

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chair Gerald (Jerry) Bennett, on March 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. Steve Fitzpatrick (R)
Rep. Wylie Galt (R)
Rep. Brian Hoven (R)
Rep. Ed Lieser (D)
Rep. Ryan Lynch (D)
Rep. Mike Miller (R)
Rep. JP Pomnichowski (D)
Rep. Ray L. Shaw (R)
Rep. Wendy Warburton (R)
Rep. Kerry White (R)
Rep. Kathleen Williams (D)

Members Excused: Rep. Alan Doane (R)
Rep. Jennifer Eck (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: SB 366, 3/8/2013; SB 265, 03/18/2013; SB 335, 03/18/2013

HEARING ON SB 335

Opening Statement by Sponsor:

00:43:12 Sen. Bradley Hamlett (D), SD 10, opened the hearing on SB 335, Allow for removal of natural obstruction to exercise water right.

Proponents' Testimony:

00:46:47 Mike Murphy, Executive Director, Montana Water Resources Association (MWRA)

00:50:04 Chelcie Cremer, Montana Farm Bureau Federation

00:52:11 Mark Aagenes, Conservation Director, Montana Trout Unlimited (MTU)

Opponents' Testimony: None

Informational Testimony:

00:53:24 Tim Davis, Administrator, Water Resources Division, Department of Natural Resources and Conservation (DNRC)

Questions from Committee Members and Responses:

00:54:05 Rep. Pomnichowski

00:54:12 Sen. Hamlett

00:54:49 Rep. Pomnichowski

00:55:51 Sen. Hamlett

00:56:11 Rep. Pomnichowski

00:57:31 Mike Murphy, MWRA

00:58:30 Rep. Williams

01:00:08 Sen. Hamlett

01:00:15 Rep. Williams

01:01:10 Mark Aagenes, MTU

01:01:20 Rep. Connell

01:01:27 Sen. Hamlett

01:03:09 Rep. Connell

01:03:16 Sen. Hamlett

Closing by Sponsor:

01:03:20 Sen. Hamlett

HEARING ON SB 366

Opening Statement by Sponsor:

01:08:00 Sen. Ron Arthun (R), SD 31, opened the hearing on SB 366, Eliminate EQC term limits.

EXHIBIT(nah62a01)

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:09:20 Rep. Williams

Closing by Sponsor:

01:11:36 Sen. Arthun

01:13:00 Chair Bennett

HEARING ON SB 265**Opening Statement by Sponsor:**

01:14:29 Sen. Verdell Jackson (R), SD 5, opened the hearing on SB 265, Extend the reserved water rights compact commission.

Proponents' Testimony:

01:18:55 Sen. Jennifer Fielder

01:21:36 Deon Carpenter,

01:22:33 William Biernat, Executive Director, Montanans in Action

01:23:23 EJ Redding, Western Montana Water Users Association

EXHIBIT(nah62a02)

01:24:55 John Sinrud, Executive Director, Flathead Business and Industry Association (FBIA)

01:26:29 Gene Erb,

01:27:24 Williams Myers,

01:31:09 Jan Wisniewski, Water Stockholders

EXHIBIT(nah62a03)**EXHIBIT(nah62a04)**

01:31:13 Ron Stoltz, Ravalli County Commissioner

01:32:29 Sen. Dee Brown

01:33:08 Patricia Arnone, Flathead County

01:33:55 Julie Rathman, Libby

01:34:35 Derek Skees, Former Representative

01:35:35 Joan Carroll, Resident

01:35:49 Virginia Turner, Resident

01:36:57 Sylvia Reinicke, Resident

01:37:49 Terry Backs, Resident

01:38:15 Bob Carroll, Resident

01:39:14 Trudy Samuelson, Resident

01:40:13 Paul Toussaint, Resident

01:41:01 Andrew Speer, Resident

01:41:31 Roland Horst, Flathead County

01:42:32 Chris Sullivan, Resident

01:44:23 Jerry Laskody, Rancher, St. Ignatius

01:45:08 John Ployhar, Potomac

01:45:52 Jennifer Nickolson, Rancher, Deer Lodge

01:46:49 Judith Barker, Rancher

01:47:05 Harold Lyons, Right to Farm Board, Ravalli County

EXHIBIT(nah62a05)

01:48:34 Gerianne Robbins, Flathead County

01:50:19 Robert Gale, Ravalli County

01:50:56 Zac Strain, Resident

EXHIBIT(nah62a06)

01:51:20 Roy Vallejo, St. Ignatius

01:51:53 Sheila Vallejo, St. Ignatius

EXHIBIT(nah62a07)

