

MINUTES

MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: Chair Chas Vincent, on March 20, 2017 at 3:00 PM, in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Chas Vincent, Chair (R)
Sen. Jeffrey W. Welborn, Vice Chair (R)
Sen. Duane Ankney (R)
Sen. Dick Barrett (D)
Sen. Jill Cohenour (D)
Sen. Pat Connell (R)
Sen. Jennifer Fielder (R)
Sen. Jedediah Hinkle (R)
Sen. Mary McNally (D)
Sen. Mike Phillips (D)
Sen. JP Pomnichowski (D)
Sen. Tom Richmond (R)

Members Excused: None

Members Absent: None

Staff Present: Pat Christian, Committee Secretary
Hope Stockwell, 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 481, 3/8/2017; HB 555, 3/8/2017; SB 342, 3/14/2017

Executive Action:

SB 313: Do Pass as Amended
HB 140: Be Concurred In
HB 228: Be Concurred In
HB 360: Be Concurred In
HB 99: Be Concurred In
HB 424: Motion Withdrawn
SB 342: Do Pass

00:01:16 Chair Vincent turned the chair over to Vice Chair Welborn.

HEARING ON SB 342

Opening Statement by Sponsor:

00:01:38 Sen. Chas Vincent (R), SD 1, opened the hearing on SB 342, Good neighbor forestry to encourage economic development.

Proponents' Testimony:

00:02:39 Neil Simpson, federal liaison, Department of Natural Resources and Conservation (DNRC)

[EXHIBIT\(nas57a01\)](#)

00:08:26 Julia Altemus, Montana Wood Products Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:11:09 Sen. McNally

00:11:34 Sen. Vincent

00:12:25 Sen. Connell

00:12:55 Sen. Vincent

Closing by Sponsor:

00:13:32 Sen. Vincent

00:13:49 Chair Vincent resumed the duties of the chair.

HEARING ON HB 481

Opening Statement by Sponsor:

00:14:012 Rep. Bob Brown (R), HD 13, opened the hearing on HB 481, Authorize local government to take action on wildfires.

[EXHIBIT\(nas57a02\)](#)

Proponents' Testimony:

00:16:53 Julia Altemus, Montana Wood Products Association

Opponents' Testimony:

00:18:06 Michael DeGrosky, Fire and Aviation bureau chief, Forestry Division, Department of Natural Resources and Conservation (DNRC)

EXHIBIT(nas57a03)

00:25:15 Tom Kuntz, fire chief, Red Lodge, chair, Montana Wildfire Protection Committee (MWPC)

00:33:49 Patrick Lonergan, vice president, Montana County Fire Wardens Association

00:35:53 Vern Burdick, Montana Sheriffs and Peace Officers Association

00:37:21 Bill Colwell, fire chief, Missoula Rural Fire District; Montana State Fire Chiefs on the Northern Rockies Coordinating Group Board of Directors

EXHIBIT(nas57a04)

00:39:03 Doug Martens, Rosebud County Commission

EXHIBIT(nas57a05)

00:39:45 Brad Mohn, fire chief, Hamilton Fire Department; fire warden, Ravalli County

00:40:22 Denis Pitman, Yellowstone County commissioner

00:42:23 Eric Bryson, Montana Association of Counties (MACo)

EXHIBIT(nas57a06)

Informational Testimony: None

Questions from Committee Members and Responses:

00:44:34 Sen. Connell
 00:45:28 Mr. DeGrosky, DNRC
 00:45:37 Sen. Connell
 00:46:05 Mr. DeGrosky
 00:46:17 Sen. Connell
 00:46:52 Mr. DeGrosky
 00:47:03 Sen. Fielder
 00:47:32 Mr. DeGrosky
 00:47:37 Sen. Fielder
 00:47:52 Mr. DeGrosky
 00:48:04 Sen. Fielder
 00:48:25 Mr. DeGrosky
 00:48:40 Sen. Fielder
 00:48:54 Mr. Kuntz, MWPC
 00:49:00 Sen. Fielder
 00:49:12 Mr. Kuntz
 00:49:42 Sen. Fielder
 00:49:59 Rep. Brown
 00:51:54 Sen. Fielder
 00:52:02 Rep. Brown
 00:52:21 Sen. Fielder
 00:52:32 Chair Vincent
 00:53:24 Mr. Bryson, MACo
 00:54:40 Chair Vincent

