

## MINUTES

### MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION COMMITTEE ON NATURAL RESOURCES

**Call to Order:** Chair Chas Vincent, on March 13, 2015 at 3:00 PM, in Room 303 Capitol

#### ROLL CALL

#### **Members Present:**

Sen. Chas Vincent, Chair (R)  
Sen. Rick Ripley, Vice Chair (R) - arrived after roll call  
Sen. Duane Ankney (R)  
Sen. Pat Connell (R)  
Sen. Jennifer Fielder (R)  
Sen. Bradley Hamlett (D)  
Sen. Christine Kaufmann (D) - arrived after roll call  
Sen. Jim Keane (D)  
Sen. Cliff Larsen (D)  
Sen. Mike Phillips (D)

**Members Excused:** Sen. John Brenden (R)  
Sen. Brian Hoven (R)

**Members Absent:** None

**Staff Present:** Taylor Fridrich, Committee Secretary  
Sonja Nowakowski, Legislative Branch

**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 36, 3/6/2015; HB 168, 3/6/2015

Executive Action: HB 36 - Be Concurred In as Amended  
HB 226 - Be Concurred In as Amended  
HB 270 - Be Concurred In  
SB 387 - Do Pass as Amended

**HEARING ON HB 36****Opening Statement by Sponsor:**

00:01:26 Rep. Ryan Lynch (D), HD 76, opened the hearing on HB 36, Allow water permit volume change due to incomplete use.

**EXHIBIT(nas52a01)**

00:01:41 Sen. Ripley and Sen. Kaufmann entered the hearing.

**Proponents' Testimony:**

00:02:42 Tim Davis, administrator, Water Resources Division, Department of Natural Resources and Conservation (DNRC)  
00:04:33 Krista Lee Evans, Senior Water Rights Coalition (SRWRC) and Association of Gallatin Agricultural Irrigators (AGAI)  
00:05:24 Mike Murphy, Montana Water Resources Association (MWRA)  
00:05:58 Chelcie Cremer, Montana Farm Bureau Federation (MFBF) and Montana Stockgrowers Association (MSGA)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:07:24 Sen. Fielder  
00:07:44 Mr. Davis, DNRC  
00:07:57 Sen. Fielder  
00:08:04 Mr. Davis

**Closing by Sponsor:**

00:08:46 Rep. Lynch  
00:08:48 Sen. Connell left the hearing.

**EXECUTIVE ACTION ON HB 36**

00:10:38 **Motion:** Sen. Keane moved that **HB 36 BE CONCURRED IN.**

00:10:55 **Motion/Vote:** Sen. Keane moved that **HB 36 BE AMENDED.** Motion carried 11-0 by voice vote. Sen. Brenden and Sen. Hoven voted by proxy. Sen. Connell was excused. (see exhibit 1)

00:11:00 Sen. Connell entered the hearing.

00:11:20 **Motion/Vote:** Sen. Keane moved that **HB 36 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Sen. Brenden and Sen. Hoven voted by proxy. Sen. Keane will carry the bill.

**EXECUTIVE ACTION ON HB 270**

00:12:32 **Motion/Vote:** Sen. Ripley moved that **HB 270 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Brenden and Sen. Hoven voted by proxy. Sen. Vincent will carry the bill.

**EXECUTIVE ACTION ON HB 226**

00:13:16 **Motion:** Sen. Phillips moved that **HB 226 BE CONCURRED IN**.

00:13:50 **Motion:** Sen. Keane moved that **HB 226 BE AMENDED**.  
[EXHIBIT\(nas52a02\)](#)

**Discussion:**

00:14:32 Sen. Ripley  
00:14:57 Sen. Connell

00:15:10 **Vote:** Motion carried unanimously by voice vote. Sen. Brenden and Sen. Hoven voted by proxy.

00:15:35 **Motion:** Sen. Keane moved that **HB 226 BE CONCURRED IN AS AMENDED**.

**Discussion:**

00:15:42 Sen. Fielder  
00:15:59 Chairman Vincent  
00:17:28 Sen. Larsen  
00:17:48 Sen. Keane  
00:18:18 Sen. Larsen  
00:18:22 Chairman Vincent  
00:19:01 Sen. Fielder  
00:19:09 Chairman Vincent

00:19:33 **Vote:** Motion carried unanimously by voice vote. Sen. Brenden and Sen. Hoven voted by proxy. Sen. Keane will carry the bill.

