MINUTES

MONTANA HOUSE OF REPRESENTATIVES
60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS

Call to Order: By CHAIRMAN ALAN OLSON, on February 21, 2007 at 3:10 P.M., in Room 102 Capitol.

ROLL CALL

Members Present:
Rep. Alan Olson, Chairman (R)
Rep. George G. Groesbeck, Vice Chairman (D)
Rep. Harry Klock, Vice Chairman (R)
Rep. Scott Boggio (R)
Rep. Robyn Driscoll (D)
Rep. Dave Gallik (D)
Rep. Dennis Himmelberger (R)
Rep. Llew Jones (R)
Rep. Diane Rice (R)
Rep. Wayne Stahl (R)
Rep. Bill Thomas (D)
Rep. Jonathan Windy Boy (D)

Members Excused: None.

Members Absent: None.

Staff Present: Todd Everts, Legislative Branch
Cindy Peterson, 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:

Executive Action: HJ 40, HB 758, HB 626, HB 611, Committee Bill, HB 586, HB 709, HB 715, HB 739, HB 763, HB 709
HEARING ON HJ 40

Opening Statement by Sponsor:
00:01:00 Rep. Jonathan Windy Boy (D), HD 32, opened the hearing on HJ 40, urge Congress to prioritize regional water projects.

Proponents' Testimony:
00:02:22 Rep. Julie French, HD 36, Scobey
00:02:57 Ray Beck, Department of Natural Resources and Conservation
00:03:42 Bruce Sun Child, Chippawa Tribe
00:04:37 Clint Jacobs, Manager, Dry Prairie Rural Water System, Culbertson
00:08:23 Ray Beck, DNRC, testifying for Steve Wade
00:08:46 Rep. Llew Jones, HD 57, Conrad

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:
00:09:29 Rep. Windy Boy

EXECUTIVE ACTION ON HJ 40

HEARING ON HB 626

Opening Statement by Sponsor:

00:11:34 Rep. Krayton Kerns (R), HD 58, opened the hearing on HB 626, study default supply.

Proponents' Testimony: None

Opponents' Testimony:

00:13:04 Chuck Magraw, Natural Resource Defense Counsel and Renewable Northwest Project
00:13:52 Kate Whitney, Montana Public Service Commission

EXHIBIT (feh39a06)

Informational Testimony: None

Questions from Committee Members and Responses:

00:15:42 Rep. Gallik
00:16:30 Rep. Kerns
00:16:54 Rep. Kerns

Closing by Sponsor:

00:17:06 Rep. Kerns

HEARING ON HB 758

Opening Statement by Sponsor:

00:17:34 Rep. Krayton Kerns (R), HD 58, opened the hearing on HB 758, revise laws related to electrical energy.

(In opening statement, Rep. Kerns agreed bill could be tabled.)

EXECUTIVE ACTION ON HB 758

00:17:44 Motion: Rep. Driscoll moved that HB 758 DO PASS.

EXECUTIVE ACTION ON HB 626

00:18:37 Motion: Rep. Boggio moved that HB 626 DO PASS.


EXECUTIVE ACTION ON HB 611

00:21:55 Motion: Rep. Groesbeck moved that HB 611 DO PASS.

00:23:16 Motion: Rep. Olson moved that HB 611 BE AMENDED. EXHIBIT (feh39a07)

Discussion:

00:23:37 Mr. Everts
00:24:54 Rep. Groesbeck


HEARING ON HB 709

Opening Statement by Sponsor:

00:27:20 Rep. Chas Vincent (R), HD 2, opened the hearing on HB 709, Hydroelectric power considered a renewable resource.

Proponents' Testimony:

00:31:21 Doug Hardy, Montana Electric Cooperatives
00:35:12 Candace Payne, Southern Montana Electric
Opponents' Testimony:

00:35:42 Patrick Judge, Montana Environmental Information Center (MEIC)

EXHIBIT (feh39a08)

00:38:20 Paul Cartwright, Governor's Office
00:38:51 Chuck Magraw, Natural Resource Defense Council and Renewable Northwest Project
00:40:32 Matt Leow, MontPIRG
00:42:12 Van Jamison, self
00:45:04 Molly Immen, Montana Audubon

Informational Testimony: None.

