

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS

Call to Order: Chair Harry Klock, on March 21, 2011 at 3:00 PM, in Room 172 Capitol

ROLL CALL

Members Present:

Rep. Harry Klock, Chair (R)
Rep. Carlie Boland (D)
Rep. Douglas (Doug) Kary (R)
Rep. Austin Knudsen (R)
Rep. Jesse O'Hara (R)
Rep. Ken Peterson (R)
Rep. Mike Phillips (D)
Rep. Derek Skees (R)
Rep. Sterling Small (R)

Members Excused: Rep. Keith Regier, Vice Chair (R)

Members Absent: Rep. Robyn Driscoll, Vice Chair (D)
Rep. James Knox (R)
Rep. Wayne Stahl (R)
Rep. Mike Menahan (D)
Rep. Gary MacLaren (R)
Rep. Mary McNally (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 226, 3/16/2011; SB 320, 3/16/2011; SB 330, 3/16/2011; SJ 4, 3/16/2011; SJ 12, 3/16/2011

00:00:04 The Chair welcomed the committee and reviewed the committee rules.

00:01:13 Rep. McNally and Rep. Driscoll entered the hearing.

HEARING ON SB 330

Opening Statement by Sponsor:

00:03:45 Sen. Edward Walker (R), SD 29, opened the hearing on SB 330, Revise renewable portfolio standard laws.

00:04:05 Rep. Stahl, Rep. MacLaren and Rep. Knox entered the hearing.
Rep. Kary left the hearing.

00:08:09 Rep. O'Hara left the hearing.

Proponents' Testimony:

00:09:31 John Alke, Montana-Dakota Utilities (MDU)

00:15:18 John Fitzpatrick, NorthWestern Energy (NWE)

[EXHIBIT\(feh63a01\)](#)

00:15:27 Rep. Regier entered the hearing.

Opponents' Testimony:

00:22:26 Kyla Wiens, Montana Environmental Information Center (MEIC)

00:22:58 Rep. Stahl left the hearing.

00:25:04 Rep. O'Hara returned to the hearing.

00:26:32 Aimee Grmolijez, Renewable North West Project

00:28:06 Chris Christiaens, Montana Farmers Union

00:28:51 Rachael Green, Northern Plains Resource Council (NPRC)

00:29:54 Diana Maneta, Montana Renewable Energy Association (MREA)

00:30:58 Matthew Elsaesser, Student Advocates for Valuing the Environment (SAVE)

00:31:33 Jay Mennenga, Climate Protection Group

00:33:19 Sarah Sather, Montana Public Interest Research Group (MPIRG)

[EXHIBIT\(feh63a02\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

00:34:50 Rep. Phillips

00:35:24 Sen. Walker

00:35:34 Rep. Phillips

00:35:54 Sen. Walker

00:36:26 Rep. Phillips

00:36:50 John Fitzpatrick
00:37:11 Rep. Phillips
00:37:15 John Fitzpatrick
00:37:34 Rep. Phillips
00:37:42 John Fitzpatrick

Closing by Sponsor:

00:37:59 Sen. Walker
00:41:48 Rep. Kary returned to the hearing.

HEARING ON SJ 12

Opening Statement by Sponsor:

00:42:18 Sen. Edward Walker (R), SD 29, opened the hearing on SJ 12, Resolution urging oil and gas leasing of federal land.
00:46:39 Rep. Menahan entered the hearing.

Proponents' Testimony:

00:46:57 Gary Forrester, Montana Petroleum Association

Opponents' Testimony:

00:47:52 Kyla Wiens, MEIC

Informational Testimony: None

Questions from Committee Members and Responses:

00:50:32 Rep. Knudsen
00:51:06 Sen. Walker
00:53:40 Rep. McNally
00:53:53 Sen. Walker
00:54:19 Rep. Phillips
00:55:17 Sen. Walker
00:56:32 Rep. Phillips
00:57:14 Gary Forrester

Closing by Sponsor:

00:59:04 Sen. Walker

HEARING ON SB 320

Opening Statement by Sponsor:

01:03:01 Sen. Llew Jones (R), SD 14, opened the hearing on SB 320, Clarifying certain provisions of the Major Facility Siting Act.

Proponents' Testimony:

01:06:42 Van Jamison, Gaelectric North America
01:15:36 Dan Flynn, IBEW
01:16:25 Chris Christiaens, Montana Framers Union

Opponents' Testimony:

01:17:33 Peter Scott, Attorney for Jefferson County
EXHIBIT(feh63a03)
01:23:42 Dennis Lopach, The Montanans for Fair Condemnations Procedures
01:25:47 Brad Molnar, Public Service Commissioner (PSC)
01:30:48 Deborah Hanneman, Self
01:31:30 Tom Lythgoe, Jefferson County Commissioner
EXHIBIT(feh63a04)
01:34:18 Charles Wideman, Self
01:34:51 Larry Feight, Self

Informational Testimony: None

Questions from Committee Members and Responses:

01:40:07 Rep. Knox
01:40:31 Brad Molnar

Closing by Sponsor:

01:41:20 Sen. Jones

HEARING ON SJ 4

Opening Statement by Sponsor:

01:48:07 Sen. Art Wittich (R), SD 35, opened the hearing on SJ 4, Urge Congress to support Constitutional Amendment on balanced budget.