**EXECUTIVE ACTION ON SB 387**

00:20:07 **Motion:** Sen. Fielder moved that **SB 387 DO PASS**.

00:20:45 **Motion:** Sen. Fielder moved that **SB 387 BE AMENDED**.  
[EXHIBIT\(nas52a03\)](#)

**Discussion:**

00:21:03 Sen. Fielder  
00:21:22 Sen. Kaufmann

00:21:51 **Vote:** Motion carried unanimously by voice vote. Sen. Brenden and Sen. Hoven voted by proxy.

00:22:12 **Motion:** Sen. Fielder moved that **SB 387 DO PASS AS AMENDED.**

**Discussion:**

00:22:19 Chairman Vincent  
 00:22:40 Sen. Kaufmann  
 00:24:10 Sen. Fielder  
 00:25:57 Sen. Kaufmann  
 00:26:39 Sen. Phillips  
 00:27:30 Sen. Fielder  
 00:27:53 Sen. Ripley  
 00:28:17 Sen. Keane  
 00:28:45 Chairman Vincent

00:30:00 **Vote:** Motion carried 9-3 by roll call vote with Sen. Hamlett, Sen. Kaufmann and Sen. Larsen voting no. Sen. Brenden and Sen. Hoven voted by proxy.

**HEARING ON HB 168**

**Opening Statement by Sponsor:**

00:31:15 Rep. Steve Fitzpatrick (R), HD 20, opened the hearing on HB 168, Define combined appropriation for exempt wells in certain cases.

**Proponents' Testimony:**

00:33:48 Dustin Stewart, executive director, Montana Building Industry Association (MBIA)  
 00:36:47 Abigail St. Lawrence, Montana Association of Realtors (MAR)  
 00:38:17 Mike Hughes, self  
 00:41:22 Ronda Wiggers, Montana Water Well Drillers Association (MWWDA)  
 00:42:48 Steve Turkiewicz, Montana Bankers Association (MBA)  
 00:43:26 Tim Davis, administrator, Water Resources Division, Department of Natural Resources and Conservation (DNRC)  
 00:44:12 Krista Lee Evans, Senior Water Rights Coalition (SRWRC)  
 00:44:47 Mark Aagenes, Montana Trout Unlimited (TU)  
 00:45:06 Mike Murphy, Montana Water Resources Association (MWRA)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:46:02 Sen. Phillips  
 00:46:52 Rep. Fitzpatrick  
 00:47:57 Sen. Keane  
 00:48:21 Sen. Fielder

00:48:44 Mr. Hughes, self  
00:49:42 Sen. Fielder  
00:49:51 Mr. Hughes  
00:50:32 Sen. Fielder  
00:50:42 Mr. Hughes  
00:51:19 Sen. Fielder  
00:51:42 Mr. Aagenes, TU  
00:52:31 Sen. Fielder  
00:53:06 Mr. Davis, DNRC  
00:54:10 Sen. Fielder  
00:54:36 Mr. Davis  
00:54:50 Sen. Fielder  
00:54:54 Chairman Vincent  
00:55:02 Sen. Fielder  
00:55:06 Mr. Davis  
00:55:11 Sen. Hamlett  
00:56:33 Mr. Turkiewicz, MBA  
00:56:38 Sen. Hamlett  
00:56:50 Mr. Turkiewicz  
00:57:10 Sen. Fielder  
00:57:34 Mr. Davis  
00:57:52 Sen. Fielder  
00:57:57 Mr. Davis  
00:58:29 Sen. Fielder  
00:58:44 Mr. Davis  
00:59:15 Sen. Fielder  
00:59:42 Mr. Davis  
01:00:02 Chairman Vincent  
01:00:25 Ms. St. Lawrence, MAR  
01:00:42 Chairman Vincent  
01:00:52 Ms. St. Lawrence

**Closing by Sponsor:**

01:01:22 Rep. Fitzpatrick

**ADJOURNMENT**

Adjournment: 4:05 P.M.

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Taylor Fridrich, Secretary

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Additional Documents:

**EXHIBIT([nas52aad.pdf](#))**