

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chair Gerald (Jerry) Bennett, on January 25, 2013 at 2:30 P.M., in Room 172 Capitol

ROLL CALL

Members Present:

Rep. Gerald (Jerry) Bennett, Chair (R)
Rep. Pat Connell, Vice Chair (R)
Rep. Virginia Court, Vice Chair (D)
Rep. Alan Doane (R)
Rep. Jennifer Eck (D)
Rep. Steve Fitzpatrick (R)
Rep. Wylie Galt (R)
Rep. Brian Hoven (R)
Rep. Ed Lieser (D)
Rep. Ryan Lynch (D)
Rep. Mike Miller (R)
Rep. JP Pomnichowski (D)
Rep. Ray L. Shaw (R)
Rep. Wendy Warburton (R)
Rep. Kerry White (R)
Rep. Kathleen Williams (D)

Members Excused: Rep. Wendy Warburton

Members Absent: None

Staff Present: Colleen Dever, Committee Secretary
Joe Kolman, 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 244, 1/25/2013; HB 248, 1/25/2013; HJ 8, 1/25/2013
Executive Action: HB 24, HB 106, HB 37

00:22:54 Chair J. Bennett

EXECUTIVE ACTION ON HB 24

00:23:41 **Motion:** Rep. Connell moved that **HB 24 DO PASS.**

Discussion:

00:24:04 Chair J. Bennett

00:25:57 **Motion:** Rep. White moved that **HB 24 BE AMENDED.**
EXHIBIT(nah16a01)

Discussion:

00:26:18 Joe Kolman, Legislative Services Division (LSD)

00:35:25 Rep. Williams

00:35:58` Chair J. Bennett

00:36:03 Rep. Williams

00:36:00 Chair J. Bennett

00:36:18 **Vote:** Motion carried unanimously by voice vote. Rep. Warburton voted by proxy.

00:37:15 **Motion:** Rep. Williams moved that **HB 24 BE AMENDED.**
EXHIBIT(nah16a02)

00:39:29 Chair J. Bennett

00:39:38 **Vote:** Motion carried unanimously by voice vote. Rep. Warburton voted by proxy.

00:39:51 **Motion:** Rep. Connell moved that **HB 24 DO PASS AS AMENDED.**

Discussion:

00:40:28 Rep. Court

00:41:29 Chair J. Bennett

00:41:36 **Vote:** Motion carried unanimously by roll call vote. Rep. Warburton voted by proxy.

EXECUTIVE ACTION ON HB 106

00:42:44 **Motion:** Rep. Connell moved that **HB 106 DO PASS.**

00:43:36 **Motion:** Rep. Connell moved that **HB 106 BE AMENDED.**
EXHIBIT(nah16a03)

Discussion:

00:43:50 Mr. Kolman, LSD

00:51:51 Rep. Connell

00:53:12 **Vote:** Motion carried unanimously by voice vote. Rep. Warburton voted by proxy.

00:53:24 **Motion/Vote:** Rep. Connell moved that **HB 106 DO PASS AS AMENDED**. Motion passed unanimously by voice vote with Rep. Warburton voting by proxy.

HEARING ON HB 248

Opening Statement by Sponsor:

00:55:29 Rep. Bryce Bennett (D), HD 92, opened the hearing on HB 248, Prohibit fire lanterns during certain fire seasons

[**EXHIBIT\(nah16a04\)**](#)

Proponents' Testimony:

01:01:23 Mike McGinley, Commissioner, Beaverhead County

01:02:41 Chair J. Bennett

01:02:50 Dave Schultz, Commissioner, Madison County

Opponents' Testimony: None

Informational Testimony:

01:03:36 Ted Mead, Chief of Fire & Aviation Management, Department of Natural Resources and Conservation (DNRC)

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:05:02 Rep. B. Bennett, HD 9

01:06:08 Chair J. Bennett

HEARING ON HB 244

Opening Statement by Sponsor:

01:06:40 Rep. Pat Connell (R), HD 87, opened the hearing on HB 244, Generally revise water use laws.

Proponents' Testimony:

01:11:38 Matt Donnelly, Self

[**EXHIBIT\(nah16a05\)**](#)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:20:25 Rep. Pomnichowski

01:21:14 Rep. Connell

01:22:55 Chair J. Bennett

01:22:58 Rep. Pomnichowski

01:23:18 Rep. Connell
01:23:24 Rep. Pomnichowski
01:24:49 Rep. Connell
01:25:24 Chair J. Bennett
01:25:28 Mr. Kolman, LSD
01:26:35 Rep. Pomnichowski
01:27:15 Mr. Kolman, LSD
01:27:36 Chair J. Bennett
01:27:40 Rep. Williams
01:28:49 Rep. Connell
01:28:55 Rep. Williams
01:29:09 Rep. Connell

Closing by Sponsor:

01:30:10 Rep. Connell
01:30:35 Chair J. Bennett

01:30:51 Recessed
01:37:20 Reconvened

01:37:46 Chair J. Bennett

HEARING ON HJ 8

Opening Statement by Sponsor:

01:38:53 Rep. Kerry White (R), HD 70, opened the hearing on HJ 8, Resolution in opposition to the forest jobs and recreation act.

