

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: By **CHAIRMAN JIM PETERSON**, on February 9, 2005 at 3:00 P.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Jim Peterson, Chairman (R)
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: Rep. Christopher Harris, Vice Chairman (D)

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 450, 2/1/2005; HB 491, 2/4/2005
Executive Action: HB 379; HB 460; HB 473; HB 501

HEARING ON HB 491

Opening Statement by Sponsor:

00:02:36 **REP. NORMA BIXBY (D), HD 41**, opened the hearing on
 HB 491, Monitor water when facilities discharge
 coal bed methane-produced water.

EXHIBIT (nah32a01)

Proponents' Testimony:

00:08:01 Art Hayes, Jr., Tongue River Water Users
 Association

EXHIBIT (nah32a02)

EXHIBIT (nah32a03)

EXHIBIT (nah32a04)

00:13:11 Brenda Hall, Attorney, Helena, representing Tongue
 River Water Users Association

00:18:51 Michele Reinhart, Northern Plains Resource Council

00:19:39 John Wilson, Montana Trout Unlimited and
 Department of Environmental Quality, Water
 Pollution Control Advisory

00:21:06 Steve Gilbert, Helena resident, previously
 consulting biologist on Tongue River

00:22:16 Jeff Barber, Montana Environmental Information
 Center

Opponents' Testimony:

00:22:39 Harmon Ranney, Powder River Gas LLC

EXHIBIT (nah32a05)

00:30:23 Gail Abercrombie, Executive Director, Montana
 Petroleum

Informational Testimony:

00:31:18 Bonnie Lovelace, Department of Environmental
 Quality

EXHIBIT (nah32a06)

00:34:26 Bruce Williams, Vice President of Operations,
 Fidelity Exploration & Production Company

EXHIBIT (nah32a07)

Questions from Committee Members and Responses:

00:38:25 **REP. LAMBERT**

00:41:27 **REP. EVERETT**

00:44:42 **REP. DICKENSON**

00:48:48 **REP. HEINERT**

00:54:12 **REP. BARRETT**

00:56:29 **REP. JOPEK**

00:58:39 **REP. ROSS**

01:03:56 **REP. GUTSCHE**

01:10:29 **REP. LAMBERT**

Closing by Sponsor:

01:11:51 **REP. NORMA BIXBY (D), HD 41** closed the hearing on
HB 491.

HEARING ON HB 450

Opening Statement by Sponsor:

01:20:59 **REP. MIKE JOPEK (D), HD 4**, opened the hearing on
HB 450, Revise state land management.

[EXHIBIT](#) (nah32a08)

[EXHIBIT](#) (nah32a09)

Proponents' Testimony:

01:33:18 Tom Schultz, Administrator, Department of Natural
Resources and Conservation
01:34:42 Kathy Bramer, representing Linda McCulloch,
Superintendent of Public Instruction
01:37:07 Anne Hedges, Montana Environmental Information
Center
01:38:00 Roy Andes, Helena Attorney, Montanans for
Responsible Use of School Trust

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

01:40:52 **REP. EVERETT**
01:43:20 **REP. MAEDJE**
01:49:20 **REP. BROWN**
01:50:28 **REP. ROSS**

Closing by Sponsor:

01:51:13 **REP. MIKE JOPEK (D), HD 4** closed the hearing on HB
450.

01:56:33 Break

02:02:54 Resume

EXECUTIVE ACTION ON HB 473

02:03:11 **Motion:** **REP. BROWN** moved that HB 473 DO PASS.

02:03:19 **Motion:** **REP. BROWN** moved that HB 473 BE AMENDED.

[EXHIBIT](#) (nah32a10)

Discussion:

02:04:29 **REP. JOPEK**

02:04:49 **Vote:** Motion carried unanimously by voice vote.

02:05:11 Motion/Vote: REP. BROWN moved that HB 473 DO PASS
AS AMENDED. Motion carried unanimously by voice
vote.

EXECUTIVE ACTION ON HB 379

02:05:58 Motion: REP. LAMBERT moved that HB 379 DO PASS.

Discussion:

02:06:10 REP. LAMBERT
02:07:07 REP. JOPEK
02:07:26 REP. ROSS
02:08:34 REP. BROWN
02:08:55 CHAIRMAN PETERSON
02:09:57 REP. GUTSCHE
02:12:18 REP. CLARK
02:13:34 REP. BROWN
02:14:23 REP. MAEDJE
02:15:38 REP. DICKENSON
02:16:55 REP. EVERETT
02:17:55 REP. HEINERT
02:18:45 REP. JOPEK
02:19:55 REP. HEINERT
02:20:23 REP. GUTSCHE
02:22:18 REP. BIXBY
02:23:57 REP. MAEDJE
02:25:30 REP. BROWN
02:26:08 REP. LAMBERT
02:27:57 REP. SMALL-EASTMAN
02:29:07 REP. CLARK

02:30:01 REP. LAMBERT withdrew the motion.

02:30:10 Motion: REP. JOPEK moved that HB 379 DO PASS.

02:31:50 Vote: Motion carried 10-8 by roll call vote with
REPS. BARRETT, BROWN, EVERETT, HEINERT, JONES,
MAEDJE, PETERSON, and ROSS voting no and REPS.
HARRIS, JONES and WANZENRIED voting by proxy.

EXECUTIVE ACTION ON HB 501

02:34:02 Motion: REP. BIXBY moved that HB 501 DO PASS.

02:34:26 Motion/Vote: REP. BIXBY moved that HB 501 BE
AMENDED. Motion carried unanimously by voice vote.

[EXHIBIT](#) (nah32a11)

02:35:32 Motion: REP. BIXBY moved that HB 501 DO PASS AS AMENDED.

Discussion:

02:36:02 REP. BIXBY

02:38:01 REP. BROWN

02:38:44 REP. HEINERT

02:39:58 Vote: Motion failed 9-9 by roll call vote with REPS. BIXBY, CLARK, DICKENSON, FUREY, GUTSCHE, HARRIS, JOPEK, SMALL-EASTMAN, and WANZENRIED voting aye and REPS. HARRIS, WANZENRIED and JONES voting by proxy.

EXECUTIVE ACTION ON HB 460

02:41:21 Motion: REP. CLARK moved that HB 460 DO PASS.

02:41:41 Motion: REP. CLARK moved that HB 460 BE AMENDED.
[EXHIBIT](#) (nah32a12)

Discussion:

02:43:49 REP. BROWN

02:44:47 REP. FUREY

02:45:14 REP. HEINERT

02:46:20 REP. EVERETT

02:47:48 REP. DICKENSON

02:49:25 REP. BARRETT left the hearing

02:49:45 REP. CLARK

02:50:09 Vote: Motion carried unanimously by voice vote.

02:50:26 Motion: REP. CLARK moved that HB 460 DO PASS AS AMENDED.

Discussion:

02:50:36 REP. PETERSON

02:50:49 REP. CLARK

02:52:26 REP. HEINERT

02:52:52 REP. ROSS

02:53:35 REP. MAEDJE

02:54:12 Vote: Motion carried 11-7 by roll call vote with REPS. BARRETT, EVERETT, HEINERT, JONES, LAMBERT, MAEDJE, and ROSS voting no and REPS. HARRIS, BARRETT, WANZENRIED and JONES voting by proxy.

ADJOURNMENT

Adjournment: 6:40 P.M.

REP. JIM PETERSON, Chairman

DEBRA POLHEMUS, Secretary

JP/dp

Additional Exhibits:

EXHIBIT ([nah32aad0.PDF](#))