

## MINUTES

### MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON ENERGY AND TELECOMMUNICATIONS

**Call to Order:** Chair Alan Olson, on March 7, 2013 at 3:00 PM, in Room 317 Capitol

#### ROLL CALL

**Members Present:**

Sen. Alan Olson, Chair (R)  
Sen. Verdell Jackson, Vice Chair (R)  
Sen. Ron Arthun (R)  
Sen. Robyn Driscoll (D)  
Sen. Greg Jergeson (D)  
Sen. Christine Kaufmann (D)  
Sen. Cliff Larsen (D)  
Sen. Mitch Tropila (D)

**Members Excused:**

Sen. Jeff Essmann (R)  
Sen. Llew Jones (R)  
Sen. Jason Priest (R)  
Sen. Chas Vincent (R)  
Sen. Edward Walker (R)

**Members Absent:** None

**Staff Present:** Julie Emge, Committee Secretary  
Sonja Nowakowski, 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 226, 3/5/2013; SR 12, 3/5/2013; SR 13, 3/5/2013

Executive Action: SR 12 - Adopted  
SR 13 - Adopted  
SB 243 - Tabled

**HEARING ON SR 12**

**Opening Statement by Sponsor:**

00:14:45 Sen. Alan Olson (R), SD 23, opened the hearing on SR 12, Confirm Governor's appointee to Northwest Power Planning Conservation Council.

**Proponents' Testimony:**

00:15:58 Pat Smith, representing himself  
[EXHIBIT\(ens49a01\)](#)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:21:26 Sen. Larsen  
00:21:57 Sen. Tropila  
00:22:09 Mr. Smith, self  
00:22:32 Sen. Jergeson  
00:22:51 Mr. Smith  
00:23:05 Sen. Jergeson

**Closing by Sponsor:**

00:23:26 Sen. Olson

**HEARING ON SR 13**

**Opening Statement by Sponsor:**

00:24:27 Sen. Alan Olson (R), SD 23, opened the hearing on SR 13, Confirm Governor's appointee to Northwest Power Planning Conservation Council.

**Proponents' Testimony:**

00:25:23 Jennifer Anders, representing herself  
[EXHIBIT\(ens49a02\)](#)

00:27:00 John Connor, representing himself

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

00:30:26 Sen. Olson

**HEARING ON HB 226**

**Opening Statement by Sponsor:**

00:32:41 Rep. Donald Jones (R), HD 56, opened the hearing on HB 226, Exempt computer professionals from overtime pay.

**Proponents' Testimony:**

00:34:23 Ed Bartlett, representing Billings Chamber of Commerce (BCC) and Employee Benefit Management Services, Inc. (EBMS)  
 00:42:18 Riley Johnson, National Federation of Independent Business (NFIB)  
 00:45:03 Glenn Oppel, Government Relations Director, Montana Chamber of Commerce (MCC)

**Opponents' Testimony:**

00:45:26 JC Weingartner, representing Montana Education Association, Montana Federation of Teachers (MEA-MFT)  
 00:49:27 Chris Cavazos, Co-Director, Montana American Federation of Labor and Congress of Industrial Organizations (MT-AFL-CIO)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:50:59 Sen. Larsen  
 00:53:41 Rep. Jones  
 00:55:06 Sen. Jackson  
 00:55:45 Rep. Jones  
 00:56:35 Sen. Tropila  
 00:59:37 Rep. Jones  
 01:00:39 Sen. Tropila  
 01:03:10 Mr. Johnson, NFIB  
 01:03:52 Sen. Kaufmann  
 01:06:32 Rep. Jones  
 01:07:08 Sen. Tropila  
 01:09:50 Rep. Jones  
 01:10:23 Sen. Kaufmann  
 01:10:44 Rep. Jones  
 01:11:00 Sen. Tropila  
 01:12:50 Rep. Jones  
  
 01:13:08 Sen. Arthun left the hearing.

**Closing by Sponsor:**

01:13:43 Rep. Jones

**EXECUTIVE ACTION ON SR 12**

01:15:30 **Motion/Vote:** Sen. Larsen moved that **SR 12 BE ADOPTED**. Motion carried 13-0 by voice vote. Sen. Arthun, Sen. Essmann, Sen. Jones, Sen. Priest, Sen. Vincent and Sen. Walker voted by proxy.

**EXECUTIVE ACTION ON SR 13**

01:16:23 **Motion/Vote:** Sen. Tropila moved that **SR 13 BE ADOPTED**. Motion carried 13-0 by voice vote. Sen. Arthun, Sen. Essmann, Sen. Jones, Sen. Priest, Sen. Vincent and Sen. Walker voted by proxy.

**EXECUTIVE ACTION ON SB 243**

01:17:35 **Motion:** Sen. Jackson moved that **SB 243 DO PASS**.

**Discussion:**

01:17:50 Sen. Larsen

01:18:16 Sen. Arthun entered the hearing.

01:20:58 Chairman Olson

01:21:15 Sen. Jackson

01:22:26 Sen. Larsen

01:22:58 Chairman Olson

01:23:05 Sen. Kaufmann

01:24:47 Chairman Olson

01:25:28 Sen. Jergeson

01:26:01 Sen. Tropila

01:26:40 Sen. Jackson

01:27:37 **Vote:** Motion failed 5-8 by roll call vote with Sen. Arthun, Sen. Jackson, Sen. Jergeson, Sen. Larsen and Sen. Olson voting aye. Sen. Essmann, Sen. Jones, Sen. Priest, Sen. Vincent and Sen. Walker voted by proxy.

01:28:00 Sen. Arthun left the hearing.

01:28:39 **Motion/Vote:** Sen. Tropila moved that **SB 243 BE TABLED**. Motion carried 8-5 by roll call vote with Sen. Arthun, Sen. Jackson, Sen. Jergeson, Sen. Larsen and Sen. Olson voting no. Sen. Arthun, Sen. Essmann, Sen. Jones, Sen. Priest, Sen. Vincent and Sen. Walker voted by proxy.

**ADJOURNMENT**

Adjournment: 4:20 pm

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Julie Emge, Secretary

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Additional Documents:

**EXHIBIT([ens49aad.pdf](#))**