



# ENVIRONMENTAL QUALITY COUNCIL

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VIRGINIA COURT  
ED LIESER  
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SONJA NOWAKOWSKI, Research Analyst  
HOPE STOCKWELL, Research Analyst  
HELEN THIGPEN, Staff Attorney  
NADINE SPENCER, Secretary  
JOE KOLMAN, Legislative Environmental Analyst

## MINUTES LOG

SJR 4 Work Group  
Virginia City, Nevada City, Reeder's Alley

April 22, 2014

Room 172, Capitol Building  
Helena, Montana

Please note: These minutes provide abbreviated information about committee discussion, public testimony, action taken, and other activities. To the left of each section in these minutes is a time designation indicating the approximate amount of time in hours, minutes, and seconds that has elapsed since the start of the meeting. This time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

Access to an electronic copy of these minutes and the audio or video recording is provided from the Legislative Branch home page at <http://leg.mt.gov>. On the left-side menu of the home page, select *Committees*, then *Interim*. Once on the page for *Interim Committees*, scroll down to the appropriate committee. The written minutes summary, along with the audio and video recordings, are listed by meeting date on the interim committee's web page.

Hard copies of the exhibits for this meeting are available upon request. Legislative Council policy requires a charge of 15 cents a page for copies of the document.

### COMMITTEE MEMBERS PRESENT

SEN. JIM KEANE  
SEN. RICK RIPLEY

REP. VIRGINIA COURT  
REP. JEFFREY WELBORN

### STAFF PRESENT

LEANNE KURTZ, Legislative Analyst  
HELEN THIGPEN, Staff Attorney  
NADINE SPENCER, Secretary

## **AGENDA & VISITORS' LIST**

Agenda, [Attachment 1](#).  
Visitors' list, [Attachment 2](#).

## **COMMITTEE ACTION**

- The SJ 4 work group moved to take the bill revising the MHC governing statutes (LC MHC1), as requested by Sen. Keane, to the Environmental Quality Council (EQC) for approval as a committee bill.

## **CALL TO ORDER AND ROLL CALL**

00:00:01 Sen. Keane called the meeting to order at 10:00 a.m. The secretary called the roll, [Attachment 3](#).

00:00:32 Sen. Keane asked those present to introduce themselves.

00:00:43 Andy Poole, Division Administrator, Business Resources Division, Montana Department of Commerce (COM)

00:00:48 Julie Johnson, Staff Attorney, Legislative Services Division (LSD)

00:00:54 Bob Lawson, Montana Heritage Commission (MHC)

00:00:55 Philip Maechling, MHC

00:00:58 Bill Howell, Vice Chair, MHC

00:01:03 Elijah Allen, Director of Operations, MHC

00:01:07 Marilyn Ross, Chair, MHC

00:01:12 Rep. Welborn

00:01:16 Sen. Ripley

00:01:23 Sen. Keane

00:01:28 Leanne Kurtz, Research Analyst, LSD

00:01:33 Helen Thigpen, Staff Attorney, LSD

00:01:38 Rep. Court

00:01:43 Rep. Ray Shaw, HD 71

00:01:52 Sen. Keane

## **AGENDA**

### **MONTANA HERITAGE COMMISSION MARCH MEETING REPORT**

00:02:51 Mr. Allen, MHC, gave a report on the MHC strategic plan, [Exhibit 1](#).

00:11:45 Ms. Ross, MHC, said that in developing the strategic plan the Commission sought to ensure that the plan was reasonable and in line with available resources.

00:12:57 Mr. Maechling, MHC, said that it is important to tell and market the story behind the history of Virginia City.

### **Committee questions and discussion**

00:14:31 Sen. Keane  
00:15:11 Sen. Ripley  
00:16:16 Sen. Keane  
00:17:17 Sen. Ripley  
00:17:38 Rep. Welborn  
00:18:14 Mr. Allen  
00:19:40 Rep. Welborn  
00:22:21 Rep. Court  
00:24:21 Mr. Allen  
00:25:24 Rep. Court  
00:26:31 Mr. Allen  
00:28:05 Rep. Court asked if there is a priority list for maintaining buildings at Virginia City/Nevada City. Mr. Allen said there is a priority list and referenced the Long Range Building Proposal, [Exhibit 2](#).  
00:31:18 Rep. Shaw  
00:35:19 Sen. Keane  
00:37:02 Mr. Poole, COM  
00:39:20 Rep. Welborn  
00:40:21 Mr. Poole  
00:40:54 Sen. Keane  
00:41:52 Rep. Shaw  
00:42:16 Sen. Keane

### **LEGISLATIVE AUDIT REPORT OF DEPARTMENT OF COMMERCE: HERITAGE COMMISSION PORTION**

00:43:07 Ms. Kurtz, LSD, discussed the financial compliance audit report, [Exhibit 3](#).

