

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chair Chas Vincent, on April 17, 2013 at 3:00 PM, in Room 422 Capitol

ROLL CALL

Members Present:

Sen. Chas Vincent, Chair (R)
Sen. Jennifer Fielder (R)
Sen. Bradley Hamlett (D)
Sen. Verdell Jackson (R)
Sen. Christine Kaufmann (D)
Sen. Jim Keane (D)
Sen. Cliff Larsen (D)
Sen. Mike Phillips (D)
Sen. Rick Ripley (R)
Sen. Mitch Tropila (D)

Members Excused: None

Members Absent:

Sen. John Brenden, Vice Chair (R)
Sen. Debby Barrett (R)
Sen. Matthew M. Rosendale Sr (R)
Sen. Edward Walker (R)

Staff Present: Mary Kulawik, 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: SJ 35, 4/17/2013; SJ 36, 4/17/2013; SJ 37, 4/17/2013

Executive Action: SJ 35 - Tabled
SJ 36 Tabled
SJ 37 - Tabled
SJ 31 - DPAA

HEARING ON SJ 35

Opening Statement by Sponsor:

00:17:00 Sen. Bradley Hamlett (D), SD 10, opened the hearing on SJ 35, Study on watershed management and enforcement.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:18:34 Sen. Fielder

00:19:50 Sen. Hamlett

Closing by Sponsor:

00:20:21 Sen. Hamlett

HEARING ON SJ 36

Opening Statement by Sponsor:

00:20:35 Sen. Bradley Hamlett (D), SD 10, opened the hearing on SJ 36, Study impacts water compact implementation.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:22:10 Sen. Kaufmann

00:24:04 Sen. Hamlett

00:24:34 Sen. Phillips

00:24:49 Sen. Hamlett

00:25:11 Sen. Jackson

00:25:43 Sen. Rosendale entered the hearing.

00:25:59 Sen. Hamlett

00:26:18 Sen. Ripley

00:26:29 Sen. Hamlett

00:27:06 Sen. Fielder

00:27:15 Sen. Hamlett
00:27:23 Sen. Keane
00:28:02 Sen. Hamlett
00:28:29 Chairman Vincent

Closing by Sponsor:

00:28:43 Sen. Hamlett

HEARING ON SJ 37

Opening Statement by Sponsor:

00:28:53 Sen. Bradley Hamlett (D), SD 10, opened the hearing on SJ 37, Study Natural Streambed and Land Preservation Act.

00:29:18 Sen. Ripley left the hearing..

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:30:47 Sen. Larsen
00:31:35 Sen. Hamlett
00:32:29 Sen. Jackson
00:33:25 Sen. Hamlett
00:33:56 Sen. Keane
00:34:36 Sen. Hamlett

Closing by Sponsor:

00:34:42 Sen. Hamlett

Committee Business:

00:34:50 Chairman Vincent
00:39:02 Sen. Hamlett

EXECUTIVE ACTION ON SJ 35

00:39:40 **Motion:** Sen. Hamlett moved that **SJ 35 DO PASS.**

Discussion:

00:39:50 Sen. Fielder
00:41:36 Sen. Larsen

00:41:44 Sen. Fielder
00:42:00 Sen. Hamlett

00:42:56 **Vote:** Motion failed 5-9 by roll call vote with Sen. Hamlett, Sen. Kaufmann, Sen. Larsen, Sen. Phillips and Sen. Tropila voting aye. Sen. Barrett, Sen. Brenden, Sen. Ripley and Sen. Walker voted by proxy.

00:44:08 **Motion:** Sen. Fielder moved that **SJ 35 BE TABLED AND THE VOTE REVERSED.**

Discussion:

00:44:17 Sen. Fielder
00:44:40 Sen. Keane

00:44:58 **Vote:** Motion carried 14-0 by voice vote. Sen. Barrett, Sen. Brenden, Sen. Ripley and Sen. Walker voted by proxy.

Discussion:

00:45:20 Sen. Hamlett
00:45:32 Chairman Vincent

EXECUTIVE ACTION ON SJ 36

00:45:44 **Motion/Vote:** Sen. Rosendale moved that **SJ 36 BE TABLED.** Motion carried 10-4 by voice vote with Sen. Hamlett, Sen. Keane, Sen. Phillips and Sen. Tropila voting no. Sen. Barrett, Sen. Brenden, Sen. Ripley and Sen. Walker voted by proxy.

