

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chair Kerry White, on April 8, 2015 at 3:00 PM, in Room 172 Capitol

ROLL CALL

Members Present:

Rep. Gerald (Jerry) Bennett (R)
Rep. Bob Brown (R)
Rep. Virginia Court (D)
Rep. Mary Ann Dunwell (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. Keith Regier (R)
Rep. Ray L. Shaw (R)
Rep. Scott Staffanson (R)
Rep. Kathleen Williams (D)

Members Excused: Rep. Kerry White, Chair (R)
Rep. Steve Fitzpatrick, Vice Chair (R)
Rep. Ed Lieser, Vice Chair (D)
Rep. Zach Brown (D)

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:

Executive Action: SB 112; SB 160; SB 325; SB 389; SB 353; SB 354

00:00:03 Rep. Regier assumed Chairman

EXECUTIVE ACTION ON SB 112

00:01:24 Joe Kolman, Legislative Services Division (LSD)

00:02:29 **Motion:** Rep. Jerry Bennett moved that **SB 112 BE CONCURRED IN.**

00:02:41 **Motion:** Rep. Dunwell moved that **SB 112 BE AMENDED.**

EXHIBIT(nah70a01)

Discussion:

00:03:24 Chairman Regier

00:03:32 Rep. Dunwell

00:03:37 Joe Kolman, LSD

00:05:16 Rep. Dunwell

00:06:19 Rep. Williams

00:06:40 **Vote:** Motion failed 7-11 by roll call vote with Rep. Zach Brown, Rep. Court, Rep. Dunwell, Rep. Lieser, Rep. McConnell, Rep. Olsen and Rep. Williams voting aye. Rep. Zach Brown, Rep. Fitzpatrick, Rep. Lieser and Rep. White voted by proxy.

00:08:15 Rep. Williams

00:09:43 **Vote:** Motion carried 11-7 by roll call vote with Rep. Zach Brown, Rep. Court, Rep. Dunwell, Rep. Lieser, Rep. McConnell, Rep. Olsen and Rep. Williams voting no. Rep. Zach Brown, Rep. Fitzpatrick, Rep. Lieser and Rep. White voted by proxy. Rep. White will carry the bill.

EXECUTIVE ACTION ON SB 160

00:11:21 Joe Kolman, LSD

00:11:37 **Motion:** Rep. Jerry Bennett moved that **SB 160 BE CONCURRED IN.**

00:11:59 **Motion:** Rep. Williams moved that **SB 160 BE AMENDED.**

EXHIBIT(nah70a02)

Discussion:

00:12:06 Chairman Regier

00:12:27 Rep. Williams

00:13:00 **Vote:** Motion failed 7-11 by roll call vote with Rep. Zach Brown, Rep. Court, Rep. Dunwell, Rep. Lieser, Rep. McConnell, Rep. Olsen and Rep. Williams voting aye. Rep. Zach Brown, Rep. Fitzpatrick, Rep. Lieser and Rep. White voted by proxy.

00:15:27 Rep. Staffanson
 00:16:12 Rep. Williams
 00:16:55 Rep. Olsen
 00:17:23 Rep. Williams

00:17:44 **Vote:** Motion carried 10-8 by roll call vote with Rep. Zach Brown, Rep. Court, Rep. Dunwell, Rep. Lieser, Rep. McConnell, Rep. Olsen, Rep. Staffanson and Rep. Williams voting no. Rep. Zach Brown, Rep. Fitzpatrick, Rep. Lieser and Rep. White voted by proxy. Rep. White will carry the bill.

EXECUTIVE ACTION ON SB 325

00:19:18 Joe Kolman, LSD

00:20:04 **Motion:** Rep. Jerry Bennett moved that **SB 325 BE CONCURRED IN.**

00:20:32 **Motion:** Rep. Jerry Bennett moved that **SB 325 BE AMENDED.**
[EXHIBIT\(nah70a03\)](#)

00:20:48 **Substitute Motion:** Rep. Williams made a substitute motion that **SB 325 BE AMENDED BY SEGREGATING PARAGRAPH 1 AND PARAGRAPHS 2-6.**

Discussion:

00:20:59 Chairman Regier
 00:21:17 Rep. Williams
 00:21:24 Chairman Regier
 00:21:32 Rep. Williams
 00:22:11 Chairman Regier
 00:22:22 Rep. Williams
 00:22:26 Chairman Regier
 00:22:43 Rep. Court
 00:22:58 Rep. Williams
 00:23:27 Chairman Regier

00:23:34 **Vote:** Motion carried unanimously by roll call vote to amend paragraphs 2-6. Rep. Zach Brown, Rep. Fitzpatrick, Rep. Lieser and Rep. White voted by proxy.

