

MINUTES

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

COMMITTEE ON NATURAL RESOURCES

Call to Order: By Chairman, on January 20, 1997, at 3:00 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: Rep. Tash, Rep. Trexler (presenting a bill in
another Committee, will return after presents)

Members Absent: none

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

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 154, HB 162
Executive Action: HB 54 Tabled (12-5), HB 59 DO
PASS (16-1)

HEARING ON HB 162

Sponsor: Rep. Matt Denny, H.D. #63

Opening Statement by Sponsor: Rep. Denny, opened

Proponents:

Jan Sensibaugh, Department of Environmental Quality, supplied Exhibit #1

{Tape: 1; Side: a; Approx. Time Count: 4.2; Comments: Exhibit #1.}

Opponents: none

Informational Testimony: none

Questions From Committee Members and Responses:

{Tape: 1; Side: a; Approx. Time Count: 7.5; Comments: none.}

Closing by Sponsor: Rep. Denny gave his closing remarks

{Tape: 1; Side: a; Approx. Time Count: 11.7; Comments: none.}

HEARING ON HB 154

Sponsor: Rep. Lila Taylor, H.D. #54

Opening Statement by Sponsor: Rep. Lila Taylor opened and supplied amendments to the Bill, marked exhibit #4

{Tape: 1; Side: a; Approx. Time Count: 13.6; Comments: handed out amendments, marked Exhibit #4.}

Proponents:

Jan Sensibaugh, Department of Environmental Quality, submitted Exhibit # 3

{Tape: 1; Side: a; Approx. Time Count: 19.8; Comments: Exhibit #3.}

Ted Lange, Northern Plains Resource Council, submitted Exhibit #2

{Tape: 1; Side: a; Approx. Time Count: 23.9; Comments: Exhibit #2.}

Darrel Myran, Montana Coal Council

{Tape: 1; Side: a; Approx. Time Count: 28.2; Comments: none.}

Opponents: none

{Tape: 1; Side: a; Approx. Time Count: 30.7; Comments: none.}

Informational Testimony: none

Questions From Committee Members and Responses:

{Tape: 1; Side: a; Approx. Time Count: 30.9; Comments: none.}

{Tape: 1; Side: a; Approx. Time Count: 31.6; Comments: flipped tape over.}

{Tape: 1; Side: b; Approx. Time Count: 0.1; Comments: Questions continued beginning with Rep. Harper.}

Closing by Sponsor: Rep. Taylor closed

{Tape: 1; Side: b; Approx. Time Count: 19.7; Comments: none.}

{Tape: 1; Side: b; Approx. Time Count: 21.5; Comments: Rep. Knox appointed a subcommittee consisting of Rep. Taylor, Rep. Beaudry, and Rep. Harper to look further into HB 154.}

EXECUTIVE ACTION ON HB 54

Motion: DO PASS by Rep. Raney

{Tape: 1; Side: b; Approx. Time Count: 22.9; Comments: none.}

Discussion: by Committee

{Tape: 1; Side: b; Approx. Time Count: 23.0; Comments: Rep. Harper, Kathleen Williams (Staffer), Rep. Stovall, Rep. Raney.}

{Tape: 1; Side: b; Approx. Time Count: 29.9; Comments: turned tape over.}

{Tape: 2; Side: a; Approx. Time Count: 0.1; Comments: Rep. Raney, Rep. Story, Rep. Raney, Rep. Stovall, Rep. Beaudry, Rep. Story, Rep. Harper, Rep. Stovall (simple repeal of Hannah Bill will restore Billings air to the standard that the rest of the state is currently at.)}

Motion/Vote: Table the Bill, motion by Rep. Stovall

Vote: motion passes (12-5)

EXECUTIVE ACTION ON HB 59

Motion: By Rep. Ohs, DO PASS

{Tape: 2; Side: a; Approx. Time Count: 16.8; Comments: none.}

Discussion: Harper opened discussion, hands out an amendment
{Tape: 2; Side: a; Approx. Time Count: 17.0; Comments: Harper feels that the Johnson Bill won't do anything, feels that the sulfur dioxide in Billings needs to be reviewed along with the Board and the current existing standards.}

{Tape: 2; Side: a; Approx. Time Count: 19.8; Comments: Rep. Trexler, Rep. Stovall, Rep. Story, Rep. Harper, Rep. Bohlinger, Rep. Ohs.}

Motion/Vote: Motion to DO PASS amendment

Vote: 6-11, amendment fails; back to the body of the Bill and the Motion on the table

Questions form the Committee

{Tape: 2; Side: a; Approx. Time Count: 26.6; Comments: Rep. Wagner felt there is a bit of confusion, asked if Kathleen Williams (Staffer) would clarify whether this Bill is clear and complete. Kathleen Williams read code 75-2-207. Conclusion after reading the code that there is a disagreement between the Legislative Council and the Department as to whether rulemaking would be required and thus the bill needs a statement of intent; Department says "yes", Legislative Council says "no".}

{Tape: 2; Side: a; Approx. Time Count: 28.8; Comments: flipped tape over.}

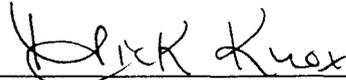
{Tape: 2; Side: b; Approx. Time Count: 0.1; Comments: Committee asked DEQ Attorney Mr. North, the state sulfur dioxide standard is up to the discretion of the Board that is appointed by the Governor, the current SO2 standard in Billings is 0.03 and the state standard is 0.02.}

{Tape: 2; Side: b; Approx. Time Count: 3.3; Comments: continuing discussion about intent of DEQ and the "Board" with regards to SO2 standards in Billings. Rep. Orr, Mr. North, Rep. Stovall, Rep. Johnson, Rep. Ellingson, Rep. Johnson, Rep. Ellingson, Mr. North, Rep. Beaudry, Mark Simonich, Rep. Wagner.}

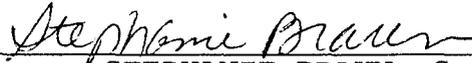
Vote: role call vote, DO PASS (16-1)

ADJOURNMENT

Adjournment: 4:45 p.m.



REP. DICK KNOX, Chairman



STEPHANIE BRAUN, Secretary

DK/SB