

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: By **CHAIRMAN JIM PETERSON**, on January 24, 2005 at 3:00 P.M., in Room 152 Capitol.

ROLL CALL

00:03:08

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. Norma Bixby (D)
Rep. Dee L. Brown (R)
Rep. Paul Clark (D)
Rep. Sue Dickenson (D)
Rep. George Everett (R)
Rep. Kevin T. Furey (D)
Rep. Gail Gutsche (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. 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 69, 1/17/2005; HB 293,
1/17/2005; HB 303, 1/17/2005
Executive Action: HB 51; HB 251

HEARING ON HB 69

00:04:25 **Opening Statement by Sponsor:**

REP. DEBBY BARRETT (R), HD 72, opened the hearing
on **HB 69**, Water adjudication funding for DNRC.

Proponents' Testimony:

00:12:27 John Metropolis, Flathead Joint Board of Control

Opponents' Testimony:

00:14:16 Dave Aune, Montana Section of American Water Works

00:17:24 Sarah Carlson, Executive Director, Montana
Association of Conservation Districts

EXHIBIT (nah18a01)

00:19:32 Jeff Wivholm, Board Member, Montana Association of
Conservation Districts

EXHIBIT (nah18a02)

00:21:30 Steve Granzow, Board Member, Montana Association
of Conservation Districts

EXHIBIT (nah18a03)

EXHIBIT (nah18a04)

00:22:42 Roxann Lincoln, Jefferson River Watershed Council

00:23:35 Alice Santos, Kirk Environmental

00:25:23 Jennifer Peterson, HKM Engineering

00:26:23 Robert Church, Consulting Engineer, Helena

00:27:53 Gary Amestoy, Chester Irrigation Project and
Richland Economic Development Corporation

EXHIBIT (nah18a05)

EXHIBIT (nah18a06)

EXHIBIT (nah18a07)

EXHIBIT (nah18a08)

EXHIBIT (nah18a09)

Informational Testimony:

00:29:17 Mary Sexton, Director, Department of Natural
Resources and Conservation

00:30:11 Jack Stults, Department of Natural Resources and
Conservation

00:32:29 John Tubbs, Department of Natural Resources and
Conservation

00:38:20 Bob Lane, Chief Legal Counsel, Montana Fish,
Wildlife & Parks

Questions from Committee Members and Responses:

00:39:26 **REP. MAEDJE**

00:41:57 **REP. JOPEK**

Closing by Sponsor:

00:43:12 **REP. DEBBY BARRETT (R), HD 72**, closed the hearing
on HB 69.

HEARING ON HB 303

Opening Statement by Sponsor:

00:49:32 **REP. GAIL GUTSCHE (D), HD 99**, opened the hearing
on **HB 303**, Eliminate bond requirements for air
quality appeals.

Proponents' Testimony:

00:52:45 Jennifer Swearingen, Bozeman resident

EXHIBIT (nah18a10)

00:55:10 Kris Thomas, Gallatin Country, Montanans Against
Toxic Burning

00:57:49 Anne Hedges, Montana Environmental Information
Center

EXHIBIT (nah18a11)

01:04:39 Michelle Reinhart, Northern Plains Resource
Council

Opponents' Testimony:

01:06:40 Don Allen, Western Environmental Trade Association

01:12:58 Tim Gregori, General Manager, Southern Montana
Electric Generation & Transmission Cooperative,
Inc.

EXHIBIT (nah18a12)

01:17:06 Cary Hegreberg, Montana Contractors Association

01:19:49 Bud Clinch, Executive Director, Montana Coal
Council

01:22:34 Gail Abercrombie, Executive Director, Montana
Petroleum Association

01:24:36 Ellen Engstedt, Montana Wood Products Association

01:26:27 Willy Duffield, Executive Director, Montana
Association of Counties

Informational Testimony: None.

Questions from Committee Members and Responses:

01:27:23 **REP. JOPEK**
01:29:16 **REP. BROWN**
01:32:28 **REP. FUREY**
01:34:19 **REP. CLARK**
01:37:17 **REP. ROSS**
01:40:13 **CHAIRMAN PETERSON**

EXHIBIT(nah18a13)

Closing by Sponsor:

01:41:00 **REP. GAIL GUTSCHE (D)**, HD 99, closed hearing on HB 303.

01:44:59 Break
01:51:19 Resume

HEARING ON HB 293

Opening Statement by Sponsor:

01:51:41 **REP. MIKE JOPEK (D)**, HD 4, opened the hearing on HB 293, Secure access to surface water as part of growth policy requirements.

EXHIBIT(nah18a14)

Proponents' Testimony:

02:00:12 Mark Aagenes, Montana Trout Unlimited
02:01:35 Tony Schoonen, Public Lands Access and Skyline Sportsman Club
02:02:23 Garrett Munson, Fishing Outfitters Association of Montana

EXHIBIT(nah18a15)

02:03:11 Nathan Birkeland, Montana Wildlife Federation
02:04:31 Bob Lane, Chief Legal Counsel, Montana Fish, Wildlife & Parks

Opponents' Testimony:

02:05:21 Mike Murphy, Montana Water Resources Association
02:06:41 Bill Myers, Bayside Park and Marine, Whitefish

Informational Testimony: None.

Questions from Committee Members and Responses:

02:10:55 **REP. CLARK**
02:13:44 **REP. BROWN**
02:18:10 **REP. MAEDJE**
02:21:40 **REP. HARRIS**
02:23:47 **REP. BARRETT**

Closing by Sponsor:

02:25:37 **REP. MIKE JOPEK (D)**, HD 4 closed the hearing on HB 293.

EXECUTIVE ACTION ON HB 51

02:29:09 **Motion:** **REP. BROWN** moved that HB 51 DO PASS.

Discussion:

02:29:17 **REP. FUREY**
 02:29:44 **REP. DICKENSON**
 02:30:13 **REP. BARRETT**
 02:31:03 **REP. MAEDJE**
 02:32:32 **REP. HARRIS**
 02:33:15 **REP. JOPEK**
 02:35:29 **CHAIRMAN PETERSON**

02:38:26 **Vote:** Motion failed 9-9 by roll call vote with
 REPS. ROSS, BARRETT, MAEDJE, EVERETT, LAMBERT,
 JONES, HEINERT, BROWN and PETERSON voting aye and
 REP. WANZENRIED voting no by proxy.

EXECUTIVE ACTION ON HB 251

02:40:23 **Motion:** **REP. HARRIS** moved that HB 251 DO PASS.

Discussion:

02:40:33 **REP. BROWN**
 02:40:35 **REP. CLARK**
 02:41:11 **REP. CLARK**
 02:43:05 **REP. BARRETT**
 02:44:08 **REP. HEINERT**
 02:44:43 **REP. FUREY**
 02:45:48 **REP. MAEDJE**
 02:46:47 **REP. DICKENSON**

02:51:00 **Vote:** Motion failed 9-9 by roll call vote with
 REPS. HARRIS, FUREY, JOPEK, BIXBY, DICKENSON,
 WANZENRIED, GUTSCHE, SMALL-EASTMAN, and CLARK
 voting aye and **REP. WANZENRIED** voting by proxy.

ADJOURNMENT

02:52:21

Adjournment: 6:00 P.M.

REP. JIM PETERSON, Chairman

DEBRA POLHEMUS, Secretary

JP/DP

Additional Exhibits:

EXHIBIT ([nah18aad0.PDF](#))