

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES  
57th LEGISLATURE - REGULAR SESSION  
COMMITTEE ON FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS**

**Call to Order:** By **CHAIRMAN AUBYN A. CURTISS**, on April 5, 2001 at 3:30 P.M., in Room 137 Capitol.

**ROLL CALL**

**Members Present:**

Rep. Aubyn A. Curtiss, Chairman (R)  
Rep. Tom Dell, Vice Chairman (D)  
Rep. Dee Brown (R)  
Rep. Roy Brown (R)  
Rep. Stanley Fisher (R)  
Rep. Carol C. Juneau (D)  
Rep. Gary Matthews (D)  
Rep. Joe McKenney (R)  
Rep. Alan Olson (R)  
Rep. Trudi Schmidt (D)  
Rep. Bob Story (R)

**Members Excused:** Rep. Gary Forrester (D)  
Rep. Douglas Mood, Vice Chairman (R)

**Members Absent:** None.

**Staff Present:** Stephen Maly, Legislative Branch

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Executive Action: SB 513; SB 19

**EXECUTIVE ACTION ON SB 513**

**Motion/Vote:** REP. STORY moved TO TAKE SB 513 FROM THE TABLE.  
Motion carried 9-3 with Brown, Matthews, and Olson voting no.

**Motion:** REP. STORY moved that SB 513 BE CONCURRED IN.

**Discussion:**

REP. STORY said that this is the best of the excess profit tax bills that have been heard so far. In addition, leadership wants the bill.

REP. DELL is going to be consistent and vote yes, since it is the best of the lot.

REP. DEE BROWN said that the discussion on this bill is that we need it in our tool chest to make sure that the people of Montana get the best from this legislature.

REP. STORY asked if there are any amendments. Mr. Maly said that there are several that may need to be made in order to make the bill able to be implemented, but there are none crafted as yet.

REP STORY said that we need an amendment on the bill to get it to a conference committee. He offered an amendment to strike Subsection 6 in Section 1 as a simple amendment.

REP. ROY BROWN stated that he would vote no on the bill to be consistent.

REP. OLSON said that he would still vote no.

REP. DEE BROWN said that in Section 2, Sub 2, she would move an amendment to change the percentages to 30% and 70%, instead of 25% and 75%.

REP. OLSON called for the question.

**Motion/Vote:** REP. BROWN moved that AMENDMENT TO SB 513 BE ADOPTED. Motion carried unanimously.

**Motion:** REP. OLSON moved that SB 513 BE CONCURRED IN AS AMENDED.

**Discussion:**

**REP. JUNEAU** clarified that they want this bill so that they can put it in the mix of all of the energy bills and figure out what they are going to do.

**REP. STORY** said that the majority leader had asked him to bring the bill off the table, but he didn't say why they wanted it.

**REP. SCHMIDT** said that the reason they want this is because they want a democratic bill in the mix.

**REP. DEE BROWN** said that **REP. STORY** had said that this is the best of the excess profit bills.

**REP. MATTHEWS** called for the question.

**Motion/Vote:** **REP. OLSON** moved that **SB 513 BE CONCURRED IN AS AMENDED**. Motion failed 5-7 with Brown, Curtiss, Dell, Mood, and Story voting aye.

No further motions were made on this bill.

**Motion:** **REP. STORY** moved **TO BRING SB 19 FROM THE TABLE**. Motion carried 11-1 with Forrester voting no.

**Discussion:**

**Mr. Maly** refreshed the committee's memory of this bill. All this bill does is extend the status quo. Part of the status quo is PSC authority to have some control over generation prices. This is the only bill that only extends the status quo without changing anything.

**Motion:** **REP. STORY** moved that **SB 19 BE CONCURRED IN**.

**Discussion:**

**REP. DELL** moved an amendment to page 12, line 21 of the bill. He would like to extend the TAC committee for an additional year.

**Motion/Vote:** **REP. DELL** moved that **AMENDMENT TO SB 19 BE ADOPTED**. Motion carried 11-1 with Forrester voting no.

**REP. STORY** said that a lot of the concepts in this bill were in Senator Johnson's bill. This bill came about the same time as that bill and the committee chose to go the other route.

**REP. DELL** is guessing that is why they want this bill. Senator Johnson's bill is dead and this is another route we can take.

**REP. MATTHEWS** called for the question.

**Motion/Vote: REP. STORY** moved that **SB 19 BE CONCURRED IN AS AMENDED. Motion carried 10-2 with Forrester and Schmidt voting no.**

**ADJOURNMENT**

Adjournment: 4:15 P.M.

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REP. AUBYN A. CURTISS, Chairman

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ROBYN LUND, Secretary

AC/RL

**EXHIBIT (feh77aad)**