01:53:02 Ben Stoble, Kalispell

01:53:22 John Swenson, Ronan

01:54:11 Barbara Starkel, Resident

01:54:57 Robert Williams, Flathead County

01:56:31 Leonard Hakes, Ronan

01:56:59 David Peck, Charlo

01:57:14 Ross Middlemist, Resident

01:57:47 Laura O'Neil, Resident

01:58:26 John O'Neil, Resident

01:58:45 Darlene Whitson, Resident

01:59:01 Frank White, Arlee

01:59:10 Charles Bryant, Rancher, Hot Springs

02:00:16 Betty Schultz, Whitefish

02:00:33 Arlen Gerees, Farmer

02:00:53 Wade Shepard, Irrigator

02:01:08 Gene Posivio, Irrigator, St. Ignatius

02:01:31 Tim Orr, Irrigator, St. Ignatius

02:01:59 Peggy Orr, Resident

02:02:24 Rick Marquart, Resident

02:02:37 Karen Reun, Pablo

02:03:23 Carol Lyons, Rancher

02:04:07 Scott Amdo, Rancher, Lone Pine

02:04:49 Frances Carey, St. Ignatius

02:05:12 Charlie Lyons, Rancher

02:05:26 Terry Cogwell, Plains Grange 101

EXHIBIT(nah62a08)

02:06:00 George Hudson, Resident

02:07:03 Dean Brockway, Irrigator and Rancher

02:07:50 Delores Wicka, Resident

02:08:13 David Passieri, Charlo

02:09:49 Kim Adams, St. Ignatius

EXHIBIT(nah62a09)

02:10:36 Elaine Pierson, Resident

02:11:05 Rep. Schwaderer

02:11:40 Mark Palmquist, Resident

02:12:22 Dwight Goble, Resident

02:13:43 Richard Szczech, Resident

02:14:37 Natalie Champoux, Resident

02:14:52 Mitchell Jackson, Resident

02:15:22 Mitch Hein, Flathead Irrigation Project

02:16:18 Randy Doty, Resident

02:16:34 Ed Wehrherm, Resident

02:17:30 John Biggs, Irrigator

02:17:50 Frank Carr, Resident

02:18:25 Bruce White, Flathead Irrigation Project

02:18:59 Deanna Balfor, Resident
02:19:46 Clariss Ryan, Bigfork
02:20:50 Rory Horning, Polson
02:21:28 Shannon Carr, Hot Springs

Opponents' Testimony:

02:22:07 Shane Morigeau, Confederated Salish and Kootenai Tribe (CSKT)

EXHIBIT(nah62a10)

02:25:04 Rep. Rae Peppers
02:27:00 Jim Elliott, Rancher, Trout Creek
02:31:34 Mark Aagenes, MTU
02:32:15 Barbara Hall, Legal Director, Clark Fork Coalition

Informational Testimony:

02:33:14 Chris Tweeten, Chair, MTRWRCC
02:33:42 John Carter, Attorney, CSKT
02:34:21 Ken Makepeace, Hydrologist, CSKT
02:35:00 Rep. Bridget Smith

Questions from Committee Members and Responses:

02:35:30 Rep. White
02:36:18 Sen. Jackson
02:38:20 Rep. Williams
02:39:23 Bill Schultz, Administrator, Montana Reserved Water Right Compact
Commission (MTRWRCC)
02:41:25 Rep. Williams
02:42:26 John Carter, CSKT
02:44:21 Rep. Hoven
02:44:44 Chris Tweeten, MTRWRCC
02:50:07 Rep. Hoven
02:50:42 Chris Tweeten, MTRWRCC
02:55:10 Rep. Fitzpatrick
02:55:49 John Carter, CSKT
02:57:22 Rep. Fitzpatrick
02:58:00 John Carter, CSKT
02:59:06 Rep. Williams
03:00:01 Sen. Jackson
03:02:40 Rep. Williams
03:03:54 Sen. Jackson
03:05:13 Rep. Williams
03:06:02 Sen. Jackson
03:06:14 Rep. Pomnichowski
03:07:31 John Carter, CSKT
03:09:42 Rep. Pomnichowski
03:10:03 John Carter, CSKT
03:10:06 Rep. Shaw
03:11:19 Sen. Jackson
03:11:53 Rep. Warburton
03:12:17 Chris Tweeten, MTRWRCC
03:13:09 Rep. Warburton

03:13:17 Bill Schultz, MTRWRCC

03:14:17 Rep. Warburton

03:14:23 Bill Schultz, MTRWRCC

Closing by Sponsor:

03:15:21 Sen. Jackson

[EXHIBIT\(nah62a11\)](#)

ADJOURNMENT

Adjournment: 03:17:36

Rebecca Shaw, Secretary

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Additional Documents:

EXHIBIT([nah62aad.pdf](#))