

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

**Call to Order:** Chair Walt Sales-R, on April 12, 2023 at 3:12 PM, in 303

**ROLL CALL**

**Members Present:** 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. Jason Small (R)

**Members Excused:** Sen. Ryan Lynch (D)  
Sen. Barry Usher (R)  
Sen. Jeffrey Welborn (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:

HB 870 04/07/2023  
HB 924 04/06/2023  
HB 928 04/07/2023

Executive Action:

HB 460 BE CONCURRED IN  
HB 520 BE CONCURRED IN AS  
AMENDED  
HB 656 BE CONCURRED IN  
HB 576 TO TABLE  
HB 561 BE CONCURRED IN AS  
AMENDED

**HEARING ON HB 928 - Clarify BOGC authority over produced waters**

**Opening Statement:**

15:14:17 Rep. John Fitzpatrick (R), HD 77, opened the hearing on HB 928, Clarify BOGC authority over produced waters.

**Discussion:**

[EXHIBIT\(230412NASa1\)](#)

**Proponent Testimony:**

15:18:05 Alan Olsen, Montana Petroleum Association

15:20:52 Chair Jeffrey Welborn joined the meeting.

**Opponent Testimony:**

None

**Informational Witness Testimony:**

None

**Questions from Committee:**

15:24:29 Sen. Bruce Gillespie

15:26:24 Alan Olsen, Montana Petroleum Association

15:27:14 Sen. Bruce Gillespie

**Closing Statement:**

15:28:02 Rep. John Fitzpatrick (R), HD 77, closed the hearing on HB 928.

15:54:54 Chair Welborn has arrived

**HEARING ON HB 870 - Revise tax rate for agricultural property owned by certain nonprofits**

**Opening Statement:**

15:28:49 Rep. Brandon Ler (R), HD 35, opened the hearing on HB 870, Revise tax rate for agricultural property owned by certain nonprofits.

**Proponent Testimony:**

15:30:27 Charles Denowh, United Property Owners of Montana

[EXHIBIT\(230412NASa2\)](#)

**Opponent Testimony:**

15:34:41 Angel DeVries, Ranchers Stewardship Alliance

15:37:27 Dick Dolan, Northern Rockies Trust for Public Land

15:38:47 Liz Moore, Montana Nonprofit Association

15:42:32 Pat Bousliman, Montana Association of Land Trust

15:44:53 Krista-Lee Evans, Association Gallatin Agriculture and Irrigators

15:45:47 Mary Hollow, Executive Director, Prickly Pear Land Trust

15:49:16 Mark Aagenes, Nature Conservancy

15:50:36 Peggy Trenk, Rocky Mountain Elk Foundation

15:51:43 Tom Baumeister, Montana Chapter of Hunters and Anglers

**Informational Witness Testimony:**

15:53:46 Bryce Kaatz, Property Assessment Division

15:53:58 Bonny Hamilton, Department of Revenue (DOR)

**Questions from Committee:**

15:54:40 Sen. Bruce Gillespie

15:55:30 Rep. Brandon Ler-R

15:56:15 Sen. Bruce Gillespie

15:57:04 Rep. Brandon Ler-R

15:58:31 Sen. Pat Flowers

15:59:11 Bonny Hamilton, DOR

15:59:51 Sen. Pat Flowers

16:00:15 Bonny Hamilton, DOR

16:00:45 Sen. Pat Flowers  
16:00:59 Unknown  
16:01:56 Sen. Pat Flowers  
16:02:26 Rep. Brandon Ler-R  
16:02:41 Sen. Pat Flowers  
16:02:51 Rep. Brandon Ler-R  
16:03:16 Sen. Mike Lang  
16:03:49 Harlow, Prickly Pear Land Trust  
16:04:10 Sen. Mike Lang  
16:04:24 Harlow, Prickly Pear Land Trust

**Closing Statement:**

16:05:17 Rep. Brandon Ler (R), HD 35, closed the hearing on HB 870.  
  
16:07:57 Sen. Curdy has left  
16:08:03 Sen. Small has left

**HEARING ON HB 924 - Prohibit lease or transfer of water right out of state until 2048**

**Opening Statement:**

16:06:37 Rep. Matt Regier (R), HD 4, opened the hearing on HB 924, Prohibit lease or transfer of water right out of state until 2048.

**Proponent Testimony:**

16:09:20 John Metropolis, self

**Opponent Testimony:**

16:13:28 John Blomquist, Attorney

**Informational Witness Testimony:**

None

**Questions from Committee:**

16:21:37	Sen. Bruce Gillespie
16:22:16	Rep. Matt Regier-R
16:22:42	Sen. Bruce Gillespie
16:23:12	Sen. Bob Brown
16:23:32	John Metropolis
16:24:30	Sen. Bob Brown
16:24:52	John Metropolis
16:25:10	Sen. Mike Lang
16:25:42	John Metropolis
16:26:15	Vice Chair Walt Sales
16:26:44	Rep. Matt Regier-R
16:27:28	Vice Chair Walt Sales
16:27:47	Rep. Matt Regier-R
16:28:11	Vice Chair Walt Sales
16:28:19	John Metropolis
16:28:56	Vice Chair Walt Sales
16:29:29	John Metropolis
16:29:59	Vice Chair Walt Sales
16:30:36	John Bloomquist
16:33:02	Vice Chair Walt Sales
16:33:24	John Bloomquist
16:33:58	Vice Chair Walt Sales
16:34:30	John Bloomquist

16:37:01 Vice Chair Walt Sales

16:37:14 Chair Jeffrey Welborn

16:38:03 John Bloomquist

**Closing Statement:**

16:39:24 Rep. Matt Regier (R), HD 4, closed the hearing on HB 924.

