

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON ENERGY AND TELECOMMUNICATIONS

Call to Order: Chair Alan Olson, on March 10, 2011 at 3:00 PM, in Room 317 Capitol

ROLL CALL

Members Present:

Sen. Alan Olson, Chair (R)
Sen. Verdell Jackson, Vice Chair (R)
Sen. Shannon Augare (D)
Sen. Ron Erickson (D)
Sen. Jeff Essmann (R)
Sen. Bob Lake (R)
Sen. Lynda Moss (D)
Sen. Jason Priest (R)
Sen. Mitch Tropila (D)
Sen. Kendall Van Dyk (D)
Sen. Chas Vincent, (R)
Sen. Edward Walker (R)

Members Excused: None

Members Absent: None

Staff Present: Sonja Nowakowski, Legislative Branch
Liane Taylor, 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:

HB 59, HB 78, HB 237

HEARING ON HB 78

Opening Statement by Sponsor:

00:01:09 Rep. Rob Cook (R), HD 27, opened the hearing on HB 78, Clarify the definition of "local owner" in Renewable Portfolio Standard.

Proponents' Testimony:

00:01:46 Kate Whitney, Public Service Commission (PSC)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:03:04 Rep. Cook

HEARING ON HB 59

Opening Statement by Sponsor:

00:03:40 Rep. Tony Belcourt (D), HD 32, opened the hearing on HB 59, Revise renewable portfolio standard to include hydropower expansions.

Proponents' Testimony:

00:04:46 David Hoffman, PPL Montana, LLC (PPL)

00:06:10 Dan Flynn, IBEW Montana (IBEW)

00:06:41 Chris Cavazos, Montana AFL-CIO

00:07:15 Stacy Kiehn, Confederated Salish and Kootenai Tribes (CSKT)

EXHIBIT(ens54a01)

00:09:49 Mark Aagenes, Trout Unlimited (TU)

00:10:20 Kyla Wiens, Montana Environmental Information Center (MEIC)

00:11:35 Don Allen, Western Environmental Trade Association (WETA)

00:12:26 Jessie Luther, Montana Contractors Association (MCA)

00:13:02 Kate French, Northern Plains Resource Council (NPRC)

00:14:44 Gary Wiens, Montana Electric Cooperatives Association (MECA)

00:15:00 Jon Bennion, Montana Chamber of Commerce (MCC)

00:15:14 Shaun Tatarka, Great Falls Development Authority (GFDA)

00:15:50 Shelby Dantic, Montana Public Interest Research Group (MT PIRG)

00:16:13 Casey Perkins, Montana Audubon (MA)

Opponents' Testimony: None

Informational Testimony:

00:16:59 Kate Whitney, Public Service Commission (PSC)

Questions from Committee Members and Responses:

00:17:53 Sen. Lake
00:19:16 Rep. Belcourt, HD 32
00:20:01 David Hoffman, PPL
00:21:24 Sen. Erickson
00:21:34 David Hoffman
00:22:07 Sen. Erickson
00:22:17 David Hoffman

Closing by Sponsor:

00:23:35 Rep. Belcourt

HEARING ON HB 237

Opening Statement by Sponsor:

00:24:37 Rep. Mike Menahan (D), HD 82, opened the hearing on HB 237, Revise renewable resource standard laws to eliminate certain requirements.

Proponents' Testimony:

00:31:07 John Fitzpatrick, NorthWestern Energy (NWE)
[EXHIBIT\(ens54a02\)](#)
00:39:17 Mark Baker, representing Plum Creek Timber Co. (PCTC)
00:41:18 Patrick Heffernan, representing Montana Wood Products Association (MWPA)
00:42:49 Don Allen, Western Environmental Trade Association (WETA)
00:43:28 Stephen Smith, representing Western Wood Preservers Institute (WWPI)
[EXHIBIT\(ens54a03\)](#)

Opponents' Testimony:

00:47:25 Mark Jacobson, representing Invenergy
[EXHIBIT\(ens54a04\)](#)
00:51:54 Kyla Wiens, Montana Environmental Information Center (MEIC)
00:55:28 Kate French, Northern Plains Resource Council (NPRC)
00:57:50 Mark Dostal, self
01:00:17 Charyn Ayoub, self

Informational Testimony: None

Questions from Committee Members and Responses:

01:03:10 Sen. Erickson

01:04:08 John Fitzpatrick, NWE
01:05:21 Sen. Erickson
01:06:09 John Fitzpatrick
01:07:34 Sen. Tropila
01:08:00 John Fitzpatrick
01:09:06 Sen. Tropila
01:09:56 John Fitzpatrick
01:11:22 Sen. Van Dyk
01:11:50 John Fitzpatrick
01:12:32 Sen. Tropila
01:12:55 Mark Jacobson, Invenergy
01:13:04 Sen. Tropila
01:14:23 Mark Jacobson
01:16:49 Sen. Moss
01:19:05 Mark Jacobson
01:20:22 Sen. Moss
01:21:02 Sen. Erickson
01:22:27 Rep. Menahan, HD 82
01:25:27 Sen. Moss
01:26:43 Rep. Menahan
01:27:58 Sen. Tropila
01:28:14 Rep. Menahan
01:30:10 Sen. Tropila
01:31:11 Rep. Menahan
01:32:20 Sen. Tropila
01:33:21 John Fitzpatrick
01:36:22 Sen. Vincent
01:37:31 Mark Jacobson
01:41:29 Sen. Vincent
01:42:05 Mark Jacobson
01:43:11 Sen. Vincent
01:43:52 John Fitzpatrick
01:45:11 Sen. Vincent
01:45:17 John Fitzpatrick
01:45:39 Sen. Priest
01:46:37 Mark Jacobson

Closing by Sponsor:

01:46:47 Rep. Menahan

EXECUTIVE ACTION ON HB 59

01:49:45 **Motion:** Sen. Vincent moved that **HB 59 BE CONCURRED IN.**

01:50:40 **Motion:** Sen. Erickson moved that **HB 59 BE AMENDED.**

EXHIBIT(ens54a05)

Discussion:

01:52:49 Sen. Olson
01:53:03 Sen. Erickson
01:53:08 Sen. Olson
01:53:36 Sen. Van Dyk

01:55:07 **Vote:** Motion failed 5-7 by roll call vote with Senators Augare, Erickson, Moss, Tropila, and Van Dyk voting aye and Senators Walker and Essmann voting by proxy.

Discussion:

01:56:29 Sen. Olson
EXHIBIT(ens54a06)
01:57:54 Sonja Nowakowski, LSD

01:58:00 **Motion:** Sen. Jackson moved that **HB 59 BE AMENDED.**

Discussion:

01:58:20 Sen. Tropila
01:59:00 Sen. Olson
01:59:03 Sen. Moss
01:59:52 Sen. Jackson
02:00:19 Sonja Nowakowski

02:01:22 **Vote:** Motion carried unanimously by voice vote with Senators Walker and Essmann voting by proxy.

02:01:46 **Motion/Vote:** Sen. Lake moved a **CONCEPTUAL AMENDMENT** to change October 1, 2011 to January 1, 2012. Motion carried unanimously by voice vote with Senators Essmann and Walker voting by proxy.

02:02:02 **Motion:** Sen. Jackson moved that **HB 59 BE CONCURRED IN AS AMENDED.**

Discussion:

02:02:22 Sen. Erickson

02:02:51 **Vote:** Motion carried 10-2 by roll call vote with Senators Erickson and Moss voting no and Senators Essmann and Walker voting by proxy. Sen. Vincent will carry the bill.

EXECUTIVE ACTION ON HB 78

02:05:01 **Motion/Vote:** Sen. Lake moved that **HB 78 BE CONCURRED IN.** Motion carried unanimously by voice vote with Senators Essmann and Walker voting by proxy. Sen. Jones will carry the bill.

ADJOURNMENT

02:09:04 Adjournment

Liane Taylor, Secretary

It

Additional Documents:

EXHIBIT([ens54aad.pdf](#))