

**MINUTES**

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

**COMMITTEE ON NATURAL RESOURCES**

**Call to Order:** By Chairman Dick Knox, on March 14, 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. 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. Doug Mood

**Members Absent:** none

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

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: SB 224 (3/5), SJ 13 (3/6)  
Executive Action: SB 332 DO CONCUR as AMEND (11-6)

**Rep. Knox asked Rep. Tash to report on the Subcommittee meeting held with regards to SB 97.**

*{Tape: 1; Side: a; Approx. Time Count: 0.2; Comments: none.}*

Rep. Tash reported to the Committee about the Subcommittee meeting held on Wednesday morning at 7 a.m. to decide on amendments to SB 97.

*{Tape: 1; Side: a; Approx. Time Count: 2.2; Comments: none.}*

EXECUTIVE ACTION ON SB 332

Motion: Rep. Stovall, DO CONCUR

*{Tape: 1; Side: a; Approx. Time Count: 9.9; Comments: none.}*

Amendments: Rep. Harper proposed a conceptual amendment

*{Tape: 1; Side: a; Approx. Time Count: 10.2; Comments: none.}*

Discussion: Rep. Orr feels this is a good amendment.

*{Tape: 1; Side: a; Approx. Time Count: 12.0; Comments: none.}*

Motion/Vote: Rep. Ellingson called for a Question. Amendment passes 16-0, Rep. Schmidt and Mood were not present to vote for the amendment.

Discussion: Rep. Orr still feels its a good amendment, but its still not a good bill.

*{Tape: 1; Side: a; Approx. Time Count: 13.1; Comments: none.}*

Rep. Tash is going to speak in favor of the Bill as a first step to reform.

*{Tape: 1; Side: a; Approx. Time Count: 16.5; Comments: none.}*

Rep. Harper moves the Bill as amended.

*{Tape: 1; Side: a; Approx. Time Count: 18.0; Comments: none.}*

Rep. Stovall is in favor of the Bill and trying to stop people from just throwing tires around and not disposing of them properly.

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

Rep. Tuss is going to speak against the Bill, she doesn't feel it'll do a thing to help the problem.

*{Tape: 1; Side: a; Approx. Time Count: 18.7; Comments: none.}*

Rep. Curtiss appreciates Carley's remarks and wanted to add by giving the Department more rulemaking authority what would this change.

*{Tape: 1; Side: a; Approx. Time Count: 23.2; Comments: none.}*

Rep. Story appreciates Rep. Tuss' comments. He is going to support this bill.

*{Tape: 1; Side: a; Approx. Time Count: 24.2; Comments: none.}*

Rep. Tuss said that the example used to promote this bill was from her District and she feels this Bill would have done nothing to change what happened in her District (Rep. Tuss refers to a newspaper picture, supplied by Anne Hedges of MEIC, of a tire fire that happened in the Black Eagle District in Great Falls).

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

Rep. Wagner has a concern about what triggers the licensing procedure, this Bill says that DNRC does and he is concerned about this.

*{Tape: 1; Side: a; Approx. Time Count: 29.8; Comments: none.}*

Jan Sensibaugh commented that the DNRC has specific rules about operating as a business.

*{Tape: 1; Side: a; Approx. Time Count: 31.7; Comments: none.}*

Rep. Beaudry wants to know what happens if someone is collecting tires and can't pay the bond.

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

Jan Sensibaugh said that the people would have to be licensed after a certain amount of tires.

*{Tape: 1; Side: b; Approx. Time Count: 1.2; Comments: none.}*

**VOTE:** Rep. Orr called for a question. Voice vote, 11-6 (Rep. Mood was absent for the vote) Reps. Curtiss, Tuss, Wagner, Orr, Trexler and Taylor voted no. Rep. Story will carry this Bill on the House floor.

