

Montana State Legislature

2013 Session

ADDITIONAL DOCUMENTS MAY INCLUDE THE FOLLOWING:

- **Business Report**
- **Roll Call - Attendance**
- **Standing Committee Reports**
- **Tabled Bills**
- **Fiscal Reports etc.**
- **Roll Call Votes**
- **Informational Items**
- **Witness Statements**
- **Any Documents; such as;**
 - * **Petitions if any.**
 - * **Any and all material handed end after the meeting ends.**

**The original is on file at the
Montana Historical Society
and may be viewed there.**

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BUSINESS REPORT

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

HOUSE NATURAL RESOURCES COMMITTEE

Date: Monday, March 18, 2013
Place: Capitol

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

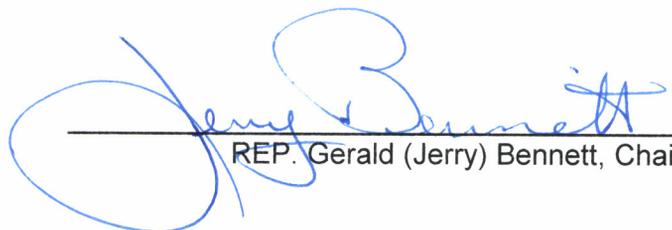
BILLS and RESOLUTIONS HEARD:

SB 48 - Establish regional water system rate process - Sen. Greg Jergeson
SB 201 - Revise laws on rural/urban interface and fire protection - Sen. Bradley Hamlett
SB 217 - Revise laws governing watershed protection - Sen. Bradley Hamlett
SB 262 - Prohibit state agencies from taking action on anonymous civil complaints - Sen. John Brenden

EXECUTIVE ACTION TAKEN:

HB 535 - DO PASS AS AMENDED
SB 154 - CONCURRED
SB 332 - CONCURRED
SB345 - CONCURRED
SB 364 - CONCURRED

Comments: None



REP. Gerald (Jerry) Bennett, Chair

HOUSE OF REPRESENTATIVES
Roll Call
NATURAL RESOURCES COMMITTEE

DATE: 3/18/13

<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		✓
REP. KERRY WHITE	✓	
REP. KATHLEEN WILLIAMS	✓	
REP. JERRY BENNETT, CHAIR	✓	



✓ proof

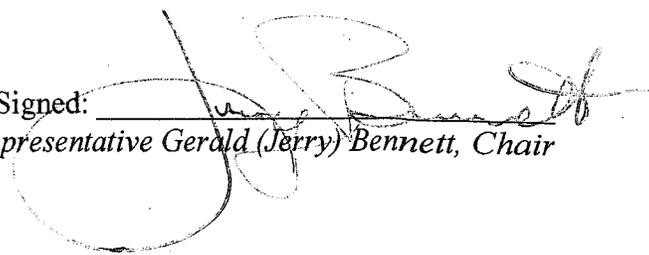
HOUSE STANDING COMMITTEE REPORT

March 18, 2013

Page 1 of 3

Mr. Speaker:

We, your committee on Natural Resources recommend that House Bill 535 (first reading copy - white) do pass as amended.

Signed: 
Representative Gerald (Jerry) Bennett, Chair

And, that such amendments read:

1. Title, page 1, line 11.

Strike: "SECTION"

Insert: "SECTIONS"

Following: "77-1-208"

Insert: "AND 77-6-303"

2. Page 2, line 5.

Strike: "and (4)(c)"

3. Page 2, line 14.

Strike: "and" through "appraisal"

4. Page 2, line 21 through page 3, line 5.

Strike: line 21 in its entirety through "landscaping." on page 3, line 5

5. Page 3, line 6.

Insert: "Section 2. Section 77-6-303, MCA, is amended to read:

"77-6-303. **Determination of compensation.** (1) (a) In determining the value of the improvements described in 77-6-302, consideration must be given to their original cost, their present condition, their suitability for the uses ordinarily made of the land on which they are located, and to the general state of cultivation of the land, its productive capacity as affected by former use, and its condition with reference to the infestation of noxious weeds. Consideration must be given to all actual improvements and to all known effects that the use and occupancy

Committee Vote:

Yes 11, No 5

Fiscal Note Required

HB0535001SC.hjk

3-19-13 DC

12:15

of the land have had upon its productive capacity and desirability for the new lessee.

