

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS

Call to Order: Chair Keith Regier, on March 25, 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. Tom Berry (R)
Rep. Carlie Boland (D)
Rep. Roger A. Hagan (R)
Rep. Doug Kary (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. Austin Knudsen (R)

Members Absent: None

Staff Present: McKenzie Chambers, 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 587, 3/11/2013, HB 617, 3/22/2013
Executive Action: HB 617 - Do Pass As Amended`

00:52:31 Rep. Regier

HEARING ON HB 617

Opening Statement by Sponsor:

00:53:58 Rep. Kelly Flynn (R), HD 68, opened the hearing on HB 617, Study condemnation laws.

Proponents' Testimony:

00:57:06 Hertha Lund, Self

00:58:24 Rep. Knudsen joined the meeting.

01:00:38 Rep. Regier

01:00:48 Hertha Lund, Self

[EXHIBIT\(feh64a01\)](#)

[EXHIBIT\(feh64a02\)](#)

[EXHIBIT\(feh64a03\)](#)

[EXHIBIT\(feh64a04\)](#)

[EXHIBIT\(feh64a05\)](#)

01:07:03 Rep. Regier

01:07:05 Hertha Lund, Self

01:08:03 Rep. Regier

01:08:10 Hertha Lund, Self

01:08:41 Rep. Regier

01:08:56 Jay Bodner, Montana Stockgrowers Association (MSGA)

01:09:41 John Youngberg, Montana Farm Bureau Federation (MFBF)

Opponents' Testimony:

01:10:40 John Fitzpatrick, NorthWestern Energy

[EXHIBIT\(feh64a06\)](#)

01:20:13 Darryl James, Montana-Alberta Tie-Line Project (MATL), Enbridge

[EXHIBIT\(feh64a07\)](#)

01:21:01 Rep. Regier

01:21:02 Darryl James, Enbridge

[EXHIBIT\(feh64a08\)](#)

[EXHIBIT\(feh64a09\)](#)

01:26:16 Rep. Regier

01:26:19 Darryl James, Enbridge

[EXHIBIT\(feh64a10\)](#)

01:30:44 John Alke, Montana-Dakota Utilities Co. (MDU)

[EXHIBIT\(feh64a11\)](#)

[EXHIBIT\(feh64a12\)](#)

01:32:19 Charles Wideman, Self

Informational Testimony:

01:34:13 Edward G. Beaudette, Staff Attorney, Legal Services, Montana Department of Transportation (MDT)

Questions from Committee Members and Responses:

01:37:29 Rep. Boland

01:38:03 Charles Wideman, Self

01:38:19 Rep. Regier
01:38:27 Rep. Flynn
01:39:44 Rep. Regier
01:40:10 Rep. Flynn
01:40:38 Rep. Regier
01:40:42 Rep. Flynn
01:41:00 Rep. Regier
01:41:34 Rep. Flynn
01:41:58 Rep. Regier
01:42:05 Rep. Flynn
01:42:59 Rep. Regier
01:43:19 Rep. Flynn
01:44:02 Rep. Regier
01:44:10 Rep. Flynn
01:44:41 Rep. Regier
01:44:53 Rep. McNally
01:45:15 Rep. Flynn
01:46:01 Rep. McNally
01:46:13 Rep. Flynn

Closing by Sponsor:

01:47:23 Rep. Flynn
01:53:50 Rep. Regier

HEARING ON HB 587

Opening Statement by Sponsor:

01:54:26 Rep. Douglas Coffin (D), HD 93, opened the hearing on HB 587, Generally revise carbon based fuel taxation laws.

