

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS

**Call to Order:** Chairman Art Noonan, on February 13, 2009 at 3:03 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. Jesse O'Hara (R)  
Rep. Mike Phillips (D)  
Rep. Keith Regier (R)  
Rep. Scott Reichner (R)  
Rep. Wayne Stahl (R)  
Rep. Brady Wiseman (D)

**Members Excused:** None

**Members Absent:** Rep. Llew Jones (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: None

Executive Action: HJ 13; HB 179; HB 255; HB 338;  
HB 343

**EXECUTIVE ACTION ON HB 179**

00:02:47 **Motion:** Rep. Driscoll moved that **HB 179 DO PASS.**

**Discussion:**

00:03:03 Rep. Reichner called the question.

00:03:09 **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 255**

00:03:27 **Motion:** Rep. Phillips moved that **HB 255 DO PASS.**

**Discussion:**

00:03:38 Rep. Phillips

00:04:14 **Motion:** Rep. Phillips moved that **HB 255 BE AMENDED.**  
[EXHIBIT \(feh34a01\)](#)

**Discussion:**

00:04:30 Rep. Phillips

00:07:40 **Vote:** Motion carried unanimously by voice vote.

**Discussion:**

00:07:56 Chairman Noonan

00:08:22 Rep. Klock

00:08:42 **Vote:** Motion tied 7-7 with Rep. Augare, Rep. Boland,  
Rep. Driscoll, Rep. Jopek, Rep. Noonan, Rep. Phillips,  
and Rep. Wiseman voting aye. Rep. Jones voted by  
proxy.

**EXECUTIVE ACTION ON HB 338**

00:09:55 **Motion:** Rep. Phillips moved that **HB 338 DO PASS.**

**Discussion:**

00:10:09 Chairman Noonan

00:10:39 **Motion:** Rep. Noonan moved that **HB 338 BE AMENDED.**  
**EXHIBIT (feh34a02)**

**Discussion:**

00:10:58 Rep. Klock  
00:11:06 Chairman Noonan  
00:11:12 Rep. Regier  
00:11:26 Chairman Noonan  
00:11:57 Rep. Phillips

00:12:39 **Vote:** Motion carried unanimously by voice vote.

**Discussion:**

00:12:49 Rep. Klock  
00:13:18 Rep. Wiseman  
00:13:54 Todd Everts, Legislative Services Division (LSD)  
00:14:07 Rep. Wiseman  
00:14:40 Rep. Phillips  
00:15:02 Mr. Everts  
00:15:11 Rep. Wiseman  
00:16:09 Rep. Phillips  
00:16:39 Mr. Everts  
00:17:14 Rep. Phillips  
00:17:29 Mr. Everts  
00:17:37 Rep. Phillips  
00:18:02 Chairman Noonan  
00:19:06 Rep. Phillips  
00:19:27 Chairman Noonan  
00:19:31 Rep. Augare called the question on HB 338.

00:19:38 **Vote:** Motion carried 13-1 by roll call vote.  
Rep. Jones and Rep. Wiseman voted by proxy.

**EXECUTIVE ACTION ON HB 343**

00:20:39 **Motion:** Rep. Driscoll moved that **HB 343 DO PASS.**

**Discussion:**

00:21:02 Rep. Wiseman

00:21:30 **Motion:** Rep. Wiseman moved that **HB 343 BE AMENDED.**  
**EXHIBIT (feh34a03)**

**Discussion:** None

00:23:18 **Motion:** Rep. Wiseman moved that the question be  
divided to segregate out sections 1 and 6 of the  
amendment.

00:23:27 **Vote:** Motion carried unanimously by voice vote.

**Discussion on Sections 1 and 6:**

00:23:52 Mr. Everts  
00:24:13 Rep. Wiseman  
00:25:01 Rep. Reichner  
00:25:21 Chairman Noonan  
00:27:01 Rep. Jopek  
00:28:30 Rep. Reichner  
00:28:57 Rep. Jopek  
00:30:13 Rep. Phillips  
00:31:02 Mr. Everts  
00:31:29 Rep. Phillips  
00:31:56 Rep. Augare  
00:32:46 Chairman Noonan  
00:36:16 Rep. Augare  
00:36:36 Rep. Regier  
00:36:48 Chairman Noonan  
00:36:52 Rep. Regier  
00:37:17 Rep. Phillips  
00:38:10 Chairman Noonan  
00:38:46 Rep. Phillips  
00:39:33 Chairman Noonan  
00:39:43 Rep. Reichner  
00:39:53 Rep. Phillips  
00:40:12 Rep. Wiseman  
00:42:27 Chairman Noonan  
00:45:37 Rep. Reichner called the question.

00:46:29 **Vote:** Motion failed 4-10 by roll call vote with Rep. Driscoll, Rep. Jopek, Rep. Phillips, and Rep. Wiseman voting aye. Rep. Jones voted by proxy.

00:46:39 Rep. Wiseman withdrew his motion.

**Discussion:**

00:46:43 Rep. Jopek

00:48:27 Rep. Klock

00:49:51 **Vote:** Motion carried 11-3 by roll call vote with Rep. Jopek, Rep. Phillips, and Rep. Wiseman voting no. Rep. Jones voted by proxy.

**EXECUTIVE ACTION ON HJ 13**

00:50:42 **Motion:** Rep. Driscoll moved that **HJ 13 DO PASS.**

**Discussion:**

00:50:59 Chairman Noonan

00:51:20 Rep. Driscoll called the question.

00:51:25 **Vote:** Motion carried 10-4 by roll call vote with Rep. Regier, Rep. Reichner, and Rep. Stahl voting no. Rep. Jones and Rep. Phillips voted by proxy.

00:53:06 Chairman Noonan made committee announcements.

**ADJOURNMENT**

Adjournment: 3:57 A.M.

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Bryce Bennett, Secretary

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Additional Documents:

**EXHIBIT ([feh34aad.pdf](#))**