

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON NATURAL RESOURCES

**Call to Order:** By Chairman Walter McNutt, on March 28, 2007 at 3:00 P.M., in Room 472 Capitol.

#### ROLL CALL

**Members Present:**

Rep. Walter McNutt, Chairman (R)  
Rep. Ron Erickson, Vice Chairman (D)  
Rep. Duane Ankney (R)  
Rep. Debby Barrett (R)  
Rep. Jill Cohenour (D)  
Rep. Sue Dickenson (D)  
Rep. Betsy Hands (D)  
Rep. Gordon R. Hendrick (R)  
Rep. Carol Lambert (R)  
Rep. Scott Mendenhall (R)  
Rep. JP Pomnichowski (D)  
Rep. John (Jack) W. Ross (R)  
Rep. Veronica Small-Eastman (D)  
Rep. Kendall Van Dyk (D)  
Rep. Chas Vincent (R)

**Members Excused:** Rep. Ralph Heinert, Vice Chairman (R)

**Members Absent:** None

**Staff Present:** Krista Lee Evans, Legislative Branch  
Nancy Kraft, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 365, 3/15/2007; SB 370,  
3/15/2007; SJR 20, 3/15/2007; HB  
754, 3/26/2007  
Executive Action: HB 754; SB 370; SB 365; SB 51; SB  
103; SB 293; SB 200; SB 317

**HEARING ON SB 370**

**Opening Statement by Sponsor:**

00:02:28 Sen. Bill Tash (R), SD 36, opened the hearing on SB 370, Revise law on water right abandonment.

**EXHIBIT (nah66a01)**

**Proponents' Testimony:**

00:06:16 Bob Lane, Chief Legal Counsel, Department of Fish, Wildlife, and Parks

00:09:11 Stan Bradshaw, Montana Trout Unlimited

00:11:42 Mike Murphy, Montana Water Resources Association

00:12:25 Steve Pilcher, Montana Stockgrowers' Association

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:14:32 Rep. Lambert

00:16:42 Sen. Tash

00:17:40 Rep. Ross

00:18:00 Sen. Tash

00:20:03 Mr. Bradshaw

00:20:58 Rep. Ross

00:21:08 Mr. Bradshaw

00:22:13 Rep. Barrett

00:22:30 Mr. Bradshaw

00:25:10 Sen. Tash

00:25:45 Rep. Lambert

00:27:07 Mr. Bradshaw

**Closing by Sponsor:**

00:30:33 Sen. Tash

**HEARING ON SB 365**

**Opening Statement by Sponsor:**

00:32:17 Sen. Bob Story (R), SD 30, opened the hearing on SB 365, Revise laws related to water distribution and water commissioners.

**Proponents' Testimony:**

00:34:23 Mary Phippen, Montana Association of Clerks in District Court  
00:34:58 Steve Pilcher, Montana Stockgrowers' Association  
00:36:55 Peter Marchi, Chief Water Commissioner, Musselshell River Enforcement Distribution Project  
00:39:42 Mike Murphy, Montana Water Resources Association

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:40:35 Rep. Barrett  
00:40:56 Sen. Story  
00:42:12 Krista Evans  
00:43:19 Rep. Ross  
00:43:55 Sen. Story

**Closing by Sponsor:**

00:44:18 Sen. Story

**HEARING ON HB 754****Opening Statement by Sponsor:**

00:45:38 Rep. Debby Barrett (R), HD 72, opened the hearing on HB 754, Generally revise MEPA. The sponsor requested the Committee table the bill.

**EXECUTIVE ACTION ON HB 754**

00:46:00 **Motion/Vote:** Rep. Cohenour moved that HB 754 **BE TABLED**. Motion carried unanimously by voice vote. Reps. Hands, Vincent, and Heinert voted by proxy.

**EXECUTIVE ACTION ON SB 370**

00:47:24 **Motion/Vote:** Rep. Lambert moved that SB 370 **BE CONCURRED IN**. Motion carried unanimously by voice vote. Reps. Hands, Vincent, and Heinert voted by proxy. Rep. Ross will carry this bill.

**EXECUTIVE ACTION ON SB 365****Discussion:**

00:48:01 Rep. Barrett  
00:50:29 Krista Evans  
00:51:21 Rep. Barrett  
00:51:43 Ms. Evans

00:52:06 Without objection, Chairman McNutt agreed to suspend action on SB 365 until further information on an amendment is obtained from Rep. Barrett.

**HEARING ON SJR 20****Opening Statement by Sponsor:**

00:52:20 Sen. Mike Cooney (D), SD 40, opened the hearing on SJR 20, Carbon reduction timeline.