Proponents' Testimony:

01:59:44 Derf Johnson, Montana Environmental Information Center (MEIC)

[EXHIBIT\(feh64a13\)](#)

[EXHIBIT\(feh64a14\)](#)

[EXHIBIT\(feh64a15\)](#)

[EXHIBIT\(feh64a16\)](#)

02:11:34 Gary Peterson, Self

02:15:45 Clayton Elliott, Northern Plains Resource Council

02:16:24 Rep. Regier

Opponents' Testimony:

02:16:38 Dave Galt, Executive Director, Montana Petroleum Association (MPA)

02:24:49 Dennis Iverson, Northern Montana Oil and Gas Association (NMOGA)

Informational Testimony:

02:26:55 Tom Richmond, Administrator and Petroleum Engineer, Montana Board of Oil and Gas Conservation (MBOGC), Montana Department of Natural Resources and Conservation (DNRC)

03:26:02 Rep. Regier
02:27:06 Tom Richmond, MBOGC
02:28:07 Eric Dale, Tax Analyst, Tax Policy and Research Office, Montana Department of Revenue (DOR)

Questions from Committee Members and Responses:

02:28:34 Rep. Kary
02:29:03 Rep. Coffin
02:29:06 Rep. Kary
02:29:12 Rep. Coffin
02:29:32 Rep. Regier
02:29:34 Rep. Kary
02:29:41 Tom Richmond, MBOGC
02:30:48 Rep. Kary
02:30:53 Tom Richmond, MBOGC
02:31:17 Rep. Knudsen
02:31:32 Gary Peterson, Self
02:31:43 Rep. Knudsen
02:31:50 Gary Peterson, Self
02:31:53 Rep. Knudsen
02:31:58 Gary Peterson, Self
02:32:06 Rep. Knudsen
02:32:32 Gary Peterson, Self
02:33:18 Rep. Regier
02:33:41 Tom Richmond, MBOGC
02:35:33 Rep. Regier
02:35:39 Rep. McNally
02:36:15 Derf Johnson, MEIC
02:37:04 Rep. McNally
02:37:18 Derf Johnson, MEIC
02:37:28 Rep. McNally
02:37:48 Tom Richmond, MBOGC
02:40:12 Rep. Knudsen
02:40:34 Rep. Coffin
02:40:42 Rep. Knudsen

Closing by Sponsor:

02:40:54 Rep. Coffin
02:42:36 Rep. Knudsen left the meeting.
02:45:34 Rep. Regier
02:47:07 Hope Stockwell, Legislative Services Division (LSD)
02:47:18 Rep. Regier
02:47:24 Hope Stockwell, LSD

[EXHIBIT\(feh64a17\)](#)

[EXHIBIT\(feh64a18\)](#)

[EXHIBIT\(feh64a19\)](#)

02:48:13 Rep. Regier

02:48:21 Recessed
03:01:07 Reconvened

EXECUTIVE ACTION ON HB 617

03:01:08 Rep. Regier
03:02:22 Rep. Kary
03:02:30 Rep. Regier
03:02:38 Rep. Kary
03:02:40 Rep. Regier
03:03:29 Rep. Lang
03:03:43 Hope Stockwell, LSD
03:03:49 Rep. Regier
03:04:27 Hope Stockwell, LSD

EXHIBIT(feh64a20)

03:04:47 Rep. Regier
03:04:59 Hope Stockwell, LSD
03:07:28 Rep. Regier
03:07:32 Hope Stockwell, LSD
03:08:09 Rep. Regier
03:08:13 Hope Stockwell, LSD
03:08:16 Rep. Regier
03:09:02 Rep. Knudsen
03:09:18 Rep. Regier
03:09:20 Hope Stockwell, LSD
03:09:21 Rep. Regier
03:10:05 Hope Stockwell, LSD
03:10:27 Rep. Regier
03:10:31 Hope Stockwell, LSD

EXHIBIT(feh64a21)

03:10:54 Rep. Regier
03:11:00 Hope Stockwell, LSD
03:11:12 Rep. Regier
03:12:20 Hope Stockwell, LSD

EXHIBIT(feh64a22)

03:12:57 Rep. Knudsen
03:13:00 Hope Stockwell, LSD
03:13:07 Rep. Regier
03:13:11 Hope Stockwell, LSD
03:13:15 Rep. Regier
03:13:30 Hope Stockwell, LSD
03:13:43 Rep. Regier
03:13:52 Hope Stockwell, LSD

EXHIBIT(feh64a23)

03:13:58 Rep. Regier
03:14:03 Hope Stockwell, LSD
03:14:04 Rep. Regier
03:14:08 Hope Stockwell, LSD
03:14:13 Rep. Regier
03:14:39 Hope Stockwell, LSD
03:14:47 Rep. Regier

