

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON NATURAL RESOURCES

**Call to Order:** Chair Kerry White, on March 11, 2015 at 3:00 PM, in Room 172 Capitol

#### ROLL CALL

##### **Members Present:**

Rep. Kerry White, Chair (R)  
Rep. Steve Fitzpatrick, Vice Chair (R)  
Rep. Ed Lieser, Vice Chair (D)  
Rep. Bob Brown (R)  
Rep. Virginia Court (D)  
Rep. Kelly Flynn (R)  
Rep. Theresa Manzella (R)  
Rep. Nate McConnell (D)  
Rep. Dale Mortensen (R)  
Rep. Mark Noland (R)  
Rep. Andrea Olsen (D)  
Rep. Scott Staffanson (R)  
Rep. Kathleen Williams (D)

**Members Excused:** Rep. Gerald (Jerry) Bennett (R)  
Rep. Zach Brown (D)  
Rep. Mary Ann Dunwell (D)  
Rep. Keith Regier (R)  
Rep. Ray L. Shaw (R)

**Members Absent:** None

**Staff Present:** Joe Kolman, Legislative Branch  
Sherri Row, 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: SB 37, 2/24/2015; SB 256, 2/24/2015; SJ 2, 2/24/2015

Executive Action on: SB 56; SB 57; SB 97; SB 188

00:00:15 Chairman White  
00:02:10 Keiko Tsuji, special guest from Japan

### HEARING ON SB 37

#### Opening Statement by Sponsor:

00:02:50 Sen. Jennifer Fielder (R), SD 7, opened the hearing on SB 37, Revise laws for filing of exempt water right claims.

00:04:09 Rep. Zach Brown arrived

#### Proponents' Testimony:

00:06:09 Holly Franz, Senior Water Rights Coalition, Water Court Advisory Committee

00:07:10 Rep. Jerry Bennett arrived

00:10:03 Krista Lee Evans, Association of Gallatin Agricultural Irrigators (AGAI), Montana Stock Growers Association

00:11:31 Mike Murphy, Montana Water Resources Association

00:12:41 Chelcie Cremer, Montana Farm Bureau Federation

00:13:24 Jacob Cowgill, Montana Farmers Union

00:13:56 Sen. Hamlett, Senate District 15

Opponents' Testimony: None

#### Informational Testimony:

00:15:08 Tim Davis, Department of Natural Resources and Conservation (DNRC)

#### Questions from Committee Members and Responses:

00:15:34 Rep. Flynn

00:15:53 Tim Davis, DNRC

00:17:08 Rep. Jerry Bennett

00:17:56 Tim Davis, DNRC

00:18:01 Rep. Court

00:18:56 Tim Davis, DNRC

00:19:34 Rep. Court

00:19:43 Tim Davis, DNRC

00:19:49 Rep. Williams

00:20:13 Tim Davis, DNRC

00:20:28 Rep. Williams

00:20:45 Chairman White

00:21:56 Krista Lee Evans, AGAI

00:22:24 Chairman White

00:22:36 Krista Lee Evans, AGAI

00:23:25 Chairman White

00:23:35 Krista Lee Evans, AGAI

00:23:58 Chairman White

00:24:17 Rep. Dunwell arrived

00:24:28 Sen. Fielder

00:25:21 Chairman White  
00:25:25 Sen. Hamlett  
00:25:39 Chairman White

**Closing by Sponsor:**

00:25:43 Sen. Fielder

**HEARING ON SB 256**

**Opening Statement by Sponsor:**

00:27:14 Sen. Bradley Hamlett (D), SD 15, opened the hearing on SB 256, Authorize the attorney general to intervene involving timber reduction projects.

