

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chair Gerald (Jerry) Bennett, on April 10, 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. 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. Kerry White (R)

Members Excused: Rep. Jennifer Eck (D)
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: SB 369, 4/8/2013; HJ 26, 4/09/2013
Executive Action: SB 355, SB 201, HJ 26, SB 369, SJ 17

EXECUTIVE ACTION ON SB 355

00:14:30 **Motion:** Rep. Connell moved that **SB 355 BE CONCURRED IN.**

Discussion:

00:15:20 Joe Kolman, Research Analyst, Legislative Services Division (LSD)

00:15:41 Rep. Williams entered.

00:17:12 Rep. Connell

00:19:09 **Vote:** Motion carried 15-1 by voice vote with Rep. Fitzpatrick voting no. Rep. Eck and Rep. Warburton voted by proxy. Rep. Connell will carry the bill.

HEARING ON HJ 26**Opening Statement by Sponsor:**

00:20:34 Rep. Pat Connell (R), HD 87, opened the hearing on HJ 26, Interim study on water ditch/canal easement restatement process options.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

00:24:37 Tim Davis, Administrator, Water Resources Division, Department of Natural Resources and Conservation (DNRC)

00:24:47 Rep. Eck entered.

Questions from Committee Members and Responses:

00:25:26 Rep. Williams

00:26:11 Rep. Connell

00:26:15 Rep. Williams

00:26:21 Rep. Connell

00:27:07 Rep. Williams

00:27:12 Mr. Davis, DNRC

00:28:34 Rep. Williams

00:28:38 Mr. Davis, DNRC

00:28:46 Rep. Williams

00:28:52 Mr. Davis, DNRC

Closing by Sponsor:

00:29:20 Rep. Connell

HEARING ON SB 369**Opening Statement by Sponsor:**

00:30:52 Sen. Tom Facey (D), SD 48, opened the hearing on SB 369, Revise state cabin site leasing laws.

Proponents' Testimony:

00:33:26 Eugene Hutz, Lease Holder, Bigfork
00:38:20 Bill Lewellen, Lease Holder, Echo Lake
00:41:42 Margaret Morgan, Montana Leaser Holders Association
00:47:49 Tony Piscopo, Lease Holder, Rodgers Lake
00:51:11 Kevin Copp, Lease Holder, Rodgers Lake
00:54:31 Alan Davis, Lease Holder

Opponents' Testimony: None**Informational Testimony:**

00:56:49 Shawn Thomas, Administrator, Trust Land management Division, Department of Natural Resources (DNRC)

Questions from Committee Members and Responses:

00:58:30 Rep. Lieser
01:00:34 Mr. Thomas, DNRC
01:00:44 Rep. Shaw
01:00:48 Mr. Thomas, DNRC
01:01:33 Rep. Shaw
01:03:02 Rep. Eck
01:03:06 Mr. Thomas, DNRC
01:03:37 Rep. Eck
01:04:13 Mr. Thomas, DNRC
01:04:16 Rep. Eck
01:04:20 Mr. Thomas, DNRC
01:05:06 Rep. Miller
01:05:49 Mr. Thomas, DNRC
01:06:47 Rep. Miller
01:08:04 Mr. Thomas, DNRC
01:08:10 Rep. Miller
01:09:09 Mr. Thomas, DNRC
01:09:14 Rep. Hoven
01:10:15 Mr. Thomas, DNRC
01:10:22 Rep. Hoven
01:11:06 Mr. Thomas, DNRC
01:11:11 Rep. Hoven
01:11:17 Mr. Thomas, DNRC
01:11:33 Rep. Williams
01:12:53 Mr. Thomas, DNRC
01:14:03 Rep. Williams
01:14:16 Mr. Thomas, DNRC
01:14:50 Rep. Williams
01:15:36 Joe Kolman, LSD
01:16:04 Rep. Williams
01:17:12 Mr. Thomas, DNRC
01:17:43 Rep. Court
01:18:58 Mr. Thomas, DNRC
01:19:06 Rep. Court
01:19:57 Mr. Thomas, DNRC

01:20:01 Rep. Court
01:20:57 Mr. Thomas, DNRC
01:21:53 Rep. Court
01:22:02 Mr. Thomas, DNRC
01:22:18 Rep. Lieser
01:23:30 Mr. Thomas, DNRC
01:23:33 Rep. Connell
01:25:00 Mr. Thomas, DNRC

Closing by Sponsor:

01:25:20 Sen. Facey

01:30:31 Recessed.

01:44:17 Reconvened.

EXECUTIVE ACTION ON HJ 26

01:44:41 **Motion/Vote:** Rep. Connell moved that **HJ 26 DO PASS**. Motion carried 14-2 by voice vote with Rep. Court and Rep. Pomnichowski voting no. Rep. Warburton voted by proxy.

