

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: By **CHAIRMAN JIM PETERSON**, on March 16, 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. 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)

Members Excused: None.

Members Absent: Rep. Veronica Small-Eastman (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: HJ 33, 3/9/2005; SB 138, 3/9/2005;
SB 337, 3/9/2005

Executive Action: HB 545; HB 751; SB 131; HJ 25;
SB 95; SB 107; SB 124; SB 212

EXECUTIVE ACTION ON HB 545

00:03:19 Motion: REP. MAEDJE moved that HB 545 DO PASS.

00:03:22 Substitute Motion/Vote: REP. MAEDJE made a substitute motion that HB 545 BE TABLED. Substitute motion carried unanimously by voice vote with REPS. WANZENRIED and SMALL-EASTMAN voting by proxy.

EXECUTIVE ACTION ON HB 751

00:04:05 Motion: REP. MAEDJE moved that HB 751 DO PASS.

00:04:14 Substitute Motion/Vote: REP. MAEDJE made a substitute motion that HB 751 BE TABLED. Substitute motion carried unanimously by voice vote with REPS. WANZENRIED and SMALL-EASTMAN voting by proxy.

EXECUTIVE ACTION ON SB 131

00:05:23 Motion/Vote: REP. BROWN moved that SB 131 BE CONCURRED IN. Motion carried unanimously by voice vote with REPS. WANZENRIED and SMALL-EASTMAN voting by proxy. REP. FUREY will carry SB 131.

00:07:00 REP. BROWN moved that SB 131 be added to the Consent Calendar, however motion was denied based on objection by REP. HARRIS.

EXECUTIVE ACTION ON HJ 25

00:07:26 Motion: REP. MAEDJE moved that HJ 25 DO PASS.

Discussion:

00:08:08 REP. DICKENSON
00:09:04 REP. GUTSCHE
00:11:00 REP. HARRIS
00:12:05 REP. HEINERT
00:12:47 REP. BROWN

00:13:18 Vote: Motion carried 11-7 by roll call vote with REPS. BIXBY, CLARK, DICKENSON, FUREY, GUTSCHE, SMALL-EASTMAN, and WANZENRIED voting no and REPS. WANZENRIED and SMALL-EASTMAN voting by proxy.

EXECUTIVE ACTION ON SB 95

00:15:13 Motion: REP. HEINERT moved that SB 95 BE CONCURRED IN.

Discussion:

00:15:20 REP. HARRIS

00:15:42 Vote: Motion carried 14-4 by voice vote with REPS. BIXBY, DICKENSON, FUREY, and GUTSCHE voting no and REPS. WANZENRIED and SMALL-EASTMAN voting by proxy. REP. HARRIS agreed to carry SB 95.

EXECUTIVE ACTION ON SB 107

00:16:46 Motion: REP. BROWN moved that SB 107 BE CONCURRED IN.

Discussion:

00:16:56 REP. DICKENSON

00:17:30 Vote: Motion carried unanimously by voice vote with REPS. WANZENRIED and SMALL-EASTMAN voting by proxy. REP. LAMBERT agreed to carry SB 107.

EXECUTIVE ACTION ON SB 124

00:18:54 Motion: REP. ROSS moved that SB 124 BE CONCURRED IN.

Discussion:

00:19:04 REP. ROSS

00:19:48 REP. BROWN

00:20:14 REP. ROSS

00:20:44 REP. JONES

00:21:19 REP. LAMBERT

00:21:46 REP. HARRIS

00:22:16 REP. ROSS

00:23:04 **Vote:** Motion failed 9-9 by roll call vote with REPS. BARRETT, BROWN, EVERETT, HEINERT, JONES, LAMBERT, MAEDJE, PETERSON, and ROSS voting aye and REPS. WANZENRIED and SMALL-EASTMAN voting by proxy.

EXECUTIVE ACTION ON SB 212

00:24:44 **Motion:** REP. GUTSCHE moved that SB 212 BE CONCURRED IN.

