

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chair Gerald (Jerry) Bennett, on February 22, 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. Kerry White (R)
Rep. Kathleen Williams (D)

Members Excused: Rep. Mike Miller (R)
Rep. Wendy Warburton (R)

Members Absent: None

Staff Present: Joe Kolman, Legislative Branch
Rebecca Shaw, 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: HB 553, 2/22/2013, HB 561, 02/21/2013
Executive Action: HB 483, HB 547, HB 516, HB 553, HB 561, HJ 10

00:12:17 Chair Bennett

HEARING ON HB 553

Opening Statement by Sponsor:

00:12:21 Rep. David Halvorson (R), HD 37, opened the hearing on HB 553, Generally revise gravel permit permitting process.

Proponents' Testimony: None

Opponents' Testimony:

00:17:37 Ed Coleman, Bureau Chief, Open Cut Program Bureau, Department of Environmental Quality (DEQ)

00:18:56 Anne Hedges, Program Director, Montana Environmental Information Center

00:22:17 Justin Sakalis, Legislative Intern, Montana Audubon

00:23:03 Clayton Elliot, Northern Plains Resource Council

Informational Testimony: None

Questions from Committee Members and Responses:

00:23:42 Rep. Doane

00:24:19 Ed Coleman, DEQ

00:24:21 Rep. Doane

00:24:24 Ed Coleman, DEQ

00:24:48 Rep. Doane

00:25:13 Ed Coleman, DEQ

00:25:47 Rep. Doane

00:25:50 Ed Coleman, DEQ

00:25:53 Rep. Connell

00:26:54 Rep. Halvorson

00:27:14 Rep. Court

00:27:56 Ed Coleman, DEQ

00:28:04 Rep. Court

00:28:08 Ed Coleman, DEQ

00:28:41 Rep. Hoven

00:29:40 Ed Coleman, DEQ

00:29:44 Rep. Hoven

00:29:48 Ed Coleman, DEQ

Closing by Sponsor:

00:30:20 Rep. Halvorson

HEARING ON HB 561

Opening Statement by Sponsor:

00:35:27 Rep. Steve Fitzpatrick (R), HD 20, opened the hearing on HB 561, Define combined appropriation for exempt wells.

Proponents' Testimony:

00:39:51 Rhonda Wiggers, Montana Water Well Diggers Association (MWWDA)

[EXHIBIT\(nah40a01\)](#)

[EXHIBIT\(nah40a02\)](#)

[EXHIBIT\(nah40a03\)](#)

00:46:30 Dustin Stewart, Executive Director, Montana Building Industry Association (MBIA)

[EXHIBIT\(nah40a04\)](#)

00:51:44 Dave Galt, Executive Director, Montana Petroleum Association

00:53:47 Abigail St. Lawrence, Montana Association of Realtors (MAR)

Opponents' Testimony:

00:56:21 John Youngberg, Vice President, Governmental Affairs, Montana Farm Bureau Federation

01:00:53 Holly Franz, PPL Montana

01:05:32 Brianna Randall, Water Policy Director, Clark Fork Coalition

01:07:16 Jay Bodner, Director of Natural Resources, Montana Stock Growers Association

01:09:36 Mark Aagenes, Conservation Director, Montana Trout Unlimited (TU)

01:09:50 Bill Schenk, Attorney, Fish, Wildlife and Parks (FWP)

[EXHIBIT\(nah40a05\)](#)

01:12:28 Tim Davis, Administrator, Water Resources Division, Department of Natural Resources (DNRC)

Informational Testimony: None**Questions from Committee Members and Responses:**

01:14:02 Rep. White

01:15:00 Dustin Stewart, MBIA

01:16:54 Rep. White

01:17:00 John Youngberg, MFBF

01:17:40 Rep. White

01:19:41 John Youngberg, MFBF

01:21:22 Rep. Shaw

01:22:07 Tim Davis, DNRC

01:22:38 Rep. Shaw

01:22:59 Tim Davis, DNRC

01:23:42 Rep. Lieser

01:23:49 Rhonda Wiggers, MWWDA

01:25:43 Rep. Hoven

01:26:45 Rep. Fitzpatrick

01:27:02 Rep. Hoven

01:27:09 Rhonda Wiggers, MWWDA

01:29:01 Rep. Connell

01:30:17 Tim Davis, DNRC

01:31:22 Rep. Connell

01:31:49 Tim Davis, DNRC

01:32:50 Rep. Connell

01:33:11 Tim Davis, DNRC

01:33:55 Rep. Williams

01:34:43 Rep. Fitzpatrick

01:34:57 Rep. Williams
01:35:05 Rep. Fitzpatrick
01:35:17 Rep. Williams
01:35:58 Tim Davis, DNRC
01:36:28 Rep. Williams
01:37:29 Tim Davis, DNRC
01:38:37 Rep. Williams
01:40:06 Rhonda Wiggers, MWWDA
01:40:41 Rep. Williams
01:41:39 Dustin Stewart, MBIA
01:42:13 Rep. Hoven
01:43:31 Tim Davis, DNRC
01:44:14 Rep. Hoven
01:44:41 Tim Davis, DNRC

