

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
54th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON NATURAL RESOURCES

Call to Order: By Rep. Dick Knox, on January 27, 1995, at 3:00 PM.

ROLL CALL

Members Present:

Rep. Dick Knox, Chairman (R)
Rep. Bill Tash, Vice Chairman (Majority) (R)
Rep. Aubyn A. Curtiss (R)
Rep. Jon Ellingson (D)
Rep. David Ewer (D)
Rep. Daniel C. Fuchs (R)
Rep. Hal Harper (D)
Rep. Karl Ohs (R)
Rep. Scott J. Orr (R)
Rep. Paul Sliter (R)
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: Rep. Bob Raney

Staff Present: Michael Kakuk, Environmental Quality Council
Alyce Rice, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing: SB 46, SB 71
Executive Action: SB 46 Be Concurred In
SB 71 Be Concurred In As Amended

HEARING ON SB 46

Opening Statement by Sponsor: SENATOR CHUCK SWYSGOOD, Senate District 17, Dillon, said SB 46 diverts 2.2 % of the metalliferous mines license tax to the ground water assessment account as was intended by SB 94 last Legislative Session.

Proponents' Testimony: Jim Stimson, Chairman, Groundwater Assessment Steering Committee, said in 1991 the Groundwater Assessment Act was passed. It established the Groundwater Monitoring Program and the Groundwater Aquifer Assessment Program. The monitoring program which monitors water levels across the state is establishing a network of approximately 730 wells which will be monitored quarterly. Some of the wells have continuous recorders. Under the aquifer assessment program twenty-one basins will be studied in detail to learn where the groundwater comes from and to identify aquifers that are not being utilized at the present time.

Mike Murphy, Montana Water Resources Association, supported SB 46.

Jim Jensen, Executive Director, Montana Environmental Information Center, supported SB 46.

REP. HAL HARPER, House District 52, Helena, Chairman, Water Policy Committee, supported SB 46.

Opponents' Testimony: None

Informational Testimony: None

Questions From Committee Members and Responses: REP. EMILY SWANSON asked Dennis McKenna, Montana Bureau of Mines, what resource indemnity tax expenditures (RIT) will be gained by the bill. Mr. McKenna said the \$130,000 which is 2.2 % of the mines tax will go directly into the RIT trust.

Closing by Sponsor: SENATOR SWYSGOOD closed.

EXECUTIVE ACTION ON SB 46

Motion/Vote: REP. BILL TASH MOVED SB 46 BE CONCURRED IN. Voice vote was taken. Motion carried unanimously.

HEARING ON SB 71

Opening Statement by Sponsor: SENATOR BARRY STANG, Senate District 36, St. Regis, said SB 71 adds a representative of the petroleum release remediation consultant industry to the Petroleum Tank Release Compensation Board and limits the time in which claims for reimbursement can be filed to be considered eligible for reimbursement from the petroleum tank cleanup fund.

Proponents' Testimony: Jean Riley, Executive Director, Petroleum Tank Release Compensation Board. Written testimony. EXHIBIT 1

Tim Olson, Department of Transportation, supported SB 71 but requested that the effective date be delayed for six months.

Opponents' Testimony: None

Informational Testimony: None

Questions From Committee Members and Responses: **REP. PAUL SLITER** asked **Mr. Olson** why he wanted to delay the effective date of the bill. **Mr. Olson** said for awhile the department only had one employee working on the claims but now have a staff of five rapidly working on them and some of them date past two years.

REP. DOUG WAGNER asked **SENATOR STANG** what enforcement agency oversees the board. **SENATOR STANG** replied that it was the Board of Health and Environmental Sciences.

Closing by Sponsor: **SENATOR STANG** said the effective date could probably be worked out between the Board and the Department of Transportation. The reason for the immediate effective date is that the Board has an open position and they would like to pass it through with an immediate effective date so the Governor can appoint someone as soon as possible.

EXECUTIVE ACTION ON SB 71

Motion: **REP. PAUL SLITER MOVED SB 71 BE CONCURRED IN.**

Discussion: **REP. SLITER** offered an amendment to SB 71 that makes sections 1 and 3 of the bill effective immediately and section 2 would be delayed until October 1, 1995.

Tape 1, Side B

Motion/Vote: **REP. SLITER MOVED THE AMENDMENT TO SB 71.** Voice vote was taken. Motion carried unanimously.

Motion/Vote: **REP. SLITER MOVED SB 71 BE CONCURRED IN AS AMENDED.** Voice vote was taken. Motion carried unanimously.

