

MINUTES

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

COMMITTEE ON FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS

Call to Order: Chairman Art Noonan, on February 4, 2009 at 3:00 P.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Art Noonan, Chairman (D)
Rep. Harry Klock, Vice Chairman (R)
Rep. Carlie Boland (D)
Rep. Llew Jones (R)
Rep. Mike Jopek (D)
Rep. Gary MacLaren (R)
Rep. Mike Phillips (D)
Rep. Keith Regier (R)
Rep. Scott Reichner (R)
Rep. Brady Wiseman (D)

Members Excused: None.

Members Absent: Rep. Robyn Driscoll, Vice Chairman (D)
Rep. Shannon Augare (D)
Rep. Jesse O'Hara (R)
Rep. Wayne Stahl (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: HB 179, HB 338, SB 33

Executive Action: HB 208, HB 287

HEARING ON HB 179

Opening Statement by Sponsor:

00:02:03 Rep. Dan Villa (D), HD 86, opened the hearing on HB
179, Revise renewable portfolio standard.
00:03:21 Rep. Augare arrived.

Proponents' Testimony:

00:03:29 John Fitzpatrick, Northwestern Energy
00:04:58 Rep. O'Hara arrived.

Opponents' Testimony: None

Informational Testimony:

00:05:55 Greg Jergeson, Chairman, Montana Public Service
Commission

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:06:54 Rep. Villa

HEARING ON HB 338

Opening Statement by Sponsor:

00:08:04 Rep. Duane Ankney (R), HD 43, opened the hearing on HB
338, Carbon dioxide pipelines as common carriers.

Proponents' Testimony:

00:11:03 Dennis Lopach, Renewable Energy Corporation (REC) -
Silicon
00:15:12 Lon Topaz, REC
00:21:07 Evan Barrett, Governor's Office of Economic Development
00:25:24 Jerome Anderson, Encore Acquisition Company
00:27:17 Mr. Jergeson
00:30:54 Dave Galt, Montana Petroleum Association
00:31:48 Leo Berry, Great Northern Properties
00:33:43 Mark Lambrecht, Pennsylvania Power and Light (PPL)
Montana

EXHIBIT (feh26a01)

00:35:23 Dan Flynn, International Brotherhood of Electrical
Workers (IBEW)
00:36:20 Chuck Magraw, Natural Resources Defense Council
00:40:19 Don Allen, Western Economic Trade Association
00:41:48 Willy Duffield, Montana Association of Oil, Gas and
Coal Counties
00:42:26 Robert Johnson, Montana American Federation of Labor
and Congress of Industrial Organizations (AFL-CIO)

Opponents' Testimony:

00:42:55 Beth Kaeding, Northern Plains Resource Council
00:46:18 Anne Hedges, Montana Environmental Information Center
(MEIC)

Informational Testimony: None

Questions from Committee Members and Responses:

00:49:27 Rep. Phillips
00:50:04 Mr. Topaz
00:51:35 Rep. Phillips
00:52:08 Rep. Ankney
00:52:38 Rep. Phillips
00:53:02 Rep. Ankney
00:54:26 Rep. Boland
00:54:51 Rep. Ankney
00:55:11 Rep. Boland
00:55:15 Rep. Ankney

Closing by Sponsor:

00:55:37 Rep. Ankney

HEARING ON SB 33

Opening Statement by Sponsor:

00:58:39 Sen. Dave Lewis (R), SD 42, opened the hearing on SB
33, Include certain biomass generation facilities in
renewable power act.

Proponents' Testimony:

01:03:09 Mr. Fitzpatrick
01:04:13 Jason Todhunter, Montana Logging Association

01:05:07 Ellen Simpson, Montana Wood Products Association
01:06:14 Richard Grady, self
01:06:52 Mr. Jergeson
01:10:24 Mr. Flynn
01:11:50 Mr. Johnson
01:14:20 Bob Harrington, Department of Natural Resources and
Conservation
01:17:29 Rep. Driscoll arrived.
01:18:49 David Russell, Homestead Resource Management

Opponents' Testimony: none.

01:19:33 Chairman Noonan asked Vice Chair Driscoll to chair the
meeting.

Informational Testimony: None

Questions from Committee Members and Responses:

01:20:29 Rep. Regier
01:21:00 Sen. Lewis
01:21:39 Rep. Regier
01:21:48 Sen. Lewis
01:21:55 Chairman Noonan returned.
01:22:00 Mr. Fitzpatrick
01:23:47 Rep. Jopek
01:24:37 Mr. Fitzpatrick

Closing by Sponsor:

01:24:48 Sen. Lewis

EXECUTIVE ACTION ON HB 287

01:28:33 **Motion:** Rep. Driscoll moved that **HB 287 DO PASS.**

01:28:43 **Motion:** Rep. Driscoll moved that **HB 287 BE AMENDED.**
EXHIBIT (feh26a02)

Discussion:

01:29:10 Rep. Driscoll
01:29:51 Todd Everts, Legislative Services Division (LSD)
01:30:12 Rep. Regier
01:30:43 Rep. Driscoll called the question.

01:30:51 **Vote:** Motion carried unanimously by voice vote.

01:30:57 **Motion:** Rep. Driscoll moved that **HB 287 DO PASS AS AMENDED.**

Discussion:

01:31:03 Rep. Regier
01:31:13 Rep. Wiseman
01:31:51 Rep. Phillips
01:32:06 Rep. Driscoll

01:32:25 **Vote:** Motion carried 9-5 with Rep. Jopek, Rep. Phillips, Rep. Regier, Rep. Reichner, and Rep. Wiseman voting no. Rep. Augare and Rep. Stahl voted by proxy.

EXECUTIVE ACTION ON HB 208

01:34:00 **Motion:** Rep. O'Hara moved that **HB 208 DO PASS.**

Discussion:

01:34:13 Rep. Phillips
01:34:57 Rep. O'Hara
01:35:14 Chairman Noonan
01:36:26 Rep. Jones
01:37:25 Rep. Jopek
01:37:46 Rep. Klock
01:38:24 Rep. Jopek
01:38:45 Chairman Noonan
01:38:50 Rep. Jones
01:39:32 Rep. Reichner called the question.

01:39:43 **Vote:** Motion carried 12-2 by roll call vote with Rep. Augare, Rep. Jopek, Rep. Stahl and Rep. Wiseman voted by proxy.

ADJOURNMENT

Adjournment: 4:43 P.M.

Bryce Bennett, Secretary

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Additional Documents:

EXHIBIT ([feh26aad.pdf](#))