

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

00:00:01

Call to Order: By **CHAIRMAN JIM PETERSON**, on January 21, 2005 at
3:00 P.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Jim Peterson, Chairman (R)
Rep. Christopher Harris, Vice Chairman (D)
Rep. John (Jack) W. Ross, Vice Chairman (R)
Rep. Debby Barrett (R)
Rep. Dee L. Brown (R)
Rep. Paul Clark (D)
Rep. Sue Dickenson (D)
Rep. George Everett (R)
Rep. Kevin T. Furey (D)
Rep. Ralph Heinert (R)
Rep. Llew Jones (R)
Rep. Mike Jopek (D)
Rep. Carol Lambert (R)
Rep. Rick Maedje (R)
Rep. Veronica Small-Eastman (D)

Members Excused: None.

Members Absent: Rep. Norma Bixby (D)
Rep. Gail Gutsche (D)
Rep. David E. Wanzenried (D)

Staff Present: Joe Kolman, Legislative Branch
Debra Polhemus, Committee 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 51, 1/14/2005; HB 251,
1/14/2005; HB 236, 1/17/2005

HEARING ON HB 51

Opening Statement by Sponsor:

00:03:00 **REP. ALAN OLSON (R), HD 45**, opened the hearing on
 HB 51, Redefine cumulative impacts under MEPA.
EXHIBIT (nah16a01)

Proponents' Testimony:

00:09:12 Ellen Engstedt, Montana Wood Products Association
EXHIBIT (nah16a02)

00:11:33 *REP. GUTSCHE arrived at hearing.*

00:13:14 Jason Todhunter, Montana Logging Association
00:14:28 Harmon Ranney, Powder River Gas, LLC
00:16:00 Don Allen, Western Environmental Trade Association
00:17:13 Nancy Schlepp, Montana Farm Bureau Association

Opponents' Testimony:

00:17:51 Mary Sexton, Director, Department of Natural
 Resources & Conservation
00:19:04 Janet Ellis, Montana Audubon
00:21:05 Anne Hedges, Montana Environmental Information
 Center
00:23:16 Cody Ferguson, Northern Plains Resource Council

Informational Testimony: None.

Questions from Committee Members and Responses:

00:25:55 **REP. JOPEK**
00:30:48 **REP. EVERETT**
00:33:42 **REP. DICKENSON**
00:36:22 **REP. FUREY**
00:39:19 Tommy Butler, Chief Legal Counsel, DNRC
00:41:15 **REP. FUREY**
EXHIBIT (nah16a03)
00:43:16 **REP. CLARK**
00:43:48 *REP. WANZENRIED arrived at hearing.*
00:48:33 **REP. BROWN**
00:50:34 **REP. MAEDJE**
00:50:55 Mike Volesky, Policy Director, Montana Governor's
 Office
00:52:24 **REP. MAEDJE**
00:55:03 **REP. BARRETT**
00:57:09 **REP. JOPEK**
00:58:15 **REP. GUTSCHE**

01:02:04 **CHAIRMAN PETERSON** expresses concern at the absence of and inability to question the Director of the Department of Natural Resources about the department's recent change in policy.

Closing by Sponsor:

01:02:33 **REP. ALAN OLSON (R), HD 45**, closed hearing on HB 51.
01:06:48 **REP. DICKENSON**

HEARING ON HB 236

Opening Statement by Sponsor:

01:07:09 **REP. VERDELL JACKSON (R), HD 6**, opened the hearing on **HB 236**, Make Clark Fork River Basin Task Force permanent.

Proponents' Testimony:

01:09:51 Gerald Mueller, Facilitator, Clark Fork Basin Task Force

EXHIBIT(nah16a04)

EXHIBIT(nah16a05)

01:16:28 Janet Ellis, Montana Audubon

01:17:03 Marc Spratt, Flathead Conservation District

EXHIBIT(nah16a06)

01:21:40 Holly Franz, Water Rights Lawyer

Opponents' Testimony: None.

