

MINUTES

**MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION**

ENERGY AND TELECOMMUNICATIONS

Call to Order: Chairman Jerry W. Black, on March 17, 2009 at 3:00 P.M., in Room 335 Capitol

ROLL CALL

Members Present:

Sen. Jerry W. Black, Chairman (R)
Sen. Aubyn Curtiss, Vice Chairman (R)
Sen. Roy Brown (R)
Sen. Ron Erickson (D)
Sen. John Esp (R)
Sen. Kelly Gebhardt (R)
Sen. Bob Hawks (D)
Sen. Dave Lewis (R)
Sen. Lynda Moss (D)

Members Excused: Sen. Sharon Stewart-Peregoy (D)
Sen. Mitch Tropila (D)

Members Absent: None

Staff Present: Sonja Nowakowski, Legislative Branch
Nadine Spencer, 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 343, 2/24/2009; HJ 1, 2/24/2009

Executive Action: HJ 1, SB 498

HEARING ON HB 343**Opening Statement by Sponsor:**

00:00:59 Rep. Art Noonan (D), HD 74, opened the hearing on HB 343, Revise renewable energy portfolio standard.

Proponents' Testimony:

00:05:14 John Fitzpatrick, NorthWestern Energy
EXHIBIT (ens59a01)

00:06:42 Sen. Stewart-Peregoy entered the hearing.

00:07:51 Sen. Tropila entered the hearing.

00:18:46 Bob Hardin, Greenfields Irrigation District

EXHIBIT (ens59a02)

00:21:43 Mike Murphy, Montana Water Resources Association (MWRA)

Opponents' Testimony:

00:23:01 Greg Jergeson, Montana Public Service Commission (PSC)

EXHIBIT (ens59a03)

Informational Testimony: None

Questions from Committee Members and Responses:

00:30:05 Sen. Lewis
00:31:19 John Fitzpatrick
00:33:02 Sen. Erickson
00:33:44 John Fitzpatrick
00:34:07 Sen. Erickson
00:35:15 John Fitzpatrick
00:35:24 Sen. Erickson
00:35:44 John Fitzpatrick
00:35:53 Sen. Tropila
00:36:11 John Fitzpatrick
00:37:02 Sen. Tropila
00:37:32 Bob Hardin
00:38:23 Sen. Tropila
00:38:59 Greg Jergeson
00:40:27 Sen. Brown
00:40:59 Brad Molnar, PSC, District 2
00:44:37 Sen. Hawks
00:45:20 Greg Jergeson
00:47:15 Chairman Black
00:47:33 Sonja Nowakowski

00:48:36 Chairman Black
00:48:51 Rep. Noonan
00:49:00 Chairman Black
00:49:05 Rep. Noonan

Closing by Sponsor:

00:49:24 Rep. Noonan

00:55:00 Sen. Esp left the hearing.

HEARING ON HJ 1

Opening Statement by Sponsor:

00:55:19 Rep. Julie French (D), HD 36, opened the hearing on HJ 1, Interim study of biomass.

Proponents' Testimony:

01:02:31 Ellen Simpson, Montana Wood Products Association (MWPA)
01:05:04 Mary Sexton, Montana Department of Natural Resources
and Conservation (DNRC)
01:08:33 Ron Devlin, NorthWestern Energy

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:09:54 Sen. Gebhardt
01:10:11 Ron Devlin
01:10:41 Sen. Lewis
01:11:15 Mary Sexton
01:11:23 Sen. Lewis
01:11:26 Mary Sexton
01:11:38 Sen. Lewis
01:11:45 Mary Sexton
01:11:54 Sen. Brown
01:12:33 Rep. French

Closing by Sponsor:

01:13:55 Rep. French

EXECUTIVE ACTION ON HJ 1

01:14:30 **Motion/Vote:** Sen. Gebhardt moved that **HJ 1 BE CONCURRED IN. MOTION CARRIED** unanimously by voice vote by members present and voting. Sen. Hawks will carry the bill in the Senate.

01:15:37 recess

01:22:25 reconvene

01:22:26 Sen. Esp entered the hearing.

