

MINUTES

**MONTANA SENATE
60th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON NATURAL RESOURCES AND ENERGY

Call to Order: By **CHAIRMAN GREG LIND**, on April 13, 2007 at 3:00 P.M., in Room 422 Capitol.

ROLL CALL

Members Present:

Sen. Greg Lind, Chairman (D)
Sen. Aubyn Curtiss (R)
Sen. Kelly Gebhardt (R)
Sen. Dan Harrington (D)
Sen. Christine Kaufmann (D)
Sen. Gary L. Perry (R)
Sen. Bill Tash (R)
Sen. Mitch Tropila (D)
Sen. David E. Wanzenried (D)

Members Excused: None.

Members Absent: None.

Staff Present: Claudia Johnson, Committee Secretary
Joe Kolman, Legislative Branch

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: HB 39, 4/9/2007; HB 27, 4/9/2007
Executive Action: HB 330, HB 27, HB 39, HB 473, HB 196

00:21:33 Chairman Lind
00:24:46 Joe Kolman, LSD
00:25:18 Sen. Tash
00:25:56 Sen. Tash to Joe Kolman, LSD
00:26:20 Sen. Lind to Sen. Tash
00:26:31 Sen. Kaufmann
00:26:47 Sen. Lind

HEARING ON HB 39

Opening Statement by Sponsor:

00:27:40 **REP. WALTER MCNUTT (R), HD 37**, opened the hearing on **HB 39**, Ownership update for water rights.

Proponents:

00:30:46 Mary Sexton, Director, Department of Natural Resources and Conservation (DNRC)
00:33:38 William C. Gawen, Montana Land Title
00:34:41 Glenn Oppel, Montana Association of Realtors
00:35:14 Mike Murphy, Montana Water Resource Association

Opponents: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:37:22 Sen. Kaufmann to Mary Sexton, DNRC
00:38:13 Sen. Tash to Mary Sexton, DNRC
00:40:43 Sen. Tash to Terri McLaughlin, DNRC
00:42:05 Sen. Lind to Mary Sexton, DNRC
00:43:17 Sen. Lind to Tim Hall, Chief Legal Counsel, DNRC

00:44:18 Sen. Curtiss to Mary Sexton, DNRC

Closing by Sponsor:

00:44:48 Rep. McNutt

EXHIBIT (nas78a01)

HEARING ON HB 27

Opening Statement by Sponsor:

00:46:46 **REP. ROBYN DRISCOLL (D), HD 51**, opened the hearing on
HB 27, Establish wireless enhanced 9-1-1 system.

EXHIBIT (nas78a02)

Proponents:

00:50:39 Sheryl Wood, Montana Association of Counties

EXHIBIT (nas78a03)

00:52:12 Bonnie Lorang, Montana Independent Telecommunication
Service (MITS)

EXHIBIT (nas78a04)

00:56:42 Aimee Grmoljez, Verizon Wireless

00:58:16 Jim Kimbel, Montana Association of Chiefs of Police

00:58:41 Margaret Morgan, Alltel Communications

00:59:07 Kathleen Driscoll, Commissioner

Opponents: None.

Informational Testimony:

00:59:56 Jeff Brandt, Chief Deputy Officer, Department of
Administration (D of A)

EXHIBIT (nas78a05)

Questions from Committee Members and Responses:

01:02:46 Sen. Tash to Jeff Brandt, D of A

01:04:30 Sen. Curtiss to Jeff Brandt, D of A

01:05:08 Sen. Lind to Jeff Brandt, D of A

01:06:47 Ron Osberg, Montana Telephone Cooperative

Closing by Sponsor:

01:08:05 Rep. Driscoll

EXECUTIVE ACTION ON HB 330

01:12:01 Sen. Lind

01:12:42 Sen. Curtiss to Joe Kolman, LSD

01:16:08 **Motion: SEN. KAUFMANN moved that HB 330 BE CONCURRED IN.**

Discussion:

01:16:18 Sen. Lind

01:17:00 Joe Kolman, LSD

01:17:07 **Motion: SEN. LIND moved that AMENDMENT HB033002.AJK BE ADOPTED.**

EXHIBIT (nas78a06)

Discussion:

01:17:23 Joe Kolman, LSD

01:24:55 Sen. Lind

01:25:53 Sen. Tropila

01:26:23 **Vote: Motion that AMENDMENT HB033002.AJK BE ADOPTED carried unanimously by voice vote.**

