

**MINUTES**

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

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

**Call to Order:** Chairman Art Noonan, on April 8, 2009 at 3:48  
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. Llew Jones (R)  
Rep. Mike Jopek (D)  
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. Gary MacLaren (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: SB 291; SB 498; SB 502

**EXECUTIVE ACTION ON SB 291**

00:01:16 **Motion:** Rep. Driscoll moved that **SB 291 BE CONCURRED IN.**

**Discussion:**

00:01:38 Rep. Wiseman

00:01:55 Todd Everts, Legislative Services Division

00:02:31 Rep. Wiseman

00:02:51 **Vote:** Motion carried 13-1 by roll call vote with Rep. Boland voting no. Rep. Jopek voted by proxy. Rep. Reichner will carry the bill in the House.

**EXECUTIVE ACTION ON SB 502**

00:04:12 **Motion:** Rep. Driscoll moved that **SB 502 BE CONCURRED IN.**

00:04:50 **Motion:** Rep. Noonan moved that **SB 502 BE AMENDED. EXHIBIT (feh77a01)**

**Discussion:**

00:05:06 Mr. Everts

00:05:16 Rep. MacLaren arrived.

00:05:18 Rep. Driscoll

00:05:24 Chairman Noonan

00:05:33 Rep. Driscoll

00:05:38 Chairman Noonan

00:06:05 Sen. Keane

00:06:40 **Vote:** Motion carried unanimously by voice vote. Rep. Jopek voted by proxy.

**Discussion:**

00:06:56 Chairman Noonan

00:08:18 **Vote:** Motion failed 7-7 by roll call vote with Rep. Augare, Rep. Jones, Rep. Klock, Rep. O'Hara, Rep. Regier, Rep. Reichner, and Rep. Stahl voting aye. Rep. Jopek voted by proxy.

**EXECUTIVE ACTION ON SB 498**

00:09:10 **Motion:** Rep. Driscoll moved that **SB 498 BE CONCURRED  
IN.**

**Discussion:**

00:10:05 Rep. Phillips

00:13:01 **Motion:** Rep. Phillips moved that **SB 498 BE AMENDED.  
[EXHIBIT \(feh77a02\)](#)**

**Discussion:**

00:14:30 Rep. Wiseman

00:14:48 Rep. Phillips

00:15:31 **Vote:** Motion carried unanimously by voice vote.  
Rep. Jopek and Rep. Stahl voted by proxy.

00:15:57 **Motion:** Rep. Phillips moved that **SB 498 BE AMENDED.  
[EXHIBIT \(feh77a03\)](#)**

**Discussion:**

00:17:37 Rep. Klock

00:17:42 Rep. Phillips

00:18:30 Rep. Reichner

00:19:01 Rep. Phillips

00:19:57 Rep. Stahl

00:20:19 Rep. Phillips

00:21:31 Rep. Jones

00:22:13 Rep. Phillips

00:22:58 Chairman Noonan

00:24:01 Rep. Reichner

00:24:40 Chairman Noonan

00:25:48 Rep. Phillips

00:27:32 Rep. Stahl

00:28:14 Chairman Noonan

00:28:41 Rep. Phillips

00:29:13 Rep. Stahl

00:29:14 Rep. Phillips withdrew his motion.

**Discussion:**

00:29:37 Rep. Wiseman

00:30:21 Chairman Noonan

00:30:26 Rep. Driscoll

00:30:51 Chairman Noonan

00:30:57 **Motion:** Rep. Phillips moved that **SB 498 BE AMENDED.**  
EXHIBIT 3

00:31:23 **Vote:** Motion failed 7-7 by roll call vote with  
Rep. Augare, Rep. Boland, Rep. Driscoll, Rep. Jopek,  
Rep. Noonan, Rep. Phillips, and Rep. Wiseman voting  
aye.

00:31:58 **Motion:** Rep. Phillips moved that **SB 498 BE TABLED.**

00:32:02 **Vote:** Motion failed 7-7 by roll call vote with  
Rep. Augare, Rep. Boland, Rep. Driscoll, Rep. Jopek,  
Rep. Noonan, Rep. Phillips, and Rep. Wiseman voting  
aye.

