HOUSE OF REPRESENTATIVES
Roll Call
FEDERAL RELATIONS, ENERGY & TELECOMMUNICATIONS COMMITTEE

DATE 1·26·05

NAME	PRESENT	ABSENT	EXCUSED
REP. ALAN OLSON, CHAIR	✓		
REP. DAVE GALLIK, VICE CHAIR	✓		
REP. DENNIS HIMMELBERGER, VICE CHAIR	✓		
REP. ROBYN DRISCOLL	✓		
REP. GEORGE GROESBECK	✓		
REP. ROBIN HAMILTON	✓		
REP. HAL JACOBSON	✓		
REP. HARRY KLOCK	✓		
REP. MARK NOENNIG	✓		
REP. JOHN PARKER	✓		
REP. DIANE RICE	✓		
REP. WAYNE STAHL	✓		
REP. KARL WAITSCHIES	✓		
REP. BRADY WISEMAN	✓		

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HOUSE STANDING COMMITTEE REPORT

January 27, 2005

Mr. Speaker:

We, your committee on **Federal Relations, Energy, and Telecommunications** recommend that **House Bill 48** (first reading copy -- white) **do pass as amended.**

Signed: _____
Representative Alan Olson, Chair

And, that such amendments read:

1. Title, line 5.
Strike: "AND"

2. Title, line 6.
Following: "MCA"
Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 1, line 16.
Following: "apply to"
Insert: ": (i)"

4. Page 1, line 17.
Strike: "or to"
Insert: "; (ii)"
Following: "facility"
Strike: "."
Insert: ";"

5. Page 1.
Following: line 17
Insert: "(iii) an associated facility for handling ash that is covered under a certificate issued under Title 75, chapter 20, at an electrical generation facility. This exclusion does not apply to a lateral expansion of an associated facility for handling ash if the lateral expansion is not covered under a certificate issued under Title 75, chapter 20.
(iv) an ash disposal facility or structure at an electrical

Committee Vote:
Yes 8, No 6.

210903SC.hkh
1/28/05

generating plant or facility if the disposal facility or structure was subject to a groundwater discharge permit issued under Title 75, chapter 5, on the [effective date of this act]."

6. Page 1.
Following: line 20
Insert: "NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval."

- END -

HOUSE STANDING COMMITTEE REPORT

Mr. Speaker:

We, your committee on **Federal Relations, Energy, and Telecommunications** recommend that **House Bill 199** (first reading copy -- white) **do pass as amended.**

Signed: _____
Representative Alan Olson, Chair

And, that such amendments read:

1. Title, line 9 through line 13.
Strike: "ELIMINATING" on line 11 through "POLICY;" on line 13
Insert: "REQUIRING THE ENERGY AND TELECOMMUNICATIONS INTERIM COMMITTEE INSTEAD OF THE ENVIRONMENTAL QUALITY COUNCIL TO MAINTAIN A CONTINUAL PROCESS TO DEVELOP THE COMPONENTS OF A COMPREHENSIVE STATE ENERGY POLICY;"

2. Title, line 14.
Strike: "50-60-203, AND 90-4-1001"
Insert: "90-4-1002, AND 90-4-1003"
Strike: "REPEALING SECTIONS 90-4-1002 AND 90-4-1003, MCA;"

3. Page 1, line 25 through page 3, line 1.
Strike: sections 2 and 3 in their entirety
Insert: "Section 2. Section 90-4-1002, MCA, is amended to read:
"90-4-1002. Definitions. As used in 90-4-1003, the following definitions apply:
(1) ~~"Council" means the environmental quality council established in 5-16-101~~ "Committee" means the energy and telecommunications interim committee established in 5-5-230.
(2) "Department" means the department of environmental quality established in 2-15-3501.""
Insert: "Section 3. Section 90-4-1003, MCA, is amended to read:
"90-4-1003. Energy policy development process. (1) The department and the ~~council~~ committee, in cooperation with the consumer counsel and the public service commission, shall

Committee Vote:
Yes 14, No 0.

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1/27 MP

maintain a continual process to develop the components of a comprehensive state energy policy.

