

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS

**Call to Order:** Chair Harry Klock, on March 23, 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. James Knox (R)  
Rep. Austin Knudsen (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)

**Members Excused:** None

**Members Absent:** Rep. Wayne Stahl (R)  
Rep. Gary MacLaren (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:**

Executive Action: SB104; SB 105; SB 109; SB 206; SB 225; SB 226; SB 246; SB 254; SB 305; SB 320; SJ 4; SJ 12

00:00:13 The Chairman welcomed the committee and reviewed the committee rules and agenda.

**EXECUTIVE ACTION ON SB 104**

00:02:02 **Motion:** Rep. Regier moved that **SB 104 BE CONCURRED IN.**

**Discussion:**

00:02:58 Rep. Driscoll

00:03:23 Rep. O'Hara

00:03:36 Rep. Small

00:03:43 **Substitute Motion/Vote:** Rep. Kary made a substitute motion that **SB 104 BE TABLED.** Substitute Motion carried unanimously by voice vote. Rep. MacLaren and Rep. Stahl voted by proxy.

**EXECUTIVE ACTION ON SB 105**

00:04:39 **Motion:** Rep. Regier moved that **SB 105 BE CONCURRED IN.**

00:04:58 **Substitute Motion/Vote:** Rep. O'Hara made a substitute motion that **SB 105 BE TABLED.** Substitute Motion carried 11-5 by voice vote with Rep. Knox, Rep. Knudsen, Rep. Peterson, Rep. Regier and Rep. Skees voting no. Rep. MacLaren and Rep. Stahl voted by proxy.

**EXECUTIVE ACTION ON SB 109**

00:06:27 **Motion:** Rep. Regier moved that **SB 109 BE CONCURRED IN.**

**Discussion:**

00:06:44 Rep. Driscoll

00:07:07 Todd Everts, Legislative Services Division (LSD)

00:07:27 **Substitute Motion:** Rep. Phillips made a substitute motion that **SB 109 BE AMENDED.**

**EXHIBIT(feh65a01)**

**Discussion:**

00:08:23 Rep. Klock

00:08:45 **Vote:** Motion failed 5-11 by roll call vote with Rep. Boland, Rep. Driscoll, Rep. McNally, Rep. Menahan and Rep. Phillips voting aye. Rep. MacLaren and Rep. Stahl voted by proxy.

00:10:44 **Vote:** Motion carried 11-5 by roll call vote with Rep. Boland, Rep. Driscoll, Rep. McNally, Rep. Menahan and Rep. Phillips voting no. Rep. MacLaren and Rep. Stahl voted by proxy. Rep. Knox will carry the bill.

**EXECUTIVE ACTION ON SB 206**

00:11:20 **Motion/Vote:** Rep. Regier moved that **SB 206 BE CONCURRED IN**. Motion carried unanimously by roll call vote. Rep. MacLaren and Rep. Stahl voted by proxy. Rep. Peterson will carry the bill.

**EXECUTIVE ACTION ON SB 225**

00:13:11 **Motion:** Rep. Regier moved that **SB 225 BE CONCURRED IN**.

00:13:35 **Substitute Motion/Vote:** Rep. Small made a substitute motion that **SB 225 BE TABLED**. Substitute Motion failed 7-9 by roll call vote with Rep. Boland, Rep. Driscoll, Rep. McNally, Rep. Menahan, Rep. O'Hara, Rep. Phillips and Rep. Small voting aye. Rep. MacLaren and Rep. Stahl voted by proxy.

00:14:44 **Vote:** Motion failed 8-8 by roll call vote with Rep. Kary, Rep. Knox, Rep. Knudsen, Rep. MacLaren, Rep. Peterson, Rep. Regier, Rep. Skees and Rep. Stahl voting aye. Rep. MacLaren and Rep. Stahl voted by proxy.

00:16:10 Rep. Knox

**EXECUTIVE ACTION ON SB 226**

00:16:19 **Motion:** Rep. Regier moved that **SB 226 BE CONCURRED IN**.

**Discussion:**

00:16:49 Rep. Knox  
00:17:31 Rep. Phillips  
00:18:28 Rep. Driscoll  
00:19:49 Rep. Menahan  
00:21:19 Rep. McNally  
00:22:48 Rep. Knox  
00:23:53 Rep. Peterson  
00:24:57 Rep. O'Hara  
00:25:31 Rep. Boland

00:25:34 Rep. MacLaren and Rep. Stahl entered the hearing.

