

Montana State Legislature

2013 Session

ADDITIONAL DOCUMENTS MAY INCLUDE THE FOLLOWING:

- **Business Report**
- **Roll Call - Attendance**
- **Standing Committee Reports**
- **Tabled Bills**
- **Fiscal Reports etc.**
- **Roll Call Votes**
- **Informational Items**
- **Witness Statements**
- **Any Documents; such as;**
 - ***Petitions if any.**
 - ***Any and all material handed end after the meeting ends.**

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BUSINESS REPORT

**MONTANA HOUSE OF REPRESENTATIVES
63rd LEGISLATURE - REGULAR SESSION**

HOUSE FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS COMMITTEE

Date: Friday, March 15, 2013
Place: Capitol

Time: 3:00 PM
Room: 472

BILLS and RESOLUTIONS HEARD: None

EXECUTIVE ACTION TAKEN: HB 509 DO PASS AS AMENDED
HB 546 DO PASS AS AMENDED
SB 26 BE CONCURRED IN AS AMENDED
SB 106 BE CONCURRED IN
SB 325 BE CONCURRED IN
SB 327 BE CONCURRED IN

Comments: None



REP. Keith Regier, Chair

HOUSE OF REPRESENTATIVES
Roll Call
FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS
COMMITTEE

DATE: 3/15/13

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
REP. JESSE O'HARA, VICE CHAIR		
REP. MARY MCNALLY, VICE CHAIR		
REP. TOM STEENBERG		
REP. MIKE LANG		
REP. DAVID MOORE		
REP. DOUG KARY		<i>excused</i>
REP. KATHY SWANSON		<i>excused</i>
REP. ROGER HAGAN		
REP. CARLIE BOLAND		
REP. RAE PEPPERS		
REP. TOM BERRY		
REP. DANIEL ZOLNIKOV		
REP. AUSTIN KNUDSEN		<i>excused</i>
REP. KEITH REGIER, CHAIR		



HOUSE STANDING COMMITTEE REPORT

March 15, 2013

Page 1 of 4

Mr. Speaker:

We, your committee on **Federal Relations, Energy, and Telecommunications** recommend that **House Bill 509** (first reading copy -- white) **do pass as amended.**

Signed: _____

Keith Regier
Representative Keith Regier, Chair

And, that such amendments read:

1. Title, page 1, line 4 through line 5.

Strike: "REDUCING" on line 4 through "SERVICES;" on line 5

2. Title, page 1, line 11.

Strike: the first "AND"

Following: "10-4-301,"

Insert: "AND 10-4-313,"

3. Page 1, line 30.

Following: "(2)"

Strike: "A"

Insert: "(a) Except as provided in subsection (2)(b), a seller may deduct and retain the entirety of the 2014 first quarter's fees.

(b) The amount retained in accordance with subsection (2)(a) may not exceed \$300. Any amount collected above \$300 must be held in trust for the state of Montana and for payment in accordance with 10-4-204.

(c) Beginning in the second quarter of 2014, a"

4. Page 2, line 29.

Strike: "10-4-301(1)(a)"

Insert: "10-4-301(2)(a)"

5. Page 3, line 21.

Strike: "10-4-301(1)(b)"

Committee Vote:

Yes 14, No 0

Fiscal Note Required

HB0509001SC.hjk

Insert: "10-4-301(2) (b) "

6. Page 5, line 24.

Strike: "10"

Insert: "25"

7. Page 6, line 4.

Strike: "85 cents"

Insert: "\$1"

8. Page 6, line 26.

Following: "services"

Insert: "or the amount charged for the prepaid wireless fee"

9. Page 8, line 22.

Following: "accounts."

Insert: "(1) All money received by the department of revenue pursuant to 10-4-201 must be paid to the state treasurer for deposit in the appropriate account. An amount equal to 2.74% of the money received pursuant to 10-4-201 must be deposited in an account in the state special revenue fund to be used for the administration of this chapter. Any remaining funds at the end of a fiscal year must be equally distributed to each of the four accounts provided for in subsection (2)."