03:14:57 Hope Stockwell, LSD
03:15:00 Rep. Regier
03:15:06 Hope Stockwell, LSD
03:15:11 Rep. Regier
03:15:26 Hope Stockwell, LSD
03:15:31 Rep. D. Moore
03:15:35 Rep. Regier

03:16:50 **Motion:** Rep. O'Hara moved that **HB 617 DO PASS.**

Discussion:

03:15:59 Rep. Regier

03:16:10 **Motion:** Rep. O'Hara moved that **HB 617 BE AMENDED.**
[EXHIBIT\(feh64a24\)](#)

Discussion:

03:16:25 Rep. Regier

03:16:36 **Vote:** Motion carried unanimously by voice vote.

03:16:40 **Motion:** Rep. O'Hara moved that **HB 617 DO PASS AS AMENDED.**

03:16:50 **Motion:** Rep. O'Hara moved that **HB 617 BE AMENDED.**
[EXHIBIT\(feh64a25\)](#)

Discussion:

03:17:05 Rep. Regier

03:17:35 **Vote:** Motion carried 13-1 by voice vote with Rep. Lang voting no.

03:17:40 **Motion:** Rep. O'Hara moved that **HB 617 DO PASS AS AMENDED.**

03:17:47 **Motion:** Rep. O'Hara moved that **HB 617 BE AMENDED.**
[EXHIBIT\(feh64a26\)](#)

Discussion:

03:18:14 Hope Stockwell, LSD
03:18:24 Rep. Regier

03:18:31 **Vote:** Motion carried unanimously by voice vote.

03:18:33 **Motion:** Rep. O'Hara moved that **HB 617 DO PASS AS AMENDED.**

Discussion:

03:18:42 Rep. Regier
03:18:56 Hope Stockwell, LSD
03:19:01 Rep. Kary
03:19:05 Rep. Regier
03:19:06 Rep. Kary

03:19:12 Rep. Regier
 03:19:20 Rep. Kary
 03:19:21 Rep. Regier
 03:19:27 Rep. Kary
 03:19:29 Rep. Regier
 03:19:40 Rep. Berry
 03:19:53 Rep. Regier
 03:19:57 Hope Stockwell, LSD
 03:20:03 Rep. Regier
 03:20:13 Rep. Berry
 03:20:20 Hope Stockwell, LSD
 03:20:24 Rep. Berry
 03:20:28 Rep. Regier
 03:20:36 Hope Stockwell, LSD
 03:21:17 Rep. Zolnikov
 03:21:22 Hope Stockwell, LSD
 03:21:30 Rep. Regier
 03:21:31 Hope Stockwell, LSD
 03:21:54 Rep. Regier
 03:22:01 Rep. Zolnikov
 03:22:29 Rep. Knudsen
 03:23:01 Rep. Regier
 03:23:05 Rep. Boland
 03:23:16 Hope Stockwell, LSD
 03:23:40 Rep. Kary
 03:24:03 Rep. Regier
 03:24:05 Rep. Kary
 03:24:11 Rep. Regier
 03:25:02 Hope Stockwell, LSD

03:25:40 **Motion/Vote:** Rep. O'Hara moved that **HB 617 BE AMENDED**. Motion carried unanimously by voice vote.

03:26:01 **Motion:** Rep. O'Hara moved that **HB 617 DO PASS AS AMENDED**.

Discussion:

03:26:10 Rep. Regier
 03:26:13 Hope Stockwell, LSD
 03:26:33 Rep. Regier
 03:26:40 Rep. D. Moore
 03:26:56 Rep. Regier

03:27:03 **Vote:** Motion carried 10-4 by roll call vote with Rep. Berry, Rep. Hagan, Rep. Lang and Rep. Moore voting no.

03:27:59 Rep. Regier
 03:28:27 Rep. Kary
 03:28:32 Rep. Regier
 03:28:35 Hope Stockwell, LSD
 03:28:59 Rep. Regier

ADJOURNMENT

Adjournment: 03:29:28

McKenzie Chambers, Secretary

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Additional Documents:

EXHIBIT([feh64aad.pdf](#))