

BUSINESS REPORT

**MONTANA SENATE
62nd LEGISLATURE - REGULAR SESSION**

SENATE ENERGY AND TELECOMMUNICATIONS COMMITTEE

Date: Tuesday, March 22, 2011
Place: Capitol

Time: 3:00 PM
Room: 317-A

BILLS and RESOLUTIONS HEARD:

EXECUTIVE ACTION TAKEN:

HB 237 DO CONCUR
HB 291 DO CONCUR
HB 295 DO CONCUR
HB 593 DO CONCUR

Comments:



SEN. Alan Olson, Chair



SENATE STANDING COMMITTEE REPORT

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Mr. President:

We, your committee on **Energy and Telecommunications** recommend that **House Bill 593** (third reading copy -- blue) **be concurred in as amended.**

Signed: 
Senator Alan Olson, Chair

To be carried by Senator Edward Walker

And, that such amendments read:

1. Title, page 1, line 5.

Following: "17.8.772"

Insert: "AND TO ADOPT NEW MERCURY RULES"

2. Page 1, line 11 through line 12.

Strike: section 1 in its entirety

Insert: "NEW SECTION. **Section 1. Department to repeal rules - adoption of new rules.** (1) Within 1 year of the adoption of federal mercury regulations by the environmental protection agency, the board of environmental review shall repeal ARM 17.8.771 and 17.8.772 and adopt rules for the regulation of mercury that are no more stringent than federal regulations.

(2) If a court of competent jurisdiction issues a final decision declaring mercury regulations promulgated by the environmental protection agency invalid or if the environmental protection agency rescinds its mercury rules, the board shall repeal its rules and the department may not enforce any corresponding rule adopted by the board relating to the regulation of mercury emissions.

(3) A facility that installed and operated equipment pursuant to ARM 17.8.771 before [the effective date of this act] shall maintain and operate the equipment, including monitoring equipment, until it is necessary to demonstrate compliance with federal mercury regulations."

Committee Vote:

Yes 12, No 0

Fiscal Note Required

3. Page 1, line 14.

Strike: "-- void"

Strike: "(1)"

4. Page 1, line 18 through line 20.

Strike: subsection (2) in its entirety

5. Page 1, line 28.

Strike: "section 2"

Insert: "sections 1 and 2"

6. Page 2, line 27.

Strike: "Section 2"

Insert: "Sections 1 and 2"

Strike: "is"

Insert: "are"

7. Page 2, line 28.

Strike: "section 2"

Insert: "sections 1 and 2"

- END -



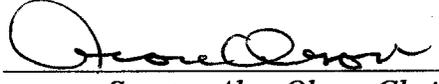
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Mr. President:

We, your committee on **Energy and Telecommunications** recommend that **House Bill 291** (third reading copy -- blue) **be concurred in as amended.**

Signed: 
Senator Alan Olson, Chair

To be carried by Senator Jim Keane

And, that such amendments read:

1. Page 2, line 5.

Strike: "20"

Insert: "10"

2. Page 2, line 15.

Following: line 14

Insert: "(4) A small customer may receive a refund pursuant to this section only if:

(a) the small customer paid for the initial extension or subsequent connection to the extension pursuant to subsection (1); and

(b) at the time the refund is issued, the small customer owns the residential structure to which the extension or subsequent connection to the extension was made."

- END -

Committee Vote:

Yes 9, No 3

Fiscal Note Required

HB0291001SC01438.sdr

JK



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Mr. President:

We, your committee on **Energy and Telecommunications** recommend that **House Bill 237** (third reading copy -- blue) **be concurred in as amended.**

Signed: 
Senator Alan Olson, Chair

To be carried by Senator Jason Priest

And, that such amendments read:

1. Page 11.

Following: line 11

Insert: "COORDINATION SECTION. **Section 6. Coordination instruction.** If both House Bill No. 78 and [this act] are passed and approved, then House Bill No. 78 is void."

Renumber: subsequent sections

- END -

Committee Vote:

Yes 7, No 5

Fiscal Note Required ___

HB0237001SC08058.sdr

AL



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Mr. President:

We, your committee on **Energy and Telecommunications** recommend that **House Bill 295** (third reading copy -- blue) **be concurred in as amended.**

Signed: 
Senator Alan Olson, Chair

To be carried by Senator Bob Lake

And, that such amendments read:

1. Page 2, line 13 through line 15.

Strike: "ALL" on line 13 through "PROPERTY." on line 15

2. Page 3, line 6.

Following: "property"

Strike: ";"

Insert: ". Structures do not include equipment necessary to access minerals as they relate to the rights belonging to or the dominance of the mineral estate pursuant to [section 8]."

3. Page 3, line 13 through line 15.

Strike: subsection (g) in its entirety

Insert: "(g) provisions addressing property owner and wind energy developer liability during the construction and operation of the wind energy project and equipment;"

4. Page 3, line 30.

Following: "estate;"

Insert: "or"

5. Page 4, line 2 through line 5.

Strike: ";" on line 2 through "state" on line 5

Renumber: subsequent subsection

Committee Vote:

Yes 12, No 0

Fiscal Note Required



MONTANA STATE SENATE
Roll Call Vote
ENERGY & TELECOMMUNICATIONS COMMITTEE

DATE 3/23 BILL NO. HB237 MOTION NO. _____

MOTION: _____
4B 237 *be concurred in as amended*

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR VERDELL JACKSON, VICE CHAIR	✓		
SENATOR SHANNON AUGARE		✓	
SENATOR RON ERICKSON		✓	✓
SENATOR JEFF ESSMANN	✓		
SENATOR BOB LAKE	✓		
SENATOR LYNDA MOSS		✓	
SENATOR JASON PRIEST	✓		
SENATOR MITCH TROPILA		✓	
SENATOR KENDALL VAN DYK		✓	
SENATOR CHAS VINCENT	✓		✓
SENATOR EDWARD WALKER	✓		
SENATOR ALAN OLSON, CHAIR	✓		

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Sen. Priest to carry

MONTANA STATE SENATE
Roll Call Vote
ENERGY & TELECOMMUNICATIONS COMMITTEE

DATE 3/22 BILL NO. _____ MOTION NO. _____

MOTION: HB 593 Amendment

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR VERDELL JACKSON, VICE CHAIR		✓	
SENATOR SHANNON AUGARE	✓		
SENATOR RON ERICKSON	✓	✓	✓
SENATOR JEFF ESSMANN		✓	
SENATOR BOB LAKE	✓		
SENATOR LYNDA MOSS	✓		
SENATOR JASON PRIEST	✓		
SENATOR MITCH TROPILA	✓		
SENATOR KENDALL VAN DYK	✓		
SENATOR CHAS VINCENT		✓	✓
SENATOR EDWARD WALKER	✓	✓	
SENATOR ALAN OLSON, CHAIR			

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**AUTHORIZED
SENATE COMMITTEE PROXY**

I, Senator Chas Vincent, request to be excused from the
**Energy and Telecommunications
COMMITTEE**

due to my other commitment. I desire to leave my proxy vote with:

Vice Chair Verdell Jackson

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
HB 237	X				
HB 295	X				
HB02901.asn	X				
HB02902.asn	X				
HB02903.asn	X				
HB 291	X				
HB029101.asn	X				
HB029102.asn	X				
HB 593	X				
HB059301.asn	X	X			

Sen. Chas Vincent
(Signature)

Date 3/22/2011