

BUSINESS REPORT

**MONTANA HOUSE OF REPRESENTATIVES
64th LEGISLATURE - REGULAR SESSION**

HOUSE NATURAL RESOURCES COMMITTEE

Date: Monday, January 19, 2015
Place: Capitol

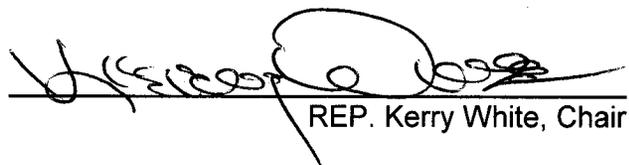
Time: 3:00 PM
Room: 172

BILLS and RESOLUTIONS HEARD:

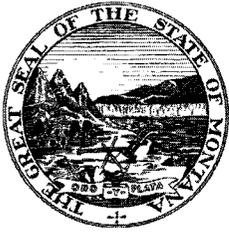
EXECUTIVE ACTION TAKEN:

HB 36	Do Pass As Amended
HB 62	Tabled
HB 168	Do Pass As Amended

Comments:



REP. Kerry White, Chair



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

NAT. RESOURCES COMMITTEE

ROLL CALL

NAME	PRESENT	ABSENT/EXCUSED
REP. ED LIESER, VICE CHAIRMAN	✓	
REP. JERRY BENNETT	✓	
REP. BOB BROWN	✓	
REP. ZACH BROWN	✓	
REP. VIRGINIA COURT	✓	
REP. MARY ANN DUNWELL	✓	
REP. STEVE FITZPATRICK, VICE CHAIRMAN	✓	
REP. KELLY FLYNN	✓	
REP. THERESA MANZELLA	✓	
REP. NATE MCCONNELL	✓	
REP. DALE MORTENSEN	✓	
REP. MARK NOLAND	✓	
REP. ANDREA OLSEN	✓	
REP. KEITH REGIER	✓	
REP. RAY SHAW	✓	
REP. SCOTT STAFFANSON	✓	
REP. KATHLEEN WILLIAMS	✓	
REP. KERRY WHITE, CHAIR	✓	

18 MEMBERS



HOUSE STANDING COMMITTEE REPORT

January 19, 2015

Page 1 of 2

Mr. Speaker:

We, your committee on Natural Resources recommend that House Bill 36 (first reading copy -- white) do pass as amended.

Signed:

A handwritten signature in black ink, appearing to read "Kekry White".

Representative Kekry White, Chair

And, that such amendments read:

1. Page 2, line 8 through line 9.

Strike: "must be for" on line 8 through "permit" on line 9

Insert: "expires"

2. Page 2, line 10.

Following: line 9

Insert: "(b) The department shall reinstate an expired permit if the permittee files a written reinstatement request and a project completion notice on forms provided by the department. The reinstatement request and project completion notice must establish the amount of water actually applied to the proposed beneficial use prior to expiration of the permit. Reinstatement of an expired permit under this subsection (4)(b) may not exceed the amount of water actually applied to the proposed beneficial use under the terms of the permit prior to expiration of the permit."

Renumber: subsequent subsections

3. Page 2, line 10.

Following: "The department"

Strike: "may"

Insert: "shall"

Strike: "originally permitted under this section"

Insert: "authorized by the expired permit, including any portion that was not actually applied to the proposed beneficial use prior to expiration of the permit,"

Committee Vote:

Yes 18, No 0

Fiscal Note Required

HB0036002SC.hbb

OK
12:00
1/20/15

4. Page 2, line 12.

Following: "written"

Insert: "reinstatement"

Strike: "to reinstate the permit"

5. Page 2, line 14.

Following: "comply with the"

Insert: "permit"

6. Page 2, line 18.

Following: "written"

Strike: "request" through "permitted"

Insert: "reinstatement request for an expired permit"

7. Page 2, line 20.

Following: line 19

Insert: "(e) A permit must be reinstated once pursuant to this subsection (4) if the criteria in this subsection (4) have been met. A reinstated permit under subsection (4)(c) must establish time limits for commencement of the appropriation works, completion of construction, and actual application of the water to the proposed beneficial use."

8. Page 2, line 21.

Following: "Helena."

Insert: "The department shall retain an expired permit in the centralized record system for 2 years."

