

Montana State Legislature

2013 Session

Additional Documents include:

- * Business Report**
- * Roll Call- attendance**
- * Standing Committee Reports,**
- * Table Bills, Fiscal reports etc.**
- * Roll Call Votes**
- * Witness Statements**
- * Informational items**
- * Visitor Registrations**
- * Any other Documents;**
 - ~ Petitions if any?**
 - ~ Any and all material handed in after the meeting end.**

**The original is on file at the
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BUSINESS REPORT

**MONTANA HOUSE OF REPRESENTATIVES
63rd LEGISLATURE - REGULAR SESSION**

HOUSE NATURAL RESOURCES COMMITTEE

Date: Friday, January 25, 2013
Place: Capitol

Time: 2:30 P.M.
Room: 172

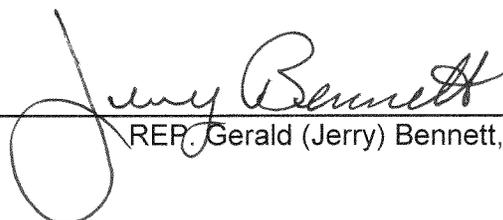
BILLS and RESOLUTIONS HEARD:

HB 244 - Generally revise water use laws - Pat Connell
HB 248 - Prohibit fire lanterns during certain fire seasons - Bryce Bennett
HJ 8 - Resolution in opposition to the forest jobs and recreation act - Kerry White

EXECUTIVE ACTION TAKEN:

HB 24 - DO PASS AS AMENDED
HB 106 - DO PASS AS AMENDED
HB 37 - DO PASS AS AMENDED

Comments:



REP. Gerald (Jerry) Bennett, Chair

HOUSE OF REPRESENTATIVES
Roll Call
NATURAL RESOURCES COMMITTEE

DATE: 1.25.13

<u>NAME</u>	PRESENT	ABSENT/EXCUSED
REP. PAT CONNELL, VICE CHAIR	✓	
REP. VIRGINIA COURT, VICE CHAIR	✓	
REP. ALAN DOANE	✓	
REP. JENNY ECK	✓	
REP. STEVE FITZPATRICK	✓	
REP. WYLIE GALT	✓	
REP. BRIAN HOVEN	✓	
REP. ED LIESER	✓	
REP. RYAN LYNCH	✓	
REP. MIKE MILLER	✓	
REP. JP POMNICHOWSKI	✓	
REP. RAY SHAW	✓	
REP. WENDY WARBURTON		<i>Excused</i>
REP. KERRY WHITE	✓	
REP. KATHLEEN WILLIAMS	✓	
REP. JERRY BENNETT, CHAIR	✓	



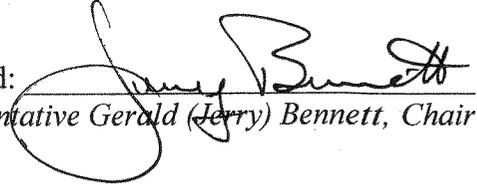
HOUSE STANDING COMMITTEE REPORT

January 29, 2013

Page 1 of 3

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **House Bill 24** (first reading copy -- white) **do pass as amended.**

Signed: 
Representative Gerald (Jerry) Bennett, Chair

And, that such amendments read:

1. Title, page 1, line 9 through line 10.
Strike: "23-2-501," on line 9 through "23-2-806," on line 10
2. Title, page 1, line 11.
Strike: "87-1-306,"
3. Page 2, line 2.
Strike: "5, 6, 8,"
4. Page 2, line 9.
Strike: subsection (7) in its entirety
5. Page 2, line 14.
Strike: "5, 6, 8,"
6. Page 2, line 17.
Strike: "in a way that promotes their importance"
Insert: "and their appropriate role relative"
7. Page 2, line 20.
Strike: "and"
Following: "boating"
Insert: ", and swimming"
8. Page 2, line 22.
Following: "properties"

Committee Vote:

Yes 16, No 0

Fiscal Note Required

HB0024001SC.hjk

1-29-13 DE
12:30

Strike: ", "
Insert: "and"
Following: "lands"
Strike: ", and waters"

9. Page 2, line 23.
Following: "safety,"
Insert: "public welfare,"

10. Page 2, line 24.
Following: "regulating"
Insert: "recreation, including"
Following: "camping,"
Insert: "and swimming, and"