~~(2)~~(b) However, if any of the improvements consist of the original plowing of the land and 1 year's crops have been raised on the land after the plowing, the compensation for the improvement may not exceed \$2.50 per acre, and if two or more crops have been raised on the land after the original plowing, the original plowing may not be considered as an improvement to the land.

(2) In determining the value and disposition of cabin site improvements described in 77-1-208:

(a) an owner of cabin site improvements on an unleased cabin site lot shall submit to the department a market value appraisal on the improvements from a Montana licensed and certified general appraiser:

(i) within 6 months of [the effective date of this act] for all improvements on unleased cabin site lots on [the effective date of this act]; or

(ii) after [the effective date of this act], within 6 months of the cancellation of a lease;

(b) if an appraisal is not submitted pursuant to subsection (2)(a) or if the appraisal is not updated annually by the owner of the cabin site improvements, the owner shall authorize the department to contract for an appraisal, agree to allow access to the improvements, and pay a fee to the department for the cost of the appraisal;

(c) the department shall review appraisals for compliance with the Uniform Standards of Professional Appraisal Practice;

(d) an owner of cabin site improvements shall accept the appraised market value but may not inhibit the re-leasing or sale of the lot;

(e) ownership of the cabin site improvements remains with the owner of record provided that payment of property taxes is current. If property taxes on the improvements are in arrears, the owner of record shall remove the improvements or transfer ownership to the state.

(f) if ownership of the improvements transfers to the state, the board shall set conditions of the sale of transferred improvements in order to sell the improvements in an expedient manner and distribute the proceeds to the owner of record; and

(g) if the owner of record cannot be located, the state may initiate proceedings to assume ownership of the improvements, sell the improvements, and retain the proceeds.

(3) For purposes of this section, "cabin site improvements" includes but is not limited to:

(a) a home or residence;

(b) outbuildings and structures;

(c) sleeping cabins;

(d) utilities;

(e) water systems;

(f) septic systems;

(g) docks; and
(h) landscaping."

- END -



Molly
Room 451

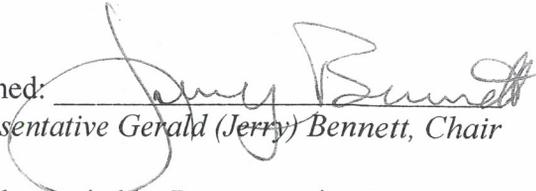
HOUSE STANDING COMMITTEE REPORT

March 18, 2013

Page 1 of 1

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **Senate Bill 154** (third reading copy -- blue) **be concurred in.**

Signed: 
Representative Gerald (Jerry) Bennett, Chair

To be carried by Representative Ed Lieser

- END -

Committee Vote:

Yes 16, No 0

Fiscal Note Required

SB0154001SC15237.hjk

Molly



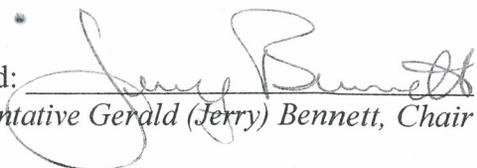
HOUSE STANDING COMMITTEE REPORT

March 18, 2013

Page 1 of 1

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **Senate Bill 332** (third reading copy -- blue) **be concurred in.**

Signed: 
Representative Gerald (Jerry) Bennett, Chair

To be carried by Representative Pat Connell

- END -

Committee Vote:

Yes 10, No 6

Fiscal Note Required

SB0332001SC12618.hjk

Molly



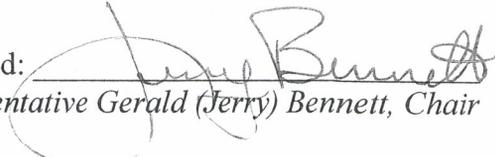
HOUSE STANDING COMMITTEE REPORT

March 18, 2013

Page 1 of 1

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **Senate Bill 345** (third reading copy -- blue) **be concurred in.**

Signed: 
Representative Gerald (Jerry) Bennett, Chair

To be carried by Representative Gerald (Jerry) Bennett

- END -

Committee Vote:

Yes 16, No 0

Fiscal Note Required

SB0345001SC13618.hjk

Molly



HOUSE STANDING COMMITTEE REPORT

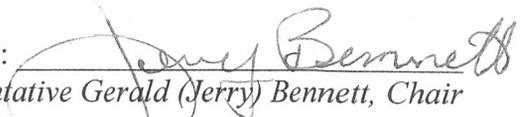
March 18, 2013

Page 1 of 1

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **Senate Bill 364** (third reading copy -- blue) **be concurred in.**

Signed:


Representative Gerald (Jerry) Bennett, Chair

To be carried by Representative Gerald (Jerry) Bennett

- END -

Committee Vote:

Yes 16, No 0

Fiscal Note Required

SB0364001SC13618.hjk

HOUSE OF REPRESENTATIVES
Roll Call Vote
NATURAL RESOURCES COMMITTEE

DATE: 3/18/13 BILL NO. ^{HB}535 MOTION NO. _____
 MOTION: amendment #1 Rep. Court

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		✓	

5-11

HOUSE OF REPRESENTATIVES
Roll Call Vote
NATURAL RESOURCES COMMITTEE

DATE: 3/18/13 BILL NO HB 535 MOTION NO. _____
 MOTION: 2nd amendment - Ex. 2
Rep. Bennett

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	✓		

12-4

HOUSE OF REPRESENTATIVES
Roll Call Vote
NATURAL RESOURCES COMMITTEE

DATE: 3/18/13 BILL NO 535 MOTION NO. _____
 MOTION: Do Pass As Amended

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	✓		

11-5

HOUSE OF REPRESENTATIVES
Roll Call Vote
NATURAL RESOURCES COMMITTEE

(Ex. 5)

DATE: 3/18/13 BILL NO. 332 MOTION NO. 204

MOTION: amendment 1 Pomnichowski

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

6-10

HOUSE OF REPRESENTATIVES
Roll Call Vote
NATURAL RESOURCES COMMITTEE

DATE: 3/18/13 BILL NO. ^{SB} 332 MOTION NO. _____

MOTION: Be amended (2) Court

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

6-10

HOUSE OF REPRESENTATIVES
Roll Call Vote
NATURAL RESOURCES COMMITTEE

DATE: 3/18/13 BILL NO 332 MOTION NO. _____

MOTION: Do Concur

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

10-6

AUTHORIZED COMMITTEE PROXY

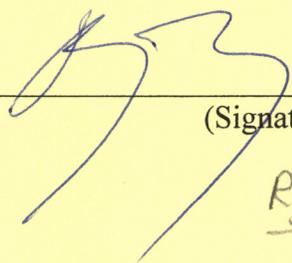
I request to be excused from the House Natural Resources

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

Vice Chair Court

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 535 (Reconsider)	✓				
HB 535 (053503.AJK)	✓				
HB 535 (053504.AJK)		✓			
HB 535		✓			
HB 154	✓				
HB 332 (SB 033204.AJK)	✓				
HB 332 (SB 033206.AJK)	✓				
HB 332		✓			
SB 345	✓				
SB 364	✓				

Rep.  _____
(Signature)

Date 3/18/13

Ryan Lynch