**Proponents' Testimony:**

00:56:43 Mark Lambrecht, Pacific Power and Light Montana  
**EXHIBIT (nah66a02)**  
00:59:23 Ted Dodge, National Carbon Offset Coalition  
01:02:30 Bob Andreozzi, Montana Consultant Forester  
01:06:30 Mark Aagenes, Montana Trout Unlimited  
01:07:21 Megan Podolinsky, Student, Capital High School, Helena, Montana

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:08:26 Rep. Hands  
01:08:59 Mr. Dodge  
01:13:12 Rep. Barrett  
01:13:30 Sen. Cooney  
01:14:04 Diego Rivas, Montanans for a Healthy Climate  
01:16:44 Mr. Dodge  
01:18:46 Rep. Hendrick  
01:19:16 Mr. Dodge  
01:20:50 Rep. Erickson  
01:21:48 Rep. Dickenson  
01:22:29 Ms. Podolinsky

**Closing by Sponsor:**

01:23:10 Sen. Cooney

01:25:45 Break

**EXECUTIVE ACTION ON SB 51**

03:43:20 **Motion:** Rep. Erickson moved that SB 51 **BE CONCURRED IN.**

03:43:34 **Motion:** Rep. Erickson moved that SB 51 **BE AMENDED. EXHIBIT (nah66a03)**

**Discussion:**

03:43:45 Krista Evans

03:44:34 Rep. Hands

03:45:58 Rep. Pomnichowski

03:46:45 **Vote:** Motion carried unanimously by voice vote. Reps. Heinert, Barrett, Mendenhall, Van Dyk, and Cohenour voted by proxy.

03:47:30 **Motion:** Rep. Erickson moved that SB 51 **BE CONCURRED IN AS AMENDED.**

**Discussion:**

03:47:44 Rep. Ross

03:48:01 Rep. McNutt

03:48:26 **Vote:** Motion carried unanimously by voice vote. Reps. Heinert, Barrett, Mendenhall, Van Dyk, and Cohenour voted by proxy. Rep. Dickenson will carry this bill.

**EXECUTIVE ACTION ON SB 103**

03:49:44 **Motion:** Rep. Erickson moved that SB 103 **BE CONCURRED IN.**

03:49:56 **Motion:** Rep. Hands moved that HB 103 **BE AMENDED. EXHIBIT (nah66a04)**

**Discussion:**

03:51:30 Krista Evans

03:53:09 Rep. Dickenson

03:54:03 Rep. McNutt

03:54:14 **Vote:** Motion carried unanimously by voice vote. Reps. Heinert, Barrett, Mendenhall, Van Dyk, and Cohenour voted by proxy.

03:54:39 **Motion/Vote:** Rep. Erickson moved that SB 103 **BE CONCURRED IN AS AMENDED**. Motion carried unanimously by voice vote. Reps. Heinert, Barrett, Mendenhall, Van Dyk, and Cohenour voted by proxy. Rep. Dickenson will carry the bill.

#### EXECUTIVE ACTION ON SB 293

03:55:43 **Motion:** Rep. Erickson moved that SB 293 **BE CONCURRED IN**.

03:55:50 **Motion:** Rep. Erickson moved that SB 293 **BE AMENDED**. **EXHIBIT (nah66a05)**

#### Discussion:

03:56:14 Rep. Vincent

03:57:38 **Vote:** Motion carried 15-1 by voice vote with Rep. Erickson voting no. Reps. Heinert, Barrett, Mendenhall, Van Dyk, and Cohenour voted by proxy.

03:58:14 **Motion:** Rep. Erickson moved that SB 293 **BE CONCURRED IN AS AMENDED**.

#### Discussion:

03:58:26 Rep. Vincent

03:59:32 **Vote:** Motion carried unanimously by voice vote. Reps. Heinert, Barrett, Mendenhall, Van Dyk, and Cohenour voted by proxy. Rep. Vincent will carry the bill.

#### EXECUTIVE ACTION ON SB 200

04:01:27 **Motion/Vote:** Rep. Erickson moved that SB 200 **BE CONCURRED IN**. Motion carried unanimously by voice vote. Reps. Heinert, Barrett, Mendenhall, Van Dyk, and Cohenour voted by proxy. Rep. Lambert will carry the bill.

#### EXECUTIVE ACTION ON SB 317

04:02:29 **Motion:** Rep. Erickson moved that SB 317 **BE CONCURRED IN**.

**Discussion:**

04:03:20 Krista Evans

04:03:28 Rep. Hands

04:03:50 **Vote:** Motion carried unanimously by voice vote. Reps. Heinert, Barrett, Mendenhall, Van Dyk, and Cohenour voted by proxy. Rep. Mendenhall will carry the bill.

**Additional Exhibit:**

Document pertaining to SJR 20; Hearing 3/28/2007

**EXHIBIT**(nah66a06)

**ADJOURNMENT**

04:04:22 Adjournment: 7:45 P.M.

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REP. WALTER MCNUTT, Chairman

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NANCY KRAFT, Secretary

WM/nk

Additional Exhibits:

**EXHIBIT ([nah66aad.pdf](#))**