

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: By Chairman Walter McNutt, on January 26, 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. 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. Kendall Van Dyk (D)
Rep. Chas Vincent (R)

Members Excused: Rep. Debby Barrett (R)
Rep. Veronica Small-Eastman (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 259, 1/16/2007; HJ 5, 1/16/2007
Executive Action: HJ 5; HB 39; HB 104

HEARING ON HJ 5

Opening Statement by Sponsor:

00:01:44 Rep. Michael Lange (R), HD 55, opened the hearing on HJ 5, Urge support for Montana Missouri River water rights.

Proponents' Testimony:

00:06:52 John Tubbs, Department of Natural Resources & Conservation (DNRC)
00:09:11 Candice Lest, Assistant State Attorney General
00:11:15 Mike Murphy, Montana Water Resources Association
00:12:15 Jeff Hagener, Department of Fish, Wildlife, and Parks

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:14:08 Rep. Ross
00:14:19 Rep. Lange

Closing by Sponsor:

00:14:35 Rep. Lange

HEARING ON HB 259

Opening Statement by Sponsor:

00:15:49 Rep. Michele Reinhart (D), HD 97, opened the hearing on HB 259, Create gray water permit.

Proponents' Testimony:

00:19:23 John Ward, House District 84
00:25:57 Dan Flynn
00:28:12 Tyler Evilgizer, Student Advocates for Valuing The Environment (SAVE) Foundation

EXHIBIT (nah18a01)

Opponents' Testimony:

00:30:35 Joe Russell, Flathead City-County Health Department
EXHIBIT (nah18a02)

00:34:34 Terry Murphy, Lake County Environmental Health
[EXHIBIT\(nah18a03\)](#)

Informational Testimony:

00:38:31 Steve Kilbreath, Department of Environmental Quality
(DEQ)
[EXHIBIT\(nah18a04\)](#)

Questions from Committee Members and Responses:

00:42:37 Rep. Vincent
00:43:09 Mr. Russell
00:45:39 Rep. Erickson
00:46:23 Mr. Kilbreath
00:48:23 Rep. Lambert
00:48:58 Rep. Reinhart
00:50:26 Rep. Lambert
00:50:58 Rep. Ward
00:55:30 Rep. Hands
00:55:58 Mr. Kilbreath
00:57:09 Rep. Heinert
00:57:46 Mr. Kilbreath
00:58:40 Rep. Mendenhall
00:58:53 Rep. Reinhart
00:59:15 Mr. Kilbreath
00:59:55 Rep. Van Dyk
01:00:22 Mr. Russell
01:03:34 Rep. Erickson
01:04:10 Rep. Reinhart
01:04:58 Rep. Hendrick
01:05:38 Mr. Flynn
01:06:12 Rep. Pomnichowski
01:06:36 Rep. Reinhart
01:08:18 Mr. Kilbreath
01:10:20 Rep. Heinert
01:10:48 Mr. Russell

Closing by Sponsor:

01:14:00 Rep. Reinhart
01:14:25 Break

EXECUTIVE ACTION ON HJ 5

01:32:45 **Motion/Vote:** Rep. Heinert moved that HJ 5 **BE ADOPTED**.
Motion carried 16-0 by voice vote. Reps. Barrett &
Small-Eastman voted by proxy.

EXECUTIVE ACTION ON HB 39

01:33:46 **Motion:** Rep. Heinert moved that HB 39 **DO PASS.**
01:34:04 **Motion:** Rep. Mendenhall moved that HB 39 **BE AMENDED.**
EXHIBIT(nah18a05)

Discussion

01:34:57 Krista Evans
01:38:37 Rep. Ross
01:40:08 Rep. Lambert
01:40:20 Rep. McNutt

01:41:26 **Motion:** Rep. Mendenhall moved **AMENDMENT 4 BE SEGREGATED.**

Discussion:

01:41:59 Rep. Hendrick
01:42:17 Ms. Evans

01:42:42 **Vote:** Motion carried unanimously by voice vote. Reps. Barrett and Small-Eastman voted by proxy.

01:43:38 **Motion:** Rep. McNutt moved that HB 39 **BE AMENDED.**
EXHIBIT(nah18a06)

Discussion

01:44:26 Ms. Evans
01:45:50 Rep. Mendenhall
01:45:59 Ms. Evans
01:46:56 Rep. Cohenour
01:47:20 Rep. Mendenhall
01:49:18 Ms. Evans
01:49:45 Rep. Ankney
01:50:20 Ms. Evans
01:50:24 Rep. McNutt

01:50:43 **Vote:** Motion carried unanimously by voice vote. Reps. Barrett and Small-Eastman voted by proxy.

01:51:14 **Motion:** Rep. Heinert moved that HB 39 **DO PASS AS AMENDED.**

Discussion

01:51:35 Rep. Erickson
01:52:30 Rep. Ross

01:53:50 **Vote:** Motion carried unanimously by voice vote. Reps. Barrett and Small-Eastman voted by proxy.

EXECUTIVE ACTION ON HB 104

01:54:36 **Motion:** Rep. Ross moved that HB 104 **DO PASS**.

Discussion

01:54:51 Rep. Mendenhall

01:56:01 Rep. Hands

01:57:26 Rep. Van Dyk

01:59:08 Rep. Dickenson

02:00:03 Rep. Lambert

02:00:28 Rep. Hands

02:00:46 Rep. Erickson

02:02:03 Rep. Cohenour

02:03:55 Rep. Ankney

02:04:15 Rep. Hands

02:05:04 Rep. Heinert

02:06:15 Rep. Dickenson

02:07:35 Rep. Erickson

EXHIBIT(nah18a07)

02:08:02 Rep. McNutt

02:10:14 **Vote:** Motion failed 3-13 by roll call vote with Reps. Dickenson, Hands, and Small-Eastman voting aye. Reps. Barrett and Small-Eastman voted by proxy.

02:11:30 **Substitute Motion/Vote:** Rep. Heinert moved that HB 104 **BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote. Reps. Barrett and Small-Eastman voted by proxy.

ADJOURNMENT

02:20:11 Adjournment: 5:15 P.M.

REP. WALTER MCNUTT, Chairman

NANCY KRAFT, Secretary

WM/nk

Additional Exhibits:

EXHIBIT ([nah18aad.pdf](#))