11. Page 2, line 24 through line 26.
Following: "sanitation" on line 24
Strike: ", swimming," on line 24 through "surfboarding" on line 26

12. Page 2, line 30.
Following: "department"
Insert: ", except as provided in 87-1-209(4)"

13. Page 3, line 3 through line 4.
Strike: "\$1,000" on line 3 through "than" on line 4

14. Page 5, line 24.
Following: "of the"
Insert: "
(1)"
Following: "2-15-3402"
Insert: "; and
(2) state parks and recreation board established in [section 1]"

15. Page 7, line 27.
Strike: "With the consent of the board, the"
Insert: "The"

16. Page 8, line 1.
Following: "(b)"
Insert: "with the consent of the board,"

17. Page 8, line 25.
Strike: "this section"
Insert: "subsection (3)"

18. Page 14, line 19 through page 22, line 1.

Strike: section 20 through section 30 in their entirety
Renumber: subsequent sections

19. Page 28, line 25.

Strike: "or the board"

20. Page 28, line 26.

Following: "regulations"

Insert: "or by the board setting seasonal land use regulations"

21. Page 29, line 16.

Following: "87-1-218"

Insert: "and subsection (8) of this section"

22. Page 31, line 19.

Following: "land."

Insert: "(8) Approval of the board for the acquisition or disposal of land or water pursuant to this section is required only for land and water administered under Title 23, chapter 1, or Title 23, chapter 2, parts 1 and 4."

23. Page 31, line 20.

Following: "87-1-218"

Insert: "and subsection (8) of this section"

24. Page 33, line 18.

Following: "land."

Insert: "(8) Approval of the board for the acquisition or disposal of land or water pursuant to this section is required only for land and water administered under Title 23, chapter 1, or Title 23, chapter 2, parts 1 and 4."

25. Page 34, line 13.

Following: "[section 2]"

Strike: ", 23-2-501,"

26. Page 36, line 21.

Strike: "5, 6, 8,"

27. Page 36, line 30.

Strike: "[section 2], 23-2-501, and"

28. Page 37, line 29 through page 38, line 11.

Strike: section 42 in its entirety

Renumber: subsequent sections

29. Page 40, line 6.

Strike: "5, 6, 8,"



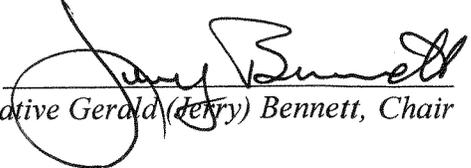
HOUSE STANDING COMMITTEE REPORT

January 29, 2013

Page 1 of 2

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **House Bill 106** (first reading copy - white) **do pass as amended.**

Signed: 
Representative Gerald (Jerry) Bennett, Chair

And, that such amendments read:

1. Page 10, line 1.

Following: "preliminarily"

Insert: "determined to be"

2. Page 10, line 3.

Following: "preliminarily"

Insert: "determined to be"

- END -

3. Page 15, line 1.

Following: "petition"

Insert: "if the department finds, on the basis of information reasonably available to it, that the petition as proposed in the application will not adversely affect the rights of other appropriators"

4. Page 15, line 6.

Following: "petition does"

Insert: "not"

5. Page 17, line 20.

Following: "effect."

Insert: "A determination of whether or not there is an adverse effect on a prior appropriator as the result of a new appropriation right is a determination that must be made by the department based on the rate, location, and timing of the net depletion that causes the adverse effect relative to

Committee Vote:

Yes 16, No 0

Fiscal Note Required

HB0106001SC.hjk

1-29-13 DC
12:30

the historic beneficial use of the appropriation right that may be adversely affected."

6. Page 17, line 27 through line 29.

Strike: "If the department" on line 27 through "that the potential" on line 29

Insert: "The department may grant a permit for a new appropriation only if the applicant proves by a preponderance of the evidence that the"

7. Page 19, line 2.

Strike: "could"

Insert: "may"

8. Page P19, line 2 through line 3.

Strike: "and a potential" on line 2 through "appropriator" on line 3

Following: "depletion" on line 3

Insert: ", if any"

9. Page 20, line 22 through line 24.

Strike: "If the department" on line 22 through "is required." on line 24

Insert: "An applicant whose hydrogeologic report conducted pursuant to 85-2-361 predicts that there will be a net depletion of surface water shall submit an aquifer recharge or mitigation plan."