00:25:57 **Vote:** Motion failed 4-12 by roll call vote with Rep. Knox, Rep. Knudsen, Rep. Regier and Rep. Stahl voting aye.

00:26:46 **Motion/Vote:** Rep. Knox moved that **SB 226 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 246**

00:27:11 **Motion:** Rep. Regier moved that **SB 246 BE CONCURRED IN.**

**Discussion:**

00:27:32 Rep. Klock

00:27:45 Rep. Skees

00:28:06 **Vote:** Motion carried unanimously by voice vote. Rep. Klock will carry the bill.

**EXECUTIVE ACTION ON SB 254**

00:28:52 **Motion:** Rep. Regier moved that **SB 254 BE CONCURRED IN.**

**Discussion:**

00:29:14 Rep. Menahan

00:30:31 Rep. Skees

00:31:47 Rep. McNally

00:31:59 Rep. Phillips

00:33:26 Rep. Peterson

00:35:37 Rep. Knudsen

00:36:03 **Vote:** Motion carried 11-5 by roll call vote with Rep. Boland, Rep. Driscoll, Rep. McNally, Rep. Menahan and Rep. Phillips voting no. Rep. Skees will carry the bill.

00:36:48 Rep. Klock

**EXECUTIVE ACTION ON SB 305**

00:37:44 **Motion:** Rep. Regier moved that **SB 305 BE CONCURRED IN.**

00:37:59 **Substitute Motion/Vote:** Rep. Phillips made a substitute motion that **SB 305 BE AMENDED.** Substitute Motion failed 5-11 by roll call vote with Rep. Boland, Rep. Driscoll, Rep. McNally, Rep. Menahan and Rep. Phillips voting aye.

**EXHIBIT(feh65a02)**

00:40:20 Rep. Skees

00:40:47 Rep. McNally

00:41:13 Rep. Peterson

00:41:59 Rep. Klock

00:42:07 **Vote:** Motion carried 11-5 by roll call vote with Rep. Boland, Rep. Driscoll, Rep. McNally, Rep. Menahan and Rep. Phillips voting no. Rep. Klock will carry the bill.

**EXECUTIVE ACTION ON SB 320**

00:43:13 **Motion:** Rep. Regier moved that **SB 320 BE CONCURRED IN.**

**Discussion:**

00:43:25 Rep. Klock  
00:43:39 Rep. Knox  
00:44:11 Rep. Skees  
00:44:51 Van Jamison, Gaelectric North America  
00:46:54 Rep. Peterson  
00:48:38 Van Jamison  
00:49:54 Rep. Peterson  
00:50:23 Rep. Knox  
00:51:00 Van Jamison  
00:52:35 Rep. Phillips  
00:53:38 Van Jamison  
00:53:43 Rep. Phillips  
00:54:00 Van Jamison

00:55:50 Rep. Kary left the hearing.

00:55:57 Rep. Skees  
00:56:52 Rep. Peterson  
00:57:35 Rep. Skees  
00:58:16 Rep. Peterson

00:58:49 Rep. Kary returned to the hearing.

00:58:50 **Vote:** Motion carried 11-5 by roll call vote with Rep. Knox, Rep. Knudsen, Rep. Peterson, Rep. Skees and Rep. Small voting no. Rep. Cook will carry the bill.

**EXECUTIVE ACTION ON SJ 4**

01:00:33 **Motion:** Rep. Regier moved that **SJ 4 BE CONCURRED IN.**

**Discussion:**

01:01:01 Rep. Phillips  
01:01:39 Rep. Menahan  
01:03:45 Rep. Knox  
01:03:59 Rep. Skees

01:05:02 **Vote:** Motion carried 11-5 by roll call vote with Rep. Boland, Rep. Driscoll, Rep. McNally, Rep. Menahan and Rep. Phillips voting no. Rep. Skees will carry the bill.

**EXECUTIVE ACTION ON SJ 12**

01:06:02     **Motion/Vote:** Rep. Regier moved that **SJ 12 BE CONCURRED IN**. Motion carried 14-2 by roll call vote with Rep. Boland and Rep. McNally voting no. Rep. Knox will carry the bill.

01:07:47     Rep. Phillips

**ADJOURNMENT**

01:08:07      Adjournment

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Cara Gold, Secretary

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Additional Documents:

**EXHIBIT([feh65aad.pdf](#))**