EXECUTIVE ACTION ON SB 369

01:45:59 **Motion:** Rep. Connell moved that **SB 369 BE CONCURRED IN**.

Discussion:

01:46:17 Rep. Court

01:48:02 Mr. Thomas, DNRC

01:48:35 **Motion:** Rep. Connell moved that **SB 369 BE AMENDED**.

EXHIBIT(nah75a01)

Discussion:

01:50:02 Joe Kolman, LSD

01:51:36 Rep. Pomnichowski

01:52:10 Mr. Thomas, DNRC

01:52:43 Rep. Eck

01:53:00 Rep. Lieser

01:53:42 Rep. Williams

01:54:21 Joe Kolman, LSD

01:55:26 Rep. Williams

01:55:31 Rep. White

01:55:45 Rep. Williams

01:56:18 Mr. Thomas, DNRC

01:57:37 **Vote:** Motion carried 15-0 by voice vote. Rep. Warburton did not vote.

01:57:44 **Motion:** Rep. Connell moved that **SB 369 BE CONCURRED IN AS AMENDED**.

Discussion:

01:58:22 Rep. Williams
 01:59:00 Chair Bennett
 02:00:07 Rep. Shaw
 02:00:44 Rep. Williams
 02:00:48 Chair Bennett
 02:01:04 Rep. Court
 02:01:43 Joe Kolman, LSD
 02:01:50 Rep. Court
 02:01:58 Chair Bennett
 02:02:35 Joe Kolman, LSD
 02:03:14 Rep. Court
 02:03:55 Joe Kolman, LSD
 02:04:10 Rep. Court
 02:04:14 Joe Kolman, LSD

02:04:18 **Vote:** Motion that **SB 369 BE CONCURRED IN AS AMENDED** carried 14-2 by roll call vote with Rep. Court and Rep. Pomnichowski voting no. Rep. Warburton voted by proxy. Rep. Lynch will carry the bill.

EXECUTIVE ACTION ON SB 201

02:05:52 **Motion:** Rep. Connell moved that **SB 201 BE REMOVED FROM BEING TABLED.**

Discussion:

02:07:51 Rep. Miller
 02:08:07 Rep. Connell

02:08:30 **Vote:** Motion carried 9-6 by roll call vote with Rep. Court, Rep. Eck, Rep. Lieser, Rep. Lynch, Rep. Pomnichowski and Rep. Williams voting no. Rep. Warburton did not vote.

02:08:37 **Motion:** Rep. Connell moved that **SB 201 BE CONCURRED IN.**

Discussion:

02:10:59 Rep. Lieser
 02:12:26 Rep. White
 02:13:46 Rep. Williams

02:16:52 **Motion:** Rep. Connell moved that **SB 201 BE AMENDED.**
[EXHIBIT\(nah75a02\)](#)

Discussion:

02:16:57 Joe Kolman, LSD

02:16:59 **Vote:** Motion carried 9-7 by voice vote with Rep. Court, Rep. Eck, Rep. Lieser, Rep. Lynch, Rep. Miller, Rep. Pomnichowski and Rep. Williams voting no. Rep. Warburton voted by proxy.

02:18:25 Chair Miller
02:18:30 Rep. Hoven

02:19:49 **Vote:** Motion carried 9-7 by roll call vote with Rep. Court, Rep. Eck, Rep. Hoven, Rep. Lieser, Rep. Lynch, Rep. Pomnichowski and Rep. White voting no. Rep. Warburton voted by proxy. Rep. Bennett will carry the bill.

EXECUTIVE ACTION ON SJ 17

02:21:20 **Motion:** Rep. Connell moved that **SJ 17 BE REMOVED FROM BEING TABLED.**

Discussion:

02:21:42 Joe Kolman, LSD

02:21:47 **Vote:** 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 did not vote.

02:22:58 **Motion:** Rep. Connell moved that **SJ 17 BE CONCURRED IN.**

Discussion:

02:23:06 Rep. White
02:23:30 Rep. Lieser
02:23:58 Rep. Williams

02:24:37 **Vote:** Motion failed 8-8 by roll call vote with Rep. Bennett, Rep. Doane, Rep. Fitzpatrick, Rep. Galt, Rep. Miller, Rep. Shaw, Rep. Warburton and Rep. White voting aye. Rep. Warburton voted by proxy.

02:25:54 **Motion/Vote:** Rep. Court moved that **SJ 17 BE TABLED AND THE VOTE REVERSED.** Motion carried 13-2 by voice vote with Rep. Shaw and Rep. White voting no. Rep. Warburton did not vote.

02:26:52 Chair Bennett
02:27:00 Rep. Miller

ADJOURNMENT

Adjournment: 02:27:40

Rebecca Shaw, Secretary

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Additional Documents:

EXHIBIT([nah75aad.pdf](#))