### **Committee questions and discussion**

00:44:57 Sen. Keane  
00:45:28 Sen. Ripley  
00:45:40 Sen. Keane  
00:46:06 Rep. Court  
00:46:10 Sen. Keane  
00:46:21 Rep. Court  
00:46:28 Ms. Ross  
00:46:45 Sen. Keane  
00:46:52 Ms. Ross  
00:46:55 Sen. Keane  
00:47:14 Mr. Allen  
00:47:52 Mr. Poole  
00:48:19 Ms. Thigpen, LSD  
00:49:57 Sen. Keane  
00:50:02 Ms. Thigpen  
00:50:25 Rep. Court

00:50:50 Mr. Allen  
00:51:26 Rep. Court  
00:51:56 Mr. Allen  
00:51:35 Sen. Keane

#### **ADMINISTRATIVE RULE REVISIONS**

00:52:05 Mr. Allen provided a copy of the administrative rules with revisions proposed by the MHC, [Exhibit 4](#).

00:54:31 Mr. Poole discussed the rules and the reasoning behind the revisions proposed by the MHC.

00:58:44 Ms. Ross explained the reason for revisions made to unconditional conveyance (8.112.105).

01:00:17 Mr. Poole continued the discussion on the rule revisions.

#### **Committee questions and discussion**

01:10:02 Rep. Court  
01:10:18 Mr. Poole  
01:10:46 Rep. Court  
01:10:54 Sen. Keane  
01:11:21 Mr. Poole  
01:11:41 Sen. Keane  
01:11:59 Mr. Poole  
01:12:19 Ms. Ross  
01:13:15 Mr. Poole  
01:13:26 Sen. Keane  
01:13:48 Mr. Poole  
01:13:53 Mr. Allen  
01:14:07 Mr. Poole  
01:14:17 Sen. Keane  
01:14:29 Mr. Poole  
01:14:42 Sen. Keane  
01:14:59 Ms. Ross  
01:15:58 Sen. Keane  
01:16:29 Rep. Court  
01:16:53 Ms. Ross  
01:18:04 Rep. Court  
01:18:28 Mr. Poole  
01:19:03 Rep. Court  
01:19:19 Mr. Poole  
01:19:45 Sen. Keane

## POTENTIAL REVISIONS TO MHC GOVERNING STATUTES

- 01:20:40 Ms. Kurtz discussed the bill draft requested by Sen. Keane, [Exhibit 5](#).
- 01:30:21 Sen. Keane
- 01:30:30 Ms. Kurtz discussed the changes proposed by the COM and the MHC, [Exhibit 6](#).
- 01:33:10 Mr. Poole

### Committee questions and discussion

- 01:34:23 Sen. Keane
- 01:34:35 Mr. Poole
- 01:35:27 Sen. Keane
- 01:36:37 Rep. Welborn
- 01:37:04 Sen. Keane
- 01:37:36 Ms. Kurtz
- 01:38:08 Sen. Keane
- 01:38:20 Sen. Ripley
- 01:38:56 Sen. Keane
- 01:39:06 Ms. Thigpen
- 01:39:39 Ms. Kurtz
- 01:39:46 Ms. Johnson, LSD
- 01:41:17 Sen. Ripley
- 01:41:23 Sen. Keane
- 01:41:32 Sen. Ripley
- 01:41:52 Sen. Keane
- 01:43:00 Rep. Court
- 01:43:31 Sen. Keane
- 01:44:20 Rep. Welborn
- 01:44:46 Sen. Keane
- 01:45:25 Sen. Ripley
- 01:45:49 Sen. Keane
- 01:45:56 **Motion:** Sen. Ripley moved to take the bill revising the MHC governing statutes (LC MHC1), as requested by Sen. Keane, to the EQC for approval as a committee bill.