[EXHIBIT\(nah50a01\)](#)

**Proponents' Testimony:**

00:30:05 Jon Bennion, Attorney General (AG)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:32:33 Rep. Bob Brown  
00:33:17 Jon Bennion, AG  
00:34:39 Rep. Olsen  
00:35:06 Jon Bennion, AG  
00:35:53 Rep. Olsen  
00:36:26 Jon Bennion, AG  
00:37:28 Rep. Lieser  
00:38:08 Jon Bennion, AG  
00:38:13 Rep. Lieser  
00:38:29 Rep. Manzella  
00:38:53 Jon Bennion, AG  
00:39:08 Rep. Court  
00:39:29 Jon Bennion, AG  
00:40:10 Rep. Court  
00:40:29 Sen. Hamlett  
00:40:35 Chairman White  
00:41:15 Jon Bennion, AG  
00:42:26 Chairman White

**Closing by Sponsor:**

00:42:59 Sen. Hamlett

**HEARING ON SJ 2**

**Opening Statement by Sponsor:**

00:45:17 Sen. Bradley Hamlett (D), SD 15, opened the hearing on SJ 2, Study state assumption of federal dredge and fill permitting.

[EXHIBIT\(nah50a02\)](#)

[EXHIBIT\(nah50a03\)](#)

**Proponents' Testimony:**

00:52:42 Jeff Tiberi, Montana Conservation Districts

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:54:41 Rep. Flynn  
00:55:11 Sen. Hamlett  
00:55:32 Rep. Williams  
00:56:21 Sen. Hamlett  
00:57:28 Rep. Williams  
00:58:19 Sen. Hamlett  
00:59:37 Rep. Williams  
00:59:46 Joe Kolman, Legislative Services Division (LSD)  
01:00:11 Rep. Williams  
01:00:16 Chairman White  
01:00:43 Tim Davis, DNRC  
01:01:02 Jeff Tiberi, Montana Conservation Districts  
01:02:02 Chairman White  
01:02:12 Jeff Tiberi, Montana Conservation Districts  
01:02:46 Chairman White  
01:03:07 Rep. Regier arrived  
01:04:03 Sen. Hamlett  
01:04:31 Chairman White

**Closing by Sponsor:**

01:05:15 Sen. Hamlett

01:06:48 Chairman White

01:07:44 Recess

01:26:41 Reconvene

**EXECUTIVE ACTION ON SB 56**

01:27:10 **Motion:** Rep. Fitzpatrick moved that **SB 56 BE CONCURRED IN.**

**Discussion:**

01:27:23 Rep. Williams

01:27:50 **Vote:** Motion carried unanimously by voice vote. Rep. Shaw voted by proxy.  
Rep. Bennett will carry the bill.

**EXECUTIVE ACTION ON SB 57**

01:28:42 **Motion:** Rep. Fitzpatrick moved that **SB 57 BE CONCURRED IN.**

**Discussion:**

01:28:57 Rep. Zach Brown

01:29:33 Chairman White

01:30:17 **Vote:** Motion carried unanimously by voice vote. Rep. Shaw voted by proxy.  
Rep. Fitzpatrick will carry the bill.

**EXECUTIVE ACTION ON SB 97**

01:30:55 **Motion:** Rep. Fitzpatrick moved that **SB 97 BE CONCURRED IN.**

**Discussion:**

01:31:16 Rep. Lieser

01:31:19 Joe Kolman, LSD

01:31:47 Rep. Williams

01:32:38 Chairman White

01:32:49 **Vote:** Motion carried 16-2 by voice vote with Rep. B. Brown and Rep. Manzella  
voting no. Rep. Shaw voted by proxy. Rep. White will carry the bill.

01:33:28 Rep. Williams

01:34:15 Chairman White

**EXECUTIVE ACTION ON SB 188**

01:34:47     **Motion:** Rep. Fitzpatrick moved that **SB 188 BE CONCURRED IN.**

**Discussion:**

01:35:12     Rep. McConnell

01:36:37     Rep. Olsen

01:37:52     Rep. Williams

01:38:55     Rep. Bob Brown

01:40:26     Chairman White

01:40:39     Rep. Flynn

01:41:50     **Vote:** Motion carried 11-7 by roll call vote with Rep. Z. Brown, Rep. Court, Rep. Dunwell, Rep. Lieser, Rep. McConnell, Rep. Olsen and Rep. Williams voting no. Rep. Shaw voted by proxy. Rep. Fitzpatrick will carry the bill.

01:43:33     Chariman White

**ADJOURNMENT**

01:43:53      Adjournment

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Sherri Row, Secretary

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Additional Documents:

**EXHIBIT([nah50aad.pdf](#))**