

## MINUTES

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

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

**Call to Order:** Chair Harry Klock, on March 16, 2011 at 3:15 PM, in Room 172 Capitol

#### ROLL CALL

**Members Present:**

Rep. Harry Klock, Chair (R)  
Rep. Keith Regier, Vice Chair (R)  
Rep. Carlie Boland (D)  
Rep. Douglas (Doug) Kary (R)  
Rep. James Knox (R)  
Rep. Austin Knudsen (R)  
Rep. Mike Menahan (D)  
Rep. Jesse O'Hara (R)  
Rep. Derek Skees (R)  
Rep. Sterling Small (R)

**Members Excused:** Rep. Robyn Driscoll, Vice Chair (D)

**Members Absent:** Rep. Wayne Stahl (R)  
Rep. Gary MacLaren (R)  
Rep. Ken Peterson (R)  
Rep. Mary McNally (D)  
Rep. Mike Phillips (D)

**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: SB 206, 3/8/2011; SB 225, 3/8/2011; SB 254, 3/8/2011; SB 305, 3/8/2011

00:00:05 The Chairman welcomed the committee and reviewed the committee rules.

00:01:04 Rep. McNally, Rep. Phillips and Rep. Driscoll entered the hearing.

**HEARING ON SB 206**

**Opening Statement by Sponsor:**

00:01:18 Sen. Llew Jones (R), SD 14, opened the hearing on SB 206, Generally revise laws related to energy transmission siting.

**Proponents' Testimony:**

00:06:34 Richard Opper, Montana Department of Environmental Quality (DEQ)

00:06:54 Rep. Peterson entered the hearing.

00:09:44 Watty Taylor, Montana Stockgrowers Association

00:12:16 Doug Hardy, Montana Electric Cooperatives' Association (MECA)  
(IBEW asked Mr. Hardy to show their support of SB 206 also.)

00:13:14 Van Jamison, Gaelectric North America

00:14:26 Brett Doney, Great Falls Development Authority

00:15:36 Chris Christiaens, Montana Farmers Union

00:17:06 Ronda Wiggers, Great Falls Chamber of Commerce

00:17:57 Jim Jensen, Montana Environmental Information Center (MEIC)

**Opponents' Testimony:**

00:19:56 Bill Petrovish, Concerned Citizens of Montana

00:23:18 Chris Stephens, Self

00:25:04 Colleen Teeling, Aspen Valley Landowners Association

00:27:48 Tom Lythgoe, Jefferson County Commissioner

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:30:33 Rep. Regier

00:30:50 Sen. Jones

00:31:53 Rep. Regier

00:32:09 Sen. Jones

00:33:18 Rep. Regier

00:33:37 Richard Opper

00:36:03 Rep. Peterson

00:36:19 Rep. Driscoll left the hearing.

00:36:45 Rep. MacLaren entered the hearing

00:37:08 Sen. Jones  
00:37:17 Rep. Peterson  
00:37:21 Sen. Jones  
00:37:58 Rep. Peterson  
00:38:00 Sen. Jones  
00:38:40 Rep. Peterson  
00:38:46 Sen. Jones  
00:38:50 Rep. Peterson  
00:39:23 Richard Opper  
00:39:48 Rep. Phillips  
00:40:48 Richard Opper

**Closing by Sponsor:**

00:41:02 Sen. Jones  
00:41:42 Rep. Driscoll returned to the hearing.

**HEARING ON SB 254**

**Opening Statement by Sponsor:**

00:44:41 Sen. Rowlie Hutton (R), SD 17, opened the hearing on SB 254, Provide state eminent domain authority for federal lands.  
00:45:18 Rep. O'Hara and Rep. Knudsen left the hearing.

**Proponents' Testimony:**

00:47:16 Chuck Denowh, United Property Owners of Montana  
00:49:23 Rep. O'Hara returned to the hearing.  
00:55:51 Rep. Knudsen returned to the hearing.

**Opponents' Testimony:**

00:56:00 Janet Ellis, Montana Audubon  
[EXHIBIT\(feh59a01\)](#)  
00:58:28 Derf Johnson, MEIC  
00:59:14 Rep. Regier left the hearing.

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:59:30 Rep. Knox  
00:59:55 Sen. Hutton  
01:00:10 Rep. Phillips

01:01:16 Sen. Hutton  
01:02:44 Rep. Phillips  
01:03:15 Sen. Hutton  
01:03:26 Rep. Peterson  
01:03:49 Chuck Denowh  
01:03:57 Rep. Peterson  
  
01:04:00 Rep. Regier returned to the hearing.  
  
01:04:23 Chuck Denowh  
01:05:22 Rep. Peterson  
01:05:40 Chuck Denowh  
01:06:07 Rep. Peterson  
01:06:16 Rep. Driscoll  
01:06:51 Sen. Hutton  
01:07:47 Rep. Driscoll  
01:07:54 Sen. Hutton  
01:08:37 Rep. Phillips  
01:09:14 Chuck Denowh  
01:09:19 Rep. Phillips  
01:09:38 Chuck Denowh

**Closing by Sponsor:**

01:10:23 Sen. Hutton

**HEARING ON SB 305**

**Opening Statement by Sponsor:**

01:14:44 Sen. Verdell Jackson (R), SD 5, opened the hearing on SB 305, Revise energy policy.  
01:16:19 Rep. Skees and Rep. Kary left the hearing.  
01:19:33 Rep. O'Hara left the hearing.

**Proponents' Testimony:** None

**Opponents' Testimony:**

01:20:39 Kyla Wiens, MEIC  
01:20:53 Rep. Kary returned to the hearing.  
01:22:17 Rep. Knox left the hearing.  
01:23:10 Rep. Skees returned to the hearing.  
01:25:55 Clayton Elliott, Northern Plains Resource Council (NPRC)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:28:48 Rep. Phillips  
01:29:16 Sen. Jackson  
01:29:25 Rep. Phillips  
01:30:01 Sen. Jackson

**Closing by Sponsor:**

01:30:27 Sen. Jackson

**HEARING ON SB 225**

**Opening Statement by Sponsor:**

01:37:43 Sen. Jason Priest (R), SD 30, opened the hearing on SB 225, Revise laws governing qualifying small power production facility purchases.  
01:37:52 Rep. Klock and Rep. McNally left the hearing.  
01:38:10 Rep. Knox returned to the hearing.

**Proponents' Testimony:**

01:39:37 John Fitzpatrick, NorthWestern Energy (NWE)  
01:39:48 Rep. O'Hara returned to the hearing.  
01:45:20 Rep. Klock returned to the hearing.

**Opponents' Testimony:**

01:45:38 Elisabeth Van Woert, Exergy Development Group

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

01:49:10 Sen. Priest  
01:50:45 Rep. Klock

**ADJOURNMENT**

01:51:48      Adjournment

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Cara Gold, Secretary

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**Additional Exhibits:**

**[EXHIBIT\(feh59a02\)](#)**

Additional Documents:

**[EXHIBIT\(feh59aad.pdf\)](#)**