

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
55th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON NATURAL RESOURCES

Call to Order: By Dick Knox, on January 13, 1997, at 3:10 p.m.,
in Room 437

ROLL CALL

Members Present:

Rep. Dick Knox, Chairman (R)
Rep. Bill Tash, Vice Chairman (Majority) (R)
Rep. Hal Harper, Vice Chairman (Minority) (D)
Rep. Haley Beaudry (R)
Rep. Aubyn A. Curtiss (R)
Rep. Jon Ellingson (D)
Rep. Doug Mood (R)
Rep. Karl Ohs (R)
Rep. Scott J. Orr (R)
Rep. Bob Raney
Rep. Trudi Schmidt (D)
Rep. Robert R. Story, Jr. (R)
Rep. Jay Stovall (R)
Rep. Emily Swanson (D)
Rep. Lila V. Taylor (R)
Rep. Cliff Trexler (R)
Rep. Carley Tuss (D)
Rep. Douglas T. Wagner (R)

Members Excused: none

Members Absent: none

Staff Present: Kathleen Williams, Legislative Services
Stephanie Braun, Committee Secretary

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 54 (1/7/97); HB 59 (1/7/97)
Executive Action: HB 81 **DO PASS**; HB 118 **DO PASS**
with amendment

HEARING ON HB 54

Sponsor: Rep. John Bohlinger, H.D. 14 introduces HB 54

Opening Statement by Sponsor: Rep. John Bohlinger, H.D. 54

*{Tape: 1; Side: a; Approx. Time Count: 2.4; Comments: would like
Hannah Bill repealed and require an emission control plan.}*

Proponents:

Dr. Jennifer Lyman submitted testimony (Exhibit # 10), she spoke on behalf of the Yellowstone Valley Citizens Council

{Tape: 1; Side: a; Approx. Time Count: 12.2; Comments: Exhibit # 10.}

Ted Lange, Lobby for Northern Plain Resource Council, read and submitted Exhibit #1 for Dennis Alexander, Executive Director of the American Lung Association of the Northern Rockies

{Tape: 1; Side: a; Approx. Time Count: 15.2; Comments: read written testimony submitted by Dennis Alexander, Exhibit #1.}

Pat Creighton, member of Billings City Council, submitted written testimony submitted as Exhibit # 20

{Tape: 1; Side: a; Approx. Time Count: 18.2; Comments: submitted testimony marked as Exhibit # 20.}

Ed Zaidlicz, concerned citizen and taxpayer of Billings, submitted written testimony marked as Exhibit #2

{Tape: 1; Side: a; Approx. Time Count: 21.3; Comments: submitted exhibit #2.}

Keith Shikany, teacher and resident of Billings gave verbal testimony

{Tape: 1; Side: a; Approx. Time Count: 27.8; Comments: turned tape over at 28.2.}

{Tape: 1; Side: b; Approx. Time Count: 2.1; Comments: tape flip first part of side "b" begins at 2.1 and is still Keith Shikany and his verbal testimony.}

James R. Hartung, Vice Chair of the Central-Terry Park Neighborhood Task Force in Billings, gave written testimony submitted as Exhibit #3 and Exhibit #4

{Tape: 1; Side: b; Approx. Time Count: 3.9; Comments: Exhibit # 3 and #4.}

Julia Page, resident of Gardiner and owner of a whitewater rafting business, she is also a member and Chair of the Northern Plains Resource Council through its affiliate Bear Creek Council submitted written testimony marked as Exhibit # 5

{Tape: 1; Side: b; Approx. Time Count: 6.2 ; Comments: written testimony, Exhibit #5.}

Sharon Estrada, State Senator from Billings, represent Senate District #7

{Tape: 1; Side: b; Approx. Time Count: 9.2 ; Comments: verbal testimony.}

Henry Nugent, concerned Billing's citizen, submitted Exhibit # 6

{Tape: 1; Side: b; Approx. Time Count: 9.7; Comments: Exhibit #6.}

Maureen Nugent, concerned citizen of Billings area, submitted Exhibit # 7

{Tape: 1; Side: b; Approx. Time Count: 11.2; Comments: submitted Exhibit # 7.}

Al Bishop, Senator from Billings

{Tape: 1; Side: b; Approx. Time Count: 12.4; Comments: none.}

Joan Hurdle, represents H.D. #13, lives on South side of Billings

{Tape: 1; Side: b; Approx. Time Count: 13.0; Comments: none.}

Janet Ellis, MT Audubon & Yellowstone Valley Audubon

{Tape: 1; Side: b; Approx. Time Count: 13.7; Comments: signed Witness Statement Form, Exhibit #8.}

