

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS

Call to Order: Chairman Art Noonan, on March 6, 2009 at 3:04
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. Mike Jopek (D)
Rep. Gary MacLaren (R)
Rep. Keith Regier (R)
Rep. Brady Wiseman (D)

Members Excused: None

Members Absent: Rep. Llew Jones (R)
Rep. Jesse O'Hara (R)
Rep. Mike Phillips (D)
Rep. Scott Reichner (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: SB 376; SB 387

Executive Action: HB 491; SB 33; SB 376

HEARING ON SB 387

Opening Statement by Sponsor:

00:01:50 Sen. Keith Bales (R), SD 20, opened the hearing on SB
387, Revise laws related to the Board of Environmental
Review.
00:02:46 Rep. Stahl arrived.

Proponents' Testimony:

00:08:03 Candace Payne, Southern Montana Electric Generation
and Transmission Cooperative
00:08:10 Rep. Phillips arrived.
00:13:47 Steve Wade, Carpenter Creek LLC/ Carbon County Holdings
LLC
00:15:53 Don Allen, Western Montana Trade Association (WETA)
00:19:23 William Duffield, Executive Director, Montana
Association of Oil, Gas, and Coal Counties
00:21:27 Haley Beaudry, Columbia Falls Aluminum Company
00:22:27 Leo Berry, Great Northern Property/ Great Northern
Property Development
00:23:10 Keith Allen, International Brotherhood of Electrical
Workers (IBEW) - Local #233
00:24:15 Dan Flynn, IBEW - Local #44
00:24:30 Cary Hegreberg, Montana Contractors Association

Opponents' Testimony:

00:26:31 Evan Barrett, Chief Business Officer, Office of the
Governor - Department of Economic Development
00:29:54 Anne Hedges, Montana Environmental Information Center
(MEIC)

EXHIBIT (feh50a01)

00:35:42 Wade Sikorski, self

EXHIBIT (feh50a02)

00:37:20 Jonathan Matthews, self

EXHIBIT (feh50a03)

00:41:27 Zack Porter, self
00:42:41 Sarah Cobler, Montana Conservation Voters (MCV)
00:45:06 Chuck Magraw, Natural Resources Defense
Council/Renewable Northwest Project
00:49:16 Janet Ellis, Montana Audubon
00:50:56 Matt Leow, Northern Plains Resource Council

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Informational Testimony:

00:52:44 Dave Klemp, Air Resources Management Bureau, Department
of Environmental Quality

Questions from Committee Members and Responses:

00:53:04 Rep. Phillips
00:53:43 Sen. Bales
00:54:38 Rep. Phillips
00:55:04 Sen. Bales
00:56:40 Rep. Phillips
00:57:33 Sen. Bales
00:58:34 Rep. Phillips
00:58:55 Sen. Bales
01:00:23 Rep. Phillips
01:00:40 Sen. Bales
01:01:43 Rep. Regier
01:01:59 Sen. Bales
01:02:21 Chairman Noonan
01:03:34 Sen. Bales
01:03:57 Chairman Noonan
01:04:40 Sen. Bales
01:06:32 Chairman Noonan
01:07:18 Sen. Bales
01:07:49 Chairman Noonan
01:08:19 Sen. Bales
01:08:34 Chairman Noonan

Closing by Sponsor:

01:09:01 Sen. Bales

HEARING ON SB 376

Opening Statement by Sponsor:

01:11:38 Sen. Jerry Black (R), SD 14, opened the hearing on SB
376, Revise public utility laws.

Proponents' Testimony:

01:13:24 John Fitzpatrick, Northwestern Energy
[EXHIBIT \(feh50a04\)](#)

Opponents' Testimony: None

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Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:15:10 Sen. Black

EXECUTIVE ACTION ON SB 376

01:16:15 **Motion:** Rep. Stahl moved that **SB 376 BE CONCURRED IN.**

01:16:27 **Vote:** Motion carried unanimously by voice vote.
Rep. Jones and Reichner voted by proxy. Rep. Stahl will
carry the bill in the House.

EXECUTIVE ACTION ON HB 491

01:17:30 **Motion:** Rep. Wiseman moved that **HB 491 DO PASS.**

Discussion:

01:17:38 Rep. Wiseman

01:18:15 **Motion:** Rep. Wiseman moved that **HB 491 BE AMENDED.**
EXHIBIT(feh50a05)

Discussion:

01:18:24 Rep. Wiseman

01:21:29 Rep. Phillips

01:21:53 Rep. Wiseman

01:22:22 **Vote:** Motion failed 7-7 by roll call vote with Rep.
Augare, Rep. Boland, Rep. Driscoll, Rep. Jopek, Rep.
Noonan, Rep. Phillips, and Rep. Wiseman voting aye.
Rep. Jones and Rep. Reichner voted aye by proxy.

01:23:49 **Vote:** Motion failed 5-9 by roll call vote with Rep.
Augare, Rep. Jopek, Rep. Noonan, Rep. Phillips, and
Rep. Wiseman voting aye. Rep. Jones and Rep. Reichner
voted by proxy.

01:24:54 **Motion:** Rep. Klock moved that **HB 491 BE TABLED.**

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01:25:00 **Vote:** Motion carried 11-3 by voice vote with Rep. Noonan, Rep. Phillips, and Rep. Wiseman voting no. Rep. Jones and Rep. Reichner voted by proxy.

EXECUTIVE ACTION ON SB 33

01:26:00 **Motion:** Rep. Klock moved that **SB 33 BE CONCURRED IN.**

Discussion:

01:26:13 Todd Everts, Legislative Services Division (LSD)

01:28:01 **Motion:** Rep. Noonan moved that **SB 33 BE AMENDED.**
EXHIBIT(feh50a06)

Discussion:

01:28:12 Rep. Phillips

01:28:33 Mr. Everts

01:29:08 Chairman Noonan

01:29:15 Rep. Phillips

01:29:23 **Vote:** Motion carried 13-1 by voice vote with Rep. Phillips voting no. Rep. Jones and Reichner voted by proxy.

01:29:41 **Motion:** Rep. Phillips moved that **SB 33 BE TABLED.**

01:29:54 **Vote:** Motion failed 7-7 by roll call vote with Rep. Augare, Rep. Boland, Rep. Driscoll, Rep. Jopek, Rep. Noonan, Rep. Phillips, and Rep. Wiseman voting aye. Rep. Jones and Rep. Reichner voted aye by proxy.

01:30:57 **Vote:** Motion failed 7-7 by roll call vote with Rep. Klock, Rep. MacLaren, Rep. O'Hara, Rep. Regier, and Rep. Stahl voting aye. Rep. Jones and Rep. Reichner voted by proxy.

Discussion on SB 387 and HB 483:

01:32:18 Chairman Noonan

01:33:23 Rep. O'Hara

01:33:28 Chairman Noonan

01:36:17 Rep. Regier

01:36:31 Chairman Noonan

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ADJOURNMENT

01:37:29 Adjournment: 4:33 P.M.

Bryce Bennett, Secretary

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Additional Documents:

EXHIBIT ([feh50aad.pdf](#))