HOUSE OF REPRESENTATIVES
Roll Call Vote
NATURAL RESOURCES COMMITTEE

DATE: 1.25.13 BILL NO HB 24 MOTION NO. _____

MOTION: _____
HB 24 DO PASS AS AMENDED

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. PAT CONNELL, VICE CHAIR	✓		
REP. VIRGINIA COURT, VICE CHAIR	✓		
REP. ALAN DOANE	✓		
REP. JENNY ECK	✓		
REP. STEVE FITZPATRICK	✓		
REP. WYLIE GALT	✓		
REP. BRIAN HOVEN	✓		
REP. ED LIESER	✓		
REP. RYAN LYNCH	✓		
REP. MIKE MILLER	✓		
REP. JP POMNICHOWSKI	✓		
REP. RAY SHAW	✓		
REP. WENDY WARBURTON	✓		✓
REP. KERRY WHITE	✓		
REP. KATHLEEN WILLIAMS	✓		
REP. JERRY BENNETT, CHAIR	✓		

HOUSE OF REPRESENTATIVES
Roll Call Vote
NATURAL RESOURCES COMMITTEE

DATE: 1.25.13 BILL NO 37 MOTION NO. _____
 MOTION: HB DO PASS AS AMENDED
12-4

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. PAT CONNELL, VICE CHAIR	✓		
REP. VIRGINIA COURT, VICE CHAIR		✓	
REP. ALAN DOANE	✓		
REP. JENNY ECK		✓	
REP. STEVE FITZPATRICK	✓		
REP. WYLIE GALT	✓		
REP. BRIAN HOVEN	✓		
REP. ED LIESER	✓		
REP. RYAN LYNCH	✓		
REP. MIKE MILLER		✓	
REP. JP POMNICHOWSKI		✓	
REP. RAY SHAW	✓		
REP. WENDY WARBURTON	✓		✓
REP. KERRY WHITE	✓		
REP. KATHLEEN WILLIAMS	✓		
REP. JERRY BENNETT, CHAIR	✓		

AUTHORIZED COMMITTEE PROXY

I request to be excused from the NATURAL RESOURCES

Committee because of other commitments. I desire to leave my proxy vote with:

Pat Conwell

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
HB 24					
HB 002401.ahs	✓				
HB 002403.ahs	✓				
HB 24 twice amended	✓				
HB 010601.ajk	✓				
HB 106	✓				
HB 003703.ajt	✓				
HB 37 amended	✓				

Rep. Wendy Newbaker
(Signature)

Date 25 SAO

**MONTANA House of Representatives
Visitors Register
HOUSE NATURAL RESOURCES COMMITTEE**

Friday, January 25, 2013

HJ 8 - Resolution in opposition to the forest jobs and recreation act

Sponsor: Representative Kerry White

PLEASE PRINT

Name	Representing	Support	Oppose	Info
Maggie Nutter	Maggie Nutter	X		
Mike McKinley	Beauregard Co.	X		
Tim Brown	C B U	X		
Mary Schonsberg	Self	X		
Scott Murray	Self	X		
Dora Abalca	EXURR	X		
JEN HALEY	Self	X		
STACY BRABB	CBU	X		
MARK KAMBIICH	Self	X		
Chelcie Cremer	MFBF	X		
Sherman Anderson	Sun Mountain Lumber		X	
Tony Colter	Sun Mountain Lumber		X	
Bob Gilbert	CITIZENS FOR BALANCED USE	X		
ROGER NUMMERDORF	Self	X		
DALE VENTRES	Self	X		
Garret ventres	Self	X		
Elena Ventres	Self	X		
KENNETH ZAHN	Self	X		
TIM McLEAN	Self		X	
Addison Marx	Self		X	
Ross Prosperi	MCU		X	
Dave Schuh	Madison Co.	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Sign-In Sheet