**Discussion:**

00:32:48 Rep. Driscoll

00:34:21 Rep. Phillips

00:35:26 **Motion:** Rep. Phillips moved that **SB 498 BE AMENDED.**  
**EXHIBIT (feh77a04)**

**Discussion:**

00:37:42 Rep. Jones

00:38:10 Rep. Reichner

00:38:33 Rep. Stahl

00:40:32 Rep. Phillips

00:42:37 Rep. Stahl

00:43:36 Rep. Phillips

00:44:24 **Vote:** Motion carried 12-2 by roll call vote with  
Rep. Regier and Rep. Stahl voting no.

00:45:16 **Motion:** Rep. Phillips moved that **SB 498 BE AMENDED.**  
**EXHIBIT (feh77a05)**

**Discussion:**

00:48:13 Rep. Jones

00:50:53 Rep. Jopek

00:51:25 Rep. Phillips

00:53:14 Rep. Reichner

00:55:16 Rep. Phillips

00:56:38 Rep. Stahl

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00:58:03 Rep. O'Hara  
00:58:20 Mr. Everts  
00:58:43 Rep. Phillips  
00:59:54 Rep. Jones  
01:03:06 Rep. Jopek

01:03:26 **Vote:** Motion failed 7-7 by roll call vote with  
Rep. Augare, Rep. Boland, Rep. Driscoll, Rep. Jopek,  
Rep. Noonan, Rep. Phillips, and Rep. Wiseman voting  
aye.

01:04:12 **Motion:** Rep. Phillips moved that **SB 498 BE AMENDED.**  
**EXHIBIT (feh77a06)**

01:06:05 **Vote:** Motion carried 8-6 by roll call vote with  
Rep. Jones, Rep. MacLaren, Rep. O'Hara, Rep. Regier,  
Rep. Reichner, and Rep. Stahl voting no.

01:07:09 **Motion:** Rep. Phillips moved that **SB 498 BE AMENDED.**  
**EXHIBIT (feh77a07)**

**Discussion:**

01:09:11 Rep. Regier  
01:09:28 Rep. Phillips  
01:10:39 Rep. O'Hara  
01:10:50 Rep. Phillips  
01:11:48 Rep. Reichner  
01:12:12 Rep. Phillips  
01:12:30 Mr. Everts  
01:12:35 Chairman Noonan  
01:13:04 Rep. Regier  
01:13:13 Chairman Noonan  
01:13:27 Rep. MacLaren  
01:13:45 Rep. Phillips  
01:13:48 Rep. MacLaren  
01:14:18 Rep. Phillips  
01:15:58 Mr. Everts

01:16:57 **Vote:** Motion carried unanimously by roll call vote.

01:17:46 **Motion:** Rep. Phillips moved that **SB 498 BE AMENDED.**  
**EXHIBIT (feh77a08)**

01:18:09 Sonja Nowakowski, LSD

01:19:04 Chairman Noonan asked Vice Chair Robyn Driscoll to act  
as temporary Chair.

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01:19:09 **Vote:** Motion carried unanimously by voice vote.

01:19:41 **Motion:** Rep. Phillips moved that **SB 498 BE AMENDED.**  
**EXHIBIT (feh77a09)**

01:21:23 Rep. Noonan returned as Chairman.

01:21:54 **Vote:** Motion failed 6-8 by roll call vote with  
Rep. Augare, Rep. Boland, Rep. Driscoll, Rep. Jopek,  
Rep. Noonan, and Rep. Phillips voting aye.

**Discussion:**

01:23:34 Rep. Phillips

01:24:36 Rep. Wiseman

01:29:58 Rep. Jones

01:34:11 Rep. Jopek

01:35:04 Rep. MacLaren

01:36:45 Rep. Phillips

01:39:14 Rep. Jopek

01:40:01 Chairman Noonan

01:46:39 **Vote:** Motion failed 7-7 by roll call vote with  
Rep. Jones, Rep. Klock, Rep. MacLaren, Rep. O'Hara,  
Rep. Regier, Rep. Reichner, and Rep. Stahl voting aye.

**ADJOURNMENT**

01:47:33 Adjournment: 5:35 P.M.

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Bryce Bennett, Secretary

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Additional Documents:

**EXHIBIT ([feh77aad.pdf](#))**