- END -



HOUSE STANDING COMMITTEE REPORT

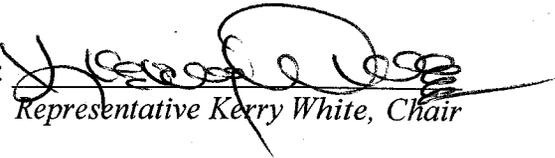
January 19, 2015

Page 1 of 2

Mr. Speaker:

We, your committee on **Natural Resources** recommend that **House Bill 168** (first reading copy - white) **do pass as amended.**

Signed:


Representative Kerry White, Chair

And, that such amendments read:

1. Page 1, lines 17 and 18.

Following: "the term" on line 17

Strike: "combined appropriation" on line 18

Insert: "'combined appropriation'"

2. Page 1, line 22.

Following: "WHEREAS,"

Strike: "in"

Insert: "on"

Following: "October"

Insert: "17,"

Following: "2014, the"

Insert: "Montana"

Following: "Court"

Insert: "in Clark Fork Coalition v. Tubbs, Cause No. BDV-2010-874,"

3. Page 1, line 23.

Following: line 23

Insert: "WHEREAS, substantial financial investment was made by persons on the basis of the 1993 definition of "combined appropriation" prior to the District Court's October 17, 2014, order; and

WHEREAS, the District Court ordered that the Department's rule defining "combined appropriation", in effect from 1987 to 1993, be reinstated; and"

Committee Vote:

Yes 18, No 0

Fiscal Note Required

HB0168003SC.hbb

cl
12:00
1/20/15

4. Page 2, line 5.

Following: "which"

Strike: "an"

Insert: "the"

Strike: "for review was submitted"

Insert: "and required fees were received by the department of environmental quality in accordance with 76-4-125 or by the local reviewing authority in accordance with 76-3-604(1)(a)"

- END -



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

NAT. RESOURCES COMMITTEE

ROLL CALL VOTE

BILL NUMBER HB 36

DATE 1/19/2015

MOTION Do Pass As Amended

NAME	AYE	NO	PROXY
REP. ED LIESER, VICE CHAIRMAN	✓		
REP. JERRY BENNETT	✓		
REP. BOB BROWN	✓		
REP. ZACH BROWN	✓		
REP. VIRGINIA COURT	✓		
REP. MARY ANN DUNWELL	✓		
REP. STEVE FITZPATRICK, VICE CHAIRMAN	✓		
REP. KELLY FLYNN	✓		
REP. THERESA MANZELLA	✓		
REP. NATE MCCONNELL	✓		
REP. DALE MORTENSEN	✓		
REP. MARK NOLAND	✓		
REP. ANDREA OLSEN	✓		
REP. KEITH REGIER	✓		
REP. RAY SHAW	✓		
REP. SCOTT STAFFANSON	✓		
REP. KATHLEEN WILLIAMS	✓		
REP. KERRY WHITE, CHAIR	✓		

18 MEMBERS



The Big Sky Country

MONTANA HOUSE OF REPRESENTATIVES

NAT. RESOURCES COMMITTEE

ROLL CALL VOTE

BILL NUMBER HB62

DATE 1/19/2015

MOTION Do Pass As Amended

NAME	AYE	NO	PROXY
REP. ED LIESER, VICE CHAIRMAN	✓		
REP. JERRY BENNETT		✓	
REP. BOB BROWN		✓	
REP. ZACH BROWN	✓		
REP. VIRGINIA COURT	✓		
REP. MARY ANN DUNWELL	✓		
REP. STEVE FITZPATRICK, VICE CHAIRMAN		✓	
REP. KELLY FLYNN		✓	
REP. THERESA MANZELLA		✓	
REP. NATE MCCONNELL	✓		
REP. DALE MORTENSEN		✓	
REP. MARK NOLAND		✓	
REP. ANDREA OLSEN	✓		
REP. KEITH REGIER		✓	
REP. RAY SHAW		✓	
REP. SCOTT STAFFANSON		✓	
REP. KATHLEEN WILLIAMS	✓		
REP. KERRY WHITE, CHAIR		✓	

18 MEMBERS

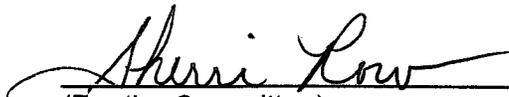
BILL TABLED NOTICE

HOUSE NATURAL RESOURCES COMMITTEE

The **HOUSE NATURAL RESOURCES COMMITTEE** TABLED

HB 62 - Revise penalty for unauthorized use of state trust lands - Rep. Virginia Court

by motion, on **Monday, January 19, 2015** (PLEASE USE THIS ACTION DATE IN LAWS BILL STATUS).



(For the Committee)



(For the Chief Clerk of the House)

5:15 / 1/19/15
(Time) (Date)

January 19, 2015 (5:03pm)

Sherri Row, Secretary

Phone: 444-4877
