

**MINUTES**

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

**COMMITTEE ON NATURAL RESOURCES**

**Call to Order:** By Chairman Dick Knox, on February 5, 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 395, HB 374  
Executive Action: HB 329 (Tabled, 12-6), HB 344  
(17-1) DO PASS, SB 50 (18-0)  
DO CONCUR, SB 59 (17-1) DO  
CONCUR

**HEARING ON HB 395**

**Opening Statement by Sponsor:**

Rep. Doug Grimes, HD #39 opened

{Tape: 1; Side: a; Approx. Time Count: 1.0; Comments: none.}

Proponents' Testimony:

Page Dringman, Pegasus Gold

{Tape: 1; Side: a; Approx. Time Count: 5.5; Comments: none.}

Tamara J. Johnson, Citizens United for a Realistic Environment  
submitted Exhibit #2

{Tape: 1; Side: a; Approx. Time Count: 7.7; Comments: none.}

Rebecca Watson, attorney, MT Mining Association

{Tape: 1; Side: a; Approx. Time Count: 10.0; Comments: none.}

Fess Foster, resident of Willow Creek

{Tape: 1; Side: a; Approx. Time Count: 11.6; Comments: none.}

Opponents' Testimony:

Jim Jensen, Director of Montana Environmental Information Center

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

Julie Page, Gardiner, Chair of Northern Plains resource Council  
submitted Exhibit #3

{Tape: 1; Side: a; Approx. Time Count: 20.0; Comments: Exhibit  
#3.}

Curt Chisholm, Executive Director of Department of Environmental  
Quality

{Tape: 1; Side: a; Approx. Time Count: 22.2; Comments: none.}

Questions From Committee Members and Responses:

{Tape: 1; Side: a; Approx. Time Count: 24.0; Comments: none.}

Closing by Sponsor: Rep. Grimes closed

{Tape: 1; Side: a; Approx. Time Count: 26.1; Comments: none.}

HEARING ON HB 374

Opening Statement by Sponsor: Rep. Hal Harper, HD #52 opened and  
submitted Exhibit #4

{Tape: 1; Side: a; Approx. Time Count: 26.4; Comments: none.}

Proponents' Testimony:

Exhibit #1 submitted (written testimony only) by MT-CHEER  
(Coalition for Health, Environmental and Economic Rights)

Peter Funk, MT Council on Trout Unlimited submitted Exhibit #5  
{Tape: 1; Side: a; Approx. Time Count: 35.4; Comments: Exhibit  
#5.}

{Tape: 1; Side: a; Approx. Time Count: 44.5; Comments: flipped  
tape.}

Patrick Judge, Montana Environmental Information Center & Montana Public Interest Group submitted Exhibit #6

{Tape: 1; Side: b; Approx. Time Count: 0.1; Comments: Exhibit #5.}

Mary Westwood, on her own behalf

{Tape: 1; Side: b; Approx. Time Count: 4.5; Comments: none.}

Julie Page, Chair of Northern Plains Resource Council & owner of an outfitter company submitted Exhibit #7

{Tape: 1; Side: b; Approx. Time Count: 8.6; Comments: Exhibit #7.}

Jim Richard, MT Wildlife Federation

{Tape: 1; Side: b; Approx. Time Count: 12.7; Comments: none.}

Roxanne Kohl, intern at MT Audubon Society submitted Exhibit #10

{Tape: 1; Side: b; Approx. Time Count: 13.5; Comments: Exhibit #10.}

Stan Frazier, MT Wildlife Federation

{Tape: 1; Side: b; Approx. Time Count: 14.5; Comments: none.}

Bruce Farling, Montana T.V., self rural landowner

{Tape: 1; Side: b; Approx. Time Count: 15.5; Comments: none.}

Opponents' Testimony:

Larry Brown, Northern MT Oil & Gas and Agricultural Preservation Association

{Tape: 1; Side: b; Approx. Time Count: 17.7; Comments: none.}

Tammy Johnson, Citizens United for a Realistic Environment submitted Exhibit #8

{Tape: 1; Side: b; Approx. Time Count: 23.4; Comments: Exhibit #8.}

Steve Pilcher, Western Environmental Trade Association

{Tape: 1; Side: b; Approx. Time Count: 26.2; Comments: none.}

Page Dringman, Pegasus Gold submitted Exhibit #9

{Tape: 1; Side: b; Approx. Time Count: 29.4; Comments: Exhibit #9.}

Angela Janacaro, MT Mining Association

{Tape: 1; Side: a; Approx. Time Count: 35.4; Comments: none.}

David Owens, MT Chamber of Commerce

{Tape: 1; Side: b; Approx. Time Count: 37.1; Comments: none.}

Informational Witness:

Jason Campbell

{Tape: 2; Side: a; Approx. Time Count: 0.3; Comments: none.}

Questions From Committee Members and Responses:

