

MINUTES

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

COMMITTEE ON NATURAL RESOURCES

Call to Order: By Chairman Dick Knox, on February 17, 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 546 (2/13), HB 494 (2/12),
HB 529 (2/12), HB 524 (2/12)
Executive Action: HB 395 DO PASS AS AMENDED (12-
6), HB 529 DO PASS (18-0)

HEARING ON HB 546

Opening Statement by Sponsor:

Rep. Bill Tash, HD #34

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

Proponents' Testimony:

Steve Pilcher, Western Environmental Trade Association Exhibit #1
{Tape: 1; Side: a; Approx. Time Count: 8.5; Comments: none.}

John Bloomquist, attorney, MT Stockgrower's Association
{Tape: 1; Side: a; Approx. Time Count: 15.7; Comments: none.}

Patrick Heffernan, MT Logging Association submitted Exhibit #2
{Tape: 1; Side: a; Approx. Time Count: 26.8; Comments: Exhibit #2.}

Larry Brown, Agricultural Preservation and Northern MT Oil & Gas submitted Exhibit #3
{Tape: 1; Side: a; Approx. Time Count: 30.8; Comments: Exhibit #3.}

Leo Berry, attorney, MT Power Company
{Tape: 1; Side: a; Approx. Time Count: 36.4; Comments: none.}

Les Graham, MT Dairy Association
{Tape: 1; Side: a; Approx. Time Count: 39.1; Comments: none.}

Lorna Frank
{Tape: 1; Side: a; Approx. Time Count: 39.5; Comments: none.}

Cary Hegreberg, MT Wood Products Association
{Tape: 1; Side: a; Approx. Time Count: 40.7; Comments: none.}

Mike Murphy, MT Water Resource Association
{Tape: 1; Side: a; Approx. Time Count: 42.5; Comments: none.}

Mark Simonich, Director Department of Environmental Quality submitted Exhibit #4
{Tape: 1; Side: a; Approx. Time Count: 43.5; Comments: none.}

{Tape: 1; Side: a; Approx. Time Count: end; Comments: flipped tape at the very end.}

Joan Miles, Lewis & Clark County Water Quality Protection District (supplied written testimony only) Exhibit #5

Opponents' Testimony:

Vickie Watson, Prof. University of MT, Environmental Studies and Biology submitted Exhibit #6
{Tape: 1; Side: b; Approx. Time Count: 0.1; Comments: Exhibit #6.}

Geoffrey Smith, Clark Fork Ponderosa Oreille Coalition
{Tape: 1; Side: b; Approx. Time Count: 10.7; Comments: none.}

Jim Richard, MT Wildlife Federation
{Tape: 1; Side: b; Approx. Time Count: 17.4; Comments: none.}

Debbie Smith, MT Chapter of the Sierra Club
{Tape: 1; Side: b; Approx. Time Count: 19.0; Comments: none.}

Jim Jensen, Director of MT Environmental Information Center
{Tape: 1; Side: b; Approx. Time Count: 23.0; Comments: none.}

Stan Frazier, self
{Tape: 1; Side: b; Approx. Time Count: 26.4; Comments: none.}

Janet Ellis, MT Audubon
{Tape: 1; Side: b; Approx. Time Count: 27.3; Comments: none.}

Wade Sikorski, self
{Tape: 1; Side: b; Approx. Time Count: 29.4; Comments: none.}

Informational Testimony:

Mike Valesky, MT Association of Conservation Districts
{Tape: 1; Side: b; Approx. Time Count: 30.0; Comments: none.}

Questions From Committee Members and Responses:

{Tape: 1; Side: b; Approx. Time Count: 33.3; Comments: none.}

{Tape: 1; Side: b; Approx. Time Count: end; Comments: flipped
tape at the end.}

{Tape: 2; Side: a; Approx. Time Count: 0.1; Comments: none.}

{Tape: 2; Side: a; Approx. Time Count: end; Comments: flipped
tape at the end.}

{Tape: 2; Side: b; Approx. Time Count: 0.1; Comments: none.}

Closing by Sponsor:

Rep. Tash closed
{Tape: 2; Side: b; Approx. Time Count: 2.5; Comments: none.}

Rep. Knox assigned a Subcommittee to evaluate the proposed
amendments from various entities. Rep. Tash will be the Chair,
rest of Committee consists of Reps. Story, Mood, Harper and
Ellingson.