00:25:01 Rep. Lieser arrived
 00:25:10 Rep. Williams
 00:25:36 Rep. Dunwell
 00:25:57 Rep. Court
 00:27:03 Rep. Staffanson

00:27:31 **Vote:** Motion failed 8-10 by roll call vote to amend paragraph 1 with Rep. Jerry Bennett, Rep. Bob Brown, Rep. Fitzpatrick, Rep. Mortensen, Rep. Noland, Rep. Regier, Rep. Shaw and Rep. White voting aye. Rep. Zach Brown, Rep. Fitzpatrick, Rep. Lieser and Rep. White voted by proxy.

00:29:16 **Motion:** Rep. Jerry Bennett moved that **SB 325 BE CONCURRED IN AS AMENDED.**

Discussion:

00:30:35 Rep. Staffanson
 00:30:44 Joe Kolman, LSD
 00:30:53 Chairman Regier
 00:31:00 Rep. Staffanson
 00:31:31 Rep. Olsen
 00:31:46 Rep. Bob Brown
 00:32:14 Rep. Dunwell
 00:33:21 Adam Haight, Northern Plains Research Council
 00:33:42 Rep. Flynn
 00:34:21 Rep. Olsen
 00:35:32 Rep. Staffanson
 00:36:29 Rep. Dunwell
 00:36:37 Rep. Shaw
 00:37:39 Rep. Olsen
 00:38:17 Rep. Williams
 00:38:18 Rep. Shaw left

00:39:44 **Vote:** Motion carried 12-6 by roll call vote with Rep. Jerry Bennett, Rep. Zach Brown, Rep. Court, Rep. Dunwell, Rep. Fitzpatrick and Rep. Olsen voting no. Rep. Zach Brown, Rep. Fitzpatrick, Rep. Shaw and Rep. White voted by proxy. Rep. White will carry the bill.

EXECUTIVE ACTION ON SB 389

00:41:28 Joe Kolman, LSD
 00:41:40 Rep. Shaw returned

00:42:24 **Motion:** Rep. Jerry Bennett moved that **SB 389 BE CONCURRED IN.**

00:42:37 Chairman Regier

00:42:48 **Motion:** Rep. Flynn moved that **SB 389 BE AMENDED.**
EXHIBIT(nah70a04)

Discussion:

00:43:49 Rep. Flynn
 00:45:19 Rep. Williams
 00:45:54 Rep. Flynn

00:46:21 **Vote:** Motion carried 15-3 by roll call vote with Rep. Zach Brown, Rep. Lieser and Rep. Williams voting no. Rep. Zach Brown, Rep. Fitzpatrick and Rep. White voted by proxy.

00:47:40 **Motion:** Rep. Jerry Bennett moved that **SB 389 BE CONCURRED IN AS AMENDED.**

Discussion:

00:47:51 Rep. Olsen
 00:49:20 Rep. Lieser
 00:49:28 Joe Kolman, LSD
 00:50:09 Chairman Regier
 00:50:15 Rep. Olsen
 00:50:31 Rep. Flynn
 00:51:18 Rep. Court
 00:51:32 Chairman Regier
 00:51:44 Rep. Williams
 00:53:25 Rep. Noland

00:53:34 **Vote:** Motion failed 9-9 by roll call vote with Rep. Jerry Bennett, Rep. Fitzpatrick, Rep. Flynn, Rep. Mortensen, Rep. Noland, Rep. Regier, Rep. Shaw, Rep. Staffanson and Rep. White voting aye. Rep. Zach Brown, Rep. Fitzpatrick and Rep. White voted by proxy.

00:54:52 Rep. Zach Brown arrived

00:54:56 **Motion/Vote:** Rep. Jerry Bennett moved that **SB 389 BE TABLED**. Motion carried unanimously by voice vote of those present. Rep. Fitzpatrick and Rep. White were excused.

EXECUTIVE ACTION ON SB 353

00:55:24 Joe Kolman, LSD

00:55:51 **Motion:** Rep. Jerry Bennett moved that **SB 353 BE CONCURRED IN**.