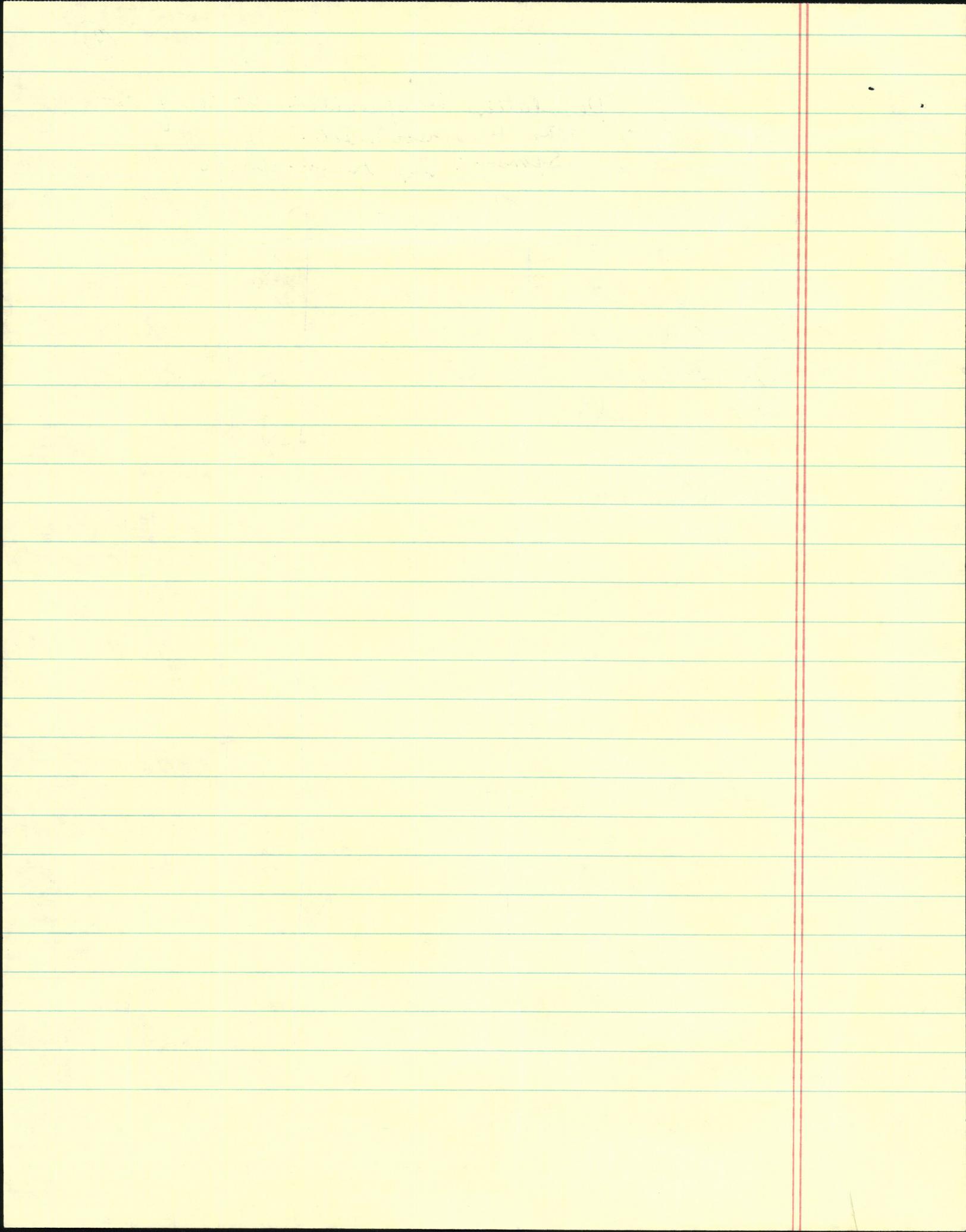
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(2)

HJ 8 - Resolution in opposition to the forest jobs + recreation Act.

Sponsor: Rep. Keny White

Name	Representing	Support	Oppose	Info
Susan Getz	Self	X		
CHARICE D GETZ	"	X		
Brian Sobrepando	Self	X		
Dan McManis	Self	X		
Ernest Nelson	"	X		
DIRK NELSON	"	X		
Tim Raudel	Self	X		