Renumber: subsequent subsections

10. Page 9, line 3 through line 7.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

11. Page 9, line 8.

Strike: "(1)"

Insert: "(2)"

12. Page 9, line 13.

Strike: "(1)"

Insert: "(2)"

13. Page 9.

Following: line 16

Insert: "**Section 11.** Section 10-4-313, MCA, is amended to read:

"10-4-313. Distribution of wireless enhanced 9-1-1 account by department. (1) The department shall make quarterly distribution of the portion of the wireless enhanced 9-1-1 account for allowable costs described in ~~10-4-301(1)(c)(ii)~~ 10-4-301(2)(c)(ii) incurred by each wireless provider in each 9-1-1 jurisdiction as follows:

(a) For each fiscal year through the fiscal year ending June 30, 2015:

(i) 84% of the balance of the account must be allocated to

the wireless providers providing wireless enhanced 9-1-1 in each county on a per capita basis. The wireless provider in each county must be allocated a minimum of 1% of the balance of the counties' share of the account.

(ii) the balance of the account must be allocated evenly to the wireless providers providing wireless enhanced 9-1-1 in counties with 1% or less of the total population of the state; and

(iii) prior to distribution, the amounts allocated under subsections (1)(a)(i) and (1)(a)(ii) must be adjusted to ensure that a wireless provider does not receive less than the amount allocated to wireless providers providing wireless enhanced 9-1-1 in counties with 1% or less of the total population of the state.

(b) For fiscal years beginning after June 30, 2015, 100% of the balance of the account must be allocated to the wireless providers providing wireless enhanced 9-1-1 in each county on a per capita basis. Each county must be allocated a minimum of 1% of the balance of the counties' share of the account.

(c) If the department is unable to fully reimburse a wireless provider under subsection (1)(a) in any quarter, the department shall in the subsequent quarter pay from the allocation under subsection (1)(a) to wireless providers any unpaid balances from the previous quarter. If the amount available is insufficient to pay all previous unpaid balances, the department shall repeat the process of paying unpaid balances that remain unpaid for as many quarters as necessary until all unpaid balances are fully paid. The department shall review all invoices for appropriateness of costs claimed by the wireless provider. If the wireless provider contests the review, payment may not be made until the amount owed to the wireless provider is determined.

(d) A wireless provider shall submit an invoice for cost recovery according to the allowable costs.

(e) The department shall determine the percentage of overall subscribers, based on billing addresses, within the 9-1-1 jurisdiction for each wireless provider seeking cost recovery by dividing the wireless provider's subscribers by the total number of subscribers in that 9-1-1 jurisdiction. The percentage must be applied to the total wireless provider funds for that 9-1-1 jurisdiction, and each wireless provider shall receive distribution based on the provider's percentage. To receive cost recovery, wireless providers shall submit subscriber counts to the department on a quarterly basis. The subscriber count must be provided for each 9-1-1 jurisdiction in which the wireless provider receives cost recovery within 30 calendar days following the end of each quarter. The department shall recalculate distribution percentages on a quarterly basis.

(f) If the department determines that a wireless provider has submitted costs that exceed allowable costs or are not submitted in the manner prescribed in 10-4-115, the department may, after giving notice to the wireless provider, suspend or

withhold payment from the wireless enhanced 9-1-1 account.

(2) The department shall make quarterly distribution of the portion of the wireless enhanced 9-1-1 account described in ~~10-4-301(1)(c)(i)~~ 10-4-301(2)(c)(i) to each 9-1-1 jurisdiction as follows:

(a) for each fiscal year through the fiscal year ending June 30, 2015:

(i) 84% of the balance of the account must be allocated to cities and counties on a per capita basis. However, each county must be allocated a minimum of 1% of the balance of the counties' share of the account.

(ii) the balance of the account must be allocated evenly to the counties with 1% or less than 1% of the total population of the state; and

(iii) prior to distribution, the amounts allocated under subsections (2)(a)(i) and (2)(a)(ii) must be adjusted to ensure that a county does not receive less than the amount allocated to counties with 1% or less of the total population of the state; and

(b) for fiscal years beginning after June 30, 2015, 100% of the balance of the account must be allocated to cities and counties on a per capita basis. However, each county must be allocated a minimum of 1% of the balance of the counties' share of the account.""

Renumber: subsequent sections

- END -



Molly
Room 451

HOUSE STANDING COMMITTEE REPORT

March 15, 2013

Page 1 of 1

Mr. Speaker:

We, your committee on **Federal Relations, Energy, and Telecommunications** recommend that **House Bill 546** (first reading copy -- white) do pass as amended.