Proponents' Testimony:

01:51:59 Harris Himes, Montana Eagle Forum

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:54:17 Rep. Phillips
01:55:00 Sen. Wittich
01:55:32 Rep. Regier
01:55:54 Sen. Wittich

Closing by Sponsor:

01:58:42 Sen. Wittich

HEARING ON SB 226

Opening Statement by Sponsor:

02:01:43 Sen. Jason Priest (R), SD 30, opened the hearing on SB 226, Amend utility net metering requirements.

Proponents' Testimony:

02:04:33 John Fitzpatrick, NWE
02:09:46 John Alke, MDU
02:12:16 Brad Molnar, PSC

[EXHIBIT\(feh63a05\)](#)

Opponents' Testimony:

02:15:05 Dave Ryan, Self
[EXHIBIT\(feh63a06\)](#)
02:19:00 Conor Darby, Independent Power Systems
[EXHIBIT\(feh63a07\)](#)
02:25:15 William Bryce, Pine Ridge Products
02:28:35 Sen. Mitch Tropila, SD 12
02:32:08 Rhyno Stinchfield, Montana Wind Resources

[EXHIBIT\(feh63a08\)](#)

02:34:44 Wayne Baker, Baker Light Industries
02:34:57 Lee Tavenner, Solar Plexus

EXHIBIT (9)

02:35:09 Rip Hamilton, Self
02:35:19 Diana Maneta, MREA

[EXHIBIT\(feh63a10\)](#)

02:35:32 Els Van Woert, Exergy Development Group
02:35:53 Kyla Wiens, MEIC

[EXHIBIT\(feh63a11\)](#)

02:36:22 Kenneth Hapner, Self

[EXHIBIT\(feh63a12\)](#)

02:36:59 Ben Brouwer, Alternative Energy Resources Organization (AERO)
02:37:15 Matthew Elsaesser, SAVE
02:37:21 Ross Prospero, Montana Conservation Voters

02:37:31 Clayton Elliott, NPRC
 (Mr. Christiaens for Montana Farm Bureau asked Mr. Elliott to show their
 opposition also)
 02:37:50 Shelby Dantic, MPRIG

Informational Testimony: None

Questions from Committee Members and Responses:

02:38:19 Rep. Driscoll
 02:39:11 Sen. Priest
 02:39:34 John Fitzpatrick
 02:40:25 Rep. Driscoll
 02:40:33 John Fitzpatrick
 02:41:05 Rep. McNally
 02:41:26 John Fitzpatrick
 02:41:54 Rep. McNally
 02:41:57 John Fitzpatrick
 02:42:37 Rep. McNally
 02:43:20 Dave Ryan
 02:44:36 Rep. McNally
 02:45:13 Sen. Priest
 02:47:32 Rep. McNally
 02:47:37 Sen. Priest
 02:47:59 Rep. Boland
 02:48:20 Kenneth Hepner
 02:48:29 Rep. Boland
 02:50:41 Rep. Kary
 02:51:11 Brad Molnar
 02:51:50 John Fitzpatrick
 02:52:44 Rep. Kary
 02:52:52 John Fitzpatrick
 02:53:43 Rep. Kary
 02:54:03 John Fitzpatrick
 02:54:53 Rep. Peterson
 02:55:22 Kenneth Hepner
 02:55:32 Rep. Peterson
 02:56:06 Lee Tavenar
 02:56:54 Rep. Peterson
 02:57:05 Lee Tavenar
 02:57:24 Rep. Peterson
 02:57:47 Lee Tavenar
 02:58:03 Rep. Peterson
 02:58:18 Lee Tavenar
 02:58:50 Rep. Klock
 02:59:21 Dave Ryan
 03:00:37 Rep. Skees
 03:01:04 William Bryce
 03:02:30 Rep. Skees
 03:02:51 William Bryce

03:03:29 Rep. Skees
03:03:52 William Bryce
03:04:45 Rep. Skees
03:05:15 John Fitzpatrick
03:07:35 Rep. McNally
03:08:18 Rhyno Stinchfield

Closing by Sponsor:

03:09:26 Sen. Priest
03:12:04 Rep. Klock

ADJOURNMENT

03:12:59 Adjournment

Cara Gold, Secretary

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Additional Exhibits:

[EXHIBIT\(feh63a13\)](#)

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Additional Documents:

[EXHIBIT\(feh63aad.pdf\)](#)