MONTANA SENATE
68th LEGISLATURE - REGULAR SESSION
COMMITTEE ON (S) NATURAL RESOURCES

Call to Order: Chair Sen. Jeffrey Welborn-R, on February 24, 2023 at 3:59 PM, in 303

ROLL CALL

Members Present: Sen. Jeffrey Welborn, Chair (R)
Sen. Shane Morigeau, Vice Chair (D)
Sen. Walt Sales, Vice Chair (R)
Sen. Bob Brown (R)
Sen. Willis Curdy (D)
Sen. Pat Flowers (D)
Sen. Bruce Gillespie (R)
Sen. Mike Lang (R)
Sen. Ryan Lynch (D)

Members Excused: Sen. Jason Small (R)
Sen. Barry Usher (R)

Staff Present: Jason Mohr, Research Analyst
Jacelyn Sterling, Secretary

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 383 02/21/2023

SB 402 02/21/2023

SB 448 02/22/2023

Executive Action:

SB 383 DO PASS

SB 402 DO PASS

SB 448 DO PASS

SB 261 TO TABLE

SB 316 TO TABLE

SB 426 DO PASS AS AMENDED

HEARING ON SB 448 - Clarify law on immediate attendance for slash burning

Opening Statement:

16:00:25 Sen. Mike Cuffe (R), SD 1, opened the hearing on SB 448, Clarify law on immediate attendance for slash burning.

Proponent Testimony:

16:03:01 Jason Todhunter, Montana Logging Association

[EXHIBIT\(230224NASa1\)](#)

16:08:14 Julia Altemus, Montana Logging Association

Opponent Testimony:

None

Informational Witness Testimony:

16:09:19 Shawn Thomas, Division Forestry trust funds Division DNRC

16:09:52 Bo Wilkins, Department of Environment Quality (DEQ)

Questions from Committee:

16:10:32 Sen. Bob Brown

16:10:36 Sen. Barry Usher joined the meeting.

16:11:12 Shawn Thomas, DNRC

16:11:44 Sen. Jeffrey Welborn left the meeting.

Closing Statement:

16:11:52 Sen. Mike Cuffe (R), SD 1, closed the hearing on SB 448.

HEARING ON SB 383 - Require DEQ to study septic

Opening Statement:

16:13:28 Sen. Greg Hertz (R), SD 12, opened the hearing on SB 383, Require DEQ to study septics.

Proponent Testimony:

16:20:23 Collin Cooney, Trout Unlimited

16:21:06 Mike Koopal, Whitefish Lake Institute

16:24:59 Nick Banish, Gallatin County Local Water Quality District

[EXHIBIT\(230224NASa2\)](#)

Opponent Testimony:

None

Informational Witness Testimony:

16:30:58 Lyndsey Krywaruchak, Water Quality Administrator, Department of Environmental Quality (DEQ)

16:31:17 Mark Bostrom, Department of Natural Resources (DNRC)

[EXHIBIT\(230224NASa3\)](#)

16:32:11 Shawn Zowland, Department of Environmental (DEQ)

16:32:56 Eric Siver, Water Protection Bureau, Department of Environmental Quality (DEQ)

16:33:21 Andy Ulven, Water Quality Planning Bureau Chief, Department of Environmental Quality(DEQ)

Questions from Committee:

16:15:40 Sen. Usher has arrived

16:34:08 Sen. Bruce Gillespie

16:34:53 Sen. Jeffrey Welborn

16:36:10 Sen. Willis Curdy

16:36:42 Sen. Mike Lang

16:37:07 Sen. Greg Hertz-R

16:37:36 Sen. Walt Sales

16:37:59 Sen. Greg Hertz-R
16:38:16 Sen. Bob Brown
16:40:42 Sen. Greg Hertz-R
16:41:22 Sen. Shane Morigeau
16:43:28 Sen. Greg Hertz-R
16:44:33 Sen. Shane Morigeau

Closing Statement:

16:45:07 Sen. Greg Hertz (R), SD 12, closed the hearing on SB 383.

HEARING ON SB 402 - Allow for firefighter hazard pay

Opening Statement:

16:47:50 Sen. Willis Curdy (D), SD 98, opened the hearing on SB 402, Allow for firefighter hazard pay.

