

## MINUTES

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

#### COMMITTEE ON NATURAL RESOURCES

**Call to Order:** Chair Gerald (Jerry) Bennett, on February 25, 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)

**Members Excused:** Rep. Mike Miller (R)  
Rep. Wendy Warburton (R)  
Rep. Kathleen Williams (D)

**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 535, 2/19/2013, HB 558, 2/20/2013  
Executive Action: HB 535, HB 558, HJ8

00:07:27 Chair Bennett

**HEARING ON HB 558**

**Opening Statement by Sponsor:**

00:07:34 Rep. Dennis Lenz (R), HD 50, opened the hearing on HB 558, Revise road laws related to aggregate stabilization.

[EXHIBIT\(nah42a01\)](#)

[EXHIBIT\(nah42a02\)](#)

[EXHIBIT\(nah42a03\)](#)

[EXHIBIT\(nah42a04\)](#)

[EXHIBIT\(nah42a05\)](#)

00:07:48 Rep. Williams entered.

**Proponents' Testimony:**

00:14:12 Rep. Bill Harris

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:16:42 Rep. Pomnichowski

00:17:33 Rep. Lenz

00:17:46 Rep. Pomnichowski

00:18:47 Rep. Lenz

00:19:50 Rep. Pomnichowski

00:19:54 Joe Kolman, Environmental Analyst, Legislative Services Division (LSD)

00:20:49 Rep. Connell

00:21:11 Rep. Lenz

00:21:54 Rep. Lieser

00:21:58 Rep. Lenz

00:23:06 Rep. Doane

00:23:13 Rep. Lenz

**Closing by Sponsor:**

00:25:44 Rep. Lenz

**HEARING ON HB 535**

**Opening Statement by Sponsor:**

00:28:58 Rep. Gerald (Jerry) Bennett (R), HD 1, opened the hearing on HB 535, Generally revise state land cabin site laws.

**Proponents' Testimony:**

00:32:51 Eugene Hutz, Montana State Lease Holders Association

00:36:24 Janae Donoghue, West Venture Real Estate, LLC

00:40:17 Merna Terry, Lease Holder

00:43:20 Margaret Morgan, Montana State Lease Holders Association

**Opponents' Testimony:**

00:47:08 Shawn Thomas, Administrator, Trust Land Management Division, Department of Natural Resources (DNRC)

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

00:53:23 Rep. White  
00:54:38 Janae Donoghue, West Venture Real Estate, LLC  
00:59:29 Rep. White  
01:00:45 Shawn Thomas, DNRC  
01:01:46 Rep. Hoven  
01:04:24 Margaret Morgan, Montana State Lease Holders Association  
01:06:25 Rep. Doane  
01:07:25 Shawn Thomas, DNRC  
01:07:59 Rep. Lieser  
01:08:05 Shawn Thomas, DNRC  
01:08:59 Rep. Court  
01:09:04 Shawn Thomas, DNRC  
01:09:44 Rep. Lynch  
01:10:06 Shawn Thomas, DNRC  
01:10:29 Rep. Williams  
01:11:06 Joe Kolman, LSD  
01:11:19 Rep. Williams  
01:11:25 Shawn Thomas, DNRC  
01:12:02 Rep. Williams  
01:12:24 Shawn Thomas, DNRC  
01:12:42 Rep. Williams  
01:12:47 Shawn Thomas, DNRC  
01:13:59 Rep. Williams  
01:14:06 Rep. Connell  
01:14:23 Rep. Williams  
01:15:12 John Grimm, Bureau Chief, Real Estate Section Supervisor, DNRC  
01:17:08 Rep. White  
01:18:58 John Grimm, DNRC  
01:19:24 Rep. Court  
01:20:25 Shawn Thomas, DNRC  
01:20:38 Rep. Court  
01:20:43 Shawn Thomas, DNRC  
01:21:59 Rep. Connell  
01:22:31 Shawn Thomas, DNRC  
01:23:33 Rep. Connell  
01:24:02 Rep. Bennett

**Closing by Sponsor:**

01:24:49 Rep. Bennett

01:25:02 Recessed

01:42:08 Reconvened

**EXECUTIVE ACTION ON HB 558**

- 01:42:58 **Motion:** Rep. Connell moved that **HB 558 DO PASS.**
- 01:43:28 **Motion:** Rep. Connell moved that **HB 558 BE AMENDED.**
- 01:45:19 Joe Kolman, LSD
- 01:46:12 **Without objection, Rep. Connell withdrew the BE AMENDED motion.**

**Discussion:**

- 01:46:32 Rep. Williams
- 01:46:58 Rep. Shaw
- 01:48:35 Rep. Lieser
- 01:49:41 Rep. White
- 01:51:07 Rep. Doane
- 01:52:02 Rep. Eck
- 01:52:25 **Vote:** Rep. Connell moved that **HB 558 DO PASS.** Motion carried 10-6 by roll call vote with Rep. Connell, Rep. Court, Rep. Lieser, Rep. Lynch, Rep. Pomnichowski and Rep. Williams voting no. Rep. Miller and Rep. Warburton voted by proxy.

**EXECUTIVE ACTION ON HB 535**

- 01:54:18 **Motion:** Rep. Connell moved that **HB 535 DO PASS.**
- 01:54:24 **Motion:** Rep. G. Bennett moved that **HB 535 BE AMENDED.**

**Discussion:**

- 01:55:38 Joe Kolman, LSD
- 01:57:31 **Vote:** Motion carried 13-1 by voice vote with Rep. Doane voting no.
- 01:57:46 **Motion:** Rep. Connell moved that **HB 535 DO PASS AS AMENDED.**
- 01:58:15 **Without objection, Rep. Connell withdrew the DO PASS AS AMENDED motion.**

**EXECUTIVE ACTION ON HJ 8**

- 01:58:43 **Motion/Vote:** Rep. Fitzpatrick moved that **HJ 8 RECONSIDER THE MOTION.** Motion carried 8-7 by roll call vote with Rep. Court, Rep. Eck, Rep. Hoven, Rep. Lieser, Rep. Lynch, Rep. Pomnichowski and Rep. Williams voting no. Rep. Warburton voted by proxy.
- 02:00:53 **Motion/Vote:** Rep. White moved that **HJ 8 DO PASS AS AMENDED.** Motion failed 8-8 by roll call vote with Rep. Bennett, Rep. Connell, Rep. Doane, Rep. Fitzpatrick, Rep. Galt, Rep. Shaw, Rep. Warburton and Rep. White voting aye. Rep. Miller and Rep. Warburton voted by proxy.

**ADJOURNMENT**

Adjournment: 02:05:56

---

Rebecca Shaw, Secretary

rs

Additional Documents:

**EXHIBIT([nah42aad.pdf](#))**