

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS

Call to Order: Chairman Art Noonan, on February 21, 2009 at 6:30
A.M., in Room 152 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. Gary MacLaren (R)
Rep. Jesse O'Hara (R)
Rep. Mike Phillips (D)
Rep. Keith Regier (R)
Rep. Wayne Stahl (R)
Rep. Brady Wiseman (D)

Members Excused: None

Members Absent: Rep. Scott Reichner (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.

Due to a committee break, several audio recordings were made to cover the entirety of the meeting. After the first part of the meeting and its audio recording, a minute of silence was added to the final recording to represent the committee break before the second audio portion begins. The second portion of the audio recording for the meeting begins at the minute's time stamp of 01:03:00.

Committee Business Summary:

Hearing & Date Posted: None

Executive Action: HB 375; HB 483; HB 529; HB 566;
HJ 23

00:00:27 Chairman Noonan made committee announcements.

EXECUTIVE ACTION ON HB 483

00:04:56 **Motion:** Rep. Jones moved that **HB 483 DO PASS.**

00:05:18 **Motion:** Rep. Jones moved that **HB 483 BE AMENDED.**
EXHIBIT (feh41a01)

Discussion:

00:05:43 Rep. Driscoll

00:06:11 Todd Everts, Legislative Services Division (LSD)

00:06:23 Rep. Reichner arrived.

00:06:36 Chairman Noonan

00:06:51 Rep. Jones

00:07:17 Mr. Everts

00:07:26 Rep. Phillips

00:07:52 **Vote:** Motion carried 13-1 by voice vote with Rep.
Phillips voting no.

00:08:17 **Motion:** Rep. Jopek moved that **HB 483 BE AMENDED.**
EXHIBIT (feh41a02)

Discussion:

00:08:28 Rep. Jopek

00:09:26 Rep. Phillips

00:09:44 Mr. Everts

00:10:04 Rep. Phillips

00:10:28 Rep. Driscoll

00:10:38 Rep. Jopek

00:11:07 Rep. Jones

00:13:24 Rep. Jopek

00:13:37 Chairman Noonan

00:13:59 Rep. Jones

00:14:07 Chairman Noonan

00:14:22 Rep. Jones

00:15:38 Rep. Wiseman
00:17:16 Rep. Phillips
00:17:33 Rep. Jones
00:19:51 Rep. Phillips
00:20:39 Rep. Stahl
00:21:03 Rep. Klock called the question on the amendment.

00:21:20 **Vote:** Motion failed 6-8 by roll call vote with Rep.
Boland, Rep. Driscoll, Rep. Jopek, Rep. Noonan, Rep.
Phillips, and Rep. Wiseman voting aye.

00:22:37 **Motion:** Rep. Jopek moved that **HB 483 BE AMENDED.**
EXHIBIT (feh41a03)

Discussion:

00:23:59 Rep. Jones
00:24:04 Mr. Everts
00:24:15 Rep. Jones
00:25:55 Mr. Everts
00:26:12 Rep. Jones
00:26:30 Mr. Everts
00:26:47 Rep. Wiseman
00:27:16 Rep. Phillips
00:28:09 Rep. Jones
00:29:25 Rep. Jopek
00:29:55 Chairman Noonan
00:30:08 Speaker Bob Bergren
00:31:09 Rep. Jones
00:32:08 Rep. Driscoll called the question on the amendment.
00:32:16 Chairman Noonan

00:32:37 **Vote:** Motion failed 3-11 by roll call vote with Rep.
Noonan, Rep. Phillips, and Rep. Wiseman voting aye.

00:33:43 **Motion:** Rep. Noonan moved that **HB 483 BE AMENDED.**
EXHIBIT (feh41a04)

Discussion:

00:34:07 Chairman Noonan
00:37:25 Mr. Everts
00:37:49 Rep. Jones
00:38:39 Chairman Noonan
00:39:04 Rep. Jones
00:39:07 Mr. Everts
00:39:18 Rep. Phillips
00:39:30 Mr. Everts

00:40:08 Rep. Phillips
00:40:20 Chairman Noonan

00:40:39 **Motion:** Chairman Noonan moved that the amendment be divided.

Discussion on Sections 1, 2, and 11:

00:40:55 Rep. Jones
00:41:36 Mr. Everts
00:42:13 Rep. Jones
00:42:34 Mr. Everts
00:42:44 Rep. Wiseman
00:43:35 Chairman Noonan
00:45:20 Rep. Wiseman
00:45:56 Rep. Augare called the question.

00:46:04 **Vote:** Motion tied 7-7 by roll call vote with Rep. Augare, Rep. Boland, Rep. Driscoll, Rep. Jopek, Rep. Noonan, Rep. Phillips, and Rep. Wiseman voting aye.

Discussion on Sections 3, 4, 5, 9, and 10

00:47:35 Chairman Noonan
00:47:53 Rep. Reichner called the question.

00:47:59 **Vote:** Motion failed 0-14 by voice vote.