Sign-In Sheet
HJ-8

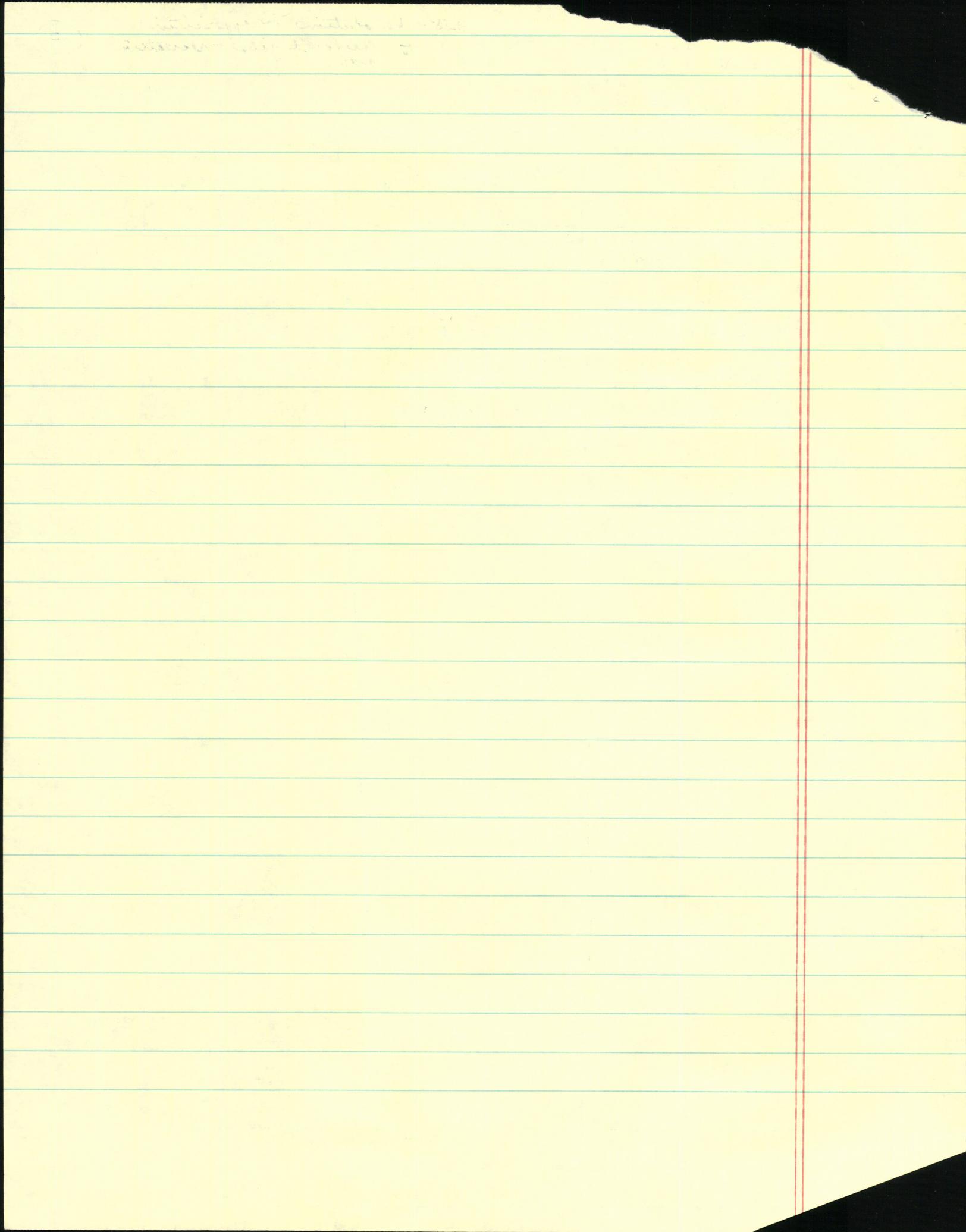
HJ8 - Resolutions in opposition
to the forest jobs + recreation
act.

3

Sponsor: Rep. K. White

NAME	REPRESENTING	Support	Oppose	Info.
Rick Sandru	Ruby Valley Stock Assn. Southwest Stockmen	✓		
Pat Duggard	Self	✓		
Jeff Coiner	Self	✓		
Tom Hopgood	MT Mining Assoc.	✓		
Dona Abel	CTVA-MTURA	✓		