Signed: _____

Keith Regier
Representative Keith Regier, Chair

And, that such amendments read:

1. Page 1, line 21 through line 22.
Strike: subsection (b) in its entirety
Renumber: subsequent subsections
2. Page 1, line 24.
Following: "have a"
Insert: "yellow"

- END -

Committee Vote:

Yes 14, No 0

Fiscal Note Required ___

HB0546001SC.hjk

Molly
Room 451



HOUSE STANDING COMMITTEE REPORT

March 15, 2013

Page 1 of 2

Mr. Speaker:

We, your committee on **Federal Relations, Energy, and Telecommunications** recommend that **Senate Bill 26** (third reading copy -- blue) be concurred in as amended.

Signed: Keith Regier
Representative Keith Regier, Chair

To be carried by Representative Tom Steenberg

And, that such amendments read:

1. Page 4, line 4 through line 5.

Strike: "the" on line 4 through "with" on line 5

Insert: "a tradeable certificate of proof of"

2. Page 4, line 5.

Strike: "and"

Insert: ", including all of the environmental attributes associated with that 1 megawatt-hour unit of electricity production, that is"

3. Page 4, line 27.

Following: "and"

Insert: "69-3-2007 and"

4. Page 6, line 2.

Following: "the"

Insert: "associated"

5. Page 6, line 3.

Following: "separately"

Insert: "that have not been sold separately"

6. Page 6, line 29.

Strike: "all"

Committee Vote:

Yes 14, No 0

Fiscal Note Required

7. Page 7, line 2 through line 3.

Strike: subsection (b) in its entirety

Renumber: subsequent subsections

8. Page 7, line 8.

Strike: "all"

- END -



HOUSE STANDING COMMITTEE REPORT

March 15, 2013

Page 1 of 1

Mr. Speaker:

We, your committee on **Federal Relations, Energy, and Telecommunications** recommend that **Senate Bill 106** (third reading copy -- blue) **be concurred in.**

Signed: _____

Keith Regier
Representative Keith Regier, Chair

To be carried by Representative Carlie Boland

- END -

Committee Vote:

Yes 11, No 3

Fiscal Note Required

SB0106001SC13621.hjk

3-16-13 DC
7:00



HOUSE STANDING COMMITTEE REPORT

March 15, 2013

Page 1 of 1

Mr. Speaker:

We, your committee on **Federal Relations, Energy, and Telecommunications** recommend that **Senate Bill 325** (third reading copy -- blue) **be concurred in.**

Signed: _____

Keith Regier
Representative Keith Regier, Chair

To be carried by Representative Keith Regier

- END -

Committee Vote:

Yes 8, No 6

Fiscal Note Required

SB0325001SC13689.hjk

3-16-13 DC
7:00



HOUSE STANDING COMMITTEE REPORT

March 15, 2013

Page 1 of 1

Mr. Speaker:

We, your committee on **Federal Relations, Energy, and Telecommunications** recommend that **Senate Bill 327** (third reading copy -- blue) **be concurred in.**

Signed: _____

Keith Regier
Representative Keith Regier, Chair

To be carried by Representative Mike Lang

- END -

Committee Vote:

Yes 14, No 0

Fiscal Note Required

SB0327001SC15245.hjk

3-16-13 DC
7:00

HOUSE OF REPRESENTATIVES

Roll Call Vote

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS COMMITTEE

DATE: 3/15/13 BILL NO 509 MOTION NO. 1
 MOTION: HB 509 DO PASS

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. JESSE O'HARA, VICE CHAIR	✓		
REP. MARY MCNALLY, VICE CHAIR	✓		
REP. TOM STEENBERG	✓		
REP. MIKE LANG	✓		
REP. DAVID MOORE	✓		
REP. DOUG KARY	✓		✓
REP. KATHY SWANSON	✓		✓
REP. ROGER HAGAN	✓		
REP. CARLIE BOLAND	✓		
REP. RAE PEPPERS	✓		
REP. TOM BERRY	✓		
REP. DANIEL ZOLNIKOV	✓		
REP. AUSTIN KNUDSEN	✓		✓
REP. KEITH REGIER, CHAIR	✓		

HOUSE OF REPRESENTATIVES

Roll Call Vote

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS COMMITTEE

DATE: 03/15/13 BILL NO SB26 MOTION NO. 2

MOTION: SB 26 BE CONCURRED IN AS AMENDED

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. JESSE O'HARA, VICE CHAIR	✓		
REP. MARY MCNALLY, VICE CHAIR	✓		
REP. TOM STEENBERG	✓		
REP. MIKE LANG	✓		
REP. DAVID MOORE	✓		
REP. DOUG KARY	✓		✓
REP. KATHY SWANSON	✓		✓
REP. ROGER HAGAN	✓		
REP. CARLIE BOLAND	✓		
REP. RAE PEPPERS	✓		
REP. TOM BERRY	✓		
REP. DANIEL ZOLNIKOV	✓		
REP. AUSTIN KNUDSEN	✓		✓
REP. KEITH REGIER, CHAIR	✓		