*{Tape: 2; Side: a; Approx. Time Count: 7.4; Comments: none.}*

Committee asked Mr. John Arrigo of DEQ to provide the Committee with information regarding how many "32 cent" letters had an impact on the Department and their current process as of the 1995 definition of "standing" and how the Department may be impacted with the proposed 1997 Legislation with regard to "standing". R  
*{Tape: 2; Side: a; Approx. Time Count: 6.5; Comments: none.}*

*{Tape: 2; Side: a; Approx. Time Count: 7.4; Comments: questions resumed beginning with Rep. Trexler.}*

Rep. Swanson requested that the Department (DEQ) furnish the Committee a diagram/sketch, similar to Peter Funk's, that illustrates the process and exactly where and who has participation in each step of the process. The diagram should also indicate if "economic interest" is a deciding factor. (Exhibit #11 copied by Secretary from Mr. Funk's diagram of the process.)

*{Tape: 2; Side: a; Approx. Time Count: 19.3; Comments: Exhibit #11.}*

Closing by Sponsor: Rep. Harper closed

*{Tape: 2; Side: a; Approx. Time Count: 32.5; Comments: none.}*

EXECUTIVE ACTION ON HB 329

Motion: by Rep. Harper; DO PASS

Amendments: hb032901.akw; moved amendment

Discussion: none

Motion/Vote: voice vote, amendment passes 18-0

Discussion: back to the body of the Bill as amended; Rep. Ellingson commented on what the Bill was about

*{Tape: 2; Side: a; Approx. Time Count: 41.0; Comments: none.}*

Discussion continues with Rep. Beaudry, Rep. Ellingson, Rep. Trexler, Rep. Ellingson, Rep. Ohs, Rep. Tash

*{Tape: 2; Side: a; Approx. Time Count: 43.1; Comments: none.}*

Rep. Harper provided **Exhibit #12** information the Committee had requested Bill Snoddy of MacDonald Gold Project to provide.

*{Tape: 2; Side: b; Approx. Time Count: 0.1; Comments: Exhibit #12.}*

Rep. Beaudry feels this Bill would be detrimental to Montana

*{Tape: 2; Side: b; Approx. Time Count: 2.3; Comments: none.}*

**Vote:** Rep. Tash moves to Table the Bill, individual vote is taken, HB 329 is Tabled by a vote of 12-6

**EXECUTIVE ACTION ON HB 344**

**Motion:** DO PASS

*{Tape: 2; Side: b; Approx. Time Count: 6.2; Comments: none.}*

**Amendments:** none

**Discussion:** Rep. Harper felt that the testimony given with regards to Tech was a poor example; the University did not try to maximize their capital.

*{Tape: 2; Side: b; Approx. Time Count: 6.4; Comments: none.}*

Rep. Trexler feels an auction is a poor way to sell real estate, thinks this Bill is worthwhile.

*{Tape: 2; Side: b; Approx. Time Count: 7.2; Comments: none.}*

**Motion/Vote:** Rep. Ohs called for a question; voice vote, HB 344 passed (17-1) (Rep. Wagner voted against the Bill)

**EXECUTIVE ACTION ON SB 50**

**Motion:** By Rep. Stovall, DO CONCUR

*{Tape: 2; Side: b; Approx. Time Count: 7.9; Comments: none.}*

**Amendments:** none

**Discussion:** none

**Motion/Vote:** Question was called for; voice vote; all in favor, SB 50 passes (18-0); Rep. Curtiss will carry the Bill on the House floor

*{Tape: 2; Side: b; Approx. Time Count: 9.4; Comments: none.}*

**EXECUTIVE ACTION ON SB 59**

**Motion:** by Rep. Swanson; DO CONCUR

*{Tape: 2; Side: b; Approx. Time Count: 9.09; Comments: none.}*

**Amendments:** none

Discussion: Rep. Ohs, Rep. Beaudry

{Tape: 2; Side: b; Approx. Time Count: 10.4; Comments: none.}

Rep. Wagner would like to see 2005 stricken and replaced with 1997.

{Tape: 2; Side: b; Approx. Time Count: 11.0; Comments: none.}

Rep. Harper, Rep. Curtiss

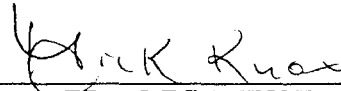
{Tape: 2; Side: b; Approx. Time Count: 11.6; Comments: none.}

Vote: Question was called for; voice vote; SB 59 passes (17-1)  
Rep. Wagner voted against the Bill. Rep. Story will carry SB 59 on the House floor.

{Tape: 2; Side: b; Approx. Time Count: 12.5; Comments: none.}

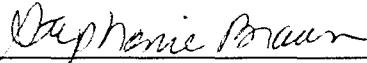
ADJOURNMENT

Adjournment: 5:38 p.m.



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REP. DICK KNOX, Chairman



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STEPHANIE BRAUN, Secretary

DK/SB