

MINUTES

**MONTANA SENATE
60th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON NATURAL RESOURCES AND ENERGY

Call to Order: By **CHAIRMAN GREG LIND**, on March 23, 2007 at 3:00 P.M., in Room 303 Capitol.

ROLL CALL

Members Present:

Sen. Greg Lind, Chairman (D)
Sen. Aubyn Curtiss (R)
Sen. Kelly Gebhardt (R)
Sen. Dan Harrington (D)
Sen. Christine Kaufmann (D)
Sen. Gary L. Perry (R)
Sen. Bill Tash (R)
Sen. Mitch Tropila (D)
Sen. David E. Wanzenried (D)

Members Excused: None.

Members Absent: None.

Staff Present: Claudia Johnson, Committee Secretary
Joe Kolman, 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 558, 3/19/2007; HB 715,
3/19/2007
Executive Action: HB 259, HB 166, HB 427, HB 557, HB
739, HB 681

00:00:01 Vice Chair Wanzenried

HEARING ON SB 558

Opening Statement by Sponsor:

00:01:08 **SEN. GREG LIND (D), SD 50**, opened the hearing on **SB 558**, Establishing the Montana Electric and Gas Authority.

Proponents:

00:03:15 Mike Kadas, Self. He also introduced John Miller, Managing Director of Finance, Citygroup Bank (Citigroup); and Roy Koegen, Attorney for law offices in Spokane and Seattle, Washington, who are available for information.

EXHIBIT (nas62a01)

00:22:50 Archie Nunn, Self

00:26:15 Ed Eaton, Self

00:28:17 Russ Doty, Self

00:31:55 Alec Hansen, Montana League of Cities and Towns

00:36:07 Verner Bertelson, Self

Opponents:

00:37:18 John Fitzpatrick, Northwestern Energy (NWE)

EXHIBIT (nas62a02)

EXHIBIT (nas62a03)

00:50:50 Kate Whitney, Administrator, Public Service Commission (PSC)

EXHIBIT (nas62a04)

Informational Testimony: None.

Questions from Committee Members and Responses:

00:52:36 Sen. Gebhardt to Sen. Lind

00:55:09 Sen. Harrington to Sen. Lind
00:56:39 Sen. Perry to Sen. Lind
00:59:28 Sen. Tash to Sen. Lind
01:01:46 Sen. Tash to Gary Wiens, Montana Electric Cooperatives'
Association
01:03:02 Sen. Wanzenried to Mike Kadas
01:03:46 Sen. Wanzenried to John Miller, Citigroup Bank
01:08:51 Sen. Perry to John Miller, Citigroup Bank
01:11:18 Sen. Perry to Kate Whitney, PSC
01:13:03 Sen. Gebhardt to Kate Whitney, PSC
01:14:06 Sen. Wanzenried to Sen. Lind

Closing by Sponsor:

01:15:21 Sen. Lind

HEARING ON HB 715

Opening Statement by Sponsor:

01:30:35 **REP. ALAN OLSON (R), HD 45**, opened the hearing on **HB 715**, Support research and development of energy sources.

Proponents:

01:32:56 Evan Barrett, Economic Development, Governor's Office
01:34:35 Leo Berry, Attorney
01:35:54 Todd O'Hair, Rio Tinto Energy America Services Company
01:39:41 Bud Clinch, Montana Coal Council (MCC)
01:41:10 Don Allen, Western Environmental Trade Association (WETA)
01:42:20 Gail Abercrombie, Montana Petroleum Association (MPA)

01:42:51 Hailey Beaudery, Columbia Falls Aluminum Company

Opponents: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

01:44:45 Sen. Kaufmann to Evan Barrett, Governor's Office

01:50:26 Sen. Lind to Rep. Olson

Closing by Sponsor:

01:52:59 Rep. Olson

Discussion:

01:55:55 Sen. Lind to Sen. Gebhardt

EXECUTIVE ACTION ON HB 259

01:56:25 **Motion/Vote:** SEN. GEBHARDT moved that HB 259 BE CONCURRED IN. Motion carried unanimously by voice vote. SEN. WANZENRIED and SEN. TASH voted by proxy.

EXECUTIVE ACTION ON HB 166

Discussion:

01:58:54 Sen. Lind

01:59:19 **Motion/Vote:** SEN. KAUFMANN moved that HB 166 BE CONCURRED IN. Motion carried unanimously by voice vote. SEN. WANZENRIED and SEN. TASH voted by proxy.

EXECUTIVE ACTION ON HB 427

02:00:03 **Motion:** SEN. KAUFMANN moved that HB 427 BE CONCURRED IN.

Discussion:

02:01:50 **Motion:** SEN. KAUFMANN moved that AMENDMENT HB042701.AJK BE ADOPTED.

EXHIBIT (nas62a05)

Discussion:

02:03:15 Sen. Gebhardt

02:04:22 Sen. Kaufmann

02:05:06 Sen. Perry

02:06:37 Sen. Lind to Will Rosquist, PSC

02:10:33 **Vote:** SEN. GEBHARDT CALLED THE QUESTION ON AMENDMENT HB042701.AJK. Motion failed 4-5 by roll call vote with SEN. HARRINGTON, SEN. KAUFMANN, SEN. LIND, and SEN. WANZENRIED voting aye. SEN. WANZENRIED and SEN. TASH voted by proxy.

