

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 55th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: By Chairman Dick Knox, on February 12, 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: none

Members Absent: none

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

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 452 (2/7), HB 474 (2/7)
Executive Action: HB 374 (Tabled, 12-6), HB 437
(14-4), HB 414 (Tabled, 18-0)

Rep. Knox announced to the Committee that the information regarding HB 414 from MT Rail Link (**exhibit #1**) was being handed out. In addition the information that DEQ (**exhibit #2**) said they would furnish with regards to HB 374 and at which point in the process various entities had input had also been handed out.

{Tape: 1; Side: a; Approx. Time Count: 0.1; Comments: Exhibit #1 & #2.}

HEARING ON HB 452

Opening Statement by Sponsor: Rep. David Ewer, HD #53 opened
{Tape: 1; Side: a; Approx. Time Count: 1.2; Comments: none.}

Proponents' Testimony:

Patrick Judge, MEIC submitted exhibit #3
{Tape: 1; Side: a; Approx. Time Count: 9.6; Comments: exhibit #3.}

Anthony Mele, self
{Tape: 1; Side: a; Approx. Time Count: 17.8; Comments: none.}

Jim Emerson, citizen
{Tape: 1; Side: a; Approx. Time Count: 19.3; Comments: none.}

William E. Clawson, II (written testimony only) submitted Exhibit #4

Richard Parks, Northern Plains Resource Council submitted Exhibit #5
{Tape: 1; Side: a; Approx. Time Count: 21.7; Comments: exhibit #5}

John Krutar, self & Blackfoot Legacy, submitted exhibit #6
{Tape: 1; Side: a; Approx. Time Count: 24.2; Comments: exhibit #6.}

Debbie Smith, MT Chapter of the Sierra Club
{Tape: 1; Side: a; Approx. Time Count: 26.0; Comments: none.}

Brett Brownscombe, MT Wildlife Federation
{Tape: 1; Side: a; Approx. Time Count: 27.4; Comments: none.}

Tara Mele, MT Public Interest Group
{Tape: 1; Side: a; Approx. Time Count: 29.9; Comments: none.}

Joan Miles, Director of Lewis & Clark Public Health
{Tape: 1; Side: a; Approx. Time Count: 30.7; Comments: none.}

Peter Funk, MT Council of Trout Unlimited
{Tape: 1; Side: a; Approx. Time Count: 31.5; Comments: none.}

Paul Roos, Blackfoot Chapter and Trout Unlimited
{Tape: 1; Side: a; Approx. Time Count: 33.8; Comments: none.}

Roxanne Kohl, MT Audubon
{Tape: 1; Side: a; Approx. Time Count: 34.4; Comments: none.}

Chris Newbold, MT PIRG
{Tape: 1; Side: a; Approx. Time Count: 35.2; Comments: none.}

Opponents' Testimony:

Steve Pilcher, Western Environmental Trade Association, submitted Exhibit #7

{Tape: 1; Side: a; Approx. Time Count: 35.8; Comments: Exhibit #7.}

Mark Watson, City Administrator for the City of Billings

{Tape: 1; Side: a; Approx. Time Count: 41.4; Comments: none.}

Frank Crowley, ASARCO

{Tape: 1; Side: a; Approx. Time Count: 44.9; Comments: none.}

David Owen, MT Chamber of Commerce

{Tape: 1; Side: a; Approx. Time Count: 47.0; Comments: none.}

Margaret Morgan, Executive Director of the MT Realtors Association

{Tape: 1; Side: b; Approx. Time Count: 0.3; Comments: none.}

Questions From Committee Members and Responses:

{Tape: 1; Side: a; Approx. Time Count: 1.5; Comments: none.}

Closing by Sponsor: Rep. Ewer closed

{Tape: 1; Side: a; Approx. Time Count: 17.2; Comments: none.}

HEARING ON HB 475

Opening Statement by Sponsor: Rep. John Cobb opened, submitted Exhibit #8

{Tape: 1; Side: b; Approx. Time Count: 19.3; Comments: none.}

{Tape: 1; Side: b; Approx. Time Count: 17.5-32.9; Comments: no sound the record button got stuck and the record feature wouldn't come on; after some persuasion it finally unajarred itself and began recording again.}

