

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON ENERGY AND TELECOMMUNICATIONS

Call to Order: Vice Chair Verdell Jackson, on March 14, 2013 at 3:00 PM, in Room 317 Capitol

ROLL CALL

Members Present:

Sen. Verdell Jackson, Vice Chair (R)
Sen. Robyn Driscoll (D)
Sen. Greg Jergeson (D)
Sen. Llew Jones (R)
Sen. Christine Kaufmann (D)
Sen. Cliff Larsen (D)
Sen. Mitch Tropila (D)
Sen. Edward Walker (R)

Members Excused:

Sen. Alan Olson, Chair (R)
Sen. Ron Arthun (R)
Sen. Jeff Essmann (R)
Sen. Jason Priest (R)
Sen. Chas Vincent (R)

Members Absent: None

Staff Present: Julie Emge, Committee Secretary
Sonja Nowakowski, Legislative Branch

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: HJ 11, 3/8/2013; HB 417, 3/8/2013

Executive Action:	HJ 11:	Be Concurred In
	HB 226:	Be Concurred In
	HB 256:	Be Concurred In As Amended
	SB 243:	Partial Action

HEARING ON HJ 11

Opening Statement by Sponsor:

00:07:41 Rep. Keith Regier (R), HD 5, opened the hearing on HJ 11, Legislative resolution on energy.

Proponents' Testimony:

00:09:08 Gary Wiens, Montana Electric Cooperatives Association (MECA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:13:55 Rep. Regier

HEARING ON HB 417

Opening Statement by Sponsor:

00:19:17 Rep. Kelly Flynn (R), HD 68, opened the hearing on HB 417, Revise eminent domain laws related to due process.

Proponents' Testimony:

00:25:50 John Alke, Montana-Dakota Utilities Company (MDUC), Montana Alberta Tie Line (MATL)

00:29:08 Chairman Olson entered the hearing and resumed role as Chair.

00:33:27 Hertha Lund, representing herself

00:35:30 Beth Kaeding, representing Northern Plains Resource Council (NPRC)

00:38:28 Jay Bodner, representing Montana Stockgrowers Association (MSA), United Property Owners of Montana (UPOM)

00:39:25 Tom Ebzery, representing CenturyLink (CL)

00:41:08 John Younberg, Montana Farm Bureau Federation (MFBF)

00:41:42 Gary Spaeth, representing Jefferson County (JC)

00:42:59 Bob Haseman, representing himself

00:44:23 Darryl James, representing Enbridge Energy (EE)

00:45:41 Sen. Arthun entered the hearing.

00:45:52 Bill Petrovish, representing himself

00:51:09 Chuck Hahn, representing himself

Opponents' Testimony:

00:52:23 Edward Beaudette, Montana Department of Transportation (MT-DOT)
[EXHIBIT\(ens55a01\)](#)

01:02:34 John Fitzpatrick, representing NorthWestern Energy (NWE)

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:07:27 Rep. Flynn

EXECUTIVE ACTION ON HJ 11

01:12:20 **Motion/Vote:** Sen. Jackson moved that **HJ 11 BE CONCURRED IN**. Motion carried 10-0 by voice vote. Sen. Essmann, Sen. Priest and Sen. Vincent were excused. Sen. Walker will carry the bill.

EXECUTIVE ACTION ON HB 256

01:14:08 **Motion:** Sen. Jackson moved that **HB 256 BE CONCURRED IN**.

01:15:00 **Motion:** Sen. Jackson moved that **HB 256 BE AMENDED**.
[EXHIBIT\(ens55a02\)](#)

Discussion:

01:15:20 Sonja Nowakowski, Legislative Services Division (LSD)
 01:16:46 Sen. Jones

01:17:20 **Vote:** Motion carried 10-0 by voice vote. Sen. Essmann, Sen. Priest and Sen. Vincent were excused.

01:17:33 **Motion/Vote:** Sen. Jackson moved that **HB 256 BE CONCURRED IN AS AMENDED**. Motion carried 10-0 by voice vote. Sen. Essmann, Sen. Priest and Sen. Vincent were excused. Sen. Jones will carry the bill.

EXECUTIVE ACTION ON HB 226

01:18:16 **Motion:** Sen. Jackson moved that **HB 226 BE CONCURRED IN**.

Discussion:

01:18:30 Sen. Tropila
 01:20:12 Sen. Arthun
 01:20:31 Ms. Nowakowski, LSD
 01:21:09 Sen. Larsen

01:22:01 Sen. Kaufmann
01:22:49 Sen. Jones
01:24:39 Sen. Tropila
01:25:42 Chairman Olson
01:26:20 Sen. Jackson

01:28:39 **Vote:** Motion carried 7-6 by roll call vote with Sen. Driscoll, Sen. Jergeson, Sen. Jones, Sen. Kaufmann, Sen. Larsen and Sen. Tropila voting no. Sen. Essmann, Sen. Priest and Sen. Vincent voted by proxy. Sen. Webb will carry the bill.

EXECUTIVE ACTION ON SB 243

01:30:40 **Motion/Vote:** Sen. Jackson moved that **HB 243 BE REMOVED FROM TABLED**. Motion failed 5-5 by roll call vote with Sen. Arthun, Sen. Jackson, Sen. Jones, Sen. Olson and Sen. Walker voting aye. Sen. Essmann, Sen. Priest and Sen. Vincent were excused.

ADJOURNMENT

Adjournment: 4:28 PM

Julie Emge, Secretary

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Additional Documents:

EXHIBIT([ens55aad.pdf](#))