Discussion:

00:46:12 Sen. Fielder
00:46:17 Chairman Vincent

EXECUTIVE ACTION ON SJ 37

00:46:54 **Motion/Vote:** Sen. Jackson moved that **SJ 37 BE TABLED.** Motion failed 6-8 by roll call vote with Sen. Barrett, Sen. Brenden, Sen. Fielder, Sen. Jackson, Sen. Phillips and Sen. Ripley voting aye. Sen. Barrett, Sen. Brenden, Sen. Ripley and Sen. Walker voted by proxy.

Discussion:

00:48:20 Sen. Hamlett

00:48:24 **Motion:** Sen. Rosendale moved that **SJ 37 DO PASS.**

Discussion:

00:48:28 Sen. Rosendale

00:49:11 Sen. Tropila

00:49:28 **Vote:** Motion failed 7-7 by roll call vote with Sen. Barrett, Sen. Brenden, Sen. Keane, Sen. Ripley, Sen. Rosendale, Sen. Vincent and Sen. Walker voting aye. Sen. Barrett, Sen. Brenden, Sen. Ripley and Sen. Walker voted by proxy.

00:50:28 **Motion/Vote:** Sen. Rosendale moved that **SJ 37 BE TABLED**. Motion carried 14-0 by voice vote. Sen. Barrett, Sen. Brenden, Sen. Ripley and Sen. Walker voted by proxy.

00:50:54 Sen. Tropila left the hearing.

EXECUTIVE ACTION ON SJ 31

00:50:57 **Motion:** Sen. Phillips moved that **SJ 31 DO PASS**.

Discussion:

00:51:06 Sen. Phillips

00:51:52 **Motion:** Sen. Phillips moved that **SJ 31 BE AMENDED**.
[EXHIBIT\(nas81a01\)](#)

Discussion:

00:51:58 Sen. Phillips

00:53:30 **Vote:** Motion carried 14-0 by voice vote. Sen. Barrett, Sen. Brenden, Sen. Ripley, Sen. Tropila and Sen. Walker voted by proxy.

00:53:55 **Motion:** Sen. Phillips moved that **SR 31 DO PASS AS AMENDED**.

Discussion:

00:53:58 Sen. Phillips

00:54:32 Sonja Nowakowski, Legislative Services Division (LSD)

00:54:50 Chairman Vincent

00:55:00 Sen. Rosendale left the hearing.

00:55:10 Sen. Fielder

00:56:09 Sen. Kaufmann

00:57:11 Sen. Phillips

00:59:02 Sen. Keane

00:59:40 Sen. Hamlett

01:01:07 Sen. Larsen

01:02:15 Sen. Jackson

01:03:09 Chairman Vincent
 01:03:23 Sen. Fielder
 01:03:40 Sen. Phillips
 01:04:43 Sen. Hamlett
 01:05:52 Sen. Phillips

01:06:51 **Vote:** Motion carried 8-6 by roll call vote with Sen. Barrett, Sen. Brenden, Sen. Jackson, Sen. Ripley, Sen. Rosendale and Sen. Walker voting no. Sen. Barrett, Sen. Brenden, Sen. Ripley, Sen. Rosendale, Sen. Tropila and Sen. Walker voted by proxy.

Committee Business on SB 347:

01:08:05 Chairman Vincent
EXHIBIT(nas81a02)

01:11:40 Sen. Larsen left the hearing.
 01:13:32 Sen. Kaufmann
 01:13:55 Chairman Vincent
 01:15:43 Sen. Phillips
 01:16:23 Mark Aagenes, Montana Trout Unlimited (MTU)
 01:18:50 Sen. Phillips
 01:20:08 Krista Lee Evans, Montana Senior Water Rights Coalition (MSWRC)
 01:21:26 Sen. Keane
 01:24:43 Tim Davis, Montana Department of Natural Resources and Conservation (DNRC)

01:25:38 Sen. Tropila entered the hearing.

01:25:49 Sen. Keane
 01:27:46 John North, Montana Department of Environmental Quality (DEQ)
 01:29:00 Sen. Kaufmann
 01:29:14 Chairman Vincent
 01:29:22 Sen. Kaufmann
 01:29:30 John North, DEQ
 01:31:12 Sen. Fielder
 01:31:44 Tammy Johnson, Rock Creek Mine (RCM)
 01:33:13 Sen. Fielder
 01:33:45 Chairman Vincent
 01:40:17 Sen. Larsen
 01:40:31 Sen. Keane
 01:40:49 Chairman Vincent

ADJOURNMENT

Adjournment: 5:17 P.M.

Mary Kulawik, Secretary

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Additional Documents:

EXHIBIT([nas81aad.pdf](#))