01:26:35 **Motion: SEN. KAUFMANN moved that HB 330 BE CONCURRED IN AS AMENDED.**

Discussion:

01:26:43 Sen. Curtiss to Joe Kolman, LSD

01:27:14 Sen. Tash

01:27:51 Vote: MOTION that HB 330 BE CONCURRED IN AS AMENDED carried 5-4 by roll call vote with SEN. CURTISS, SEN. GEBHARDT, SEN. PERRY, and SEN. TASH voting no. SEN. HARRINGTON, SEN. GEBHARDT and SEN. WANZENRIED voted by proxy.

EXECUTIVE ACTION ON HB 27

01:30:00 Motion/Vote: SEN. CURTISS moved that HB 27 BE CONCURRED IN. Motion carried unanimously by voice vote. SEN. HARRINGTON, SEN. GEBHARDT and SEN. WANZENRIED voted by proxy.

EXECUTIVE ACTION ON HB 39

01:31:17 Motion: SEN. PERRY moved that HB 39 BE CONCURRED IN.

Discussion:

01:31:27 Motion/Vote: SEN. KAUFMANN moved that AMENDMENT HB003905.AKL BE ADOPTED. Motion carried 8-1 by voice vote with SEN. CURTISS voting no.

Discussion:

01:32:20 Motion/Vote: SEN. LIND moved that HB 39 BE CONCURRED IN AS AMENDED. Motion carried 8-1 by voice vote with SEN. CURTISS voting no. SEN. HARRINGTON, SEN. GEBHARDT and SEN. WANZENRIED voted by proxy.

EXECUTIVE ACTION ON HB 473

02:57:59 Motion: SEN. TASH moved that HB 473 BE CONCURRED IN.

Discussion:

02:58:29 Motion: SEN. KAUFMANN moved that AMENDMENT HB047302.AJK BE ADOPTED.

EXHIBIT (nas78a07)

Discussion:

- 03:01:20 Sen. Kaufmann to Joe Kolman, LSD
- 03:01:40 Sen. Tash
- 03:02:28 Sen. Gebhardt
- 03:03:42 Sen. Curtiss
- 03:04:18 Sen. Lind to Sen. Curtiss
- 03:05:16 Sen. Tropila to Mary Sexton, DNRC
- 03:06:12 **Motion/Vote:** SEN. GEBHARDT moved that AMENDMENT HB047302.AJK BE ADOPTED. Motion failed 4-5 by roll call vote with SEN. HARRINGTON, SEN. KAUFMANN, SEN. LIND, and SEN. WANZENRIED voting aye. SEN. HARRINGTON and SEN. WANZENRIED voted by proxy.
- 03:07:09 **Motion/Vote:** SEN. PERRY CALLED THE QUESTION ON HB 473. Motion carried 8-1 by voice vote with SEN. KAUFMANN voting no. SEN. HARRINGTON and SEN. WANZENRIED voted by proxy.

EXECUTIVE ACTION ON HB 196

- 03:09:40 **Motion:** SEN. TROPILA moved that HB 196 BE CONCURRED IN.

Discussion:

- 03:10:06 Joe Kolman, LSD
- 03:10:49 Sen. Gebhardt
- 03:11:24 Sen. Tropila
- 03:11:57 Sen. Gebhardt
- 03:12:46 Sen. Kaufmann
- 03:13:13 **Vote:** Motion that HB 196 BE CONCURRED IN failed 4-5 by roll call vote with SEN. CURTISS, SEN. GEBHARDT, SEN. PERRY, and SEN. TASH voting aye. SEN. HARRINGTON and SEN. WANZENRIED voted by proxy.

03:13:40 **Vote:** Motion that HB 196 BE TABLED AND THE VOTE REVERSED carried 5-4 by roll call vote with SEN. CURTISS, SEN. GEBHARDT, SEN. PERRY, and SEN. TASH voting no. SEN. HARRINGTON and SEN. WANZENRIED voted by proxy.

Discussion:

03:14:20 Sen. Lind

03:15:14 Sen. Tash

ADJOURNMENT

Adjournment: 5:00 P.M.

SEN. GREG LIND, Chairman

CLAUDIA JOHNSON, Secretary

GL/cj