Proponent Testimony:

None

Opponent Testimony:

None

Informational Witness Testimony:

16:52:24 Shawn Thomas, DNRC

Questions from Committee:

16:53:09 Sen. Barry Usher joined the meeting.
16:53:12 Sen. Barry Usher
16:53:26 Sen. Willis Curdy
16:54:39 Sen. Pat Flowers
16:55:00 Sen. Willis Curdy-D

16:56:14 Shawn Thomas, DNRC
16:57:09 Sen. Pat Flowers
16:57:27 Shawn Thomas, DNRC
16:58:04 Sen. Walt Sales
16:58:30 Sen. Willis Curdy-D
16:59:33 Sen. Walt Sales
16:59:58 Sen. Willis Curdy-D
17:01:01 Sen. Walt Sales
17:02:03 Sen. Mike Lang
17:02:56 Matt Hall, DNRC
17:03:56 Sen. Bob Brown
17:04:25 Matt Hall, DNRC
17:04:46 Sen. Bob Brown
17:05:19 Sen. Ryan Lynch
17:05:55 Matt Hall, DNRC
17:06:32 Sen. Bob Brown
17:07:04 Sen. Willis Curdy-D
17:07:43 Sen. Bob Brown
17:08:47 Matt Hall, DNRC

Closing Statement:

17:09:08 Sen. Willis Curdy (D), SD 98, closed the hearing on SB 402.

EXECUTIVE ACTION ON SB 383 - Require DEQ to study septic

17:13:51 **Motion:** Sen. Walt Sales moved that **SB 383 DO PASS.**

17:13:51 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 402 - Allow for firefighter hazard pay

17:14:36 **Motion:** Sen. Walt Sales moved that **SB 402 DO PASS.**

Discussion:

17:14:50 Sen. Shane Morigeau

17:17:16 Sen. Bob Brown

17:18:16 Sen. Mike Lang

17:14:36 **Vote:** Motion carried unanimously by voice vote.

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

17:19:06 **Motion:** Sen. Walt Sales moved that **SB 448 DO PASS.**

17:19:06 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 261 - Revise objections to water rights application

17:20:09 **Motion:** Sen. Walt Sales moved that **SB 261 DO PASS.**

Discussion:

17:21:18 Sen. Ryan Lynch

17:21:39 Sen. Bob Brown

17:22:46 Sen. Walt Sales

17:20:09 **Vote:** Motion failed 7 - 4 by roll call vote with Sen. Brown, Sen. Gillespie, Sen. Small, Sen. Usher, voting yes.
Sen. Small, By Proxy

17:24:21 **Motion:** Sen. Shane Morigeau moved that **SB 261 TO TABLE.**

17:24:21 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 316 - Require public comment for air quality registrations

17:24:53 **Motion:** Sen. Willis Curdy moved that **SB 316 DO PASS.**

17:25:57 **Motion:** Sen. Willis Curdy moved that **SB 316 BE AMENDED.**

Discussion:

17:27:12 Sen. Shane Morigeau

17:25:57 **Vote:** Motion carried unanimously by voice vote.

17:28:19 **Motion:** Sen. Willis Curdy moved that **SB 316 DO PASS AS AMENDED.**

Discussion:

17:28:35 Sen. Shane Morigeau

17:29:00 Sen. Mike Lang

17:29:11 Sen. Walt Sales

17:28:19 **Vote:** Motion failed 7 - 4 by roll call vote with Sen. Curdy, Sen. Flowers, Sen. Lynch, Sen. Morigeau, voting yes.

17:30:21 **Motion:** Sen. Shane Morigeau moved that **SB 316 TO TABLE.**

17:30:21 **Vote:** Motion carried unanimously by voice vote.

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

17:31:09 **Motion:** Sen. Walt Sales moved that **SB 426 DO PASS.**

17:31:32 **Motion:** Sen. Walt Sales moved that **SB 426 BE AMENDED.**

Discussion:

17:32:29 Sen. Bob Brown

17:31:32 **Vote:** Motion carried unanimously by voice vote.

17:33:29 **Motion:** Sen. Ryan Lynch moved that **SB 426 BE AMENDED.**

Discussion:

17:34:10 Sen. Jeffrey Welborn

17:34:34 Sen. Mike Lang

17:34:44 Sen. Ryan Lynch

17:35:04 Sen. Mike Lang

17:36:16 Sen. Ryan Lynch

17:37:16 Sen. Mike Lang
17:37:34 Sen. Jeffrey Welborn
17:37:47 Jason Mohr
17:38:26 Sen. Ryan Lynch
17:38:47 Sen. Barry Usher joined the meeting.
17:38:55 Jason Mohr
17:39:04 Sen. Ryan Lynch
17:33:29 **Vote:** Motion carried 10 - 1 by voice vote with Sen. Lang, voting no.
17:39:54 **Motion:** Sen. Walt Sales moved that **SB 426 DO PASS AS AMENDED.**
17:39:54 **Vote:** Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 17:42:01

Jacelyn Sterling, Secretary

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