00:54:47 Mr. Bryson
00:55:31 Chair Vincent
00:56:31 Mr. DeGrosky
00:57:43 Chair Vincent
00:57:47 Mr. DeGrosky
00:57:50 Chair Vincent
00:58:06 Mr. DeGrosky

Closing by Sponsor:

00:58:50 Rep. Brown

01:03:25 Recess
01:17:46 Reconvened

HEARING ON HB 555

Opening Statement by Sponsor:

01:17:48 Rep. Nancy Ballance (R), HD 87, opened the hearing on HB 555, Terminate Reserved Water Rights Compact Commission.

Proponents' Testimony: None

Opponents' Testimony:

01:19:40 Brian Ohs, Montana Trout Unlimited

Informational Testimony:

01:20:40 John Tubbs, director, Department of Natural Resources and Conservation (DNRC)

Questions from Committee Members and Responses:

01:20:50 Sen. Connell
01:21:21 Mr. Tubbs, DNRC
01:21:44 Sen. Barrett
01:22:16 Mr. Tubbs
01:23:36 Sen. Barrett
01:24:12 Mr. Tubbs
01:24:38 Sen. Barrett
01:24:54 Mr. Tubbs
01:25:09 Sen. Pomnichowski
01:25:31 Mr. Tubbs
01:26:14 Sen. Cohenour
01:26:51 Mr. Tubbs
01:27:41 Sen. Fielder
01:28:20 Mr. Tubbs
01:29:29 Sen. Fielder

01:29:51 Mr. Tubbs
 01:30:28 Sen. Barrett
 01:30:51 Mr. Tubbs
 01:30:59 Sen. Barrett
 01:31:10 Mr. Tubbs
 01:31:25 Sen. Barrett
 01:31:36 Chair Vincent
 01:31:54 Rep. Ballance

Closing by Sponsor:

01:32:00 Rep. Ballance

EXECUTIVE ACTION ON SB 313

01:33:34 **Motion:** Sen. Welborn moved that **SB 313 DO PASS.**

01:33:56 **Motion/Vote:** Sen. Cohenour moved that **SB 313 BE AMENDED.** Motion carried unanimously by voice vote.

[EXHIBIT\(nas57a07\)](#)

01:34:42 **Motion:** Sen. Cohenour moved that **SB 313 DO PASS AS AMENDED.**

Discussion:

01:34:52 Chair Vincent
 01:35:04 Sen. Richmond

01:35:20 **Motion:** Sen. Barrett moved that **SB 313 BE AMENDED.**

[EXHIBIT\(nas57a08\)](#)

[EXHIBIT\(nas57a09\)](#)

Discussion:

01:35:35 Sen. Richmond
 01:36:45 Hope Stockwell, Legislative Services Division (LSD)
 01:36:58 Sen. Richmond
 01:37:33 Chair Vincent
 01:37:41 Ms. Stockwell, LSD
 01:38:00 Chair Vincent
 01:38:05 Sen. Barrett
 01:38:15 Chair Vincent
 01:38:45 Jan Langel, operations manager, Water Resources Division, Department of Natural Resources and Conservation (DNRC)

[EXHIBIT\(nas57a10\)](#)

01:39:53 Chair Vincent
 01:40:15 Mr. Langel, DNRC
 01:40:37 Sen. Pomnichowski
 01:41:03 Ms. Stockwell

01:41:18 Sen. Pomnichowski
 01:41:31 Ms. Stockwell
 01:41:51 Sen. Pomnichowski
 01:43:26 Ms. Stockwell
 01:43:54 Sen. Pomnichowski
 01:44:25 Ms. Stockwell
 01:44:47 Chair Vincent

01:44:55 **Vote:** Motion carried unanimously by voice vote.

01:45:05 **Motion:** Sen. Welborn moved that **SB 313 DO PASS AS AMENDED.**

Discussion:

01:45:22 Chair Vincent

01:45:52 **Vote:** Motion carried unanimously by voice vote.