02:11:54 **Vote:** Motion that HB 427 BE CONCURRED IN carried unanimously by voice vote. SEN. WANZENRIED and SEN. TASH voted by proxy.

EXECUTIVE ACTION ON HB 557

Discussion:

02:12:36 Sen. Lind

02:13:00 Sen. Lind to Joe Kolman, LSD

02:13:53 **Motion:** SEN. GEBHARDT moved that HB 557 BE CONCURRED IN.

Discussion:

02:13:59 **Motion:** SEN. GEBHARDT moved that AMENDMENT HB055701.AJK BE ADOPTED.

EXHIBIT (nas62a06)

Discussion:

02:14:40 Sen. Gebhardt

02:15:36 Sen. Lind to Sen. Gebhardt

02:17:21 **Motion/Vote:** SEN. CURTISS moved that AMENDMENT HB055701.AJK BE ADOPTED. Motion failed 4-5 by roll call vote with SEN. CURTISS, SEN. GEBHARDT, SEN. PERRY, and SEN. TASH voting aye. SEN. WANZENRIED and SEN. TASH voted by proxy.

02:18:46 **Motion/Vote:** SEN. PERRY moved that CONCEPTUAL AMENDMENT for HB 557 BE ADOPTED. Motion failed 4-5 by roll call vote with SEN. CURTISS, SEN. GEBHARDT, SEN. PERRY, and SEN. TASH voting aye. SEN. WANZENRIED and SEN. TASH voted by proxy.

Discussion:

02:19:04 Sen. Gebhardt

02:22:53 Sen. Kaufmann

02:24:20 Joe Kolman, LSD

02:26:08 Sen. Tropila

02:28:13 Sen. Curtiss

02:29:50 Sen. Lind

02:31:46 **Motion/Vote:** Motion that HB 557 BE CONCURRED IN failed 4-5 by roll call vote with SEN. CURTISS, SEN. GEBHARDT, SEN. PERRY, and SEN. TASH voting aye. SEN. WANZENRIED and SEN. TASH voted by proxy.

02:32:58 **Motion/Vote:** SEN. HARRINGTON moved that HB 557 BE TABLED. Motion carried 5-4 by roll call vote with SEN. CURTISS, SEN. GEBHARDT, SEN. PERRY, and SEN. TASH voting no. SEN. WANZENRIED and SEN. TASH voted by proxy.

EXECUTIVE ACTION ON HB 681

02:35:22 **Motion:** SEN. KAUFMANN moved that HB 681 BE CONCURRED IN.

Discussion:

02:35:75 **Motion:** SEN. KAUFMANN withdrew motion on HB 681.

Discussion:

EXECUTIVE ACTION ON HB 739

Discussion:

02:36:10 Sen. Lind

02:36:44 Sen. Lind to Joe Kolman, LSD

02:37:00 **Motion:** SEN. KAUFMANN moved that HB 739 BE CONCURRED IN.

Discussion:

02:37:32 **Motion:** SEN. LIND moved that AMENDMENT HB073901.AJK BE ADOPTED.

EXHIBIT (nas62a07)

Discussion:

02:38:58 Sen. Gebhardt

02:40:05 Sen. Kaufmann

02:42:09 **Motion/Vote:** SEN. GEBHARDT moved that AMENDMENT HB073901.ajk be SEGREGATED into #1, and (#2, & #3). Motion carried unanimously by voice vote. SEN. WANZENRIED and SEN. TASH voted by proxy.

Discussion:

02:43:26 Sen. Lind

02:43:35 **Vote:** Motion that AMENDMENT #1, BE ADOPTED carried unanimously by voice vote. SEN. WANZENRIED and SEN. TASH voted by proxy.

02:44:01 **Motion:** SEN. KAUFMANN moved that AMENDMENT #2 and #3 BE ADOPTED.

Discussion:

02:44:48 Sen. Perry

02:45:29 Sen. Lind to Joe Kolman, LSD

02:46:20 Sen. Gebhardt

02:46:25 Sen. Perry

02:46:57 Sen. Lind to Sen. Kaufmann

02:47:13 **Motion:** SEN. KAUFMANN withdrew her motion on HB 739 and amendments.

EXECUTIVE ACTION ON HB 681

Discussion:

02:47:22 Sen. Lind

02:47:26 **Motion:** SEN. KAUFMANN moved that SB 681 BE CONCURRED IN.

Discussion:

02:48:02 **Motion:** SEN. KAUFMANN moved that AMENDMENT HB078101.AJK BE ADOPTED.

[EXHIBIT \(nas62a08\)](#) _____

[EXHIBIT \(nas62a09\)](#)

Discussion:

02:49:50 Joe Kolman, LSD

02:53:57 Sen. Perry to Sen. Kaufmann

02:54:28 Sen. Gebhardt

02:54:53 Sen. Lind to Sen. Kaufmann

02:56:20 Sen. Lind to Sen. Kaufmann

02:56:41 **Motion:** SEN. KAUFMANN withdrew her motion on HB 681 and amendments.

Discussion:

02:57:00 Sen Perry to Sen. Lind

ADJOURNMENT

Adjournment: 7:40 P.M.

SEN. GREG LIND, Chairman

CLAUDIA JOHNSON, Secretary

GL/cj

Additional Exhibits:

EXHIBIT ([nas62aad.pdf](#))