

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chair Kerry White, on March 30, 2015 at 3:00 PM, in Room 172 Capitol

ROLL CALL

Members Present:

Rep. Kerry White, Chair (R)
Rep. Steve Fitzpatrick, Vice Chair (R)
Rep. Bob Brown (R)
Rep. Virginia Court (D)
Rep. Mary Ann Dunwell (D)
Rep. Kelly Flynn (R)
Rep. Theresa Manzella (R)
Rep. Nate McConnell (D)
Rep. Dale Mortensen (R)
Rep. Mark Noland (R)
Rep. Andrea Olsen (D)
Rep. Keith Regier (R)
Rep. Ray L. Shaw (R)
Rep. Scott Staffanson (R)
Rep. Kathleen Williams (D)

Members Excused: Rep. Ed Lieser, Vice Chair (D)
Rep. Gerald (Jerry) Bennett (R)
Rep. Zach Brown (D)

Members Absent: None

Staff Present: Joe Kolman, Legislative Branch
Sherri Row, 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 47, 3/10/2015; SB 325, 3/10/2015; SB 329, 3/10/2015

Executive Action: SB 102; SB 118; SB 355; SB 361

00:00:05 Chairman White
00:01:56 Rep. Jerry Bennett arrived.
00:02:19 Rep. Zach Brown arrived

EXECUTIVE ACTION ON SB 102

00:02:37 **Motion:** Rep. Fitzpatrick moved that **SB 102 BE CONCURRED IN.**

Discussion:

00:02:49 Joe Kolman, Legislative Services Division (LSD)
00:03:48 Chairman White
00:04:10 Joe Kolman, LSD
00:04:29 Chairman White
00:04:40 Rep. Williams

00:04:58 **Vote:** Motion carried 17-1 by voice vote with Rep. Staffanson voting no. Rep. Lieser voted by proxy. Rep. White will carry the bill.

EXECUTIVE ACTION ON SB 118

00:05:52 **Motion:** Rep. Fitzpatrick moved that **SB 118 BE CONCURRED IN.**

Discussion:

00:06:05 Joe Kolman, LSD
00:06:24 Chairman White

00:06:38 **Motion:** Rep. Fitzpatrick moved that **SB 118 BE AMENDED.**
[EXHIBIT\(nah66a01\)](#)

Discussion:

00:07:08 Joe Kolman, LSD
00:08:04 Rep. Zach Brown
00:08:37 Rep. Flynn
00:09:01 Rep. Williams
00:09:07 Chairman White

00:09:33 **Vote:** Motion failed 5-13 by roll call vote with Rep. Fitzpatrick, Rep. McConnell, Rep. Olsen, Rep. Staffanson and Rep. White voting aye. Rep. Lieser voted by proxy.

00:10:56 **Substitute Motion/Vote:** Rep. Flynn made a substitute motion that **SB 118 BE TABLED.** Substitute Motion carried unanimously by voice vote. Rep. Lieser voted by proxy.

EXECUTIVE ACTION ON SB 355

00:11:39 **Motion:** Rep. Fitzpatrick moved that **SB 355 BE CONCURRED IN.**

00:11:48 **Motion/Vote:** Rep. Fitzpatrick moved that **SB 355 BE AMENDED.** Motion carried 17-1 by voice vote with Rep. Regier voting no. Rep. Lieser voted by proxy.

EXHIBIT(nah66a02)

00:12:44 **Motion/Vote:** Rep. Fitzpatrick moved that **SB 355 BE CONCURRED IN AS AMENDED.** Motion carried 10-8 by roll call vote with Rep. Jerry Bennett, Rep. Bob Brown, Rep. Manzella, Rep. Mortensen, Rep. Noland, Rep. Regier, Rep. Staffanson and Rep. White voting no. Rep. Lieser voted by proxy. Rep. Fitzpatrick will carry the bill.

EXECUTIVE ACTION ON SB 361

00:14:50 **Motion:** Rep. Fitzpatrick moved that **SB 361 BE CONCURRED IN.**

Discussion:

00:15:03 Joe Kolman, LSD
00:15:53 Chairman White
00:16:17 Rep Bob Brown
00:17:42 Rep. Flynn
00:18:16 Chairman White
00:18:19 Rep. Williams
00:19:17 Rep. Jerry Bennett
00:19:58 Rep. Staffanson
00:20:25 Rep. Olsen
00:20:48 Rep. Fitzpatrick
00:21:32 Chairman White
00:21:51 Rep. McConnell
00:22:20 Rep. Flynn
00:23:09 Chairman White
00:23:42 Rep. Shaw
00:24:08 Rep. Noland
00:24:17 Rep. Bob Brown
00:25:04 Rep. Manzella

00:25:39 **Vote:** Motion carried 12-6 by roll call vote with Rep. Jerry Bennett, Rep. Bob Brown, Rep. Flynn, Rep. Manzella, Rep. Noland and Rep. Staffanson voting no. Rep. Lieser voted by proxy. Rep. Shaw will carry the bill.

