

MINUTES OF THE MEETING OF THE NATURAL RESOURCES COMMITTEE
FEBRUARY 18, 1981

The House Natural Resources Committee convened in Room 437 of the Capitol Building on Wednesday, February 18, 1981, at 8:15 p.m. with CHAIRMAN DENNIS IVERSON presiding and seventeen members present (REP. SALES was excused).

EXECUTIVE SESSION HOUSE BILL 533 REP. HUENNEKENS moved DO PASS on some amendments. He then explained the changes. One corrected when the royalty would be paid and the other repealed rather than amended a section of Montana code. A third amendment raised the royalty to give the state the same return as the private sector. The motion PASSED.

REP. HUENNEKENS moved the bill DO PASS AS AMENDED. The motion PASSED.

HOUSE BILL 697 REP. BERTELSEN moved DO PASS on amendments prepared by MS. SCHMIDT. She explained that subsection 3 states what must be contained in the license. The agency must have limited rule-making authority and one amendment went along with the Statement of Intent which is attached as Exhibit 1. The motion on the amendments PASSED.

A motion of DO PASS on the Statement of Intent was made by REP. QUILICI and PASSED.

REP. CURTISS moved DO PASS on amendments submitted by the Montana Mining Association, but asked that they be separated.

The first amendment changed "has complied with" to "is aware of". REP. HUENNEKENS moved DO NOT PASS on that amendment because he felt awareness and compliance are not the same thing. The motion failed.

REP. BROWN moved the second amendment which inserted "a". The motion PASSED.

REP. CURTISS moved DO PASS on the third and fourth amendments. REP. HUENNEKENS opposed the motion saying there has to be some control over where the dredges are. The motion of DO PASS failed.

REP. MUELLER moved the bill DO PASS AS AMENDED. The motion PASSED with REPS. BURNETT, CURTISS, ROTH and COZZENS opposing.

HOUSE BILL 628 REP. CURTISS moved DO PASS.

REP. MUELLER felt the state did not intend to get into the power business. He further stated that the BPA should not dictate what anyone will get for power and that reference to 10 percent in the bill should be eliminated. REP. MUELLER then moved to amend the bill by deleting subsection 3, lines 22, 23, and 24, relating to royalty payments. The motion PASSED.

Natural Resources
February 18, 1981
Page 2

REP. ASAY moved DO NOT PASS on the bill.

REP. BROWN said the Department of Natural Resources does not want to be in that business but they are trying to do what is best for the state's water projects.

REP. CURTISS felt the department may not be interested now but could try later.

REP. NEUMAN moved the bill be TABLED. The motion PASSED with REPS. BURNETT, CURTISS, NORDTVEDT, HARP, ROTH, COZZENS, and KEEDY opposing.

HOUSE BILL 642 The committee decided a Statement of Intent was necessary for this bill.

REP. BURNETT moved to delete the comma between the word "forage" and the word "grasses" and to omit "domestic" in describing what type of foraging animals are covered.

REP. KEEDY asked to separate the two changes.

The motion to delete the commas PASSED with REPS. HUENNEKENS, ASAY, NORDTVEDT, and BERTELSEN opposing.

REP. BURNETT moved to strike the entire last sentence. It PASSED with REPS. HUENNEKENS, KEEDY, SHELDEN, NEUMAN, BERTELSEN, and HART opposing.

The Statement of Intent PASSED AS AMENDED.

HOUSE BILL 426 REP. HUENNEKENS moved DO PASS on the bill and on the amendments. The first four amendments dealing with minor word changes PASSED.

REP. HUENNEKENS then explained that he wanted to change the 25 million dollar figure to 10 million. Also he felt the word "processing" should be changed to "process". The motion DO PASS on amendments five and six failed.

REP. CURTISS moved DO PASS on the seventh amendment which also dealt with a minor word change. The motion PASSED.

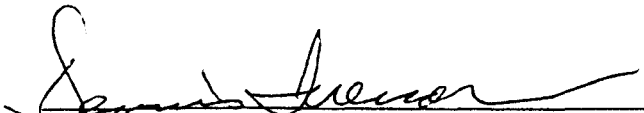
REP. HUENNEKENS moved to separate amendments five and six. The motion to reconsider failed.

REP. BROWN moved to TABLE HOUSE BILL 426. The motion PASSED with REPS. HUENNEKENS, KEEDY, SHELDEN, ABRAMS, NEUMAN, and HART opposing.

Natural Resources
February 18, 1981
Page 3

The meeting adjourned at 9:30 p.m.

Respectfully submitted,


DENNIS IVERSON, CHAIRMAN

Ellen Engstedt, Secretary

Statement of Intent - HB 697

A statement of intent is required for HB 697 because it delegates licensing authority in section 1 to the department of health and environmental sciences.

The bill requires a license to be obtained from the department. The department prior to licensure will provide the applicant with a list of state and federal laws applicable to suction dredge operations, and ensure compliance with state law. The department will place restrictions on the license pursuant to its present authority under Title 75, chapter 5. The department may develop a color scheme for licenses and include information in addition to that in subsection (3) as aids to enforcement.