

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: By Chairman Walter McNutt, on February 12, 2007
at 3:00 P.M., in Room 472 Capitol.

ROLL CALL

Members Present:

Rep. Walter McNutt, Chairman (R)
Rep. Ron Erickson, Vice Chairman (D)
Rep. Ralph Heinert, Vice Chairman (R)
Rep. Duane Ankney (R)
Rep. Debby Barrett (R)
Rep. Jill Cohenour (D)
Rep. Sue Dickenson (D)
Rep. Betsy Hands (D)
Rep. Gordon R. Hendrick (R)
Rep. Carol Lambert (R)
Rep. Scott Mendenhall (R)
Rep. JP Pomnichowski (D)
Rep. John (Jack) W. Ross (R)
Rep. Veronica Small-Eastman (D)
Rep. Kendall Van Dyk (D)
Rep. Chas Vincent (R)

Members Excused: None

Members Absent: None

Staff Present: Krista Lee Evans, Legislative Branch
Nancy Kraft, 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 408, 2/8/2007
Executive Action: HJ 8; HJ 14

HEARING ON HB 408

Opening Statement by Sponsor:

00:01:56 Rep. Brady Wiseman (D), HD 65, opened the hearing on HB 408, Prohibit tire or hazardous waste incineration for energy generation.

Proponents' Testimony:

00:10:51 Richard Oppen, Director, Department of Environmental Quality

00:12:41 Trace McLeay, Missoula, Montana

[EXHIBIT\(nah31a01\)](#)

00:16:50 Paul Johnson

[EXHIBIT\(nah31a02\)](#)

00:21:22 Ann Hedges, Environmental Information Center (EIC)

[EXHIBIT\(nah31a03\)](#)

00:29:30 Luke Omahandro, Montanans Against Toxic Burning (MATB)

[EXHIBIT\(nah31a04\)](#)

00:37:22 Jennifer Swearingen, MATB

[EXHIBIT\(nah31a05\)](#)

00:43:30 Dr. Allen Warner, MATB

00:46:26 Dr. Collette Kirchhoff, MATB

[EXHIBIT\(nah31a06\)](#)

00:54:53 Marlyn Atkins

00:55:08 Stephanie Ambrose Tubbs

00:55:28 Hal Stearns

00:55:43 Jeff Vandernorf, MATB

[EXHIBIT\(nah31a07\)](#)

00:56:00 Denise Hayman, MATB

00:56:13 Chris Thomas, MATB

00:56:37 Steve Gilbert

Opponents' Testimony:

00:57:04 Michael Blumenthal, Rubber Manufacturers' Association

[EXHIBIT\(nah31a08\)](#)

[EXHIBIT\(nah31a09\)](#)

[EXHIBIT\(nah31a10\)](#)

01:05:56 Bud Clinch

01:11:28 Nicole Prokop, Holcim (US) Incorporated

[EXHIBIT\(nah31a11\)](#)

01:15:13 Cary Hegreberg, Montana Contractors' Association

01:18:22 Leo Berry, Attorney representing Ash Grove Cement, Helena, Montana

01:21:50 Don Serba, Western Environmental Trade Association (WETA)

01:25:40 Don Quander, Attorney representing Holcim (US)
Incorporated, Billings, Montana

EXHIBIT(nah31a12)

01:33:25 Clinton Cain, Bozeman, Montana

EXHIBIT(nah31a13)

01:36:33 Eric Ervin, Plant Manager, Holcim Plant

EXHIBIT(nah31a14)

01:42:23 Debbie Shea, Montana Mining Association

01:42:56 Spook Stang, Montana Motor Carriers' Association

01:43:11 Margaret Morgan for Brad Griffin, Montana Tire Dealers'
Association

01:43:32 Dick Johnson, Ash Grove Cement, Montana City

01:43:49 Joe Scheeler, Ash Grove Cement, Montana City

01:44:02 Webb Brown, Montana Chamber of Commerce

Informational Testimony:

01:44:18 Barbara Broberg, Montana Women Involved in Farm
Economics (WIFE)

Questions from Committee Members and Responses:

00:51:22 Rep. Cohenour

00:51:53 Dr. Omahandro

00:52:54 Rep. Cohenour

00:54:03 Dr. Kirchoff

01:45:55 Rep. Dickenson

01:47:13 Ms. Swearingen

01:49:36 Rep. Heinert

01:53:36 Ms. Hedges

01:56:15 Rep. Heinert

01:56:32 Mr. Oppen

02:00:40 Rep. Cohenour

02:02:00 Mr. Blumenthal

02:02:32 Rep. Cohenour

02:03:13 Ms. Hedges

02:04:19 Mr. Oppen

02:04:55 Recess

03:31:59 Rep. Ankney

03:32:29 Eric Ervin

03:34:34 Rep. Erickson

03:35:03 Ms. Swearingen

03:36:27 Rep. Erickson

03:37:00 Mr. Oppen

03:38:29 Rep. Hands

03:41:56 Mr. Oppen

03:45:29 Rep. Barrett

03:46:11 Mr. Opper
03:49:41 Rep. Mendenhall
03:52:22 Mr. Opper
03:55:25 Rep. Dickenson
03:56:23 Mr. Opper
03:57:34 Rep. Cohenour
04:00:35 Mr. Opper
04:01:10 Rep. Cohenour
04:02:12 Rep. Wiseman
04:02:43 Rep. Heinert
04:03:20 Mr. Opper
04:04:00 Rep. Heinert
04:04:53 Mr. Blumenthal
04:06:40 Rep. Heinert
04:08:45 Mr. Ervin
04:11:17 Rep. Ankney
04:11:58 Mr. Opper
04:14:12 Rep. Ross
04:14:49 Rep. Wiseman
04:15:50 Rep. Erickson
04:17:24 Ms. Hedges
04:17:53 Rep. Cohenour
04:18:32 Mr. Opper
04:20:50 Mr. Ervin
04:24:06 Rep. Pomnichowski
04:26:13 Mr. Ervin
04:29:00 Rep. Pomnichowski
04:34:08 Mr. Opper

Closing by Sponsor:

04:34:52 Rep. Wiseman
EXHIBIT(nah31a15)

EXECUTIVE ACTION ON HJ 8

04:42:27 **Motion:** Rep. Heinert moved that HJ 8 **BE ADOPTED.**

Discussion:

04:42:43 Rep. Erickson
04:44:42 Rep. Vincent
04:45:01 Rep. Erickson
04:45:55 Rep. Vincent
04:49:40 Rep. Hendrick
04:53:10 Rep. Hands
04:55:07 Rep. Hendrick

04:55:22 **Vote:** Motion carried 10-6 by roll call vote with Reps. Cohenour, Erickson, Hands, Pomnichowski, Small-Eastman, Van Dyk voting no. Rep. Small-Eastman voted by proxy.

EXECUTIVE ACTION ON HJ 14

04:56:37 **Motion:** Rep. Heinert moved that HJ 14 **BE ADOPTED**.

04:56:46 **Motion/Vote:** Rep. Heinert moved that HJ 14 **BE AMENDED**. Motion carried unanimously by voice vote. Rep. Small-Eastman voted by proxy.

EXHIBIT(nah31a16)

04:57:48 **Motion/Vote:** Rep. Heinert moved that HJ 14 **BE ADOPTED AS AMENDED**. Motion carried unanimously by voice vote. Rep. Small-Eastman voted by proxy.

Additional Exhibits:

Document pertaining to HB 408 received after the Hearing

EXHIBIT(nah31a17)

ADJOURNMENT

04:59:53 Adjournment: 8:05 P.M.

REP. WALTER MCNUTT, Chairman

NANCY KRAFT, Secretary

WM/nk

Additional Exhibits:

EXHIBIT ([nah31aad.pdf](#))