

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES  
60th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS**

**Call to Order:** By **VICE CHAIRMAN KLOCK**, on February 19, 2007 at 3:20 P.M., in Room 172 Capitol.

**ROLL CALL**

**Members Present:**

Rep. Alan Olson, Chairman (R)  
Rep. George G. Groesbeck, Vice Chairman (D)  
Rep. Harry Klock, Vice Chairman (R)  
Rep. Scott Boggio (R)  
Rep. Robyn Driscoll (D)  
Rep. Dave Gallik (D)  
Rep. Dennis Himmelberger (R)  
Rep. Llew Jones (R)  
Rep. Diane Rice (R)  
Rep. Wayne Stahl (R)  
Rep. Bill Thomas (D)  
Rep. Jonathan Windy Boy (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Todd Everts, Legislative Branch  
Cindy Peterson, 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 586, 2/6/2007; HB 602, 2/8/2007;  
HB 611, 2/8/2007; HB 699, 2/14/2007  
Executive Action: HB 602, HB 699, HB 681, HB 688, HB  
689

**HEARING ON HB 602**

**Opening Statement by Sponsor:**

00:00:40 Rep. Veronica Small-eastman (D), HD 42, opened the hearing on HB 602, coal bed methane impact board.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:01:55 Rep. Windy Boy

**Closing by Sponsor:**

00:02:17 Rep. Small Eastman

**EXECUTIVE ACTION ON HB 602**

00:02:31 **Motion:** Rep. Groesbeck moved that HB 602 **DO PASS**.

00:02:40 **Substitute Motion/Vote:** Rep. Rice made a substitute motion that HB 602 **BE TABLED**. Substitute motion carried unanimously by voice vote.

**HEARING ON HB 611**

**Opening Statement by Sponsor:**

00:03:35 Rep. Hal Jacobson (D), HD 82, opened the hearing on HB 611, revise laws related to telecommunications access services.

**Proponents' Testimony:**

00:07:45 Sarah Eyer

00:10:37 Ron Bibler, Great Falls

**EXHIBIT (feh37a01)**

00:16:34 Geoff Feiss, Montana Telecommunications Association

00:19:02 Linda Pouliot

**EXHIBIT (feh37a02)**

00:21:25 Phil Maxwell, Three Rivers Telephone Cooperative

00:22:13 Tom Pouliot  
00:23:52 Char Harasymczuk, President, Montana Association for  
the Deaf

**Opponents' Testimony:**

00:25:13 Dennis Lopach, TracFone

**Informational Testimony:**

00:29:43 Jim McKeon, Miscellaneous Tax Division, Department of  
Revenue  
00:31:25 Connie Phelps, Executive Director, Montana  
Communications Access Program

(Rep. Olson arrives)

**Questions from Committee Members and Responses:**

00:33:16 Rep. Windy Boy  
00:33:48 Mr. McKeon  
00:35:02 Rep. Windy Boy  
00:35:12 Mr. Lopach  
00:36:08 Rep. Groesbeck  
00:36:46 Mr. Lopach  
00:37:49 Rep. Groesbeck  
00:37:59 Mr. Lopach  
00:38:23 Rep. Groesbeck  
00:39:03 Mr. Lopach

**Closing by Sponsor:**

00:39:50 Rep. Jacobson

**HEARING ON HB 699**

**Opening Statement by Sponsor:**

00:42:16 Rep. Jonathan Windy Boy (D), HD 32, opened the hearing  
on HB 699, fair and equitable distribution of low-  
income energy funds to tribes.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

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

**Closing by Sponsor:** None

**HEARING ON HB 586**

**Opening Statement by Sponsor:**

00:43:00 Rep. Jonathan Windy Boy (D), HD 32, opened the hearing on HB 586, air quality emission limits for power plants.

**Proponents' Testimony:**

00:45:21 Cheryl Reichert, M.D., Ph.D., Great Falls

[EXHIBIT \(feh37a03\)](#)

00:50:22 Dr. Charles Christiansen, Pediatrician from Great Falls

[EXHIBIT \(feh37a04\)](#)

[EXHIBIT \(feh37a05\)](#)

01:00:29 Rainbow Stump, Stone Child College

01:02:22 Elsie Stump, Stone Child College

01:03:38 Cherie Alexander, Stone Child College

01:04:42 Gabe Demontiney, Stone Child College

01:07:54 Jason Rosette, Stone Child College

01:09:04 Marilee Russell, an instructor from Stone Child College

01:12:47 Rep. Arlene Becker, HD 52, Billings

01:14:32 Butch Hankins, Square Butte, Montana

01:16:32 Matt Leow, MontPIRG

[EXHIBIT \(feh37a06\)](#)

01:19:08 Bob Clark, Montana Chapter of Sierra Club

01:21:13 Wade Sikorski

[EXHIBIT \(feh37a07\)](#)