Questions from Committee Members and Responses:

00:45:44 Rep. Gallik
00:46:40 Rep. Vincent
00:47:26 Rep. Gallik
00:47:53 Rep. Vincent
00:48:07 Rep. Gallik
00:48:26 Rep. Vincent
00:49:30 Rep. Gallik
00:50:57 Rep. Vincent
00:51:40 Rep. Jones
00:52:57 Rep. Vincent
00:53:32 Rep. Olson
00:53:56 William Rosquist, Montana Public Service Commission
00:54:29 Rep. Olson
00:54:36 Mr. Rosquist
00:56:48 Rep. Olson
00:57:03 Mr. Magraw

Closing by Sponsor:

00:57:19 Rep. Vincent

HEARING ON HB 715
(Rep. Klock Chairs)

Opening Statement by Sponsor:

00:59:31 Rep. Alan Olson (R), HD 45, opened the hearing on HB 715, support research and development of energy sources.
Proponents' Testimony:

01:01:08 Tom Kaiserski, Governor's Office on Economic Development
01:03:07 Bill Pascoe, Great Northern Properties and Great Northern Power Development
01:06:18 Todd O'Hare, Rio Tinto Energy America
01:08:52 Mr. Kaiserski
01:09:17 Rep. Olson
01:09:33 Mr. Kaiserski

Opponents' Testimony: None

Informational Testimony:

01:10:11 John Youngberg, Chairman, Board of Research and Commercial Realization
01:14:13 Rep. Klock
01:14:34 Cathy Conover, University System

Questions from Committee Members and Responses:

01:16:29 Rep. Driscoll
01:17:02 Rep. Olson
01:17:50 Rep. Jones
01:18:12 Mr. Youngberg
01:19:01 Rep. Groesbeck
01:19:35 Mr. Youngberg
01:20:18 Rep. Groesbeck
01:21:06 Mr. Youngberg
01:21:31 Rep. Groesbeck
01:21:52 Mr. Youngberg
01:23:19 Rep. Olson
01:23:44 Mr. Youngberg
01:23:50 Rep. Gallik
01:23:55 Mr. Youngberg
01:24:08 Rep. Gallik
01:24:54 Mr. Youngberg
01:25:12 Rep. Olson
01:25:37 Rep. Gallik
01:26:23 Rep. Olson

Closing by Sponsor:

01:27:05 Rep. Olson
HEARING ON HB 739

Opening Statement by Sponsor:
01:29:39 Rep. Alan Olson (R), HD 45, opened the hearing on HB 739, rate regulation of municipal transmission and distribution companies.

Proponents' Testimony:
01:30:48 John Fitzpatrick, Northwestern Energy
01:33:59 Patrick Judge, MEIC

Opponents' Testimony:
01:34:31 Alec Hansen, Montana League of Cities and Towns

Informational Testimony:
01:40:06 Kate Whitney, Montana PSC
01:40:45 Recess
03:26:46 Reconvene

(All present except for Rep. Stahl)

Questions from Committee Members and Responses: None

Closing by Sponsor:
03:27:23 Rep. Olson

HEARING ON HB 763

Opening Statement by Sponsor:
03:28:09 Rep. Duane Ankney (R), HD 43, opened the hearing on HB 763, revise laws on mining byproduct disposal.