Discussion:

00:56:06 Chairman Regier

00:56:13 **Motion:** Rep. Jerry Bennett moved that **SB 353 BE AMENDED**.
[EXHIBIT\(nah70a05\)](#)

Discussion:

00:56:36 Rep. Lieser
 00:57:17 Rep. Shaw
 00:58:36 Chairman Regier
[EXHIBIT\(nah70a06\)](#)

01:00:03 Rep. Shaw
 01:00:09 Chairman Regier
 01:00:22 Rep. Flynn

01:00:40 **Vote:** Motion carried 11-7 by roll call vote with Rep. Zach Brown, Rep. Court, Rep. Dunwell, Rep. Lieser, Rep. McConnell, Rep. Olsen and Rep. Williams voting no. Rep. Fitzpatrick and Rep. White voted by proxy.

01:01:58 **Motion:** Rep. Jerry Bennett moved that **SB 353 BE CONCURRED IN AS AMENDED.**

Discussion:

01:02:07 Rep. Flynn
01:02:32 Rep. McConnell
01:02:53 Rep. Bob Brown
01:03:45 Rep. Shaw
01:04:05 Rep. Dunwell
01:04:39 Rep. Staffanson
01:05:04 Rep. McConnell
01:05:26 Rep. Williams

01:05:40 **Vote:** Motion carried 10-8 by roll call vote with Rep. Bob Brown, Rep. Zach Brown, Rep. Court, Rep. Dunwell, Rep. Lieser, Rep. McConnell, Rep. Olsen and Rep. Williams voting no. Rep. Fitzpatrick and Rep. White voted by proxy. Rep. Shaw will carry the bill.

01:05:45 Rep. Noland left

EXECUTIVE ACTION ON SB 354

01:07:16 **Motion:** Rep. Jerry Bennett moved that **SB 354 BE CONCURRED IN.**

Discussion:

01:07:31 Joe Kolman, LSD
01:07:51 Chairman Regier
01:08:02 Joe Kolman, LSD

01:08:09 **Motion:** Rep. Jerry Bennett moved that **SB 354 BE AMENDED.**
EXHIBIT(nah70a07)

Discussion:

01:08:27 Chairman Regier
01:08:33 Joe Kolman, LSD
01:09:22 Rep. Williams
01:09:36 Chairman Regier
01:09:45 Joe Kolman, LSD
01:10:00 Chairman Regier
01:10:04 Joe Kolman, LSD
01:10:39 Rep. Lieser
01:11:15 Rep. Olsen
01:11:27 Rep. Williams

01:12:12 **Vote:** Motion carried 11-7 by roll call vote with Rep. Zach Brown, Rep. Court, Rep. Dunwell, Rep. Lieser, Rep. McConnell, Rep. Olsen and Rep. Williams voting no. Rep. Fitzpatrick, Rep. Noland and Rep. White voted by proxy.

01:13:28 **Motion:** Rep. Jerry Bennett moved that **SB 354 BE CONCURRED IN AS AMENDED.**

Discussion:

01:13:45 Rep. Noland returned

01:13:59 Rep. Olsen

[EXHIBIT\(nah70a08\)](#)

01:14:29 **Motion:** Rep. Olsen moved that **SB 354 BE AMENDED.**

Discussion:

01:17:06 Joe Kolman, LSD

01:18:07 Chairman Regier

01:18:10 Rep. Olsen

01:18:21 Chairman Regier

01:18:28 Rep. Flynn

01:18:37 Rep. Noland returned

01:19:08 Rep. Court

01:20:15 Rep. Williams

01:20:37 Rep. Olsen

01:21:59 Rep. Dunwell

01:23:06 Rep. McConnell

01:23:36 Chairman Regier

01:23:53 **Vote:** Motion failed 5-13 by roll call vote with Rep. Court, Rep. Dunwell, Rep. Lieser, Rep. Olsen and Rep. Williams voting aye. Rep. Fitzpatrick and Rep. White voted by proxy.

01:25:18 Chairman Regier

01:25:26 Joe Kolman, LSD

01:25:54 **Vote:** Motion carried 10-8 by roll call vote with Rep. Bob, Rep. Zach Brown, Rep. Court, Rep. Dunwell, Rep. Lieser, Rep. McConnell, Rep. Olsen and Rep. Williams voting no. Rep. Fitzpatrick and Rep. White voted by proxy. Rep. Shaw will carry the bill.

01:27:38 Chairman Regier

ADJOURNMENT

01:27:51 Adjournment:

Sherri Row, Secretary

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Additional Documents:

EXHIBIT([nah70aad.pdf](#))