Closing by Sponsor:

01:46:28 Rep. Fitzpatrick

01:47:17 Recessed
02:00:23 Reconvened

EXECUTIVE ACTION ON HB 483

02:00:42 **Motion:** Rep. Lieser moved that **HB 483 DO PASS.**

Discussion:

02:02:19 Chair Bennett
02:03:50 Rep. Hoven

02:05:37 **Vote:** Motion failed 6-10 by roll call vote with Rep. Court, Rep. Eck, Rep. Lieser, Rep. Lynch, Rep. Pomnichowski and Rep. Williams voting aye. Rep. Miller and Rep. Warburton voted by proxy.

02:05:40 **Motion/Vote:** Rep. Connell moved that **HB 483 BE TABLED AND THE VOTE REVERSED.** Motion carried 13-1 by voice vote with Rep. Lieser voting no.

EXECUTIVE ACTION ON HB 547

02:06:08 **Motion:** Rep. Connell moved that **HB 547 DO PASS.**

02:06:18 **Motion:** Rep. Lynch moved that **HB 547 BE AMENDED.**
EXHIBIT(nah40a06)

Discussion:

02:07:26 Rep. White
02:09:22 Rep. Lieser
02:09:44 Rep. Lynch
02:11:00 Rep. Williams

02:11:39 **Vote:** Motion failed 6-10 by roll call vote with Rep. Court, Rep. Eck, Rep. Lieser, Rep. Lynch, Rep. Pomnichowski and Rep. Williams voting aye. Rep. Miller and Rep. Warburton voted by proxy.

02:13:06 **Motion:** Rep. White moved that **HB 547 BE AMENDED.**
EXHIBIT(nah40a07)

Discussion:

02:13:12 Joe Kolman, Legislative Environmental Analyst, Legislative Services Division (LSD)

02:14:13 Rep. White

02:16:28 Rep. Williams

02:18:00 Rep. Lieser

02:18:20 **Vote:** Motion carried 11-5 by roll call vote with Rep. Court, Rep. Eck, Rep. Lieser, Rep. Pomnichowski and Rep. Williams voting no. Rep. Miller and Rep. Warburton voted by proxy.

02:19:29 **Motion/Vote:** Rep. Connell moved that **HB 547 DO PASS AS AMENDED.** Motion carried 14-2 by roll call vote with Rep. Pomnichowski and Rep. Williams voting no. Rep. Miller and Rep. Warburton voted by proxy.

EXECUTIVE ACTION ON HB 516

02:26:18 **Motion:** Rep. Connell moved that **HB 516 DO PASS.**

02:26:18 **Motion/Vote:** Rep. Court moved that **HB 516 BE TABLED.** Motion carried 14-2 by roll call vote with Rep. Bennett and Rep. White voting no. Rep. Miller and Rep. Warburton voted by proxy.

EXECUTIVE ACTION ON HJ 10

02:27:01 **Motion:** Rep. Court moved that **HJ 10 DO PASS.**

02:27:05 **Motion/Vote:** Rep. Connell moved that **HJ 10 BE TABLED.** Motion carried 10-6 by roll call vote with Rep. Court, Rep. Eck, Rep. Lieser, Rep. Lynch, Rep. Pomnichowski and Rep. Williams voting no. Rep. Miller and Rep. Warburton voted by proxy.

EXECUTIVE ACTION ON HB 553

02:28:43 **Motion:** Rep. Connell moved that **HB 553 DO PASS.**

Discussion:

02:28:52 Rep. Doane

02:29:25 Rep. Connell

02:30:23 Rep. Court

02:31:24 Rep. White

02:32:41 Rep. Shaw

02:34:02 Rep. Pomnichowski

02:36:20 Rep. Williams

02:37:33 Rep. Doane

02:37:55 **Vote:** Motion carried 9-7 by roll call vote with Rep. Bennett, Rep. Court, Rep. Eck, Rep. Lieser, Rep. Lynch, Rep. Pomnichowski and Rep. Williams voting no. Rep. Miller and Rep. Warburton voted by proxy.

EXECUTIVE ACTION ON HB 561

02:39:25 **Motion:** Rep. Fitzpatrick moved that **HB 561 DO PASS**.

Discussion:

02:39:47 Rep. Williams

02:40:48 Rep. Connell

02:42:05 Rep. Hoven

02:42:14 **Vote:** Motion carried 8-7 by roll call vote with Rep. Bennett, Rep. Court, Rep. Eck, Rep. Galt, Rep. Lieser, Rep. Pomnichowski and Rep. Williams voting no. Rep. Miller and Rep. Warburton voted by proxy.

ADJOURNMENT

Adjournment: 02:45:11

Rebecca Shaw, Secretary

rs

Additional Documents:

Additional Documents:

EXHIBIT([nah40aad.pdf](#))