EXECUTIVE ACTION ON SB 498

01:22:41 **Motion:** Sen. Erickson moved that **SB 498 DO PASS.**

Discussion:

01:22:51 Sen. Erickson

01:27:11 Chairman Black

01:27:34 Sen. Erickson

01:27:59 Sonja Nowakowski

EXHIBIT (ens59a04)

01:31:03 **Motion:** Sen. Erickson moved that **SB 498 BE AMENDED.**

EXHIBIT (ens59a05)

Discussion:

01:31:23 Sen. Esp

01:31:34 Sonja Nowakowski

01:31:55 Sen. Tropila

01:32:25 Sen. Bales

01:32:48 **Vote:** **MOTION CARRIED** unanimously by voice vote.

01:33:00 **Motion:** Sen. Esp moved that **SB 498 DO PASS AS AMENDED.**

Discussion:

01:33:09 Sen. Erickson

01:33:25 Sonja Nowakowski

01:34:19 **Motion:** Sen. Erickson moved that **SB 498 BE AMENDED.**

EXHIBIT (ens59a06)

Discussion:

01:35:34 Sen. Brown

01:36:15 Sen. Bales

01:37:26 Sen. Hawks

01:38:14 **Vote:** **MOTION CARRIED** 10-1 by voice vote with Sen. Gebhardt voting no.

01:38:20 **Motion:** Sen. Erickson moved that **SB 498 DO PASS AS AMENDED.**

01:39:44 **Motion:** Sen. Erickson moved that **SB 498 BE AMENDED. EXHIBIT (ens59a07)**

Discussion:

01:40:07 Sonja Nowakowski

01:40:09 Sen. Erickson

01:40:54 **Vote:** **MOTION CARRIED** 8-3 by voice vote with Sens. Gebhardt, Stewart-Peregoy and Curtiss voting no.

01:41:29 **Motion:** Sen. Erickson moved that **SB 498 DO PASS AS AMENDED.**

1:42:22 **Motion:** Sen. Erickson moved that **SB 498 BE AMENDED. EXHIBIT (ens59a08)**

Discussion:

01:42:35 Sonja Nowakowski

01:46:20 Sen. Erickson

01:48:21 Sen. Brown

01:48:30 Sonja Nowakowski

01:48:36 Sen. Brown

01:48:38 Sonja Nowakowski

01:48:40 Sen. Brown

01:48:43 Sonja Nowakowski

01:48:58 Sen. Brown

01:49:04 Sen. Erickson

01:49:15 Sen. Hawks

01:49:33 Sen. Erickson

01:50:33 Sen. Gebhardt

01:50:47 Sen. Esp

01:51:07 Sonja Nowakowski

01:51:45 Chairman Black

01:52:03 Sen. Bales

01:53:20 Chairman Black

01:53:26 Sen. Bales

01:53:55 **Vote:** MOTION CARRIED unanimously by voice vote.

01:54:13 **Motion:** Sen. Erickson moved that **SB 498 DO PASS AS AMENDED.**

01:54:46 **Motion:** Sen. Erickson moved that **SB 498 BE AMENDED. EXHIBIT (ens59a09)**

Discussion:

01:54:55 Sonja Nowakowski

01:55:36 **Vote:** MOTION CARRIED unanimously by voice vote.

01:55:52 **Motion:** Sen. Erickson moved that **SB 498 DO PASS AS AMENDED.**

01:56:19 **Motion:** Sen. Erickson moved that **SB 498 BE AMENDED. EXHIBIT (ens59a10)**

Discussion:

01:56:27 Sonja Nowakowski

01:56:47 Sen. Erickson

01:56:53 **Vote:** MOTION CARRIED unanimously by voice vote.

01:57:08 **Motion/Vote:** Sen. Erickson moved that **SB 498 DO PASS AS AMENDED. MOTION CARRIED** unanimously by voice vote.

Additional Exhibit:

EXHIBIT (ens59a11) Pertaining to HB 584.

ADJOURNMENT

Adjournment: 5:00 P.M.

Nadine Spencer, Secretary

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Additional Documents:

EXHIBIT ([ens59aad.pdf](#))