

The House Natural Resources Committee convened in room 1 of the Capital Annex at 2:10 p.m. with Chairman Shelden presiding and sixteen members present for executive session. Representatives Burnett, Iverson and Quilici were absent. Rep. Burnett left a proxy vote.

EXECUTIVE SESSION:

HOUSE BILL 617 Rep. Keedy moved that on page 3, line 13, the number of registered votes needed to initiate action be changed from 25 to 250. A vote was taken and the motion carried unanimously with those present. Rep. Huennekens moved the insertion of number four (#4) of exhibit 1. (see attached) The motion carried with Representatives Thoft, Curtiss and Johnston voting no and Representatives Burnett, Iverson and Quilici absent. Rep. Cooney made a motion that amendments No. 5 & 6 (see on exhibit 1) be adopted by the committee. A vote was taken and carried unanimously with those present. Rep. Metcalf moved the last amendment on exhibit 1. The motion carried unanimously with those present. Rep. Cooney moved that HB 617 AS AMENDED DO PASS. Discussion from the committee followed. Rep. Nathe questioned how 250 registered voters could nominate property they do not even own. The researcher, Debbie Schmidt, was asked to comment. She said that the request is for nomination only. Before a hearing took place they would need to submit some information about the resources. Rep. Huennekens said the thrust of this bill is to state and local agencies. If they already have existing power they can continue to exert it. This bill gives no new powers. He stated that this bill is a kind of structural thing, a cooperative type thing between state and local government. This will not impose any new controls and it does not change local zoning or add anything new. Rep. Scully said that a statement of intent would be needed. Rep. Thoft was concerned about noxious weeds and interfering with removing them. Rep. Spilker said that while this doesn't involve any new permits, it will add a new criteria as to whether different things will be permitted or not. She felt it could be restrictive as to what people would be able to do with their land. Following discussion, question was called and a roll call vote taken. The motion carried with 9 yes, 8 no. Representatives Bertelson, Burnett, Curtiss, Johnston, Spilker, Nathe, Scully, and Thoft voted no. Representatives Iverson and Quilici were absent. HB 617 receives a AS AMENDED DO PASS recommendation.

HOUSE BILL 715 Rep. Scully moved a DO NOT PASS on HB 715. Discussion from the committee followed. Rep. Spilker questioned what the economic cost would be if ASARCO goes under. Rep. Harper said they go under quite regularly, about every two years. Question was called on the motion and a vote taken. The motion carried 13 yes, 4 no. Representatives Burnett, Curtiss, Johnston and Spilker voted no. Reps. Iverson and Quilici were absent. HB 715 receives a DO NOT PASS recommendation.

EXECUTIVE SESSION CONT.

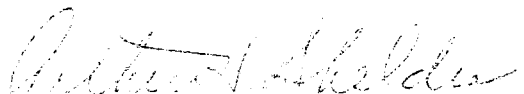
HOUSE BILL 716 Rep. Keedy moved that all of the amendments submitted by Rep. Kemmis (see exhibit 2) be adopted, except amendments #3 & #17, and that the word "mail" be stricken in amendments #9 & #10. A vote was taken and the motion carried unanimously with those present. Rep. Spilker then moved to adopt amendments #3 and #17. Discussion followed. Rep. Keedy said that since the federal penalty is \$25,000 and if noncompliance penalties are adopted, the federal government can come in and collect the difference. Question was called on the motion and a vote taken. The motion failed with 8 yes and 8 no. Representatives Cooney, Fagg, Huennekens, Keedy, McBride, Metcalf, Scully and Sheldon voted no. Representatives Burnett, Iverson and Quilici were absent. Rep. Scully made a motion that HB 716 AS AMENDED DO PASS. A roll call vote was taken and the vote carried with 12 yes and 1 no. Representatives Burnett, Curtiss, Johnston, Spilker and Thoft voted no. Rep. Iverson and Quilici were absent. HB 716 receives a AS AMENDED DO PASS recommendation.

HOUSE BILL 694 Rep. Metcalf went through the amendments presented by Northern Plains Resource Council, the Wibaux Area Council and the Dawson County Farmers Union. A copy of these amendments is exhibit 3 and is part of the minutes. Rep. Day stated that he had no objection to the amendments. Rep. Metcalf moved the amendments (exhibit 3) be adopted. Rep. Scully said he felt a few changes were needed. He explained his suggested changes to the committee. A copy of this is exhibit 4 of the minutes. Rep. Metcalf said the object of these amendments is that the burden of proof be on the applicant and that the question of need should be taken out. Rep. Scully moved to taken it out of the bill. A vote was taken and carried. Mr. Loble's amendment on page 3, line 12, to strike the semicolon and add "unless the board decides that it is in the interest of Montana to permit use outside Montana" was discussed but no motion was made. Rep. Fagg moved the amended amendments (see exhibit 4) be adopted. This motion carried unanimously with those members present. Rep. Fagg moved the bill AS AMENDED DO PASS. Rep. Nathe said this is passing a bill that is giving the authority to the Board of Natural Resources to make the decision within the Yellowstone Compact. Rep. Scully felt the legislature could not give a proper hearing and he felt it proper to have it done before the Board of Natural Resources. The legislature will still have to ratify it. Question was called and a vote taken. The motion carried unanimously with those present. Representatives Iverson and Quilici were absent.

Motion was made and seconded to adjourn.

Meeting adjourned at 4:00 p.m.

Respectfully submitted,


ARTHUR SHELDON, Chairman