

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS

Call to Order: Chair Keith Regier, on February 4, 2013 at 3:00 PM, in Room 472 Capitol

ROLL CALL

Members Present:

Rep. Keith Regier, Chair (R)
Rep. Mary McNally, Vice Chair (D)
Rep. Jesse O'Hara, Vice Chair (R)
Rep. Carlie Boland (D)
Rep. Doug Kary (R)
Rep. Austin Knudsen (R)
Rep. Mike Lang (R)
Rep. David (Doc) Moore (R)
Rep. Rae Peppers (D)
Rep. Tom Steenberg (D)
Rep. Kathy Swanson (D)
Rep. Daniel Zolnikov (R)

Members Excused: Rep. Tom Berry (R)
Rep. Roger A. Hagan (R)

Members Absent: None

Staff Present: Molly Miltenberger, 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: HJ 9, 1/30/2013

Executive Action: SB 52, HB 293, HB 295

HEARING ON HJ 9

Opening Statement by Sponsor:

00:06:40 Rep. Jonathan McNiven (R), HD 44, opened the hearing on HJ 9, Joint resolution supporting coal.

Proponents' Testimony:

00:08:58 Bud Clinch, Executive Director, Montana Coal Council (MCC)

[EXHIBIT\(feh24a01\)](#)

00:16:02 Bob Winger, President, Boilermakers Union

[EXHIBIT\(feh24a02\)](#)

00:21:46 J.D. Lynch, Montana Construction and Trades, Pacific Northwest Carpenters Union and Teamsters Local #2

00:24:08 Cary Hegreberg, Executive Director, Montana Contractors Association

[EXHIBIT\(feh24a03\)](#)

[EXHIBIT\(feh24a04\)](#)

00:27:42 Todd O'Hair, Cloud Peak Energy

[EXHIBIT\(feh24a05\)](#)

00:31:40 Aimee Grmoljez, Arch Coal

00:33:34 Leo Barry, Attorney, Great Northern Properties

00:35:31 John Forkan, Montana State Association of Plumbers and Pipefitters

00:36:21 Ron Devlin, Northwestern Energy (NWE); Fallon County; Association of Coal, Oil and Gas Counties and City of Glendive

00:37:38 Dan Flynn, International Brotherhood of Electrical Workers in Montana

00:38:02 Ed Bartlett, Yellowstone County

00:41:16 Glenn Oppel, Montana Chamber of Commerce

[EXHIBIT\(feh24a06\)](#)

00:42:52 Charles Cashell, Business Manager, International Union of Operating Engineers

[EXHIBIT\(feh24a07\)](#)

00:45:17 Gail Abercrombie, Secretary, Montanans for Responsible Energy Development

00:46:44 David Hoffman, Director, External Affairs, PPL Montana

[EXHIBIT\(feh24a08\)](#)

00:48:12 Mark Lambrecht, Executive Director, Treasure State Industry Association, formerly called Western Environmental Trade Association

[EXHIBIT\(feh24a09\)](#)

00:52:09 John Roeber, Business Manager, Boilermakers Union

[EXHIBIT\(feh24a10\)](#)

00:54:30 Tom Hopgood, Montana Mining Association (MMA)

00:56:53 Tim Laedeke, Boilermaker

[EXHIBIT\(feh24a11\)](#)

Opponents' Testimony:

00:58:11 Ann Hedges, Montana Environmental Information Center (MEIC)

[EXHIBIT\(feh24a12\)](#)

[EXHIBIT\(feh24a13\)](#)

01:08:23 Jim Posewitz, Foundation Executive Director, MEIC

01:13:44 Beth Kaeding, Member, Northern Plains Resource Council (Northern Plains)

01:19:27 Kerry Fee, Executive Director, Park County Environmental Council (PCEC)

01:24:59 Shiloh Hernandez, Member, Sleeping Giant Citizen's Council

01:36:39 Hugh Van Swearingen, Self

01:39:37 Kristen Walser, Teacher, Self
01:47:39 Sam Thompson, Montana Public Interest Research Group
01:48:47 Charyn Ayoub, Self
01:53:03 Drusha Mayhue, Resident, Bozeman, Self

Informational Testimony: None

Questions from Committee Members and Responses:

01:56:16 Rep. O'Hara
01:57:30 Rep. McNiven
01:58:18 Rep. McNally
01:59:15 Rep. McNiven
02:01:01 Rep. McNally
02:01:59 Rep. McNiven
02:04:17 Rep. McNally
02:04:32 Rep. McNiven
02:06:19 Rep. McNally
02:06:56 Ms. Hedges, MEIC
02:07:52 Rep. Steenberg
02:08:29 Ms. Keading, Northern Plains
02:10:09 Rep. McNally
02:11:12 Mr. Clinch
02:13:18 Rep. Knudsen
02:13:59 Mr. Clinch

Closing by Sponsor:

02:16:46 Rep. McNiven

EXECUTIVE ACTION ON SB 52

02:21:27 **Motion/Vote:** Rep. O'Hara moved that **SB 52 BE CONCURRED IN.** Motion carried unanimously do-pass by roll call vote. Rep. Berry and Rep. Hagan voting aye by proxy.

EXECUTIVE ACTION ON HB 293

02:23:47 **Motion:** Rep. O'Hara moved that **HB 293 DO PASS.**

02:23:55 **Motion:** Rep. O'Hara moved that **HB 293 BE AMENDED.**

Discussion

02:25:10 Sonja Nowakowski, LSD

[EXHIBIT\(feh24a14\)](#)

[EXHIBIT\(feh24a15\)](#)

Discussion

02:26:25 Rep. Boland
02:26:34 Rep. McNally
02:27:13 Rep. Boland
02:27:34 Chair Osmundson

02:28:08 **Vote:** Motion carried 13-1 by roll call vote with Rep. Zolnikov voting no. Rep. Berry and Rep. Hagan voted by proxy.

02:29:07 **Motion:** Rep. O'Hara moved that **HB 293 DO PASS AS AMENDED.**

02:29:44 **Substitute Motion/Vote:** Rep. Kary made a substitute motion that **HB 293 BE TABLED.** Substitute Motion carried 12-2 by roll call vote with Rep. McNally and Rep. Steenberg voting no. Rep. Berry and Rep. Hagan voted by proxy.

EXECUTIVE ACTION ON HB 295

02:32:18 **Motion:** Rep. O'Hara moved that **HB 295 DO PASS.**

02:32:58 **Motion:** Rep. McNally moved that **HB 295 BE AMENDED.**

Discussion

02:33:05 Ms. Nowakowski, LSD

[EXHIBIT\(feh24a16\)](#)

[EXHIBIT\(feh24a17\)](#)

02:34:59 Rep. Kary

02:35:13 Ms. Nowakowski, LSD

[EXHIBIT\(feh24a18\)](#)

02:36:34 **Vote:** Motion carried 13-1 by roll call vote with Rep. Zolnikov voting no. Rep. Berry and Rep. Hagan voted by proxy.

02:36:43 **Motion:** Rep. O'Hara moved that **HB 295 DO PASS AS AMENDED.**

Discussion

02:36:52 Rep. McNally

02:37:55 Rep. Kary

02:38:10 **Substitute Motion/Vote:** Rep. O'Hara made a substitute motion that **HB 295 BE TABLED.** Substitute Motion carried unanimously by voice vote. Rep. Berry and Rep. Hagan voted by proxy.

ADJOURNMENT

Adjournment: 02:38:58

Molly Miltenberger, Secretary

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Additional Documents:

EXHIBIT([feh24aad.pdf](#))