00:27:24 Recess
00:42:18 Reconvened

00:42:37 Chairman White

HEARING ON SB 325

Opening Statement by Sponsor:

00:42:55 Sen. Jim Keane (D), SD 38, opened the hearing on SB 325, Revise process for adopting water quality regulations.

EXHIBIT(nah66a03)

Proponents' Testimony:

00:44:25 Aimee Grmoljez, Arch Coal
00:46:34 Dave Galt, Montana Petroleum Association
00:47:02 Tammy Johnson, Montana Mining Association
00:47:22 George Mathieus, Department of Environmental Quality (DEQ)

Opponents' Testimony:

00:51:29 Steve Charter, Northern Plains Research Council (NPRC)
00:55:58 Anne Hedges, Montana Environmental Information Center (MEIC)
00:58:37 Amy Seaman, Montana Audubon

Informational Testimony: None

Questions from Committee Members and Responses:

00:59:09 Rep. Zach Brown
01:00:03 George Mathieus, DEQ
01:00:44 Rep. Williams
01:01:28 George Mathieus, DEQ
01:02:24 Rep. Williams
01:03:10 George Mathieus, DEQ
01:04:17 Rep. Williams
01:04:41 George Mathieus, DEQ
01:05:25 Rep. Dunwell
01:06:33 George Mathieus, DEQ
01:07:25 Rep. Olsen
01:08:05 George Mathieus, DEQ
01:08:31 Rep. Olsen
01:09:26 George Mathieus, DEQ
01:10:37 Rep. Flynn
01:11:20 Steve Charter, NPRC
01:13:00 Rep. Zach Brown
01:13:46 Anne Hedges, MEIC
01:14:06 Rep. Lieser arrived
01:14:39 Chairman White
01:15:06 Anne Hedges, MEIC

EXHIBIT(nah66a04)

Closing by Sponsor:

01:15:32 Sen. Keane

HEARING ON SB 47

Opening Statement by Sponsor:

01:17:40 Sen. JP Pomnichowski (D), SD 33, opened the hearing on SB 47, Increase assessments on owners of classified forest land.

Proponents' Testimony:

01:20:03 Bob Harrington, Department of Natural Resources and Conservation (DNRC)
[EXHIBIT\(nah66a05\)](#)

01:21:59 Chairman White

01:22:04 Bob Harrington, Department of Natural Resources and Conservaton (DNRC)

01:23:25 John Semple, Montana Fire Alliance

01:24:17 Harold Blattie, Montana Association of Counties (MACO)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:25:34 Chairman White

01:26:08 Sen. Pomnichowcki

01:26:50 Rep. Williams

01:27:50 Bob Harrington, DNRC

01:29:58 Rep. Court

01:30:26 Bob Harrington, DNRC

Closing by Sponsor:

01:31:12 Sen. Pomnichowski

01:31:40 Chairman White

01:31:49 Rep. Olsen

01:31:55 Chairman White

01:32:26 Rep. Olsen

01:33:09 Chairman White

01:33:22 Sen. Connell

01:33:38 Chairman White

HEARING ON SB 329

Opening Statement by Sponsor:

01:33:52 Sen. Pat Connell (R), SD 43, opened the hearing on SB 329, Limit liability for aviation on state lands.

[EXHIBIT\(nah66a06\)](#)

Proponents' Testimony:

01:35:50 Carmine Mowbray, Recreation Aviation Foundation
01:37:58 Chuck Flynn, Montana Pilots Association
01:38:15 Shawn Thomas, Department of Natural Resources and Conservation (DNRC)

Opponents' Testimony:

01:38:39 Al Smith, Montana Trial Lawyers
[EXHIBIT\(nah66a07\)](#)

Informational Testimony:

01:42:25 Tim Conway, Montana Department of Transportation (DOT)

Questions from Committee Members and Responses:

01:42:44 Rep. Bob Brown
01:42:57 Sen. Connell
01:43:11 Rep. McConnell
01:43:26 Sen. Connell
01:44:18 Rep. Flynn
01:45:10 Sen. Connell
01:45:59 Rep. Olsen
01:46:58 Sen. Connell

Closing by Sponsor: Sen. Connell will close on the bill when Executive Action is scheduled

01:47:50 Rep. Williams
01:48:06 Chairman White
01:48:10 Sen. Connell
01:48:16 Chairman White
01:48:21 Sen. Connell
01:48:24 Chairman White

ADJOURNMENT

01:48:55 Adjournment:

Sherri Row, Secretary

sr

Additional Documents:

EXHIBIT([nah66aad.pdf](#))