Informational Testimony:

01:22:25 Jack Stults, Department of Natural Resources

Questions from Committee Members and Responses:

01:23:19 **REP. BARRETT**

01:25:37 **REP. JOPEK**

01:26:50 **REP. CLARK**

01:31:09 **CHAIRMAN PETERSON**

01:35:35 **REP. BARRETT**

Closing by Sponsor:

01:37:38 **REP. VERDELL JACKSON (R), HD 6**, closed the hearing on HB 236.

01:37:47 BREAK

01:45:33 RESUME

HEARING ON HB 251

Opening Statement by Sponsor:

01:47:32 **REP. CHRISTOPHER HARRIS (D), HD 66**, opened the hearing on **HB 251**, Moratorium on permits causing Gallatin River degradation.

Proponents' Testimony:

01:53:27 Amy Stix, American Wildlands, Bozeman, Montana
EXHIBIT (nah16a07)

01:59:24 Joe Gutkoski, President, Montana River Action
EXHIBIT (nah16a08)

02:00:00 Tom Anacker, Past President, Gallatin Area Trout Unlimited

02:01:47 Mark Aagenes, Montana Trout Unlimited

02:02:50 Robin Cunningham, Fishing Outfitters of Montana

02:03:31 Scott Bosse, Greater Yellowstone Coalition

EXHIBIT (nah16a09)

02:06:28 Rick Meis, Bozeman, Montana Chapter, Sierra Club Headwaters Group

EXHIBIT (nah16a10)

02:07:22 Harry Murphy, Madison/Gallatin Trout Unlimited, Realtor from Bozeman

02:08:21 Katherine Dayton, Bozeman resident

02:09:42 Jeff Barber, Montana Environmental Information Center

02:09:56 Rob Ament, Executive Director, American Wildlands

Opponents' Testimony:

02:10:57 Mike S. Kakuk, Attorney, Montana Association of Realtors, Montana Contractors Association

02:13:54 **REP. KOOPMAN**, HD 70

02:18:06 **REP. DIANE RICE**, HD 71

02:19:02 Marne Hayes, Executive Director, Big Sky Chamber of Commerce

EXHIBIT (nah16a11)

EXHIBIT (nah16a12)

02:23:01 Jon Holtzman, Chairman, Blue Water Task Force

EXHIBIT (nah16a13)

02:27:38 Stephen R. Brown, Attorney, Garlington, Lohn & Robinson, PLLP, for Yellowstone Mountain Club and Club at Spanish Peaks

EXHIBIT (nah16a14)

02:32:31 Martha Johnson, Big Sky Resident

EXHIBIT (nah16a15)

EXHIBIT (nah16a16)

02:35:00 Brian Gallik, Goetz, Gallik & Baldwin, PC, Bozeman for Simkins Holding

02:38:43 Steve White, Bozeman resident

02:40:40 Carl Schweitzer, Bozeman Chamber of Commerce
02:41:06 Barbara Ranf, Montana Chamber of Commerce
02:41:23 Don Allen, Western Environmental Trade Association
02:41:54 Byron Roberts, Montana Building Industry
Association

Informational Testimony:

02:42:45 Bonnie Lovelace, Montana Department of
Environmental Quality

Questions from Committee Members and Responses:

02:43:13 REP. CLARK
02:47:32 REP. GUTSCHE
02:51:30 REP. FUREY
02:52:07 REP. JOPEK
02:56:16 REP. DICKENSON
02:58:09 REP. SMALL-EASTMAN
02:58:38 REP. ROSS
03:00:25 REP. FUREY
03:00:58 REP. GUTSCHE
03:01:20 CHAIRMAN PETERSON
03:07:06 REP. HEINERT
03:07:52 REP. JONES

Closing by Sponsor:

03:08:54 REP. CHRISTOPHER HARRIS (D), HD 66 closed hearing
on HB 251.

ADJOURNMENT

Adjournment: 6:20 P.M.

REP. JIM PETERSON, Chairman

DEBRA POLHEMUS, Secretary

JP/DP

Additional Exhibits:

EXHIBIT ([nah16aad0.PDF](#))