### Discussion:

- 01:46:08 Rep. Court
- 01:47:01 Ms. Kurtz
- 01:47:09 Rep. Court
- 01:47:49 Sen. Ripley
- 01:48:05 Sen. Keane
- 01:48:26 Rep. Court
- 01:48:35 Sen. Keane
- 01:48:39 Rep. Court

01:49:21 Ms. Ross  
01:50:24 Sen. Ripley  
01:50:53 Ms. Kurtz  
01:51:12 Mr. Poole  
01:52:27 Sen. Ripley  
01:53:15 Sen. Keane  
01:54:01 Sen. Ripley  
01:54:11 Rep. Court  
01:55:11 Sen. Keane  
01:55:49 Ms. Kurtz  
01:55:54 Sen. Keane  
01:56:40 Mr. Poole  
01:57:51 Sen. Keane  
01:58:18 Rep. Court  
01:58:23 Mr. Poole  
01:58:50 Sen. Keane  
01:59:03 Ms. Kurtz  
01:59:08 Sen. Keane

01:59:22 **Vote:** The motion carried unanimously by voice vote.

#### **PUBLIC COMMENT**

01:59:47 Mr. Lawson, MHC  
02:01:26 Sen. Keane  
02:01:51 Rep. Welborn  
02:01:59 Ms. Kurtz  
02:02:25 Mr. Maechling  
02:03:03 Ms. Kurtz  
02:03:26 Mr. Howell, MHC  
02:03:49 Sen. Keane  
02:04:06 Mr. Howell  
02:04:24 Ms. Ross  
02:04:43 Sen. Keane  
02:04:55 Mr. Maechling  
02:05:11 Sen. Keane

02:05:38 Recess  
03:11:27 Reconvene

#### **MHC FUNDING SOURCES**

03:11:35 Sen. Keane  
03:12:30 Ms. Kurtz discussed funding sources for the MHC, [Exhibit 7](#).

## Committee questions and discussion

03:16:40 Sen. Keane  
03:16:57 Mr. Poole  
03:17:26 Sen. Keane  
03:17:37 Mr. Poole  
03:17:54 Sen. Keane  
03:18:22 Rep. Court  
03:21:03 Mr. Allen  
03:22:44 Ms. Ross  
03:25:43 Sen. Ripley  
03:26:21 Ms. Ross  
03:28:08 Sen. Ripley  
03:28:16 Ms. Ross  
03:28:53 Sen. Ripley  
03:29:06 Ms. Ross  
03:29:21 Mr. Poole  
03:29:36 Ms. Ross  
03:29:55 Mr. Poole  
03:30:21 Sen. Ripley  
03:31:14 Ms. Thigpen  
03:31:48 Sen. Keane  
03:31:53 Sen. Ripley  
03:32:18 Sen. Keane  
03:32:40 Sen. Ripley  
03:32:59 Ms. Thigpen  
03:33:36 Sen. Keane  
03:33:41 Rep. Shaw  
03:35:17 Sen. Keane  
03:35:53 Ms. Kurtz  
03:36:23 Sen. Keane  
03:36:34 Stuart Doggett, Executive Director, Montana Lodging and Hospitality Association (MLHA)  
03:36:39 Sen. Keane  
03:37:47 Mr. Doggett, MLHA  
03:40:19 Sen. Keane  
03:40:29 Mr. Doggett  
03:41:01 Sen. Keane  
03:41:15 Mr. Doggett  
03:42:00 Sen. Keane  
03:42:06 Mr. Doggett  
03:42:34 Sen. Keane  
03:42:59 Mr. Doggett  
03:43:43 Sen. Keane  
03:43:50 Mr. Allen  
03:44:03 Rep. Court  
03:44:47 Mr. Allen  
03:46:23 Rep. Court

03:46:47 Mr. Allen

**OTHER WORK GROUP RECOMMENDATIONS TO EQC, INSTRUCTIONS TO STAFF**

03:47:25 Ms. Kurtz

03:47:46 Sen. Keane

03:48:49 Rep. Court

03:49:05 Mr. Poole

03:49:13 Mr. Allen

03:49:32 Sen. Keane

03:50:10 Sen. Ripley

03:51:19 Sen. Keane

**ADJOURN**

03:52:59 Sen. Keane adjourned the meeting at 1:52 p.m.

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