[EXHIBIT\(nah16a06\)](#)

[EXHIBIT\(nah16a07\)](#)

01:40:54 Chair J. Bennett

Proponents' Testimony:

01:41:06 Jeff Wellborn, HD 72
01:42:34 Shelby DeMars, United Property Owners of Montana (UPOM)
01:43:30 Mike McGinley, Commissioner, Beaverhead County
[EXHIBIT\(nah16a08\)](#)
01:48:41 Dave Schulz, Commissioner, Madison County
01:50:46 Tim Ravndal, Self
01:52:47 Rick Sandru, Southwest Montana Stockmans' Association (SMSA); Ruby Valley Stock Association (RVSA)
01:58:03 Kenneth Zahn, Self
[EXHIBIT\(nah16a09\)](#)
[EXHIBIT\(nah16a10\)](#)
02:05:33 Bob Gilbert, Citizens for Balanced Use (CBU)
02:06:43 Stacy Bragg, CBU
02:08:01 Chelcie Cremer, Montana Farm Bureau Federation (MFBF)
02:09:54 Tom Hopgood, Montana Mining Association (MMA)
[EXHIBIT\(nah16a11\)](#)
02:12:20 Rep. Williams

02:12:29 Mr. Hopgood, MMA
 02:13:03 Jim Brown, CBU
 02:13:25 Jeff Coiner, Self
 02:15:29 Maggie Nutter, Self
 02:16:02 Roger Nummerdor, Self
 02:17:04 Dale Ventres, Self
 02:19:42 Mary Schonsberg, Self
 02:22:26 Mark Kambich, Self
 02:23:50 Scott Murray, Self
 02:24:03 Doug Abelin, Self
 02:24:40 Ernest Nelson, Self
 02:26:04 Jim Brown, Montana Woolgrowers' Association (MWA)
 02:28:01 Dirk Nelson, Self
 02:30:09 Mike Sedlock, Montana Trail Vehicle Riders' Association (MTVRA)
 02:31:33 Elena Ventres, Self
 02:32:50 Tammy Johnson, Barrett-Goldman Sunlight Mine (BGSM)

Opponents' Testimony:

02:34:38 Jim Posewitz, Self
EXHIBIT(nah16a12)
 02:42:49 Tom France, National Wildlife Federation (NWF)
EXHIBIT(nah16a13)
 02:50:14 Charlie O'Leary, Montana Backcountry Horsemen (MBH)
EXHIBIT(nah16a14)
 02:59:47 Sherman Anderson, Self
EXHIBIT(nah16a15)
 03:12:59 Zach Brown, Self
 03:14:53 Brian Sybert, Executive Director, Montana Wilderness Association (MWA)
 03:17:42 Bill Hallinan, Montana Wilderness Association (MWA)
 03:19:31 Barb Cestero, Montana Director, Greater Yellowstone Coalition (GYC)
 03:21:05 Ben Lamb, Self
 03:23:39 Linda Stoll, Missoula County Commission
EXHIBIT(nah16a16)
 03:26:18 Lisa Bay, Self
 03:28:05 Robert Allen, Self
 03:30:28 Gabriel Furshong, Self
EXHIBIT(nah16a17)
 03:31:24 Rebecca Boslough, Self
 03:32:00 Zack Porter, Self
 03:32:58 John Todd, Self
EXHIBIT(nah16a18)
 03:34:12 Wendy Wheeler, Self
EXHIBIT(nah16a19)

Informational Testimony: None

Questions from Committee Members and Responses:

03:34:59 Rep. Lieser
 03:35:53 Mr. Petroni, Self
 03:37:48 Rep. Lynch

03:38:40 Mr. Anderson, Self
03:39:49 Rep. Shaw
03:40:23 Mr. McGinley, Commissioner, Beaverhead County
03:41:12 Rep. Eck
03:41:38 Mr. France, (NWF)
03:44:31 Rep. Pomnichowski
03:45:17 Rep. White
03:45:26 Rep. Williams
03:46:02 Mr. Petroni, Self
03:46:07 Rep. Williams
03:46:11 Mr. Petroni, Self

Closing by Sponsor:

03:47:16 Rep. White
03:47:46 Chair J. Bennett

EXECUTIVE ACTION ON HB 37

03:50:42 **Motion:** Rep. Connell moved that **HB 37 DO PASS.**

03:5 **Motion:** Rep. Connell moved that **HB 37 BE AMENDED.**
EXHIBIT(nah16a20)

Discussion:

03:52:20 Mr. Kolman, LSD
03:54:04 Rep. Pomnichowski
03:55:12 Mr. Kolman, LSD
03:56:47 Rep. Connell

03:57:26 **Vote:** Motion carried 14-2 by voice vote with Rep. Miller and Rep. Pomnichowski voting no. Rep. Warburton voted by proxy.

03:57:49 **Motion:** Rep. Connell moved that **HB 37 DO PASS AS AMENDED.**

Discussion:

03:58:00 Chair J. Bennett
03:58:08 Rep. White
03:58:25 Mr. Kolman, LSD
03:58:48 Chair J. Bennett
03:58:57 Mr. Kolman, LSD
03:59:06 Chair J. Bennett

03:58:05 **Vote** Motion carried 12-4 by roll call vote with Rep. Court, Rep. Eck, Rep. Miller and Rep. Pomnichowski voting no. Rep. Warburton voted by proxy.

ADJOURNMENT

Adjournment: 04:19:26

Colleen Dever, Secretary

cd

Additional Documents:

EXHIBIT([nah16aad.pdf](#))