

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON ENERGY AND TELECOMMUNICATIONS

Call to Order: Chair Alan Olson, on February 3, 2011 at 3:00 PM, in Room 317-C
Capitol

ROLL CALL

Members Present:

Sen. Alan Olson, Chair (R)
Sen. Verdell Jackson, Vice Chair (R)
Sen. Shannon Augare (D)
Sen. Ron Erickson (D)
Sen. Bob Lake (R)
Sen. Lynda Moss (D)
Sen. Jason Priest (R)
Sen. Mitch Tropila (D)
Sen. Kendall Van Dyk (D)
Sen. Chas Vincent (R)
Sen. Edward Walker (R)

Members Excused: Sen. Jeff Essmann (R)

Members Absent: None

Staff Present: Sonja Nowakowski, Legislative Branch
Liane Taylor, 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: HB 22, 1/31/2011; SB 246, 1/31/2011

HEARING ON HB 22

Opening Statement by Sponsor:

00:01:41 Rep. Harry Klock (R), HD 83, opened the hearing on HB 22, Extend the sunset on wireless 9-1-1 funding for less populated counties.

Proponents' Testimony:

00:03:55 Becky Berger, 911 Program Manager, Department of Administration (DOA)

EXHIBIT(ens27a01)

00:07:10 Bonnie Lorang, Montana Independent Telecommunications Systems (MITS)

00:08:16 Jim Smith, representing Montana Sheriffs and Peace Officers Association (SPOA)

00:10:11 Geoff Feiss, representing Montana Telecommunications Association (MTA)

00:11:10 Sheryl Wood, Montana Association of Counties (MACO)

00:11:46 Gary Amestoy, representing Richland County Economic Development Corporation (RCEDC)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:13:03 Rep. Klock

HEARING ON SB 246

Opening Statement by Sponsor:

00:13:50 Sen. Alan Olson (R), SD 23, opened the hearing on SB 246, Revising regulated telecommunications provider laws.

Proponents' Testimony:

00:17:33 Dave Gibson, representing Qwest

00:23:49 Mary Wright, representing Montana Consumer Council (MCC)

00:24:27 Geoff Feiss, representing Montana Telecommunication Association (MTA)

00:25:58 Phil Maxwell, representing 3 Rivers Telecommunications (3 Rivers)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:27:16 Sen. Erickson
00:27:42 Dave Gibson, Qwest
00:28:41 Sen. Tropila
00:28:53 Dave Gibson
00:30:04 Sen. Tropila
00:30:18 Dave Jergeson, former PSC member

00:30:21 Sen. Vincent left the meeting.

Closing by Sponsor:

00:30:39 Sen. Olson

EXECUTIVE ACTION ON HB 22

00:31:19 **Motion/Vote:** Sen. Erickson moved that **HB 22 DO CONCUR**. Motion carried unanimously by voice vote with Sens. Essmann and Vincent voting by proxy. HB 22 will be carried by Sen. Erickson.

00:31:31 Chairman Olson

EXECUTIVE ACTION ON SB 246

00:31:19 Chairman Olson

00:32:43 **Motion/Vote:** Sen. Erickson moved that **SB 246 DO PASS**. Motion carried unanimously by voice vote with Sens. Essmann and Vincent voting by proxy.

EXECUTIVE ACTION ON SB 96

00:35:29 **Motion:** Sen. Moss moved that **SB 96 DO PASS AS AMENDED**.

00:35:52 **Corrected Motion:** Sen. Lake moved to **RECONSIDER PREVIOUS ACTION ON SB 96**.

Discussion:

00:36:24 Chairman Olson
00:37:50 Sen. Lake

00:38:05 **Vote:** Motion carried 11-1 by voice vote with Sen. Augare voting no and Sens. Essmann and Vincent voting by proxy.

00:38:44 **Motion/Vote:** Sen. Walker moved to **REMOVE THE AMENDMENT**. Motion carried unanimously by voice vote with Sens. Essmann and Vincent voting by proxy.

EXHIBIT(ens27a02)

00:39:37 **Motion:** Chairman Olson moved that **SB 96 BE AMENDED**.

Discussion:

00:39:53 Sonja Nowakowski, LSD
 00:40:22 Chairman Olson
 00:40:43 Sonja Nowakowski
 00:41:41 Sen. Lake
 00:41:53 Sen. Olson
 00:42:01 Sonja Nowakowski
 00:43:21 Sen. Lake
 00:43:56 Sonja Nowakowski
 00:44:25 Sen. Priest
 00:44:53 Sonja Nowakowski
 00:44:59 Sen. Erickson

00:46:37 **Vote:** Motion carried 11-1 by roll call vote with Sen. Augare voting no and Sens. Essmann and Vincent voting by proxy.

00:47:00 **Motion:** Sen. Lake moved that **SB 96 DO PASS AS AMENDED**.

Discussion:

00:47:17 Sen. Augare
 00:48:29 **Vote:** Motion carried 11-1 by voice vote with Sen. Augare voting no and Sens. Essmann and Vincent voting by proxy.

EXECUTIVE ACTION ON SB 226

00:49:41 **Motion:** Sen. Priest moved that **SB 226 DO PASS**.

00:50:04 **Motion:** Sen. Priest moves that **SB 226 BE AMENDED**.

EXHIBIT(ens27a03)

00:51:46 Sen. Priest

00:51:52 **Vote:** Motion carried 10-2 by roll call vote with Sens. Augare and Moss voting no and Sens. Essmann and Vincent voting by proxy.

00:52:03 **Motion:** Sen. Priest moved that **SB 226 DO PASS AS AMENDED**.

Discussion:

00:52:06 Sen. Erickson

00:53:16 Sen. Lake
00:57:09 Sen. Van Dyk
00:58:02 Sen. Augare
00:59:03 Chairman Olson
01:02:03 Sen. Tropila
01:03:00 Sen. Lake
01:04:29 Sen. Tropila
01:05:06 Sen. Priest
01:06:09 Sen. Moss
01:07:50 Sen. Erickson
01:09:29 Sen. Priest
01:12:25 Sen. Tropila
01:13:17 Sen. Priest
01:14:49 Sen. Erickson
01:17:27 Sen. Lake
01:20:09 Chairman Olson

01:20:33 **Vote:** Motion carried by roll call vote 7-5 with Sens. Augare, Erickson, Moss, Tropila and Van Dyk voting no and Sens. Essmann and Vincent voting by proxy.

EXECUTIVE ACTION ON SB 20

01:21:18 **Motion/Vote:** Sen. Priest moved that **SB 20 BE TABLED**. Motion carried unanimously by voice vote with Sens. Essmann and Vincent voting by proxy.

* (SB 20 had previously been removed from hearing at the sponsor's request.)

01:21:40 Sen. Priest

ADJOURNMENT

01:22:21 Adjournment:

Liane Taylor, Secretary

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Additional Documents:

EXHIBIT([ens27aad.pdf](#))