(2) Because of limited state resources and the need to focus intensive effort on specific issues of importance, the development of a comprehensive state energy policy must occur on an incremental basis. As the need arises, the department, in cooperation with the appropriate state agencies and with extensive public involvement, shall identify and recommend to the ~~council~~ committee specific components of a state energy policy for development under the consensus process described in subsection (3).

(3) (a) Upon selection of a specific energy policy component, the ~~council~~ committee shall assign to a working group composed of representatives of the parties with a stake in that specific component the task of developing consensus recommendations for that component of state energy policy.

(b) The working group must include the broadest possible representation of stakeholders in the issues to be included within the specific component of state energy policy.

(c) Whenever possible, the working group shall use a consensus process to develop recommendations for a specific energy policy component to be submitted to the ~~council~~ committee. Recommendations that are not based upon consensus must be so noted by the working group. Upon consideration of the working group's recommendations, the ~~council~~ committee shall forward its recommendations to the legislature and to the appropriate state agencies for adoption.

(d) The department shall:

(i) provide staff support to the working group, including policy analysis, data gathering, research, technical analysis, and administrative support;

(ii) provide administrative coordination among the appropriate state agencies in the energy policy development process;

(iii) prepare reports for and make recommendations to the ~~council~~ committee; and

(iv) consult regularly with the ~~council~~ committee to coordinate each agency's activities.

(4) In carrying out their responsibilities under this section, the department and the ~~council~~ committee may contract with experts, consultants, and facilitators and may seek funding from a variety of private and public sources for technical and other assistance necessary to accomplish their responsibilities.""

4. Page 3, line 5.
Strike: section 4 in its entirety
Renumber: subsequent section

- END -

HOUSE OF REPRESENTATIVES
Roll Call Vote
FEDERAL RELATIONS, ENERGY & TELECOMMUNICATIONS COMMITTEE

DATE 1-26-05 BILL NO HB136 MOTION NO.

MOTION: Himmelberger Motion Do Pass

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. DENNIS HIMMELBERGER, VICE CHAIR	✓		
REP. DAVE GALLIK, VICE CHAIR		✓	
REP. HARRY KLOCK	✓		
REP. GEORGE GROESBECK		✓	
REP. DIANE RICE	✓		
REP. ROBYN DRISCOLL		✓	
REP. KARL WAITSCHIES	✓		
REP. ROBIN HAMILTON		✓	
REP. WAYNE STAHL	✓		
REP. MARK NOENNIG	✓		
REP. BRADY WISEMAN		✓	
REP. JOHN PARKER		✓	
REP. HAL JACOBSON		✓	
REP. ALAN OLSON, CHAIR	✓		

HOUSE OF REPRESENTATIVES
Roll Call Vote
FEDERAL RELATIONS, ENERGY & TELECOMMUNICATIONS COMMITTEE

DATE 1·26·05 BILL NO HB136 MOTION NO. _____

MOTION: _____

HB0136 01.ate

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. DENNIS HIMMELBERGER, VICE CHAIR	✓		
REP. DAVE GALLIK, VICE CHAIR		✓	
REP. HARRY KLOCK	✓		
REP. GEORGE GROESBECK		✓	
REP. DIANE RICE	✓		
REP. ROBYN DRISCOLL		✓	
REP. KARL WAITSCHIES	✓		
REP. ROBIN HAMILTON		✓	
REP. WAYNE STAHL	✓		
REP. MARK NOENNIG	✓		
REP. BRADY WISEMAN		✓	
REP. JOHN PARKER		✓	
REP. HAL JACOBSON		✓	✓
REP. ALAN OLSON, CHAIR	✓		

HOUSE OF REPRESENTATIVES
Roll Call Vote
FEDERAL RELATIONS, ENERGY & TELECOMMUNICATIONS COMMITTEE

DATE 1·26·05 BILL NO 48 MOTION NO. _____

MOTION: DPAP

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. DENNIS HIMMELBERGER, VICE CHAIR		✓	
REP. DAVE GALLIK, VICE CHAIR	✓		✓
REP. HARRY KLOCK		✓	
REP. GEORGE GROESBECK	✓		
REP. DIANE RICE		✓	
REP. ROBYN DRISCOLL	✓		
REP. KARL WAITSCHIES		✓	
REP. ROBIN HAMILTON	✓		
REP. WAYNE STAHL		✓	
REP. MARK NOENNIG	✓		
REP. BRADY WISEMAN	✓		
REP. JOHN PARKER	✓		
REP. HAL JACOBSON	✓		
REP. ALAN OLSON, CHAIR		✓	

