

MINUTES

**MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION**

ENERGY AND TELECOMMUNICATIONS

Call to Order: Chairman Jerry W. Black, on March 24, 2009 at 3:20 P.M., in Room 317 Capitol

ROLL CALL

Members Present:

Sen. Jerry W. Black, Chairman (R)
Sen. Aubyn Curtiss, Vice Chairman (R)
Sen. Roy Brown (R)
Sen. Ron Erickson (D)
Sen. Kelly Gebhardt (R)
Sen. Bob Hawks (D)
Sen. Dave Lewis (R)
Sen. Lynda Moss (D)
Sen. Mitch Tropila (D)

Members Excused: Sen. John Esp (R)
Sen. Sharon Stewart-Peregoy (D)

Members Absent: None

Staff Present: Sonja Nowakowski, Legislative Branch
Nadine Spencer, Committee Secretary

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: HB 98, HB 338, HB 343, HB 483,
HB 529, HB 584

EXECUTIVE ACTION ON HB 98

00:01:17 **Motion:** Sen. Erickson moved that **HB 98 BE CONCURRED IN.**

Discussion:

00:01:22 Sen. Erickson

00:02:00 Sen. Hawks

00:02:27 **Vote:** **MOTION CARRIED** unanimously by voice vote by members present and voting. Sen. Erickson will carry the bill in the Senate.

EXECUTIVE ACTION ON HB 338

00:02:57 **Motion:** Sen. Lewis moved that **HB 338 BE CONCURRED IN.**

00:03:19 **Motion/Vote:** Sen. Lewis moved that **HB 338 BE AMENDED. MOTION CARRIED** unanimously by voice vote by members present and voting.

EXHIBIT (ens65a01)

00:03:47 **Motion:** Sen. Lewis moved that **HB 338 BE CONCURRED IN AS AMENDED.**

Discussion:

00:03:57 Sen. Lewis

00:04:12 **Vote:** **MOTION CARRIED** 6-3 by voice vote by members present and voting with Sens. Moss, Erickson and Hawks voting no. Senator Black will carry the bill in the Senate.

EXECUTIVE ACTION ON HB 343

00:05:54 **Motion:** Sen. Gebhardt moved that **HB 343 BE CONCURRED IN.**

00:06:30 **Motion:** Sen. Gebhardt moved that **HB 343 BE AMENDED. EXHIBIT** (ens65a02)

Discussion:

00:06:42 Chairman Black

00:07:54 Sen. Gebhardt

00:08:29 **Vote:** **MOTION CARRIED** unanimously by voice vote by members present and voting.

00:09:14 **Motion:** Sen. Black moved that **HB 343 BE AMENDED. EXHIBIT (ens65a03)**

Discussion:

00:10:40 Sen. Erickson

00:10:56 **Vote:** **MOTION CARRIED** unanimously by voice vote by members present and voting.

00:11:08 **Motion:** Sen. Gebhardt moved that **HB 343 BE CONCURRED IN AS AMENDED.**

Discussion:

00:11:22 Sen. Tropila

00:12:30 Sen. Hawks

00:12:53 Sen. Tropila

00:13:18 Sen. Hawks

00:13:30 Sonja Nowakowski

00:13:50 Sen. Tropila

00:13:55 Sen. Hawks

00:14:08 **Vote:** **MOTION CARRIED** 8-1 by voice vote by members present and voting with Sen. Tropila voting no. Sen. Black (later changed to Sen. Gebhardt) will carry the bill in the Senate.

EXECUTIVE ACTION ON HB 483

00:14:54 **Motion:** Sen. Gebhardt moved that **HB 483 BE CONCURRED IN.**

Discussion:

00:15:24 Sen. Tropila

00:15:52 Sen. Erickson

00:16:17 Sen. Esp entered the hearing.

00:16:30 Sen. Gebhardt

00:16:40 Chairman Black

00:17:15 Sen. Erickson

00:17:49 **Vote:** **MOTION CARRIED** 6-5 by roll call vote with Sens. Erickson, Moss, Tropila, Hawks, and Stewart-Peregoy voting no and Sen. Stewart-Peregoy voting by proxy. Sen. Black will carry the bill in the Senate.

EXECUTIVE ACTION ON HB 529

00:19:38 **Motion:** Sen. Gebhardt moved that **HB 529 BE CONCURRED IN.**

Discussion:

00:20:15 Chairman Black

00:20:22 Sen. Erickson left the hearing.

00:20:56 Sen. Hawks

00:22:13 Sen. Gebhardt

00:23:54 Sen. Hawks

00:25:09 **Vote:** **MOTION CARRIED** 6-5 by roll call vote with Sens. Erickson, Hawks, Moss, Stewart-Peregoy and Tropila voting no and Sens. Erickson and Stewart-Peregoy voting by proxy. Chairman Black will carry the bill in the Senate.

EXECUTIVE ACTION ON HB 584

00:26:23 **Motion:** Sen. Moss moved that **HB 584 BE CONCURRED IN.**

Discussion:

00:26:31 Sen. Gebhardt

[EXHIBIT \(ens65a04\)](#)

00:26:57 **Motion:** Sen. Gebhardt moved that **HB 584 BE AMENDED.**

[EXHIBIT \(ens65a05\)](#)

Discussion:

00:29:47 Sonja Nowakowski

[EXHIBIT \(ens65a06\)](#)

00:30:08 Sen. Brown

00:30:26 Sen. Hawks

00:30:45 Sen. Gebhardt

00:34:03 Sen. Hawks

00:36:02 Sen. Moss

00:36:24 Sen. Brown

00:36:58 Sen. Gebhardt

00:37:33 Chairman Black

00:40:15 Sonja Nowakowski

00:40:43 Sen. Lewis left the hearing.

00:42:12 Sen. Curtiss

00:42:47 Chairman Black

00:43:31 Sen. Gebhardt

00:44:01 Sen. Tropila
00:44:15 Sen. Gebhardt
00:44:28 Chairman Black
00:44:34 Sen. Hawks
00:44:42 Sen. Gebhardt
00:46:14 Sen. Hawks
00:46:29 Sen. Brown
00:46:49 Sonja Nowakowski
00:47:33 Sen. Tropila
00:47:54 Sonja Nowakowski
00:48:32 Sen. Curtiss
00:48:53 Sonja Nowakowski
00:49:18 Chairman Black

00:49:38 Without objection Sen. Gebhardt withdrew his motion on
the amendment and withdrew the motion on the bill.

00:49:45 Chairman Black
00:50:07 Sonja Nowakowski
00:50:35 Chairman Black
00:50:49 Sen. Gebhardt
00:50:55 Chairman Black
00:51:13 Sen. Moss
00:52:04 Chairman Black
00:52:10 Sen. Gebhardt
00:52:16 Sen. Esp
00:52:32 Chairman Black

ADJOURNMENT

Adjournment: 4:15 P.M.

Nadine Spencer, Secretary

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Additional Documents:

EXHIBIT ([ens65aad.pdf](#))