

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 66th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON NATURAL RESOURCES

**Call to Order:** Chair Kerry White, on March 27, 2019 at 3:00 PM, in Room 172 Capitol

#### ROLL CALL

**Members Present:**

Rep. Kerry White, Chair (R)  
Rep. Willis Curdy, Vice Chair (D)  
Rep. Theresa Manzella, Vice Chair (R)  
Rep. Bob Brown (R)  
Rep. Zach Brown (D)  
Rep. Robert Farris-Olsen (D)  
Rep. Ross H. Fitzgerald (R)  
Rep. Steve Gunderson (R)  
Rep. Casey Knudsen (R)  
Rep. Rhonda Knudsen (R)  
Rep. Marilyn Marler (D)  
Rep. Marvin Weatherwax (D)

**Members Excused:** Rep. Emma Kerr-Carpenter (D)  
Rep. Dale Mortensen (R)  
Rep. Mark Noland (R)

**Members Absent:** None

**Staff Present:** Joe Kolman, Legislative Branch  
Jacie Vonada, 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: HB 752, 3/25/2019; HB 760, 3/26/2019  
Executive Action: HB 31, HB 402, HB 708, HB 736, HB 752, HB 760, HB 722

15:19:00 Chair White

### **HEARING ON HB 760**

#### **Opening Statement by Sponsor:**

15:20:14 Rep. Zach Brown (D), HD 63, opened the hearing on HB 760, Study of travel on state lands.

#### **Proponents' Testimony:**

15:23:24 Roger Hagan, Montana Trail Vehicle Riders Association (MTVRA)

15:24:09 Ben Lamb, Montana Wildlife Federation (MWF)

15:25:19 Liv Stavick, Montana Farm Bureau (MFB)

15:25:58 Brian Ohs, Montana Stockgrowers Association (MSGA)

15:26:58 Noah Marion, Montana Wilderness Association (MWA)

#### **Opponents' Testimony:** None

#### **Informational Testimony:**

15:27:46 Shawn Thomas, Department of Natural Resources and Conservation (DNRC)

#### **Questions from Committee Members and Responses:**

15:28:26 Chair White

15:29:56 Mr. Thomas, DNRC

15:31:27 Chair White

15:32:03 Mr. Thomas, DNRC

15:32:34 Chair White

15:33:37 Rep. Zach Brown

15:34:03 Vice Chair Curdy

15:34:38 Rep. Zach Brown

15:35:07 Vice Chair Curdy

15:35:18 Rep. Zach Brown

15:35:24 Vice Chair Curdy

15:36:05 Mr. Thomas, DNRC

15:36:30 Rep. Bob Brown

15:37:01 Rep. Kerr-Carpenter arrived to the meeting.

15:37:31 Rep. Zach Brown

15:38:03 Rep. Gunderson

15:38:39 Rep. Zach Brown

15:38:59 Rep. Gunderson

15:39:12 Rep. Zach Brown

15:39:42 Chair White

15:41:30 Rep. Zach Brown

15:42:51 Chair White

15:43:56 Rep. Zach Brown

15:44:56 Chair White

15:45:21 Mr. Thomas, DNRC

15:45:37 John Tubbs, Director, Department of Natural Resources and Conservation (DNRC)

15:46:20 Chair White  
15:46:55 Director Tubbs, DNRC  
15:47:07 Chair White  
15:47:48 Mr. Thomas, DNRC  
15:49:17 Chair White  
15:49:46 Mr. Thomas, DNRC  
15:50:49 Rep. Farris-Olson  
15:51:13 Mr. Lamb, MWF

**Closing by Sponsor:**

15:52:49 Rep. Zach Brown

**HEARING ON HB 752**

**Opening Statement by Sponsor:**

15:55:19 Rep. Bradley Hamlett (D), HD 23, opened the hearing on HB 752, Revise laws related to sage grouse.

[\*\*EXHIBIT\(nah63a01\)\*\*](#)

**Proponents' Testimony:** None

**Opponents' Testimony:**

15:59:50 Ken McDonald, Fish, Wildlife and Parks (FWP)

[\*\*EXHIBIT\(nah63a02\)\*\*](#)

16:08:51 Dave Galt, Montana Contractors'  
Association (MCA)

16:11:01 Doug Hardy, Montana Electric Cooperatives' Association (MECA)

16:12:09 Amy Seaman, Montana Audubon

16:16:31 Ben Lamb, Montana Wildlife Federation (MWF), Greater Yellowstone Coalition  
(GYC), National Wildlife Federation (NWF)

16:18:51 Whitney Tawney, Montana Conservation Voters (MCV)

16:20:01 Alan Olson, Montana Petroleum Association (MPA)

[\*\*EXHIBIT\(nah63a03\)\*\*](#)

