

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chair Gerald (Jerry) Bennett, on January 28, 2013 at 3:00 PM, in Room 172 Capitol

ROLL CALL

Members Present:

Rep. Gerald (Jerry) Bennett, Chair (R)
Rep. Pat Connell, Vice Chair (R)
Rep. Virginia Court, Vice Chair (D)
Rep. Alan Doane (R)
Rep. Jennifer Eck (D)
Rep. Steve Fitzpatrick (R)
Rep. Wylie Galt (R)
Rep. Brian Hoven (R)
Rep. Ed Lieser (D)
Rep. Ryan Lynch (D)
Rep. JP Pomnichowski (D)
Rep. Ray L. Shaw (R)
Rep. Wendy Warburton (R)
Rep. Kerry White (R)
Rep. Kathleen Williams (D)

Members Excused: Rep. Mike Miller (R)

Members Absent: None

Staff Present: Colleen Dever, 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 291, 1/24/2013; SB 39, 1/24/2013
Executive Action: HB 173, HB 37, HB 248, HJ7

00:02:34 Chair J. Bennett

HEARING ON HB 291

Opening Statement by Sponsor:

00:05:12 Rep. Krayton Kerns (R), HD 58, opened the hearing on HB 291, Generally revise canal or ditch easement laws.

Proponents' Testimony:

00:06:38 John Youngberg, Montana Farm Bureau Federation (MFBF)
00:07:15 Mike Murphy, Montana Water Resources Association (MWRA)
00:07:49 Krista Lee Evans, Association of Gallatin Agricultural Irrigators (AGAI)
00:08:08 Ariel Overstreet, Montana Stockgrowers' Association (MSA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:08:38 Rep. Pomnichowski
00:09:32 Ms. Evans, AGAI
00:10:06 Rep. Pomnichowski
00:10:20 Ms. Evans, AGAI
00:10:33 Chair J. Bennett
00:10:45 Rep. Connell
00:11:24 Rep. Kerns, HD 58

Closing by Sponsor:

00:12:05 Rep. Kerns, HD 58

00:13:47 Recessed
00:17:54 Reconvened

00:17:25 Chair J. Bennett

EXECUTIVE ACTION ON HB 173

00:18:17 **Motion/Vote:** Rep. Connell moved that **HB 173 BE TABLED**. Motion carried unanimously by voice vote. Rep. Miller voted by proxy.

HEARING ON SB 39

Opening Statement by Sponsor:

00:19:22 Sen. Chas Vincent (R), SD 1, opened the hearing on SB 39, Eliminate DNRC report on wildland/urban interface designation.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

00:20:58 Bob Harrington, Administrator, Forestry Division, Department of Natural Resources and Conservation (DNRC)

Questions from Committee Members and Responses: None**Closing by Sponsor:**

00:21:32 Sen. Vincent, SD 1

EXECUTIVE ACTION ON HB 37

00:22:23 Chair J. Bennett
00:23:17 Mr. Kolman, LSD

00:24:07 **Motion/Vote:** Rep. Connell moved that **HB 37 DO PASS AS AMENDED.** Motion carried unanimously by voice vote. Rep. Miller voted by proxy.

00:24:39 **Motion/Vote:** Rep. Connell moved that **AMENDMENT HB003703.ajk BE SEGREGATED.** Motion carried unanimously by voice vote. Rep. Miller voted by proxy.

EXHIBIT(nah18a01)

00:26:02 **Motion/Vote:** Rep. Connell moved that **HB 37 BE AMENDED.** Motion carried unanimously by voice vote. Rep. Miller voted by proxy.

00:26:32 **Motion/Vote:** Rep. Connell moved that **HB 37 DO PASS AS AMENDED.** Motion carried unanimously by voice vote. Rep. Miller voted by proxy.

EXECUTIVE ACTION ON HB 248

00:28:25 **Motion:** Rep. Connell moved that **HB 248 DO PASS.**

Discussion:

00:28:36 Mr. Kolman, LSD
00:28:17 Rep. White
00:28:42 Rep. Lieser
00:29:32 Mr. Kolman, LSD
00:30:13 Rep. Williams
00:30:28 Mr. Kolman, LSD
00:30:48 Rep. Hoven
00:30:55 Chair J. Bennett
00:31:35 Rep. Lieser
00:31:48 Rep. Connell
00:33:23 Rep. White
00:34:29 Rep. Pomnichowski
00:36:31 Chair J. Bennett

00:36:43 **Vote:** Motion carried 10-6 by roll call vote with Rep. Bennett, Rep. Galt, Rep. Lieser, Rep. Miller, Rep. Warburton and Rep. White voting no. Rep. Miller voted by proxy.

00:38:06 Rep. Miller entered the meeting.
00:39:23 Chair J. Bennett

00:40:07 Rep. Miller
00:40:14 Chair J. Bennett

EXECUTIVE ACTION ON HB 37 (continued)

00:40:30 **Motion/Vote:** Rep. Connell moved that **HB 37 DO PASS AS AMENDED.**
Motion carried 12-4 by roll call vote with Rep. Court, Rep. Eck, Rep. Miller and
Rep. Pomnichowski voting no.

EXECUTIVE ACTION ON HJ 7

00:41:36 **Motion:** Rep. Connell moved that **HJ 7 DO PASS.**

Discussion:

00:41:55 Rep. Lieser
00:42:50 Rep. Hoven
00:43:36 Rep. Williams
00:44:28 Rep. Court
00:45:55 Rep. Doane
00:46:16 Rep. Warburton
00:47:03 Rep. White
00:48:02 Rep. Connell

00:52:59 **Motion/Vote:** Rep. Connell moved that **HJ 7 DO PASS.** Motion carried 9-7 by
roll call vote with Rep. Court, Rep. Eck, Rep. Hoven, Rep. Lieser, Rep. Lynch,
Rep. Pomnichowski and Rep. Williams voting no.

00:53:51 Rep. Williams
00:54:12 Chair J. Bennett

ADJOURNMENT

Adjournment: 00:54:25

Colleen Dever, Secretary

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Additional Documents:

EXHIBIT([nah18aad.pdf](#))