Discussion:

00:25:12 REP. ROSS
00:25:59 REP. GUTSCHE
00:26:29 REP. CLARK

00:26:36 *REP. BIXBY left the Committee Meeting.*

00:27:00 REP. JOPEK
00:27:14 REP. CLARK
00:27:31 REP. LAMBERT
00:27:53 REP. HEINERT

00:28:19 **Vote:** Motion carried unanimously by voice vote with REPS. WANZENRIED, SMALL-EASTMAN and BIXBY voting by proxy. REP. MAEDJE agreed to carry SB 212.

HEARING ON SB 138

Opening Statement by Sponsor:

00:29:43 SEN. DAN WEINBERG (D), SD 2, opened the hearing on SB 138, Eliminate temporary attachment of Flathead Basin Commission to DNRC.

Proponents' Testimony:

00:31:33 Rich Moy, Chair, Flathead Basin Commission
[EXHIBIT \(nah58a01\)](#)
00:35:33 Mary Sexton, Director, Department of Natural Resources and Conservation
00:36:21 Robin Steinkraus, Flathead Lakers
[EXHIBIT \(nah58a02\)](#)

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:39:09 REP. BROWN
00:44:54 REP. MAEDJE

Closing by Sponsor:

00:45:46 SEN. DAN WEINBERG (D), SD 2, closed the hearing on SB 138.

HEARING ON SB 337

Opening Statement by Sponsor:

00:47:44 SEN. DAN WEINBERG (D), SD 2, opened the hearing on SB 337, Revise restrictions on conservation easements on state land.

Proponents' Testimony:

00:54:53 Lt. Governor John Bohlinger, representing the Governor's Office
00:58:41 John Morrison, Montana State Auditor and serving as member of Montana State Land Board
01:03:31 Kathy Bramer, representing State Superintendent of Public Instruction Linda McCulloch
01:05:42 Candace West, representing Attorney General Mike McGrath
01:07:32 Aiden Myhre, representing Plum Creek Timber Company
01:08:41 Mary Sexton, Director, Montana Department of Natural Resources and Conservation
01:13:15 Mona Jamison, representing Montana Association of Land Trusts
01:14:47 Janet Ellis, Montana Audubon
01:16:30 Jennifer Boyer, Montana League of Women Voters

EXHIBIT (nah58a03)

01:18:00 Robert A. Throssell, Montana Wildlife Federation
01:18:29 John Wilson, Conservation Director, Trout Unlimited
01:22:20 Charlie R. Abell, Whitefish, self
01:27:20 Anne Hedges, Montana Environmental Information Center

Opponents' Testimony:

01:28:21 John Youngberg, Montana Farm Bureau Federation

Informational Testimony: None.

Questions from Committee Members and Responses:

01:30:47 REP. LAMBERT
01:32:55 REP. EVERETT
01:40:02 REP. JONES
01:46:24 REP. BROWN
01:58:37 REP. DICKENSON
02:02:13 REP. HEINERT
02:09:00 REP. JOPEK
02:13:55 REP. BROWN
02:14:17 REP. CLARK
02:21:45 REP. ROSS
02:24:31 REP. BARRETT
02:29:48 REP. MAEDJE
02:38:10 REP. JOPEK
02:40:47 CHAIRMAN PETERSON
02:45:42 REP. FUREY

Closing by Sponsor:

02:46:25 SEN. DAN WEINBERG (D), SD 2 closed the hearing on SB 337.

HEARING ON HJ 33

Opening Statement by Sponsor:

02:48:21 REP. ALAN OLSON (R), HD 45, opened the hearing on HJ 33, Study contract timber harvesting.

Proponents' Testimony:

02:49:48 Kathy Bramer, Representing Superintendent of Public Instruction, Linda McCulloch
02:50:25 Ellen Engstedt, Montana Wood Products Association
02:52:25 Jason Todhunter, Montana Logging Association
02:52:59 Tom Schultz, Department of Natural Resources and Conservation

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

02:54:07 REP. JOPEK
02:55:41 REP. CLARK

Closing by Sponsor:

02:58:12 REP. ALAN OLSON (R), HD 45 closed the hearing on HJ 33.

ADJOURNMENT

Adjournment: 6:00 P.M.

REP. JIM PETERSON, Chairman

DEBRA POLHEMUS, Secretary

JP/dp

Additional Exhibits:

EXHIBIT ([nah58aad0.PDF](#))