

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 55th LEGISLATURE - REGULAR SESSION

JOINT SUBCOMMITTEE ON LONG-RANGE PLANNING

Call to Order: By **CHAIRMAN ERNEST BERGSAGEL**, on January 30, 1997, at 8:00 A.M., in Room 317 of the State Capitol.

ROLL CALL

Members Present:

Rep. Ernest Bergsagel, Chairman (R)
Sen. Thomas A. "Tom" Beck, Vice-Chairman (R)
Sen. John "J.D." Lynch (D)
Rep. Matt McCann (D)
Rep. Tom Zook (R)

Members Excused: none

Members Absent: none

Staff Present: Nan LeFebvre, Legislative Fiscal Division
Debbie Rostocki, Committee Secretary

Committee Business Summary:

Hearing(s) & Date(s) Posted: Department of Administration -
Information Services Division
Information Technology
presentation
HB 7 - Reclamation and
Development Program
Executive Action: HB 7 - DO PASS AS AMENDED

Department of Administration - Information Services Division Information Technology presentation

Mr. Tony Herbert, Administrator of the Information Services Division, Department of Administration, gave a 45-minute presentation reviewing the Information Technology governance structure and the planning initiatives his office has been involved in. **EXHIBIT 1**
{Tape: 1; Side: a; Approx. Time Count: 0.0-Tape 1:b:1.3}

Hearing on HOUSE BILL 7 - Continued from 1/29/97

A hearing agenda was distributed by **Ms. LeFebvre**. **EXHIBIT 2**

Mr. Michael Vogel, Director of the Montana Pollution Prevention Program, testified in support of the Program's Montana State

University - Extension Service Reclamation and Development Grant Program (RDGP) proposal. **EXHIBIT 3**

{Tape:1; Side:B; Approx. Time Count:1.3-13.2}

Mr. Van Jamison, Planning, Prevention and Assistance Division, Department of Environmental Quality (DEQ), rose as neither a proponent nor an opponent of the proposal and outlined the relationship between the Montana Pollution Prevention Program and DEQ since the reorganization of state agencies, stressing the intention of not duplicating services.

{Tape:1; Side:b; Approx. Time Count:14.2-16.0}

Mr. Vogel expressed some concerns regarding the priority the crucial needs category received in the selection process, and rose in support of allowing Program staff to review the grant recommendations prior to their being submitted to the Governor.

{Tape: 1; Side: b; Approx. Time Count: 16.1-18.5}

Ms. Vivian Drake, Supervisor of the Lewis and Clark County Water Quality Protection District then spoke on behalf of the **Lewis & Clark County Tenmile Mine Reclamation** RDGP grant proposal. Questions were asked.

{Tape: 1; Side: b; Approx. Time Count: 19.4-30.1}

Mr. Kim Milburn, Public Works Director for the City of Helena, then spoke in support of the project.

{Tape: 1; Side: b; Approx. Time Count: 30.2-32.5}

Mr. Matt Marsh, Project Manager for the **Deer Lodge Valley Conservation District Acid-Heavy Metal Tolerant Cultivars** project, then reviewed his project.

{Tape: 1; Side: b; Approx. Time Count: 32.6-40.3}

Mr. Mark Majerus, Acting Manager of the Bridger Plant Materials Center, spoke about the role of his operation in the Cultivars project. Questions were asked.

{Tape: 1; Side: b; Approx. Time Count: 40.4-end of side b}

Copies of the funding recommendations for the RDGP requests were distributed. **EXHIBIT 4**

EXECUTIVE ACTION ON HOUSE BILL 7

Ms. LeFebvre distributed copies of a proposed amendment to **HB 7**, to reduce a grant previously approved for the Petroleum County Conservation District. **EXHIBIT 5**

Motion: **SEN. BECK** moved that **HB 7 DO PASS**.

Discussion: **Mr. John Tubbs**, Department of Natural Resources and Conservation (DNRC), explained how the amendment proposed in **EXH. 5** would help reduce the negative ending fund balance of the Reclamation and Development account.

{Tape: 2; Side: a; Approx. Time Count: 0.0-2.1}

Motion/vote: SEN. LYNCH moved to amend HB 7 as presented in EXH. 5; motion carried unanimously.

Discussion: Ms. LeFebvre then distributed another proposed amendment for HB 7, which clarified that the amount of funds available for the Reclamation and Development Grant Program was \$3 million. EXHIBIT 6

Motion/vote: SEN. LYNCH moved to amend HB 7 as presented in EXH. 6; motion carried unanimously.