[EXHIBIT \(feh37a08\)](#)

01:22:30 Denise Barber

01:23:12 Mark Aagenes, Montana Trout Unlimited

01:24:24 Ann Hedges, Montana Environmental Information Center

01:26:19 Molly Immen, Montana Audubon

[EXHIBIT \(feh37a09\)](#)

01:27:01 Sandra Mauro

01:27:17 Charles Bocock

01:28:08 Lisa Hardiman, Great Falls

**Opponents' Testimony:**

01:30:17 Mark Lambrecht, PPL Montana

[EXHIBIT \(feh37a10\)](#)

01:38:29 John Alke, Montana Dakota Utilities  
**EXHIBIT (feh37a11)**  
01:48:39 Tom Ebzery, Puget Sound Energy, Portland General  
Electric, Avista Corp., and Pacificorp  
01:50:48 Candace Payne, Southern Montana Electric Generation and  
Transmission Cooperative  
01:52:32 Leo Berry, Great Northern Power Development  
01:54:44 John Prinkki, Southern Montana Electric Generation and  
Transmission Cooperative  
01:57:36 Don Allen, Western Environmental Trade Association

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:00:20 Rep. Groesbeck  
02:04:36 Mr. Lambrecht  
02:07:00 Rep. Groesbeck  
02:08:01 Mr. Lambrecht  
02:08:54 Rep. Groesbeck  
02:09:54 Mr. Lambrecht  
02:10:02 Rep. Groesbeck  
02:10:17 Mr. Lambrecht  
02:10:39 Rep. Gallik  
02:11:20 Mr. Lambrecht  
02:12:19 Rep. Gallik  
02:13:03 Mr. Lambrecht  
02:14:08 Rep. Gallik  
02:14:31 Mr. Lambrecht

**EXHIBIT (feh37a12)**

**EXHIBIT (feh37a13)**

02:15:24 Rep. Gallik  
02:16:03 Mr. Lambrecht  
02:18:00 Rep. Gallik  
02:19:11 Mr. Berry  
02:21:21 Rep. Gallik  
02:21:34 Mr. Berry

**Closing by Sponsor:**

02:21:47 Rep. Windy Boy

**EXECUTIVE ACTION ON HB 699**

02:29:27 **Motion:** Rep. Windy Boy moved that HB 699 **DO PASS**.

02:29:37 **Substitute Motion/Vote:** Rep. Groesbeck made a substitute motion that HB 699 **BE TABLED**. Substitute motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 681**

02:30:16 **Motion:** Rep. Driscoll moved that HB 681 **DO PASS**.

02:30:33 **Motion/Vote:** Rep. Driscoll moved that HB 681 **BE AMENDED**. Motion carried 11-1 by voice vote with Rep. Gallik voting no and Rep. Windy Boy voting aye by proxy.

**EXHIBIT (feh37a14)**

02:32:05 **Motion:** Rep. Driscoll moved that HB 681 **DO PASS AS AMENDED**.

02:32:20 **Motion/Vote:** Rep. Olson moved that HB 681 **BE AMENDED** and that the vote be only on the second amendment on Exhibit 15. Motion carried 11-1 by voice vote with Rep. Gallik voting no.

**EXHIBIT (feh37a15)**

02:33:36 **Motion:** Rep. Driscoll moved that HB 681 **DO PASS AS AMENDED**.

**Discussion:**

02:33:52 Rep. Driscoll

02:34:23 **Vote:** Motion carried unanimously by roll call vote.

**EXECUTIVE ACTION ON HB 688**

02:35:50 **Motion:** Rep. Klock moved that HB 688 **DO PASS**.

**Discussion:**

02:36:31 Rep. Olson

02:36:45 **Vote:** Motion carried unanimously by voice vote with  
Rep. Windy Boy voting aye by proxy.

**EXECUTIVE ACTION ON HB 689**

02:37:17 **Motion:** Rep. Klock moved that HB 689 **DO PASS**.

**Discussion:**

02:38:25 Rep. Olson  
02:38:40 Rep. Gallik  
02:40:05 Rep. Olson  
02:40:25 Rep. Gallik

02:41:03 **Vote:** Motion carried 8-4 by roll call vote with Rep.  
Driscoll, Rep. Gallik, Rep. Groesbeck, and Rep. Thomas  
voting no.

**Additional Exhibits:**

Letters submitted by Joe Wirak  
**EXHIBIT (feh37a16)**  
*National Wildlife Magazine* article  
**EXHIBIT (feh37a17)**  
Map of prevailing wind pattern  
**EXHIBIT (feh37a18)**

**ADJOURNMENT**

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02:44:52 Adjournment.

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REP. ALAN OLSON, Chairman

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CINDY PETERSON, Secretary

AO/cp

Additional Exhibits:

**EXHIBIT ([feh37aad.pdf](#))**