01:46:02 Sen. Pomnichowski
 01:46:17 Chair Vincent
 01:46:20 Ms. Stockwell
 01:46:47 Sen. Pomnichowski
 01:46:57 Chair Vincent

EXECUTIVE ACTION ON HB 140

01:47:23 **Motion:** Sen. Cohenour moved that **HB 140 BE CONCURRED IN.**

Discussion:

01:47:38 Chair Vincent

01:47:48 **Vote:** Motion carried unanimously by voice vote. Sen. Cohenour will carry the bill.

EXECUTIVE ACTION ON HB 228

01:48:18 **Motion:** Sen. Welborn moved that **HB 228 BE CONCURRED IN.**

Discussion:

01:48:33 Chair Vincent
 01:48:46 Sen. Connell
 01:49:33 Sen. Fielder

01:50:23 **Vote:** Motion carried 10-2 by roll call vote with Sen. Fielder and Sen. Hinkle voting no. Sen. Vincent will carry the bill.

EXECUTIVE ACTION ON HB 360

01:51:35 **Motion:** Sen. Cohenour moved that **HB 360 BE CONCURRED IN.**

Discussion:

01:51:50 Chair Vincent
 01:51:52 Sen. Cohenour
 01:52:20 Chair Vincent

01:53:14 **Vote:** Motion carried unanimously by voice vote. Sen. Vincent will carry the bill.

EXECUTIVE ACTION ON HB 99

01:53:52 **Motion:** Sen. Welborn moved that **HB 99 BE CONCURRED IN.**

Discussion:

01:54:07 Sen. Cohenour
 01:55:21 Chair Vincent
 01:55:42 Abigail St. Lawrence, water rights attorney
 01:58:50 Sen. Cohenour
 01:59:00 Ms. St. Lawrence
 01:59:38 Sen. Cohenour
 02:00:05 Ms. St. Lawrence
 02:01:48 Sen. Barrett
 02:02:45 Ms. St. Lawrence
 02:04:04 Sen. Barrett
 02:04:32 Ms. St. Lawrence
 02:05:53 Sen. Barrett
 02:06:06 Ms. St. Lawrence
 02:07:14 Sen. Fielder
 02:07:58 Chair Vincent
 02:08:57 Sen. Cohenour
 02:09:32 Chair Vincent
 02:09:41 Sen. Cohenour
 02:09:51 Hope Stockwell, Legislative Services Division
 02:10:25 Sen. Cohenour
 02:10:41 Jan Langel, operations manager, Water Resources Division, Department of Natural Resources and Conservation (DNRC)
 02:10:53 Sen. Cohenour
 02:11:11 Mr. Langel, DNRC
 02:11:24 Sen. Fielder
 02:11:59 Mr. Langel
 02:13:08 Sen. Fielder
 02:13:34 Mr. Langel
 02:13:41 Sen. Pomnichowski
 02:17:10 Chair Vincent

02:18:19 **Vote:** Motion carried 10-2 by roll call vote with Sen. Cohenour and Sen. Pomnichowski voting no. Sen. Vincent will carry the bill.

EXECUTIVE ACTION ON HB 424

02:19:25 **Motion:** Sen. Welborn moved that **HB 424 BE CONCURRED IN.**

02:19:28 Chair Vincent

02:19:48 **Motion:** Sen. Fielder moved that **HB 424 BE AMENDED.**

EXHIBIT(nas57a11)

Discussion:

02:20:02 Sen. Fielder

02:21:16 Sen. Connell

02:22:25 Sen. Fielder

02:22:56 Sen. Connell

02:23:16 Sen. Fielder

02:23:29 Chair Vincent

02:23:32 Without objection, Sen. Fielder withdrew the **BE AMENDED** motion.

02:23:40 Without objection, Sen. Welborn withdrew the **BE CONCURRED IN** motion.

02:24:11 Sen. Cohenour

EXECUTIVE ACTION ON SB 342

02:24:30 **Motion:** Sen. Vincent moved that **SB 342 DO PASS.**

Discussion:

02:24:43 Chair Vincent

02:25:10 Sen. Connell

02:25:35 **Vote:** Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 5:26 PM

Pat Christian, Secretary

pc

Additional Documents

Additional Documents:

EXHIBIT([nas57aad.pdf](#))