

## **MINUTES**

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

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

**Call to Order:** By **VICE CHAIRMAN HARRY KLOCK**, on March 26, 2007  
at 3:42 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 828, 3/21/2007; HJR 49,  
3/22/2007  
Executive Action: SB 448, HJR 49

**HEARING ON HJR 49**

**Opening Statement by Sponsor:**

00:00:45 Rep. Bill Thomas (D), HD 26, opened the hearing on HJR 49, Study distributed energy.

**Proponents' Testimony:**

00:02:03 Doug Hardy, Montana Electric Cooperatives

**Opponents' Testimony:**

00:03:03 Patrick Judge, Montana Environmental Information Center

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:08:35 Rep. Groesbeck  
00:09:00 Mr. Judge  
00:09:46 Rep. Gallik  
00:10:38 Mr. Judge

**Closing by Sponsor:**

00:12:06 Rep. Thomas

**EXECUTIVE ACTION ON SB 448**

00:15:05 Todd Everts, Legislative Environmental Analyst

00:16:14 **Motion:** Rep. Groesbeck moved that SB 448 **BE CONCURRED IN.**

00:16:35 **Motion:** Rep. Himmelberger moved that SB 448 **BE AMENDED.**

**EXHIBIT** (feh64a01)

**Discussion:**

00:17:18 Rep. Stahl

00:18:26 **Vote:** Motion carried 10-2 by voice vote with Rep. Rice and Rep. Stahl voting no and Rep. Windy Boy, Rep. Thomas, Rep. Olson and Rep. Jones voting aye by proxy.

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00:19:03 **Motion:** Rep. Himmelberger moved that SB 448 **BE  
CONCURRED IN AS AMENDED.**

**Discussion:**

00:19:16 Mr. Everts  
00:22:10 Rep. Gallik  
00:23:19 Mr. Everts

00:23:53 **Motion:** Rep. Stahl moved that SB 448 **BE AMENDED.  
[EXHIBIT](#)(feh64a02)**

**Discussion:**

00:24:21 Rep. Gallik  
00:24:36 Mr. Everts  
00:25:15 Rep. Gallik

00:26:16 **Vote:** Motion carried 10-2 by roll call vote with Rep.  
Gallik and Rep. Himmelberger voting no and Rep. Jones,  
Rep. Windy Boy and Rep. Olson voting aye by proxy.

00:27:41 **Motion:** Rep. Himmelberger moved that SB 448 **BE  
CONCURRED IN AS AMENDED.**

00:27:57 **Substitute Motion/Vote:** Rep. Stahl made a substitute  
motion that SB 448 **BE TABLED.** Substitute motion failed  
4-8 by roll call vote with Rep. Himmelberger, Rep.  
Jones, Rep. Rice, and Rep. Stahl voting aye. Rep.  
Jones voted aye by proxy and Rep. Windy Boy and Rep.  
Olson voted no by proxy.

**Discussion:**

00:29:25 Rep. Stahl  
00:29:57 Rep. Gallik  
00:30:33 Rep. Groesbeck  
00:34:58 Rep. Boggio  
00:35:55 Mr. Everts  
00:36:40 Rep. Boggio  
00:36:53 Mr. Everts  
00:37:18 Rep. Boggio  
00:37:45 Rep. Himmelberger  
00:38:25 Rep. Groesbeck  
00:38:56 Mr. Everts  
00:39:26 Rep. Himmelberger  
00:40:07 Rep. Groesbeck  
00:40:29 Rep. Himmelberger

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00:41:53 Rep. Stahl  
00:42:20 Rep. Olson  
00:43:50 Rep. Gallik  
00:46:41 Rep. Groesbeck  
00:48:09 Rep. Stahl  
00:49:00 Rep. Olson  
00:49:22 Rep. Himmelberger  
00:49:33 Rep. Stahl  
00:50:17 Mr. Everts  
00:50:52 Rep. Stahl  
00:51:26 Rep. Olson  
00:51:35 Mr. Everts  
00:52:30 Rep. Stahl  
00:52:57 Mr. Everts  
00:53:35 Rep. Groesbeck  
00:54:39 Rep. Stahl  
00:55:23 Rep. Himmelberger  
00:55:51 Rep. Olson  
00:56:45 Rep. Himmelberger  
00:56:55 Rep. Olson  
00:57:10 Rep. Gallik  
00:58:20 Rep. Stahl  
00:59:26 Rep. Olson  
01:00:26 Rep. Stahl  
01:00:36 Rep. Olson  
01:00:41 Rep. Stahl  
01:00:47 Rep. Olson

01:01:08 **Vote:** Motion carried 8-4 by roll call vote with Rep.  
Himmelberger, Rep. Jones, Rep. Rice, and Rep. Stahl  
voting no.

**HEARING ON HB 828**

**Opening Statement by Sponsor:**

01:02:52 Rep. Alan Olson (R), HD 45, opened the hearing on HB  
828, study carbon sequestration.

**Proponents' Testimony:**

01:04:46 Bud Clinch, Executive Director, Montana Coal Council  
01:07:22 Jerome Anderson, Encore Acquisition Company  
01:09:45 Todd O'Hair, Rio Tinto Energy America  
01:12:16 Gail Abercrombie, Montana Petroleum Association  
01:14:08 Ellen Engstead, Montana Wood Products Association  
01:15:42 Don Allen, Western Environmental Trade Association

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01:17:33 Haley Beaudry, Columbia Falls Aluminum Company  
01:18:31 Fred Davison, representing himself and National Carbon  
Oxide Coalition  
01:28:11 Steve Wade, Great Northern Power Development

**Opponents' Testimony:** None

**Informational Testimony:**

01:28:56 Tom Richmond, Board of Oil and Gas Conservation

**Questions from Committee Members and Responses:**

01:30:45 Rep. Groesbeck  
01:31:44 Mr. Richmond  
01:32:35 Rep. Groesbeck  
01:34:03 Mr. Richmond  
01:35:27 Rep. Groesbeck  
01:36:03 Rep. Olson  
01:36:33 Rep. Groesbeck  
01:37:42 Rep. Olson  
01:38:52 Rep. Himmelberger  
01:39:18 Rep. Olson  
01:40:05 Rep. Gallik  
01:40:55 Mr. Clinch  
01:41:27 Rep. Gallik  
01:42:35 Mr. Clinch  
01:43:22 Rep. Olson  
01:44:06 Rep. Gallik  
01:44:30 Rep. Olson  
01:44:48 Rep. Gallik  
01:45:01 Rep. Olson  
01:45:07 Rep. Gallik  
01:45:16 Rep. Olson

**Closing by Sponsor:**

01:45:58 Rep. Olson

**EXECUTIVE ACTION ON HJR 49**

01:48:30 **Motion:** Rep. Himmelberger moved that HJR 49 **DO PASS.**

**Discussion:**

01:48:43 Rep. Groesbeck  
01:49:39 Rep. Gallik

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01:50:34 Rep. Olson

01:50:54 Rep. Thomas

01:51:02 **Vote:** Motion carried 12-0 by voice vote with Rep.  
Windy Boy voting aye by proxy.

**Additional Exhibits:**

Written testimony from Mark Lambrecht, PPL Montana

**EXHIBIT** (feh64a03)

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**ADJOURNMENT**

01:51:51 Adjournment: 5:34 P.M.

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REP. ALAN OLSON, Chairman

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CINDY PETERSON, Secretary

AO/cp

Additional Exhibits:

**EXHIBIT ([feh64aad.pdf](#))**