ADJOURNMENT

Adjournment: 3:45 PM



REP. DICK KNOX, Chairman



ALYCE RICE, Secretary

DK/ar

HOUSE OF REPRESENTATIVES

Natural Resources

ROLL CALL

DATE 1-27-95

NAME	PRESENT	ABSENT	EXCUSED
Rep. Dick Knox, Chairman	✓		
Rep. Bill Tash, Vice Chairman, Majority	✓		
Rep. Bob Raney, Vice Chairman, Minority		✓	
Rep. Aubyn Curtiss	✓		
Rep. Jon Ellingson	✓		
Rep. David Ewer	✓		
Rep. Daniel Fuchs	✓		
Rep. Hal Harper	✓		
Rep. Karl Ohs	✓		
Rep. Scott Orr	✓		✓
Rep. Paul Sliter	✓		
Rep. Robert Story	✓		
Rep. Jay Stovall	✓		
Rep. Emily Swanson	✓		
Rep. Lila Taylor	✓		
Rep. Cliff Trexler	✓		
Rep. Carley Tuss	✓		
Rep. Doug Wagner			



HOUSE STANDING COMMITTEE REPORT

January 30, 1995

Page 1 of 1

Mr. Speaker: We, the committee on Natural Resources report that Senate Bill 46 (third reading copy -- blue) be concurred in.

Signed: _____

Dick Knox

Dick Knox, Chair

Carried by: Rep. Story

1/30
mm

Committee Vote:
Yes 17, No 0.

250939SC.Hbk



HOUSE STANDING COMMITTEE REPORT

January 30, 1995

Page 1 of 1

Mr. Speaker: We, the committee on Natural Resources report that Senate Bill 71 (third reading copy -- blue) be concurred in as amended.

Signed: _____

Dick Knox
Dick Knox, Chair

Carried by: Rep. Sliter

And, that such amendments read:

1. Title, line 10.

Following: "PROVIDING"

Strike: "AN IMMEDIATE"

Following: "EFFECTIVE"

Strike: "DATE"

Insert: "DATES"

2. Page 4, lines 4 and 5.

Following: "Effective" on line 4

Strike: "date" through "is"

Insert: "dates. (1) [Section 1 and this section] are"

Following: line 4

Insert: "(2) [Section 2] is effective September 30, 1995."

-END-

1/30

Committee Vote:

Yes 17, No 0.

250946SC.Hbk

PETROLEUM TANK RELEASE
COMPENSATION BOARD

EXHIBIT 1
DATE 1-27-95
HB 71



MARC RACICOT, GOVERNOR

STATE OF MONTANA

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PO BOX 200902
HELENA, MONTANA 59620-0902

Testimony SB 71

Jean Riley, Executive Director
Petroleum Tank Release Compensation Board

The Petroleum Tank Release Compensation Board (Board) is in support of this legislation.

The Board is seeking a statutory limit to the time for which owners/operators of petroleum storage tanks can request reimbursement from the Petroleum Tank Release Cleanup Fund (Fund). There is presently no time limitation. The Board selected two years due to contractors being required to keep employee records for only three years. The two year limit would allow the staff time to request the necessary information prior to the contractor disposing of records.

The other change was requested by the petroleum remediation consulting industry. This industry completes much of the work on the sites which reimbursement is received. Contractors felt representation could assist the Board in further understanding the industry and it's role in the cleanup.

Again the Board supports this legislation. Thank you for your time.

HOUSE OF REPRESENTATIVES

VISITOR'S REGISTER

COMMITTEE

BILL NO.

SB 71

DATE

1-27-95

SPONSOR(S)

Senator Stang

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	BILL	OPPOSE	SUPPORT
Jean Riley	Petroleum Tank Release Compensation Board	SB 71		X
Tim Olson	Mo Dept of Transport	SB 71		X
Maeve Cleary-Schmidt	WIFE	SB 71		X

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

HOUSE OF REPRESENTATIVES

VISITOR'S REGISTER

Natural Resources COMMITTEE BILL NO. SB 46
 DATE 1-27-95 SPONSOR(S) Senator Snyggard

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	BILL	OPPOSE	SUPPORT
<u>Tom Thurston</u>	<u>GW assessment Steering Committee</u>			X
<u>Marvin Miller</u>	<u>MT. Bur. of Mines & Geology</u>	<u>SB 46</u>		X
<u>Tom Pata</u>	<u>MA Bur. of Mins</u>	<u>SB 46</u>		X
<u>Dennis McKenna</u>	<u>MT. Bur. of Mines of Minn</u>	<u>SB 46</u>		X
<u>MIKE MURPHY</u>	<u>MT. WATER RES. ASSN</u>	<u>SB 46</u>		X
<u>Timothy A Olson</u>	<u>MT. Dept of Transport</u>	<u>SB 46</u>		X
<u>Jim Jensen</u>	<u>WERC</u>			X
<u>Maureen Cleary-Schweirich</u>	<u>WIFE</u>			X

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