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Sign-In Sheet

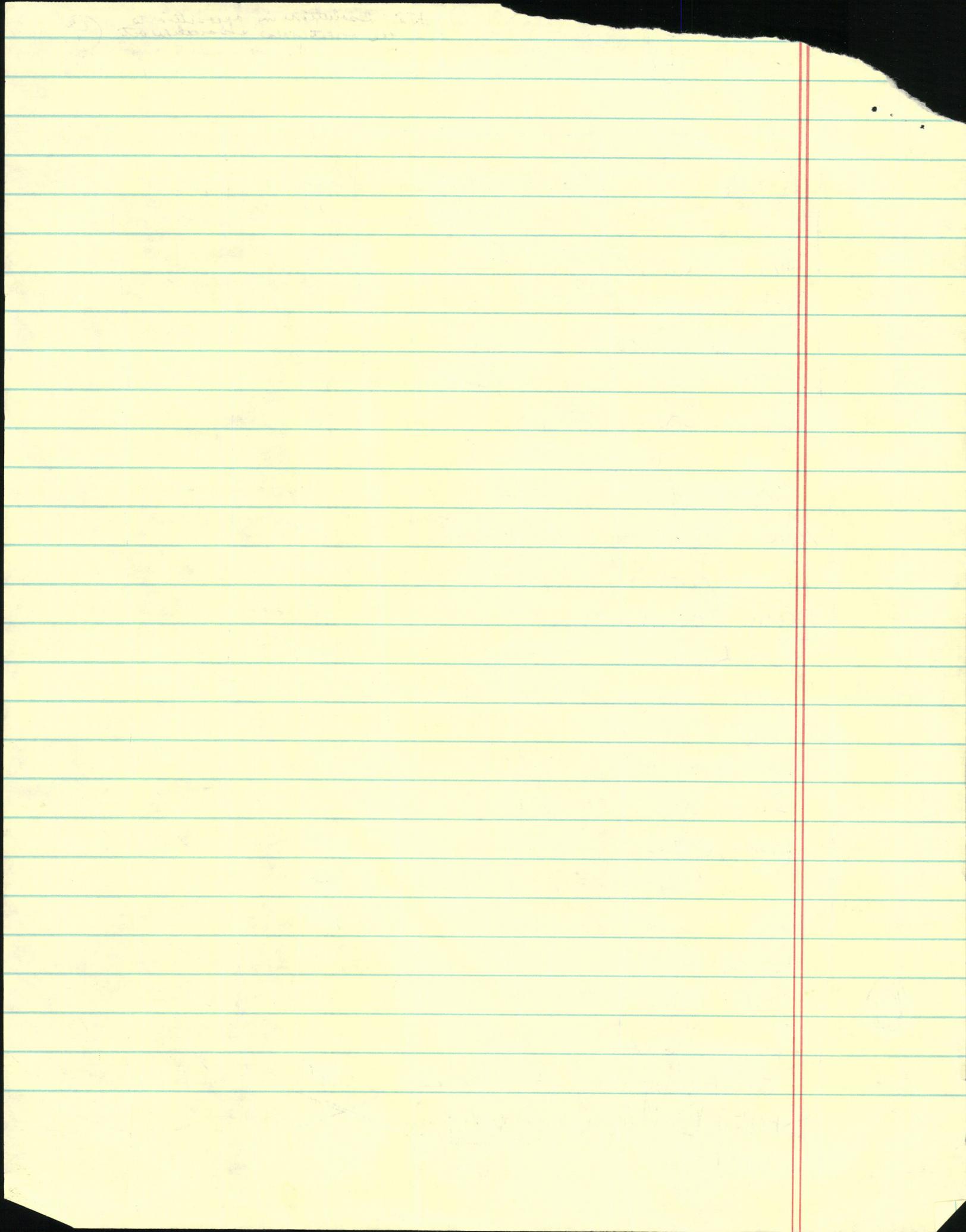
HJ 8

HJ 8 - Resolution in opposition to the forest jobs + benefits act
 Sponsor: Rep. Kerry White

Name	Representing	Support	Oppose	Info
Jim Bsewitz	Self		✓	
Ben Lamb	Self		✓	
Mary Alice Chosen	self		✓	
Warne Chamberlain	self		✓	
John Tom	SELF		✓	
Barb Cesteru	self GYC		✓	
Robert Allen	self		✓	
Mike Sedrock	MTVRA	✓		
David Koch	CTVA	✓		
Brian French	CTVA	✓		
Jim Ludwick	Self	✓		
Tom Frank	NWF		✓	
Gabriel Forghery			✓	
Beau Bostough	self		✓	
Zack Porter	self		✓	
Denny Lester	SELF		✓	
Jarod White	self	✓	✓	
Zach Brown	self	✓	✓	
Laura Parr	self	✓	✓	
USA BAY	SELF		✓	
Tammy Johnson	GSM	✓		
Bill Hallinan	MWA WD/self	✓	✓	
Shelby De Mars	united Property Owners of Mt	✓		
Jim Brown	Wood Grower	✓		

①

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