{Tape: 2; Side: b; Approx. Time Count: 9.5; Comments: none.}

HEARING ON HB 524

Opening Statement by Sponsor:

Rep. Shiell Anderson, HD #25
{Tape: 2; Side: b; Approx. Time Count: 9.8; Comments: none.}

Proponents' Testimony:

Leo Berry, attorney MT Power Company
{Tape: 2; Side: b; Approx. Time Count: 11.0; Comments: none.}

Roxanne Kohl, MT Audubon, Exhibit #7 (supplied written testimony only)

Denise Mills, Remediation Coordinator for Department of Environmental Quality submitted Exhibits #9 & 10
{Tape: 2; Side: b; Approx. Time Count: 17.7; Comments: Exhibit #9 & 10.}

Anne Hedges, MT Environmental Information Center
{Tape: 2; Side: b; Approx. Time Count: 20.1; Comments: none.}

Opponents' Testimony: none

Questions From Committee Members and Responses:
{Tape: 2; Side: b; Approx. Time Count: 21.5; Comments: none.}

Closing by Sponsor: Rep. Anderson closed
{Tape: 2; Side: b; Approx. Time Count: 23.9; Comments: none.}

HEARING ON HB 494

Opening Statement by Sponsor:
Rep. Jon Ellingson, HD #65
{Tape: 2; Side: b; Approx. Time Count: 25.9; Comments: none.}

Proponents' Testimony:
David Dittloff, MT Audubon, Exhibit #8 (written testimony only)

Patrick Judge, MT Environmental Information Center submitted Exhibit #11
{Tape: 2; Side: b; Approx. Time Count: 33.3; Comments: Exhibit #11.}

Richard Parks, MT Wildlife Federation submitted Exhibit #12
{Tape: 2; Side: b; Approx. Time Count: 44.1; Comments: Exhibit #12.}
{Tape: 2; Side: b; Approx. Time Count: end; Comments: flipped at end of the tape.}

Debbie Smith, MT Chapter of Sierra Club
{Tape: 3; Side: a; Approx. Time Count: 0.1; Comments: none.}

Wade Sikorski, self, concerned citizen from Eastern MT
{Tape: 3; Side: a; Approx. Time Count: 3.6; Comments: none.}

Opponents' Testimony: Jim Mockler, MT Coal Council
{Tape: 3; Side: a; Approx. Time Count: 4.1; Comments: none.}

Candace Torgerson, Colstrip Energy Limited Partnership & Yellowstone Energy Limited Partnership submitted Exhibit #14
{Tape: 3; Side: a; Approx. Time Count: 8.0; Comments: Exhibit #14.}

Gene Braun, General Manager of Electric Transmission for MT Power Company submitted Exhibit #13

{Tape: 3; Side: a; Approx. Time Count: 10.1; Comments: Exhibit #13.}

Questions From Committee Members and Responses:

{Tape: 3; Side: a; Approx. Time Count: 14.1; Comments: none.}

Closing by Sponsor:

Rep. Ellingson closed

{Tape: 3; Side: a; Approx. Time Count: 26.2; Comments: none.}

HEARING ON HB 529

Opening Statement by Sponsor:

Rep. Matt Denny, HD #63 submitted Exhibit #15

{Tape: 3; Side: a; Approx. Time Count: 26.9; Comments: Exhibit #15.}

Proponents' Testimony:

Curt Chisholm, Deputy Director of Department Environmental Quality

{Tape: 3; Side: a; Approx. Time Count: 29.0; Comments: none.}

Opponents' Testimony: none

Questions From Committee Members and Responses:

{Tape: 3; Side: a; Approx. Time Count: 34.9; Comments:

Closing by Sponsor: Rep. Denny closed

{Tape: 3; Side: a; Approx. Time Count: 35.7; Comments: none.}

EXECUTIVE ACTION ON HB 395

Motion: Rep. Trexler; DO PASS

Amendments: hb039501.akw, Rep. Knox moved the amendment, Question was called for (18-0) motion carries, amendment is attached to the Bill

Discussion: Rep. Harper said this Bill was requested by Sen. McCarthy; bill is an attempt to stack in favor of the mining companies.

{Tape: 3; Side: a; Approx. Time Count: 39.3; Comments: none.}

Rep. Ohs, why? Rep. Knox, then Rep. Taylor comment.

{Tape: 3; Side: a; Approx. Time Count: 40.7; Comments: none.}

Rep. Ellingson felt Rep. harper spoke plainly and that does happen. Rep. Ellingson also feels that the Judges, who are elected, are subject to pressures where the mine is located.

{Tape: 3; Side: a; Approx. Time Count: 42.4; Comments: none.}

Rep. Story feels its a supposition and that they should be able to hold trial in their own venue. Better to hold it where damage may be done.

{Tape: 3; Side: a; Approx. Time Count: 43.0; Comments: none.}

Rep. Harper didn't, mean to offend the Committee, but that's his opinion.

{Tape: 3; Side: a; Approx. Time Count: 44.6; Comments: none.}

Motion/Vote: Question DO PASS AS AMENDED, motion carries (12-6) (Reps. Harper, Raney, Ellingson, Tuss, Schmidt & Swanson voted NO)

EXECUTIVE ACTION ON HB 529

Motion: Rep. Orr; DO PASS

Discussion: none

Motion/Vote: voice vote, motion carries DO PASS (18-0)

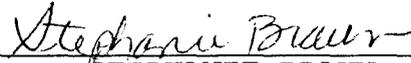
Rep. Tash announced the Subcommittee for HB 546 would meet at 7:00 a.m. in Room 10 (the basement).

ADJOURNMENT

Adjournment: 7:16 p.m.



REP. DICK KNOX, Chairman



STEPHANIE BRAUN, Secretary

DK/SB