HOUSE OF REPRESENTATIVES
Roll Call Vote
FEDERAL RELATIONS, ENERGY & TELECOMMUNICATIONS COMMITTEE

DATE 1.26.05 BILL NO HB48 MOTION NO._____

MOTION:

HB004802.ate

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. DENNIS HIMMELBERGER, VICE CHAIR	✓		
REP. DAVE GALLIK, VICE CHAIR		✓	✓
REP. HARRY KLOCK	✓		
REP. GEORGE GROESBECK		✓	
REP. DIANE RICE	✓		
REP. ROBYN DRISCOLL		✓	
REP. KARL WAITSCHIES	✓		
REP. ROBIN HAMILTON		✓	
REP. WAYNE STAHL	✓		
REP. MARK NOENNIG	✓		
REP. BRADY WISEMAN		✓	
REP. JOHN PARKER		✓	
REP. HAL JACOBSON		✓	
REP. ALAN OLSON, CHAIR	✓		

HOUSE OF REPRESENTATIVES
Roll Call Vote
FEDERAL RELATIONS, ENERGY & TELECOMMUNICATIONS COMMITTEE

DATE 1-26-05 BILL NO 48 MOTION NO. _____

MOTION: HB004801 ate

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. DENNIS HIMMELBERGER, VICE CHAIR	✓		
REP. DAVE GALLIK, VICE CHAIR	✓		✓
REP. HARRY KLOCK	✓		
REP. GEORGE GROESBECK	✓		
REP. DIANE RICE		✓	
REP. ROBYN DRISCOLL	✓		
REP. KARL WAITSCHIES		✓	
REP. ROBIN HAMILTON	✓		
REP. WAYNE STAHL		✓	
REP. MARK NOENNIG	✓		
REP. BRADY WISEMAN	✓		
REP. JOHN PARKER	✓		
REP. HAL JACOBSON	✓		
REP. ALAN OLSON, CHAIR		✓	

COMMITTEE PROXY

DATE: 1-26-05

I request to be excused from the FRET

Committee because of other commitments. I desire to leave my proxy vote with:

Hal Jacobson.

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT	AYE	NO
H.B. 199 AMEND #1	X	
H.B. 199 W/AMEND	X	
4802 H.B. 48 AMEND #1		X
4801 H.B 48 AMEND #2	X	
H.B 48 AS AMEND	X	

SENATE BILL/AMENDMENT	AYE	NO

Rep./Sen. [signature]
(Signature)

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COMMITTEE PROXY

DATE: 1-26-05

I request to be excused from the FRET

Committee because of other commitments. I desire to leave my proxy vote with:

GALLIK.

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT	AYE	NO
H.B. AND 136		X

SENATE BILL/AMENDMENT	AYE	NO

Rep./Sen. [signature]
(Signature)

S:\PROXY 2005.wpd

Montana House of Representatives
Visitors Register

FEDERAL RELATIONS, ENERGY AND TELECOMMUNICATIONS COMMITTEE **Date** 1·26·05

Bill No. HB 389 **Sponsor(s)** Olson

PLEASE PRINT **PLEASE PRINT** **PLEASE PRINT**

Name and Address	Representing	Support	Oppose	Inf.
GARY MARBUT	SELF	X		
John Franquin	Northwestern Energy	X		
Ed Kelly	Local #400 IUOE	X		
JACK FISHER	IBEW 233	X		
Tom Ring	DEQ			X
David Hoffman			X	
Greg Jergeson	MT PSC		X	
Keith Allen	IBEW	X		
DAN FLYNN	IBEW	X		
JOE MAZUREK	City of GT Falls	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.
/s/FRETVisitorReg.sample2003