

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS

Call to Order:

CHAIRMAN ART NOONAN, on January 14, 2009 at 2:48 P.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Art Noonan, Chairman (D)
Rep. Robyn Driscoll, Vice Chairman (D)
Rep. Harry Klock, Vice Chairman (R)
Rep. Shannon Augare (D)
Rep. Carlie Boland (D)
Rep. Llew Jones (R)
Rep. Mike Jopek (D)
Rep. Jesse O'Hara (R)
Rep. Mike Phillips (D)
Rep. Keith Regier (R)
Rep. Scott Reichner (R)
Rep. Brady Wiseman (D)

Members Excused: None.

Members Absent: Rep. Gary MacLaren (R)
Rep. Wayne Stahl (R)

Staff Present: Bryce Bennett, Committee Secretary
Todd Everts, 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 27, 1/8/2009; HB 98, 1/8/2009;
HB 121, 1/8/2009; HB 135, 1/8/2009

Executive Action: HB 82; HB 158

00:00:16 Todd Everts, Legislative Services Division (LSD),
provided a presentation on Universal System Benefits
Programs in Montana

HEARING ON HB 98

Opening Statement by Sponsor:

00:12:51 **REP. DICK BARRETT (D), HD 93**, opened the hearing on **HB 98**, Revise energy performance contracting for state buildings.

Proponents' Testimony:

00:16:55 Lou Moore, Department of Environmental Quality

00:24:13 Russ Katherman, Department of Administration

00:25:05 Timothy Tolman, McKinstry/CTA

00:30:16 Steve Truebner, Johnson Controls

[EXHIBIT\(feh08a01\)](#)

[EXHIBIT\(feh08a02\)](#)

[EXHIBIT\(feh08a03\)](#)

[EXHIBIT\(feh08a04\)](#)

00:35:42 John Fitzpatrick, Northwestern Energy

00:36:22 Jim Jensen, Montana Environmental Information Center

00:37:15 Dustin Leftridge, The Montana University System

00:38:09 Carl Schweitzer, Montana Subcontractors Association

00:38:28 Tom McCarvel, Carroll College

00:41:32 Maureen Weiland, Associated Students of Montana State University (ASMSU)

00:42:09 Sheena Rice, Montana Public Interest Research Group (MontPIRG)

00:42:38 Matt Leow, Northern Plains Resource Council

00:44:02 Matt Elsaesser, SAVE Foundation

00:44:27 Sarah Cobler, Montana Conservation Voters

Opponents' Testimony:

00:45:05 Keith Allen, International Brotherhood of Electrical Workers (IBEW)

Informational Testimony: none.

Questions from Committee Members and Responses:

00:46:45 Rep. Wiseman

00:47:17 Mr. Truebner

00:48:25 Rep. Wiseman

00:49:44 Mr. Fitzpatrick

00:50:31 Rep. Wiseman
00:50:45 Mr. Fitzpatrick

Closing by Sponsor:

00:51:39 Rep. Barrett

HEARING ON HB 27

Opening Statement by Sponsor:

00:52:48 **REP. BRADY WISEMAN (D), HD 65**, opened the hearing on **HB 27**, Revise universal system benefit laws.

Proponents' Testimony:

00:55:26 Mr. Fitzpatrick, Northwestern Energy
00:57:19 Linda Gryczan, Alternative Energy Resources
Organization (AERO)
00:59:33 Bob Decker, The Policy Institute

EXHIBIT (feh08a05)

01:04:28 Rep. MacLaren arrived at the meeting
01:06:48 Doug Hardy, Montana Electric Cooperatives Association
01:09:34 John Elk, Montana Public Utility Company
01:10:08 Anne Hedges, Montana Environmental Information Center
01:10:45 Gail Gutsche, Commissioner, Public Service Commission
01:11:21 Mary McCue, Human Resource Development Council
01:11:55 Gene Leuwer, Rocky Mountain Development Capital
01:12:17 Ms. Cobler
01:12:29 Ken Morrison, Energy Share of Montana
01:13:09 Ms. Rice
01:13:46 Ed Eaton, AARP

EXHIBIT (feh08a06)

01:14:34 Jim Nolan, self
01:15:12 Ms. Moore

Opponents' Testimony: none.

Informational Testimony: none.

Questions from Committee Members and Responses:

01:16:03 Rep. Phillips
01:16:33 Rep. Wiseman

Closing by Sponsor:

01:16:48 Rep. Wiseman

HEARING ON HB 135

Opening Statement by Sponsor:

01:18:32 **REP. TONY BELCOURT (D), HD 32**, opened the hearing on **HB 135**, Revise laws implementing the Fort Belknap-Montana Water Rights Compact.

Proponents' Testimony:

01:19:40 Susan Cottingham, Reserved Water Rights Compact Commission (RWRCC)

Opponents' Testimony: none.

Informational Testimony: none.

Questions from Committee Members and Responses:

01:26:33 Rep. Regier
01:27:26 Rep. Belcourt

Closing by Sponsor:

01:27:31 Rep. Belcourt

EXECUTIVE ACTION ON HB 82

01:28:54 **Motion:** Rep. Driscoll moved that **HB 82 DO PASS**.

Discussion:

01:28:44 Rep. Driscoll

01:29:02 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 158

01:29:58 **Motion:** Rep. Driscoll moved that **HB 158 DO PASS**.

Discussion:

01:30:05 Rep. Jones
01:31:24 Chairman Noonan

01:31:41 **Vote:** Motion carried 13-1 by voice vote with Rep.
Stahl voting no by proxy.

01:32:29 Break
01:45:04 The Committee Reconvened

HEARING ON HB 121

Opening Statement by Sponsor:

01:45:31 REP. MIKE JOPEK (D), HD 78, opened the hearing on HB
121, Revise military statutes for changes in Uniform
Code of Military Justice in place of the sponsor.
[EXHIBIT\(feh08a07\)](#)

Proponents' Testimony:

01:46:35 John Welsh, Brigadier General, Montana National Guard
[EXHIBIT\(feh08a08\)](#)
[EXHIBIT\(feh08a09\)](#)

Opponents' Testimony: none.

Informational Testimony:

01:47:40 James Moran, Colonel, Montana National Guard

Questions from Committee Members and Responses: none.

Closing by Sponsor:

01:49:03 Rep. Jopek

ADJOURNMENT

Adjournment: 4:38 P.M.

BRYCE BENNETT, Secretary

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Additional Documents:

EXHIBIT ([feh08aad.pdf](#))