Anne Hedges, Montana Environmental Information Center, representing the Billings area submitted Witness Statement Form, Exhibit # 9

{Tape: 1; Side: b; Approx. Time Count: 14.2; Comments: Exhibit #9.}

Karen Kitchel, citizen submitted written testimony Exhibit # 13

{Tape: n/a; Side: n/a; Approx. Time Count: n/a; Comments: no verbal testimony, written on record as Exhibit # 13.}

Pat Leikam, Chairman, Montana People's Action State Board written testimony marked as Exhibit # 19

{Tape: n/a; Side: n/a; Approx. Time Count: n/a; Comments: written testimony received via fax, Exhibit #19.}

Opponents:

Tom Nelson, Environmental Safety & Training Supervisor at the Exxon Refinery

{Tape: 1; Side: b; Approx. Time Count: 14.9; Comments: none.}

Gail Abercrombie, Executive Director of the Montana Petroleum Association

{Tape: 1; Side: b; Approx. Time Count: 18.1; Comments: none.}

Dexter Busby, Montana Refining in Great Falls

{Tape: 1; Side: b; Approx. Time Count: 19.1; Comments: none.}

Ed Bartlett, Staff Attorney for Montana Power Company in Butte

{Tape: 1; Side: b; Approx. Time Count: 19.7; Comments: endorses repeal of Hannah Bill and Section #2, does not agree with rest of the Bill.}

Informational Testimony: none

Questions From Committee Members and Responses: none

Closing by Sponsor: Rep. Bohlinger closed

{Tape: 1; Side: b; Approx. Time Count: 21.4; Comments: none.}

HEARING ON HB 59

Sponsor: Rep. Royal Johnson

Opening Statement by Sponsor: Rep. Royal Johnson, of H.D. #10; submitted Exhibits # 11 & 12 as testimony

{Tape: 1; Side: b; Approx. Time Count: 27.8; Comments: presented Exhibits #11 & 12 simple repeal of Hannah Bill.}

{Tape: 2; Side: a; Approx. Time Count: 0.1; Comments: continuation of opening statement.}

Proponents:

Rex Manuel, Cenex Petroleum in Laurel MT.

{Tape: 2; Side: a; Approx. Time Count: 6.5; Comments: none.}

James Kembel, City of Billings

{Tape: 2; Side: a; Approx. Time Count: 8.6; Comments: none.}

Jerry Driscoll, Conoco Billings Refinery

{Tape: 2; Side: a; Approx. Time Count: 8.9; Comments: none.}

Charles Brooks, represents Billings area Chamber of Commerce & Yellowstone County Board of Commissioners

{Tape: 2; Side: a; Approx. Time Count: 10.2; Comments: none.}

Mary Westwood, Director of Governmental Relations for Montana Sulfur and Chemical Company

{Tape: 2; Side: a; Approx. Time Count: 11.1; Comments: none.}

Gail Abercrombie, Montana Petroleum Association

{Tape: 2; Side: a; Approx. Time Count: 15.2; Comments: none.}

John Shontz, Billings Association of Realtors submitted Exhibit # 14 Witness Statement Form

{Tape: 2; Side: a; Approx. Time Count: 16.8; Comments: Exhibit # 14.}

Mark Simonich, Director of Environmental Equality submitted written testimony marked as Exhibit #21
{Tape: 2; Side: a; Approx. Time Count: 17.7; Comments: Exhibit #21.}

Ed Bartlett, Attorney for Montana Power Company, Butte
{Tape: 2; Side: a; Approx. Time Count: 23.6; Comments: none.}

Frank Crowley, Asarco
{Tape: 2; Side: a; Approx. Time Count: 24.5; Comments: none.}

{Tape: 2; Side: a; Approx. Time Count: 26.6; Comments: turned tape over to Side "b".}

Billie Krenzler, H.D. #17, written testimony marked Exhibit #17
{Tape: n/a; Side: n/a; Approx. Time Count: n/a; Comments: testimony given to Royal Johnson to submit as testimony in support of HB 59.}

Kim Gillan, H.D. #11, written testimony marked Exhibit # 18
{Tape: n/a; Side: n/a; Approx. Time Count: n/a; Comments: testimony given to Royal Johnson to submit as testimony in support of HB 59.}

Opponents:

Keith Shikany, teacher Billings West High
{Tape: 2; Side: b; Approx. Time Count: 0.1; Comments: none.}

