

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: By Chairman Walter McNutt, on January 15, 2007 at 3:00 P.M., in Room 472 Capitol.

ROLL CALL

Members Present:

Rep. Walter McNutt, Chairman (R)
Rep. Ron Erickson, Vice Chairman (D)
Rep. Ralph Heinert, Vice Chairman (R)
Rep. Duane Ankney (R)
Rep. Debby Barrett (R)
Rep. Jill Cohenour (D)
Rep. Sue Dickenson (D)
Rep. Betsy Hands (D)
Rep. Gordon R. Hendrick (R)
Rep. Carol Lambert (R)
Rep. Scott Mendenhall (R)
Rep. JP Pomnichowski (D)
Rep. John (Jack) W. Ross (R)
Rep. Veronica Small-Eastman (D)
Rep. Chas Vincent (R)

Members Excused: Rep. Kendall Van Dyk (D)

Members Absent: None.

Staff Present: Krista Lee Evans, Legislative Branch
Nancy Kraft, 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: HB 19, 1/9/2007; HB 20, 1/9/2007;
HB 39, 1/9/2007; HB 87, 1/9/2007
Executive Action: HB 19, HB 36, HB 87

HEARING ON HB 87

Opening Statement by Sponsor:

00:02:36 Rep. Douglas Cordier (D), HD 3, opened the hearing on
HB 87, Water commissioner authority over changes.

Proponents' Testimony:

00:05:14 John Tubbs, Department of Natural Resources &
Conservation (DNRC)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:07:31 Rep. Sue Dickenson
00:08:29 Mr. Tubbs
00:09:18 Rep. Debby Barrett
00:09:45 Mr. Tubbs
00:11:24 Rep. Jack Ross
00:12:05 Mr. Tubbs
00:12:19 Tim Hall, Chief Legal Counsel, DNRC
00:14:49 Rep. Carol Lambert
00:15:34 Mr. Hall
00:17:02 Krista Evans

Closing by Sponsor:

00:17:54 Rep. Cordier

HEARING ON HB 19

Opening Statement by Sponsor:

00:18:53 Rep. Walter McNutt (R), HD 37, opened the hearing on HB
19, Prohibit diversion of Morrill Act land revenue for
administrative costs.

Proponents' Testimony:

00:22:35 Mary Sexton, Director, DNRC
00:24:39 Sheila Stearns, Commissioner of Higher Education
00:25:41 Geoff Campbell, President, Montana State University

Opponents' Testimony:

Informational Testimony: None

Questions from Committee Members and Responses:

00:26:53 Rep. Ron Erickson
00:27:25 Rep. McNutt
00:28:33 Rep. Jack Ross
00:28:56 Ms. Sexton
00:29:11 Tom Schultz, DNRC
00:29:42 Rep. Scott Mendenhall
00:30:14 Ms. Sexton
00:31:27 Rep. Mendenhall
00:31:33 Mr. Schultz
00:33:06 Rep. Duane Ankeny
00:33:30 Mr. Schultz
00:34:26 Rep. Ross

Closing by Sponsor:

00:35:03 Rep. McNutt

HEARING ON HB 20

Opening Statement by Sponsor:

00:35:51 Rep. Walter McNutt (R), HD 37, opened the hearing on HB 20, Clarify injunctive relief availability for water right enforcement.

Proponents' Testimony:

00:38:28 Tim Hall, Chief Legal Counsel, DNRC
00:40:09 Holly Franz, Pacific Power & Light Montana (PPL), Upper Clark Fork Steering Committee

Opponents' Testimony: None

Informational Testimony:

00:41:06 Don McIntyre

Questions from Committee Members and Responses:

00:43:50 Rep. Jack Ross
00:44:08 Krista Evans
EXHIBIT(nah09a01)
00:44:31 Rep. Carol Lambert
00:45:01 Rep. McNutt

Closing by Sponsor:

00:45:54 Rep. McNutt

HEARING ON HB 39

Opening Statement by Sponsor:

00:46:33 Rep. Walter McNutt (R), HD 37, opened the hearing on HB 39, Ownership update for water rights.

Proponents' Testimony:

00:55:02 Mary Sexton, Director, DNRC

00:58:10 Mike Murphy, Montana Water Resources Association

Opponents' Testimony:

00:59:36 Bill Gowen, Helena Abstract & Title Co.

01:03:10 Mark Josephson, Attorney, Big Timber

01:10:16 Glenn Oppel, Montana Association of Realtors

Informational Testimony: None

Questions from Committee Members and Responses:

01:11:07 Rep. Ron Erickson

01:11:34 Rep. McNutt

01:15:14 Rep. Scott Mendenhall

01:16:03 Ms. Sexton

01:18:40 Rep. Carol Lambert

01:19:24 Ms. Sexton

01:19:54 Rep. Jack Ross

01:20:12 Ms. Sexton

01:20:39 Rep. Lambert

01:21:05 Ms. Sexton

Closing by Sponsor:

01:21:42 Rep. McNutt

01:24:21 Break

EXECUTIVE ACTION ON HB 36

01:39:32 **Motion:** Rep. Erickson moved that HB 36 **DO PASS**.
01:41:20 **Motion:** Rep. Lambert moved that HB 36 **BE AMENDED**.

Discussion

01:41:40 Rep. Mendenhall
01:42:01 Rep. Barrett
01:43:40 Anna Miller, DNRC
01:44:38 Rep. Barrett

01:50:40 **Vote:** Motion carried 9-7 by roll call vote with Rep. Heinert, Rep. Ankney, Rep. Barrett, Rep. Hendrick, Rep. Mendenhall, Rep. Ross, and Rep. Vincent voting no. Rep. Hendrick & Rep. Van Dyk voted by proxy.
01:52:15 **Motion/Vote:** Rep. Erickson moved that HB 36 **DO PASS AS AMENDED**. Motion carried 15-1 by roll call vote with Rep. Mendenhall voting no. Reps. Hendrick and Van Dyk voted by proxy.

EXECUTIVE ACTION ON HB 87

01:53:38 **Motion/Vote:** Rep. Erickson moved that HB 87 **DO PASS**. Motion carried unanimously by voice vote. Reps. Hendrick and Van Dyk voted by proxy.

EXECUTIVE ACTION ON HB 19

01:54:28 **Motion:** Rep. McNutt moved that HB 19 **DO PASS**.

Discussion

01:55:05 Rep. Mendenhall
01:56:17 Rep. Dickenson
01:57:17 Rep. Cohenour
01:57:35 Rep. Ross

01:57:55 **Motion/Vote:** Rep. McNutt moved that HB 19 **BE AMENDED**. Motion carried unanimously by voice vote. Rep. Hendrick voted by proxy.
01:58:30 **Motion/Vote:** Rep. McNutt moved that HB 19 **DO PASS AS AMENDED**. Motion carried unanimously by voice vote. Rep. Hendrick voted by proxy.

ADJOURNMENT

Adjournment: 5:00 P.M.

REP. WALTER MCNUTT, Chairman

NANCY KRAFT, Secretary

WM/nk

Additional Exhibits:

EXHIBIT ([nah09aad.pdf](#))