{Tape: 2; Side: a; Approx. Time Count: 2.2-3.7}

Discussion: The committee then reviewed the projects proposed to be funded under HB 7 (EXH. 4).

The MT DEQ Nancy Lee Mine Complex proposal was discussed. Mr. Tubbs and Mr. Vic Andersen, DEQ, answered questions.

Motion: REP. ZOOK moved to reduce funding for the Nancy Lee Mine Complex project from \$286,914 to \$136,914 and take the remainder of the funding (\$150,000) and use it to fund the Rosebud Conservation District project.

{Tape: 2; Side: a; Approx. Time Count: 5.3-13.7}

Discussion: Mr. Tubbs discussed the impact REP. ZOOK'S motion would have on the feasibility of the project.. The committee took a short recess.

Withdrawn motion: REP. ZOOK withdrew his motion.

{Tape: 2; Side: a; Approx. Time Count: 13.8-15.4}

Discussion: The committee discussed the North Toole County Reclamation Project; no changes were made.

{Tape: 2; Side: a; Approx. Time Count: 17.4-18.4}

Motion: SEN. BECK moved to reduce funding for Project No. 11, the MT Board of Oil and Gas Conservation, by \$61,829, leaving funding at \$128,171.

Discussion: Discussion took place regarding redirecting 1995 grant monies remaining on the books into this project.

Vote: The question was called for and the motion carried unanimously.

{Tape: 2; Side: a; Approx. Time Count: 18...5-20.0}

Motion/vote: SEN. LYNCH moved that the committee reconsider its action on funding for Project No. 11, the MT Board of Oil and Gas Conservation. Motion carried unanimously.

Motion/vote: SEN. BECK moved to provide zero funding for Project No. 11; motion carried unanimously.

Motion/vote: SEN. LYNCH moved to fund the Butte Mine Subsidence Reclamation Project at \$81,250; motion **carried** unanimously.

Motion/vote: REP. ZOOK moved to fund the Rosebud Conservation District project at \$150,000; motion **carried** unanimously.
{Tape: 2; Side: a; Approx. Time Count: 20.1-23.3}

Discussion: In response to SEN. LYNCH, Ms. LeFebvre updated the committee on which projects would remain listed in HB 7. Discussion took place on which projects to leave on the list.

Motion/vote: REP. MCCANN moved to relocate the Deer Lodge Valley Conservation District project up to the top of the list of those just below the funding line. Motion **carried** unanimously.

Discussion: SEN. LYNCH suggested that the Board of Oil and Gas Conservation be directed to use any left over 1995 monies towards priority well plugging projects.

Motion: SEN. BECK moved to direct that the Board of Oil and Gas Conservation prioritize its well plugging projects so that the most hazardous are plugged first.

Discussion: Mr. Tubbs agreed to draft language for such a conceptual amendment.

Vote: The question was called for on SEN. BECK'S motion; motion **carried** unanimously.

Motion/vote: REP. ZOOK moved to **remove** projects No. 12 - 16 (see EXH. 4) from HB 7; motion **carried** unanimously.
{Tape: 2; Side: a; Approx. Time Count: 23.4-27.8}

Motion/vote: SEN. LYNCH moved to place the MT Board of Oil and Gas Conservation project No. 11 below the Deer Lodge Valley Conservation District on the funding list in HB 7; motion **carried** unanimously.

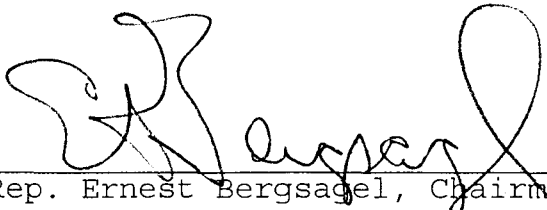
Discussion: The committee discussed the ramifications of its prior vote.

Motion/vote: SEN. LYNCH moved that the MT Board of Oil and Gas project No. 11 be left in HB 7, with funding listed as 0 and intent language underneath it. Motion **carried** unanimously.

Substitute Motion/vote: SEN. LYNCH made a substitute motion to SEN. BECK'S original motion that HB 7 DO PASS and moved instead that HB 7 DO PASS AS AMENDED; motion **carried** unanimously.
{Tape: 2; Side: a; Approx. Time Count: 27.9-30.2}

ADJOURNMENT

Adjournment: 11:15 a.m.



Rep. Ernest Bergsagel, Chairman



Debbie Rostocki, Secretary

EB/DR

This meeting was recorded on two 90-minute audiocassette tapes.