HOUSE OF REPRESENTATIVES

Roll Call Vote

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS COMMITTEE

DATE: 03/13/13 BILL NO SB 106 MOTION NO. 3
 MOTION: SB 106 BE CONCURRED IN

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. JESSE O'HARA, VICE CHAIR	✓		
REP. MARY MCNALLY, VICE CHAIR	✓		
REP. TOM STEENBERG	✓		
REP. MIKE LANG	✓		
REP. DAVID MOORE		x	
REP. DOUG KARY		x	
REP. KATHY SWANSON	✓		✓
REP. ROGER HAGAN	✓		
REP. CARLIE BOLAND	✓		
REP. RAE PEPPERS	✓		
REP. TOM BERRY		x	
REP. DANIEL ZOLNIKOV	✓		
REP. AUSTIN KNUDSEN	✓		✓
REP. KEITH REGIER, CHAIR	✓		

HOUSE OF REPRESENTATIVES
Roll Call Vote
FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS COMMITTEE

DATE: 3/15/13 BILL NO SB 325 MOTION NO. 4
MOTION: SB 325 BE CONCURRED IN

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. JESSE O'HARA, VICE CHAIR	✓		
REP. MARY MCNALLY, VICE CHAIR		X	
REP. TOM STEENBERG		X	
REP. MIKE LANG	✓		
REP. DAVID MOORE		X	
REP. DOUG KARY	✓		
REP. KATHY SWANSON		X	✓
REP. ROGER HAGAN	✓		
REP. CARLIE BOLAND		X	
REP. RAE PEPPERS		X	
REP. TOM BERRY	✓		
REP. DANIEL ZOLNIKOV	✓		
REP. AUSTIN KNUDSEN	✓		✓
REP. KEITH REGIER, CHAIR	✓		

AUTHORIZED COMMITTEE PROXY

I request to be excused from the FRET

Committee because of other commitments. I desire to leave my proxy vote with:

Rep. McNally

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 50901.ASN	✓				
HB 05094.ASN	✓				
HB 509	✓				
HB 054601.AHS	✓				
HB 054602.AHS	✓				
HB 546	✓				
SB 002602.ASN	✓	✓			
SB 26	✓				
SB 106	✓				
SB 235		✓			
SB 327	✓				

Rep. Kathy Swanson
(Signature)

Date 3/15/13

Handwritten notes in the right margin, including a vertical list of numbers (1, 2, 3, 4, 5, 6, 7, 8, 9, 10) and some illegible text.

AUTHORIZED COMMITTEE PROXY

I request to be excused from the FRET

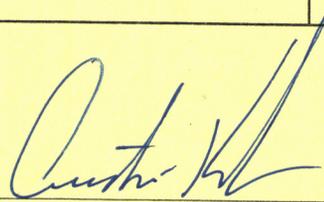
Committee because of other commitments. I desire to leave my proxy vote with:

Jesse O'Hara

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 509 amend	X	
HB 509 amend	X	
HB 509	X	
HB 546 amend	X	
HB 546 amend	X	
^{HB 46} SB 26 amend	X	
SB 106	X	
SB 325	X	
SB 327	X	

Rep. 
 (Signature)
Krackson

Date 3-15-13

AUTHORIZED COMMITTEE PROXY

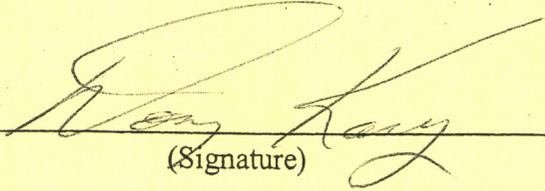
I request to be excused from the FRET

Committee because of other commitments. I desire to leave my proxy vote with:

James O'Hara

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 509 amend	X				
HB 509 amend	X				
HB 509	X				
HB 546 amend	X				
HB 546 amend	X				
HB 546	X				
SB ^{HB 546} 26 amend	X				

Rep. 
(Signature)

Date 3-15-13