Proponents' Testimony:
03:33:22 Debbie Shea, Montana Mining Association
03:34:18 Dennis Lopach, self

Opponents' Testimony:
03:35:35 Patrick Judge, MEIC
Informational Testimony:

03:41:17 Joan Miles, Department of Public Health and Human Services (DPHHS)
03:44:42 Denise Pizzini, DPHHS
03:47:27 Steve Welch, Department of Environmental Quality

Questions from Committee Members and Responses:

03:49:04 Rep. Ankney
03:49:54 Rep. Groesbeck
03:50:13 Rep. Ankney
03:50:53 Rep. Groesbeck
03:51:16 Rep. Ankney
03:51:41 Rep. Himmelberger
03:52:25 Rep. Ankney
03:52:32 Rep. Himmelberger
03:52:54 Rep. Ankney
03:53:00 Rep. Gallik
03:53:40 Rep. Ankney
03:53:54 Rep. Gallik
03:54:08 Rep. Ankney
03:54:54 Rep. Olson
03:55:10 Mr. Welch
03:55:22 Rep. Olson
03:55:29 Mr. Welch
03:55:51 Rep. Olson
03:56:12 Mr. Welch
03:56:28 Rep. Olson
03:56:41 Mr. Welch

Closing by Sponsor:

03:56:58 Rep. Ankney

EXECUTIVE ACTION - COMMITTEE BILL REQUEST

04:01:33 Motion: Rep. Thomas moved that the Committee request a committee bill requiring an interim study on net metering.

EXHIBIT (feh39a09)
Discussion:

04:04:27 Rep. Groesbeck
04:04:41 Rep. Windy Boy
04:05:14 Rep. Olson

04:06:10 Vote: Motion carried by unanimously by voice vote, with Rep. Stahl voting aye by proxy.

Discussion:

04:07:06 Mr. Everts

EXECUTIVE ACTION ON HB 586

04:07:33 Motion: Rep. Windy Boy moved that HB 586 DO PASS.

Discussion:

04:16:44 Rep. Gallik

(Rep. Stahl arrives)

04:18:57 Rep. Olson
04:19:32 Patrick Judge, MEIC
04:19:41 Mark Lambrecht, PPL Montana
04:20:01 Rep. Olson
04:21:56 Rep. Olson
04:24:46 Rep. Groesbeck
04:27:40 Rep. Olson


EXECUTIVE ACTION ON HB 709

04:32:11 Motion: Rep. Himmelberger moved that HB 709 DO PASS.

Discussion:

04:35:32 Rep. Groesbeck
04:37:04 Rep. Stahl
04:38:08 Rep. Olson


EXECUTIVE ACTION ON HB 715

04:39:48 Motion: Rep. Olson moved that HB 715 DO PASS.


EXHIBIT (feh39a12)

04:40:42 Motion: Rep. Olson moved that HB 715 DO PASS AS AMENDED.

Discussion:

04:40:58 Rep. Gallik


EXECUTIVE ACTION ON HB 739

04:43:04 Motion: Rep. Olson moved that HB 739 DO PASS.

EXHIBIT (feh39a13)

Discussion:

04:43:18 Mr. Everts
04:45:00 Rep. Gallik
04:45:19 Rep. Olson
04:45:55 Rep. Gallik
04:46:43 Rep. Olson
04:47:10 Rep. Groesbeck
04:48:34 Rep. Olson
04:48:51 Rep. Olson


**EXECUTIVE ACTION ON HB 763**

04:52:53 **Motion:** Rep. Klock moved that HB 763 **DO PASS.**

**Discussion:**

04:53:05 Rep. Gallik
04:53:58 Rep. Olson
04:54:30 Rep. Himmelberger

(Rep. Jones gone)

04:56:24 Rep. Rice
04:56:35 Rep. Olson

EXECUTIVE ACTION ON HB 709


**Additional Exhibits:**

Memorandum from Rick Edwards,
Montana Economic Developers Association Re: HB 715
EXHIBIT(feh39a14)
ADJOURNMENT

05:00:58 Adjournment.

__________________________________________
REP. ALAN OLSON, Chairman

__________________________________________
CINDY PETERSON, Secretary

AO,cp

Additional Exhibits:

EXHIBIT (feh39aad.pdf)