

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS

Call to Order: Chair Harry Klock, on January 26, 2011 at 3:00 PM, in Room 172 Capitol

ROLL CALL

Members Present:

Rep. Harry Klock, Chair (R)
Rep. Robyn Driscoll, Vice Chair (D)
Rep. Keith Regier, Vice Chair (R)
Rep. Carlie Boland (D)
Rep. Douglas (Doug) Kary (R)
Rep. Austin Knudsen (R)
Rep. Gary MacLaren (R)
Rep. Mary McNally (D)
Rep. Mike Menahan (D)
Rep. Jesse O'Hara (R)
Rep. Ken Peterson (R)
Rep. Mike Phillips (D)
Rep. Derek Skees (R)
Rep. Sterling Small (R)
Rep. Wayne Stahl (R)

Members Excused: Rep. James Knox (R)

Members Absent: Rep. Wayne Stahl (R)

Staff Present: Todd Everts, Legislative Branch
Cara Gold, 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 291, 1/21/2011
Executive Action: HB 198; HJ 4

00:00:02 The Chair welcomed everyone and reviewed the committee agenda.

HEARING ON HB 291

Opening Statement by Sponsor:

00:01:40 Rep. Jon Sesso (D), HD 76, opened the hearing on HB 291, Provide refund of utility extension costs when subsequent users connect to line.

00:07:09 Rep. Stahl entered the hearing.

Proponents' Testimony:

00:07:51 Mark Rule, Self

00:08:22 Rep. Stahl left the hearing.

00:11:04 Rep. Stahl returned to the hearing.

Opponents' Testimony:

00:13:36 John Fitzpatrick, NorthWestern Energy (NWE)

00:19:27 John Alke, Montana-Dakota Utilities (MDU)

[EXHIBIT\(feh20a01\)](#)

Informational Testimony:

00:24:47 Bill Gallagher, Montana Public Service Commission (PSC)

Questions from Committee Members and Responses:

00:27:27 Rep. Small

00:27:41 Rep. Sesso

Closing by Sponsor:

00:28:01 Rep. Sesso

EXECUTIVE ACTION ON HB 198

00:31:59 **Motion:** Rep. K. Peterson moved that **HB 198 DO PASS.**

00:32:17 **Motion:** Rep. K. Peterson moved that **HB 198 BE AMENDED.**

[EXHIBIT\(feh20a02\)](#)

[EXHIBIT\(feh20a03\)](#)

Discussion:

00:33:50 Rep. Phillips
 00:34:11 Rep. Peterson
 00:35:05 Rep. Phillips
 00:35:29 Rep. Peterson
 00:39:05 Rep. Phillips
 00:39:46 Todd Everts, Legislative Services Division (LSD)
 00:40:56 Rep. Peterson
 00:41:33 Rep. Phillips
 00:41:50 Rep. Peterson
 00:41:59 Rep. Phillips
 00:42:34 Rep. Peterson
 00:42:45 Rep. Phillips
 00:43:07 Rep. Peterson
 00:43:54 Rep. Phillips
 00:44:11 Rep. Menahan
 00:46:52 Rep. Phillips
 00:47:19 John Fitzpatrick, NWE

00:48:42 **Vote:** Motion carried unanimously by roll call vote. Rep. Knox voted by proxy.

00:49:48 **Motion:** Rep. K. Peterson moved that **HB 198 DO PASS AS AMENDED.**

Discussion:

00:50:00 Rep. Peterson
 00:52:48 Rep. Skees
 00:53:28 Rep. Peterson
 00:53:48 Rep. Skees
 00:54:07 Rep. Peterson
 00:54:10 Rep. Skees
 00:54:18 Rep. Peterson
 00:54:23 Rep. Menahan
 00:55:16 Rep. Skees
 00:55:45 Rep. Menahan
 00:56:21 Rep. Peterson
 00:57:15 Rep. Skees
 00:57:28 Rep. Peterson
 00:57:37 Rep. Phillips
 00:58:18 Rep. Skees
 00:59:16 Rep. Klock
 00:59:25 Rep. Skees
 01:01:19 Rep. Menahan
 01:02:50 Rep. Phillips
 01:03:10 Todd Everts, LSD

01:03:25 **Motion:** Rep. Phillips moved that **HB 198 BE AMENDED** (Only section 2 of Exhibit 4).

EXHIBIT(feh20a04)

Discussion:

01:04:21 Rep. Phillips
01:04:40 Todd Everts
01:05:58 Rep. MacLaren
01:06:09 Todd Everts
01:06:21 Rep. Regier
01:06:35 Rep. Phillips
01:07:37 Rep. Driscoll
01:08:20 Rep. Peterson
01:09:01 Rep. Driscoll
01:09:14 Rep. Peterson
01:09:20 Rep. Menahan
01:10:00 Todd Everts
01:10:40 Rep. McNally
01:11:15 Rep. Phillips
01:11:19 Rep. McNally
01:11:31 Rep. Driscoll
01:21:16 Rep. Stahl
01:22:03 Rep. Phillips
01:22:46 Rep. Stahl
01:23:14 Todd Everts
01:23:26 Rep. MacLaren
01:24:12 Rep. Peterson

01:24:39 **Vote:** Motion carried 15-1 by roll call vote with Rep. Kary voting no. Rep. Knox voted by proxy.

01:25:39 **Motion/Vote:** Rep. K. Peterson moved that **HB 198 DO PASS AS AMENDED.** Motion carried 14-2 by roll call vote with Rep. Knox and Rep. Skees voting no. Rep. Knox voted by proxy.

EXECUTIVE ACTION ON HJ 4

01:27:15 **Motion:** Rep. K. Peterson moved that **HJ 4 DO PASS.**

Discussion:

01:27:27 Rep. Peterson
01:30:16 Rep. Stahl

01:33:10 **Vote:** Motion carried 11-5 by voice vote with Rep. Boland, Rep. Driscoll, Rep. McNally, Rep. Menahan and Rep. Phillips voting no. Rep. Knox voted by proxy.

ADJOURNMENT

01:34:00 Adjournment

Cara Gold, Secretary

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Additional Documents:

EXHIBIT([feh20aad.pdf](#))