16:23:32 Robert Jeffrey, Big Sky Upland Bird Association

[\*\*EXHIBIT\(nah63a04\)\*\*](#)

16:27:38 John Tubbs, Director, Department of Natural Resources and Conservation  
(DNRC)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

16:31:10 Chair White

16:32:15 Mr. McDonald, FWP

16:32:29 Chair White

16:32:42 Director Tubbs, DNRC

16:33:48 Chair White

16:34:50 Director Tubbs, DNRC  
 16:36:28 Chair White  
 16:38:17 Director Tubbs, DNRC  
 16:38:57 Rep. Bob Brown  
 16:40:10 Director Tubbs, DNRC  
 16:42:41 Rep. Bob Brown  
 16:43:42 Rep. Hamlett  
 16:44:20 Chair White  
 16:46:37 Mr. McDonald, FWP  
 16:50:08 Director Tubbs, DNRC

**Closing by Sponsor:**

16:51:40 Rep. Hamlett  
  
 16:56:32 Chair White  
 16:58:53 Rep. Marler  
 16:59:03 Chair White  
 16:59:13 Rep. Marler  
 16:59:23 Chair White  
  
 16:59:32 Recessed  
 17:23:39 Reconvened  
  
 17:24:42 Chair White

**EXECUTIVE ACTION ON HB 31**

17:25:00 **Motion:** Rep. Curdy moved that **HB 31 DO PASS.**  
 17:25:18 **Motion:** Rep. Curdy moved that **HB 31 BE AMENDED.**

**Discussion:**

17:25:36 Joe Kolman  
 , Legislative Services Division (LSD)  
 17:29:46 Chair White  
 17:29:59 Joe Kolman, LSD  
 17:30:22 Chair White  
 17:31:13 Joe Kolman, LSD  
 17:31:17 Vice Chair Curdy  
  
 17:32:10 **Vote:** Motion carried 12-3 by voice vote with Rep. R. Knudsen, Rep. Mortensen and Rep. Noland voting no. Rep. Mortensen voted by proxy.  
  
 17:32:50 **Motion:** Rep. Curdy moved that **HB 31 DO PASS AS AMENDED WITH AMENDMENT HB003101.AJK.**

**Discussion:**

17:32:59 Chair White  
 17:34:29 Vice Chair Curdy

- 17:37:25 Rep. Bob Brown
- 17:39:33 **Vote:** Motion failed 5-10 by roll call vote with Rep. Curdy, Rep. Farris-Olsen, Rep. Kerr-Carpenter, Rep. Marler and Rep. Weatherwax voting aye. Rep. Mortensen voted by proxy.
- 17:40:48 **Motion/Vote:** Rep. Noland moved that **HB 31 BE TABLED**. Motion carried unanimously by voice vote. Rep. Mortensen voted by proxy.

### **EXECUTIVE ACTION ON HB 402**

- 17:41:14 **Motion:** Rep. Manzella moved that **HB 402 DO PASS**.

#### **Discussion:**

- 17:41:26 Joe Kolman, Legislative Services Division (LSD)

- 17:42:25 **Motion:** Rep. Manzella moved that **HB 402 BE AMENDED**.  
[EXHIBIT\(nah63a05\)](#)  
[EXHIBIT\(nah63a06\)](#)

#### **Discussion:**

- 17:42:36 Joe Kolman, LSD  
17:44:27 Chair White

- 17:45:00 **Vote:** Motion carried unanimously by voice vote. Rep. Mortensen voted by proxy.

- 17:45:16 **Motion:** Rep. Manzella moved that **HB 402 DO PASS AS AMENDED**.

#### **Discussion:**

- 17:45:29 Rep. Casey Knudsen  
17:45:52 Rep. Zach Brown  
17:46:17 Chair White  
17:47:30 Joe Kolman, LSD  
17:47:50 Rep. Bob Brown

- 17:48:57 **Vote:** Motion failed 6-9 by roll call vote with Rep. Curdy, Rep. Farris-Olsen, Rep. Kerr-Carpenter, Rep. Marler, Rep. Noland and Rep. Weatherwax voting aye. Rep. Mortensen voted by proxy.

- 17:49:56 **Motion/Vote:** Rep. Gunderson moved that **HB 402 BE TABLED**. Motion carried unanimously by voice vote. Rep. Mortensen voted by proxy.

**EXECUTIVE ACTION ON HB 708**

17:50:24 **Motion:** Rep. Manzella moved that **HB 708 DO PASS.**

17:50:50 **Motion:** Rep. Manzella moved that **HB 708 BE AMENDED.**  
**EXHIBIT(nah63a07)**

**Discussion:**

17:51:07 Joe Kolman, Legislative Services Division (LSD)

17:51:24 Chair White

17:51:54 **Vote:** Motion failed 5-10 by roll call vote with Rep. Z. Brown, Rep. Farris-Olsen, Rep. Kerr-Carpenter, Rep. Marler and Rep. Weatherwax voting aye. Rep. Mortensen voted by proxy.