HEARING ON SB 224

Opening Statement by Sponsor: Sen. Mack Cole, SD #4 opened

*{Tape: 1; Side: b; Approx. Time Count: 6.9; Comments: none.}*

Proponents' Testimony:

Jan Sensibaugh, Department of Natural Resources and Conservation submitted Exhibit #1

*{Tape: 1; Side: b; Approx. Time Count: 11.1; Comments: Exhibit #1.}*

Jim Mockler, MT Coal Council

*{Tape: 1; Side: b; Approx. Time Count: 15.0; Comments: none.}*

Rep. Haley Beaudry, HD #35

*{Tape: 1; Side: b; Approx. Time Count: 18.0; Comments: none.}*

Tom Ebzrey attorney representing Portland General Electric and Puget Power and Electric

*{Tape: 1; Side: b; Approx. Time Count: 24.1; Comments: none.}*

Ed Bartlett, MT Power Company in Butte

*{Tape: 1; Side: b; Approx. Time Count: 27.3; Comments: none.}*

Sen. Tom Keating, SD #5

*{Tape: 1; Side: b; Approx. Time Count: 27.3; Comments: none.}*

Candace Torgerson, Billings Generative Inc. (BGI)

*{Tape: 1; Side: b; Approx. Time Count: 28.7; Comments: none.}*

Opponents' Testimony:

Patrick Judge, Montana Environmental Information Center  
{Tape: 1; Side: b; Approx. Time Count: 29.8; Comments: none.}

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

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

Richards Parks, owns and operates a fly fishing business in  
Gardiner submitted Exhibit #2  
{Tape: 2; Side: a; Approx. Time Count: 6.1; Comments: Exhibit  
#2.}

Debbie Smith, MT Chapter of the Sierra Club  
{Tape: 2; Side: a; Approx. Time Count: 9.2; Comments: none.}

David Ditloff, MT Audubon  
{Tape: 2; Side: a; Approx. Time Count: 13.6; Comments: none.}

Brett Brownscombe, MT Wildlife Federation  
{Tape: 2; Side: a; Approx. Time Count: 15.2; Comments: none.}

Questions From Committee Members and Responses:  
{Tape: 2; Side: a; Approx. Time Count: 19.6; 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: Sen. Cole closed  
{Tape: 2; Side: b; Approx. Time Count: 17.9; Comments: none.}

HEARING ON SJ 13

Opening Statement by Sponsor:  
Sen. Ken Miller, SD #11  
{Tape: 2; Side: b; Approx. Time Count: 25.7; Comments: none.}

Proponents' Testimony:  
Linda Reed, Governor's Senior Economic Advisor  
{Tape: 2; Side: b; Approx. Time Count: 28.2; Comments: none.}

Steve Brownings, Canyon Ferry Recreation Association (CFRA)  
submitted Exhibit #3 (only written testimony was submitted)

Al Kington, IFPA  
{Tape: 2; Side: b; Approx. Time Count: 31.5; Comments: none.}

Sen. Mack Cole, SD #4  
{Tape: 3; Side: a; Approx. Time Count: 0.5; Comments: none.}

Larry Brown, Northern MT Oil and Gas

{Tape: 3; Side: a; Approx. Time Count: 2.9; Comments: none.}

Opponents' Testimony:

Richard Parks, Northern Plains Resource Council submitted Exhibit #4

{Tape: 3; Side: a; Approx. Time Count: 5.6; Comments: exhibit #4.}

Debbie Smith, MT Chapter of the Sierra Club

{Tape: 3; Side: a; Approx. Time Count: 8.5; Comments: none.}

Informational Testimony:

Rep. Raney took a poll in his district, he sent out 2800 questionnaires and received 400 responses. The question was do you favor the Crown Butte proposed mine? 26% said yes and 74% said no.

{Tape: 3; Side: a; Approx. Time Count: 10.7; Comments: none.}

Questions From Committee Members and Responses:

{Tape: 3; Side: a; Approx. Time Count: 12.3; Comments: none.}

Closing by Sponsor: Sen. Miller closed

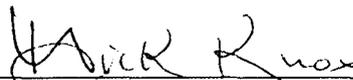
{Tape: 3; Side: a; Approx. Time Count: 27.4; Comments: none.}

Rep. Knox told the Committee to be prepared they will take Executive Action on SB 97, SB 224, and SJ 13 next Friday 3/21/97.

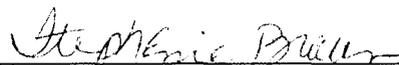
{Tape: 3; Side: a; Approx. Time Count: 31.4; Comments: none.}

ADJOURNMENT

Adjournment: 6:00 p.m.



REP. DICK KNOX, Chairman



STEPHANIE BRAUN, Secretary

DK/SB