Proponents' Testimony:

John Krutar, Blackfoot Legacy

{Tape: 1; Side: b; Approx. Time Count: 33.0; Comments: none.}

Opponents' Testimony:

Angela Janacaro, MT Mining Association

{Tape: 1; Side: b; Approx. Time Count: 34.0; Comments: none.}

Byron Darnton, metallurgic engineer submitted exhibit #9

{Tape: 1; Side: b; Approx. Time Count: 35.6; Comments: exhibit #9.}

Russ Ritter, MT Resources, Butte, MT

{Tape: 1; Side: b; Approx. Time Count: 43.0; Comments: none.}

Steve Pilcher, Western trade Association

{Tape: 1; Side: b; Approx. Time Count: 44.8; Comments: none.}

Questions From Committee Members and Responses:

{Tape: 1; Side: b; Approx. Time Count: 46.1; Comments: none.}

{Tape: 2; Side: a; Approx. Time Count: 2.3; Comments: none.}

Closing by Sponsor: Rep. Cobb closed

{Tape: 2; Side: a; Approx. Time Count: 11.5; Comments: none.}

EXECUTIVE ACTION ON HB 374

Motion: Rep. Harper; DO PASS

{Tape: 2; Side: a; Approx. Time Count: 15.7; Comments: none.}

Discussion:

Rep. Harper hands out copies of Exhibit #10 MC 75-5-307 and explains the current existing code and who would have standing and the effect of "standing" with regards to this bill

{Tape: 2; Side: a; Approx. Time Count: 17.5; Comments: exhibit #10.}

Motion/Vote: Rep. Tash moves to Table HB 374

{Tape: 2; Side: a; Approx. Time Count: 45.3; Comments: none.}

Rep. Harper is allowed to make a final statement, uses an analogy of executive action to liken his case regarding current "standing" issue in the process.

{Tape: 2; Side: a; Approx. Time Count: 47.8; Comments: none.}

Vote: HB 374 was TABLED (12-6)

EXECUTIVE ACTION ON HB 437

Motion: Rep. Beaudry; DO PASS

{Tape: 2; Side: b; Approx. Time Count: 3.5; Comments: none.}

Amendments: handed out amendment from MEIC (Exhibit #11)

Discussion: amendment by MEIC was moved

Motion/Vote: amendment passed 17-1

{Tape: 2; Side: b; Approx. Time Count: 5.7; Comments: none.}

Amendments: amendment from Dept. (hb043701.akw)

Discussion: the Committee asked Kathleen if the amendments submitted by MEIC and just adopted by the Committee would be in conflict with the Depts. proposed amendments. Kathleen didn't think that the difference was substantive.

Motion/Vote: amendment by the Dept. passed 18-0

Kathleen was given permission to coordinate the amendments.

Amendments: Rep. Beaudry moved DO PASS HB 437 with MEIC & Dept. amendments adopted

Discussion: Rep. Harper felt that this is double prospecting and noted Rep. Raney would vote no.

{Tape: 2; Side: b; Approx. Time Count: 10.0; Comments: none.}

Vote: Rep. Orr called for a Question, vote (14-4) (Rep. Harper, Ellingson, Raney, and Tuss voted no)

EXECUTIVE ACTION ON HB 414

Motion: Rep. Orr moved DO PASS

{Tape: 2; Side: b; Approx. Time Count: 12.7; Comments: none.}

Amendments: hb041401.adb

Discussion: Rep. Orr moved amend

Motion/Vote: vote was called for (17-1) (Rep. Tuss voted no) amendment passed

Discussion: Rep. Orr moved to Table HB 414 as amended

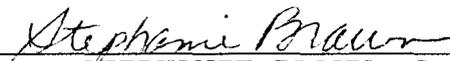
Vote: 18-0; HB 414 was Tabled

ADJOURNMENT

Adjournment: 6:00 p.m.



REP. DICK KNOX, Chairman



STEPHANIE BRAUN, Secretary

DK/SB