17:53:01 Rep. Bob Brown

17:53:33 Chair White

17:56:05 **Substitute Motion/Vote:** Rep. Noland made a substitute motion that **HB 708 BE TABLED.** Substitute Motion carried 10-5 by roll call vote with Rep. Z. Brown, Rep. Curdy, Rep. Farris-Olsen, Rep. Kerr-Carpenter and Rep. Marler voting no. Rep. Mortensen voted by proxy.

**EXECUTIVE ACTION ON HB 736**

17:57:25 **Motion/Vote:** Rep. Manzella moved that **HB 736 DO PASS.** Motion failed 3-12 by roll call vote with Rep. Farris-Olsen, Rep. Marler and Rep. Weatherwax voting aye. Rep. Mortensen voted by proxy.

17:59:06 **Motion/Vote:** Rep. Manzella moved that **HB 736 BE TABLED.** Motion carried unanimously by voice vote. Rep. Mortensen voted by proxy.

17:59:36 Chair White

**EXECUTIVE ACTION ON HB 752**

17:59:59 **Motion:** Rep. Manzella moved that **HB 752 DO PASS.**

**Discussion:**

18:00:31 Chair White

18:00:45 Rep. Gunderson

18:01:04 Chair White

18:02:39 **Vote:** Motion failed unanimously by voice vote. Rep. Mortensen voted by proxy.

18:03:17 **Motion/Vote:** Rep. Manzella moved that **HB 752 BE TABLED.** Motion carried unanimously by voice vote. Rep. Mortensen voted by proxy.

**EXECUTIVE ACTION ON HB 760**

18:03:41 **Motion:** Rep. Manzella moved that **HB 760 DO PASS.**

18:04:14 **Motion:** Rep. Manzella moved that **HB 760 BE AMENDED.**  
**EXHIBIT(nah63a08)**

**Discussion:**

18:04:27 Joe Kolman, Legislative Services Division (LSD)

18:05:12 Chair White

18:05:31 Rep. Zach Brown

18:05:36 **Vote:** Motion carried unanimously by voice vote. Rep. Mortensen voted by proxy.

18:06:00 **Motion:** Rep. Z. Brown moved that **HB 760 DO PASS AS AMENDED.**

**Discussion:**

18:06:15 Rep. Marler

18:06:27 Chair White

18:06:47 **Vote:** Motion failed 7-8 by roll call vote with Rep. Z. Brown, Rep. Curdy, Rep. Farris-Olsen, Rep. Kerr-Carpenter, Rep. Marler, Rep. Weatherwax and Rep. White voting aye. Rep. Mortensen voted by proxy.

18:07:46 **Motion/Vote:** Rep. Manzella moved that **HB 760 BE TABLED.** Motion carried unanimously by voice vote. Rep. Mortensen voted by proxy.

**EXECUTIVE ACTION ON HB 722**

18:08:22 **Motion:** Rep. Gunderson moved that **HB 722 DO PASS.**

18:08:23 **Motion:** Rep. Gunderson moved that **HB 722 BE AMENDED.**  
**EXHIBIT(nah63a09)**

**Discussion:**

18:08:59 Rep. Gunderson

18:09:34 **Vote:** Motion carried unanimously by voice vote. Rep. Mortensen voted by proxy.

18:10:05 **Motion:** Rep. Gunderson moved that **HB 722 BE AMENDED.**

**Discussion:**

18:10:20 Chair White

18:11:27 Joe Kolman, Legislative Services Division (LSD)

18:15:34 Chair White

18:16:25 Rep. Gunderson

18:16:37 **Vote:** Motion carried 11-4 by roll call vote with Rep. Curdy, Rep. Farris-Olsen, Rep. Kerr-Carpenter and Rep. Marler voting no. Rep. Mortensen voted by proxy.

18:18:29 **Motion:** Rep. Gunderson moved that **HB 722 DO PASS AS AMENDED.**

**Discussion:**

18:18:39 Rep. Kerr-Carpenter

18:19:11 Chair White

18:20:54 Vice Chair Curdy

18:21:22 **Vote:** Motion carried 9-6 by roll call vote with Rep. Z. Brown, Rep. Curdy, Rep. Farris-Olsen, Rep. Kerr-Carpenter, Rep. Marler and Rep. Weatherwax voting no. Rep. Mortensen voted by proxy.

18:22:40 Chair White

18:23:28 Vice Chair Manzella

18:24:00 Chair White

**ADJOURNMENT**

Adjournment: 18:24:41

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Jacie Vonada, Secretary

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Additional Documents:

**EXHIBIT**([nah63aad.pdf](#))