Discussion on Section 6

00:48:01 Chairman Noonan
00:48:16 Rep. Jones
00:48:52 Rep. Jones
00:50:23 Rep. Jopek
00:50:32 Mr. Everts
00:51:53 Chairman Noonan

00:52:34 **Vote:** Motion tied 7-7 by roll call vote with Rep. Augare, Rep. Boland, Rep. Driscoll, Rep. Jopek, Rep. Noonan, Rep. Phillips, and Rep. Wiseman voting aye.

Discussion on Section 7

00:54:19 Chairman Noonan
00:54:25 Rep. Jones
00:54:36 Rep. Driscoll called the question.

00:54:42 **Vote:** Motion carried unanimously by voice vote.

Discussion on Section 8

00:54:53 Mr. Everts
00:55:30 Chairman Noonan
00:55:53 Rep. Jones
00:56:39 Chairman Noonan

00:57:09 **Vote:** Motion tied 7-7 by roll call vote with Rep. Augare, Rep. Boland, Rep. Driscoll, Rep. Jopek, Rep. Noonan, Rep. Phillips, and Rep. Wiseman voting aye.

Discussion:

00:57:49 Mr. Everts

00:58:37 **Motion:** Rep. Jones moved that **HB 483 DO PASS AS AMENDED.**

Discussion:

00:58:54 Rep. Phillips
00:59:04 Chairman Noonan
01:00:05 Rep. Jopek
01:00:23 Rep. Jones
01:00:36 Chairman Noonan
01:00:50 Rep. Jones
01:01:13 Chairman Noonan

01:02:36 Break
01:03:51 Reconvene

01:03:58 **Motion:** Rep. Noonan moved that **HB 483 BE AMENDED. EXHIBIT (feh41a05)**

Discussion:

01:04:04 Rep. Jones
01:04:17 Chairman Noonan
01:04:27 Rep. Stahl called the question.

01:04:29 **Vote:** Motion carried unanimously by voice vote.

01:04:56 **Motion:** Rep. Noonan moved that **HB 483 BE AMENDED. EXHIBIT (feh41a06)**

Discussion:

01:05:07 Mr. Everts
01:05:45 Rep. Jones
01:05:53 Mr. Everts
01:06:09 Rep. Jones

01:06:17 **Vote:** Motion carried unanimously by voice vote.

01:06:27 **Motion:** Rep. Jones moved that **HB 483 DO PASS AS AMENDED.**

Discussion:

01:06:34 Rep. Augare
01:07:29 Rep. Reichner

01:08:03 **Vote:** Motion carried 13-1 by roll call vote with Rep. Driscoll voting no.

EXECUTIVE ACTION ON HB 529

01:09:04 **Motion:** Rep. Jones moved that **HB 529 DO PASS.**

Discussion:

01:12:32 Rep. Wiseman
01:13:33 Rep. Jones
01:14:03 Rep. Jopek
01:14:21 Rep. Jones
01:15:03 Chairman Noonan
01:15:10 Mr. Everts
01:15:39 Rep. Reichner called the question on HB 529.

01:15:43 **Vote:** Motion carried 12-2 by roll call vote with Rep. Driscoll and Rep. Jopek voting no.

EXECUTIVE ACTION ON HB 566

01:16:33 **Motion:** Rep. Jones moved that **HB 566 DO PASS.**

01:16:53 **Motion:** Rep. Jones moved that **HB 566 BE AMENDED.**
EXHIBIT (feh41a07)

Discussion:

01:17:08 Mr. Everts
01:17:58 Rep. Jones

01:19:10 **Vote:** Motion carried unanimously by voice vote.

01:19:19 **Motion:** Rep. Jones moved that **HB 566 DO PASS AS AMENDED.**

Discussion:

01:19:25 Rep. Jones
01:22:01 Rep. Jopek
01:22:34 Rep. Jones
01:24:18 Rep. Jopek
01:24:44 Mr. Everts
01:25:23 Rep. Jones
01:25:42 Chairman Noonan
01:25:47 Mr. Everts
01:26:02 Rep. Jones
01:26:32 Mr. Everts
01:26:59 Rep. Jones
01:27:37 Rep. Stahl
01:28:13 Rep. Jones
01:28:38 Mr. Everts
01:28:45 Rep. Jones
01:29:11 Chairman Noonan

01:30:27 **Vote:** Motion carried 8-6 by roll call vote with Rep. Boland, Rep. Driscoll, Rep. Jopek, Rep. Noonan, Rep. Phillips, and Rep. Wiseman voting no.

EXECUTIVE ACTION ON HB 375

01:31:37 **Motion:** Rep. Phillips moved that **HB 375 DO PASS AS AMENDED.**

Discussion:

01:32:13 Rep. Phillips
01:33:19 Rep. Regier
01:33:20 Rep. Reichner
01:33:38 Rep. Phillips
01:33:50 Rep. Jones

01:34:07 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HJ 23

01:34:36 **Motion:** Rep. Augare moved that **HJ 23 DO PASS.**

Discussion:

01:34:45 Chairman Noonan

01:34:56 Rep. Regier

01:35:31 Rep. Phillips called the question on HJ 23

01:35:35 **Vote:** Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 9:37 A.M.

Bryce Bennett, Secretary

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Additional Documents:

EXHIBIT ([feh41aad.pdf](#))