Ed Zaidlicz, citizen
{Tape: 2; Side: b; Approx. Time Count: 3.6; Comments: none.}

Dr. Jennifer Lyman, concerned Billings citizen & on behalf of Yellowstone Citizen's Council, submitted written testimony marked Exhibit # 15
{Tape: 2; Side: b; Approx. Time Count: 5.7; Comments: Exhibit # 15.}

Henry Nugent, citizen
{Tape: 2; Side: b; Approx. Time Count: 8.2; Comments: none.}

John Bohlinger, Representative
{Tape: 2; Side: b; Approx. Time Count: 10.0; Comments: none.}

James Hartung, submitted Exhibit # 16
{Tape: 2; Side: b; Approx. Time Count: 13.0; Comments: Exhibit #16.}

Julia Page, Northern Plains Resource Council
{Tape: 2; Side: b; Approx. Time Count: 15.4; Comments: none.}

Informational Testimony: none

Questions From Committee Members and Responses:

{Tape: 2; Side: b; Approx. Time Count: 17.2; Comments: Questions from Representatives to Mark Simonich and Bob Raisch.}

{Tape: 3; Side: a; Approx. Time Count: 0.1; Comments: more questions from Representatives to Mark Simonich and Bob Raisch.}

Closing by Sponsor: close by Rep. Royal Johnson

{Tape: 3; Side: a; Approx. Time Count: 28.9; Comments: closing remarks continues on side "b".}

{Tape: 3; Side: b; Approx. Time Count: 0.1; Comments: closing remarks from Rep. Royal Johnson.}

Rep. Knox, this concludes testimony for HB 54 and HB 59, he scheduled Executive Action in 1 week

{Tape: 3; Side: b; Approx. Time Count: 10.8 ; Comments: Executive Action for these bills, HB 54 & HB 59 is scheduled for 1 week from today, Monday January 20 ,1997.}

Rep. Knox, called Committee to order to begin Executive Action on HB 81

{Tape: 3; Side: b; Approx. Time Count: 11.2; Comments: Executive Action.}

EXECUTIVE ACTION ON HB 81

Amendments: none

Motion: By Rep. Hal Harper H.D. #52, DO PASS

{Tape: 3; Side: b; Approx. Time Count: 13.4; Comments: motion of DO PASS.}

Discussion: none, Voice vote was called for by Chairman Knox

Motion/Vote: Motion carries, Bill passed unanimously, 18-0

{Tape: 3; Side: b; Approx. Time Count: 14.0; Comments: voice vote no discussion.}

EXECUTIVE ACTION ON HB 118

Amendments: file #hb011801.akw submitted and described by Natural Resource Staffer, Kathleen Williams, Resource Policy Analyst

{Tape: 3; Side: b; Approx. Time Count: 14.6; Comments: handed out amendment as requested by Rep. Dick Knox from H.D. 93.}

{Tape: 3; Side: b; Approx. Time Count: 15.1; Comments: Kathleen Williams, read amendment as proposed by DOT, DOT agreed to the amendment as prepared by Kathleen Williams.}

Discussion: Comments by Rep. Bob Raney, H.D. #26

{Tape: 3; Side: b; Approx. Time Count: 16.4; Comments: when remove word "project", sentence is still connected with an "and"; therefore the sentence still reads as a project.}

{Tape: 3; Side: b; Approx. Time Count: 16.7; Comments: Rep. Knox well word "system" is now out of there.}

{Tape: 3; Side: b; Approx. Time Count: 17.1; Comments: Rep. Orr felt like word change ensured the wording stayed the same as is currently in the statute.}

Amendment has been moved, discussion on amendment, none, vote on the amendment, voice vote, all in favor (18-0), amendment carries

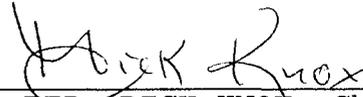
{Tape: 3; Side: b; Approx. Time Count: 17.7; Comments: Rep. Knox opens floor to discussion on amendment, none; vote on amendment, voice vote, all in favor (18-0), amendment passes.}

Vote on House Bill 118 as Amended: DO PASS AS AMENDED 18-0

{Tape: 3; Side: b; Approx. Time Count: 17.9; Comments: Rep. Knox opens floor to discussion on HB as amended, none; motion on floor DO PASS as amended, calls for a voice vote, all in favor (18-0).}

ADJOURNMENT

Adjournment: 5:40 p.m.



REP. DICK KNOX, Chairman



STEPHANIE BRAUN, Secretary

DK/sb