16:44:45 **Recessed**

17:04:36 **Reconvened**

**EXECUTIVE ACTION ON HB 460 - Revise transfer of hard rock mining permits**

17:05:29 **Motion:** Vice Chair Walt Sales moved that **HB 460 BE CONCURRED IN.**

17:05:29 **Vote:** Motion carried unanimously by voice vote.

17:05:29 **Carrier Assigned:** Sen. Bob Brown

**EXECUTIVE ACTION ON HB 520 - Interim study of private ponds**

17:06:55 **Motion:** Vice Chair Walt Sales moved that **HB 520 BE CONCURRED IN.**

17:08:33 **Motion:** Sen. Barry Usher moved that **HB 520 BE AMENDED.**

**Discussion:**

17:09:05 Sen. Barry Usher

17:09:27 Chair Jeffrey Welborn

17:09:33 Sen. Bob Brown

17:10:05 Sen. Pat Flowers

17:10:38 Vice Chair Walt Sales

17:10:54 Jason Mohr

17:11:38 Vice Chair Shane Morigeau

17:08:33 **Vote:** Motion carried unanimously by voice vote.

17:12:27 **Motion:** Vice Chair Walt Sales moved that **HB 520 BE AMENDED.**

**Discussion:**

- 17:13:11 Sen. Willis Curdy joined the meeting.
- 17:12:27 **Vote:** Motion carried unanimously by voice vote.
- 17:14:00 **Motion:** Vice Chair Walt Sales moved that **HB 520 BE CONCURRED IN AS AMENDED.**
- Discussion:**
- 17:14:14 Sen. Mike Lang
- 17:14:39 Chair Jeffrey Welborn
- 17:14:50 Sen. Bruce Gillespie
- 17:15:31 Jason Mohr
- 17:16:09 Sen. Bruce Gillespie
- 17:16:24 Sen. Barry Usher
- 17:16:39 Jason Mohr
- 17:16:44 Sen. Bob Brown
- 17:17:00 **Vote:** Motion carried unanimously by voice vote.
- 17:14:00 **Carrier Assigned:** Sen. Pat Flowers

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

- 17:17:47 **Motion:** Vice Chair Walt Sales moved that **HB 656 BE CONCURRED IN.**
- Discussion:**
- 17:18:53 Vice Chair Shane Morigeau
- 17:19:01 Jason Mohr
- 17:19:52 Sen. Willis Curdy
- 17:20:36 Chair Jeffrey Welborn
- 17:20:47 Sen. Bruce Gillespie
- 17:17:47 **Vote:** Motion carried 6 - 5 by voice vote with Sen. Curdy, Sen. Flowers, Sen. Gillespie, Sen. Lynch, Sen. Morigeau, voting no.  
Sen. Lynch, By Proxy
- 17:17:47 **Carrier Assigned:** Sen. Jason Small

**EXECUTIVE ACTION ON HB 576 - Revise laws related to water and coal mining**

- 17:22:48 **Motion:** Vice Chair Walt Sales moved that **HB 576 BE CONCURRED IN.**

**Discussion:**

17:23:39 Sen. Jason Small joined the meeting.

17:24:20 Sen. Barry Usher

17:26:28 **Motion:** Vice Chair Walt Sales moved that **HB 576 BE AMENDED.**

**Discussion:**

17:26:56 Jason Mohr

17:27:58 Vice Chair Walt Sales

17:26:28 **Vote:** Motion carried unanimously by voice vote.

17:29:33 **Motion:** Vice Chair Walt Sales moved that **HB 576 BE CONCURRED IN AS AMENDED.**

**Discussion:**

17:30:26 Sen. Willis Curdy

17:30:27 Vice Chair Walt Sales

17:31:09 Sen. Pat Flowers

17:32:24 Sen. Barry Usher

17:33:31 Sonja Nowakowski, DEQ

17:29:33 **Vote:** Motion failed 6 - 5 by voice vote with Sen. Brown, Sen. Lang, Sen. Sales, Sen. Small, Sen. Usher, voting yes.

17:34:39 **Motion:** Vice Chair Walt Sales moved that **HB 576 TO TABLE.**

17:34:39 **Vote:** Motion carried 9 - 2 by voice vote with Sen. Lang, Sen. Usher, voting no.

**EXECUTIVE ACTION ON HB 561 - Revise water discharge permitting**

17:35:17 **Motion:** Sen. Mike Lang moved that **HB 561 TO TAKE FROM THE TABLE.**

17:35:17 **Vote:** Motion carried 10 - 1 by voice vote with Sen. Gillespie, voting no.

17:36:24 **Motion:** Vice Chair Walt Sales moved that **HB 561 BE CONCURRED IN.**

**Discussion:**

17:36:43 Chair Jeffrey Welborn

17:37:07 Jason Mohr

17:38:23 Sen. Mike Lang

17:38:44 **Motion:** Vice Chair Walt Sales moved that **HB 561 BE AMENDED.**

17:38:44 **Vote:** Motion carried unanimously by voice vote.

17:39:01 **Motion:** Vice Chair Walt Sales moved that **HB 561 BE CONCURRED IN AS AMENDED.**

17:39:01 **Vote:** Motion carried 9 - 2 by voice vote with Sen. Curdy, Sen. Flowers, voting no.

17:39:01 **Carrier Assigned:** Sen. Mike Lang

## **ADJOURNMENT**

Adjournment: 17:41:54

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Jacelyn Sterling, Secretary

Additional Documents: [EXHIBIT\(230412NASaad\)](#)