

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS

Call to Order: Chair Harry Klock, on January 17, 2011 at 3:00 PM, in Room 172 Capitol

ROLL CALL

Members Present:

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

Members Excused: Rep. Gary MacLaren (R)
Rep. Ken Peterson (R)

Members Absent: None

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: HB 92, 1/11/2011; HB 104, 1/11/2011; HJ 3, 1/11/2011; HJ 4, 1/11/2011

00:00:01 Chairman Klock welcomed everyone and reviewed the rules of the committee.

HEARING ON HB 92

Opening Statement by Sponsor:

00:01:56 Rep. Austin Knudsen (R), HD 36, opened the hearing on HB 92, Revise avoided cost calculation for qual facilities to conform to federal law.

Proponents' Testimony:

00:04:13 Travis Kavullah, Public Service Commissioner, (PSC), District 1

00:08:12 John Fitzpatrick, NorthWestern Energy

[EXHIBIT\(feh12a01\)](#)

[EXHIBIT\(feh12a02\)](#)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:14:01 Rep. Knudsen

HEARING ON HB 104

Opening Statement by Sponsor:

00:14:26 Rep. Robyn Driscoll (D), HD 51, opened the hearing on HB 104, Clarify law to limit purchases from electric supplier to meters on date certain.

Proponents' Testimony:

00:16:27 Al Brogan, PSC

00:22:59 John Fitzpatrick, NorthWestern Energy

00:32:27 Mary Jolley, Self

00:33:39 Travis Kavullah, PSC

00:35:17 Rep. Small left the hearing.

00:36:02 Sandra Guynn, Self

Opponents' Testimony:

00:36:54 Brett Doney, Great Falls Development Authority

00:37:19 Rep. Small returned to the hearing.

00:40:45 Brandon McGillvray, Barretts Minerals, Inc.

00:42:31 Tim Gregori, Southern Montana Electric, Generation and Transmission
Cooperative (Southern Montana G&T)

00:53:05 Dawn Willey, Benefis Health System

00:55:38 Jon Doak, Southern Montana G&T

00:57:22 Rep. Peterson entered the hearing.

00:57:58 Rep. Peterson left the hearing.

00:58:55 Olaf Stimac, North Central Montana Building and Construction Trade Council
(BCTD)

Informational Testimony:

01:00:25 Brad Molnar, PSC

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:04:02 Rep. Driscoll

01:04:12 Rep. Skees left the hearing.

01:12:00 Rep. Skees returned to the hearing.
Rep. Stahl left the hearing.

HEARING ON HJ 3

Opening Statement by Sponsor:

01:12:56 Rep. Edith (Edie) McClafferty (D), HD 75, opened the hearing on HJ 3, Interim
study of interoperability for public safety communications in MT.

Proponents' Testimony:

01:15:51 Kevin Bruski, Interoperability Montana (IM)

[EXHIBIT\(feh12a03\)](#)

01:20:21 Alan Michaels, IM

01:23:31 Mike McGinley, Beaverhead County Commissioner and Montana Association of
Counties (MACo)

01:24:59 Jim Smith, Montana Sheriffs and Peace Officers Association (MSPOA)
01:26:29 Rep. Peterson entered the hearing.
01:28:25 Larry Epstein, Montana Association of Chiefs of Police (MACOP)
01:29:04 Rep. Driscoll left the hearing.
01:30:02 Tom Butler, Montana Highway Patrol (MHP)
01:30:24 Rep. Driscoll returned to the hearing.
01:30:35 John Walsh, Butte-Silver Bow County Sheriff
01:31:41 Jim Kropp, Fish, Wildlife and Parks (FWP)
[EXHIBIT\(feh12a04\)](#)
01:32:18 Carl Hotvedt, Public Safety Services, Department of Administration (DOA)
01:33:01 Jason Shrauger, Bozeman Fire Department
01:33:32 Floyd Fisher, Golden Valley County Sheriff
01:37:49 George Gupton, Department of Disaster and Emergency, Mineral County
01:39:28 Rep. O'Hara left the hearing.
01:40:25 Bill Fleiner, Tri County Consortium

Opponents' Testimony: None

Informational Testimony:

01:41:12 Will Soller, Legislative Audit Division

Questions from Committee Members and Responses:

01:41:57 Rep. Menahan
01:42:37 Will Soller
01:42:56 Rep. Menahan
01:43:50 Rep. O'Hara returned to the hearing.

Closing by Sponsor:

01:45:00 Rep. McClafferty
[EXHIBIT\(feh12a05\)](#)
[EXHIBIT\(feh12a06\)](#)

HEARING ON HJ 4

Opening Statement by Sponsor:

01:46:07 Rep. Ken Peterson (R), HD 46, opened the hearing on HJ 4, Resolution opposing designation of national monuments without state's consent.

Proponents' Testimony:

01:49:43 Ariel Overstreet, Montana Stockgrowers Association and Montana CattleWomen
01:52:28 Dave Skinner, Self
01:53:14 Tim Ravndal, Montana Tenth Amendment Center
01:55:29 Nicole Rolf, Montana Farm Bureau Federation (MFBBF)
02:01:51 Tom Baird, Self
02:04:07 Ben Erickson, Self
02:09:20 Chip Gibbs, Self
02:11:32 Nick Schultz, Montana Public Lands Council and Association of State Grazing Districts
02:14:01 Willie Duffield, Montana Association of Oil, Gas and Coal Producing Counties (Philips County Commissioners asked Mr. Duffield to support HJ 4 on their behalf also.)
02:14:53 Mike McGinley, Beaverhead County Commissioner and MACo

Opponents' Testimony:

02:16:39 Stan Frasier, Montana Wildlife Federation, (MWF)

Informational Testimony: None

Questions from Committee Members and Responses:

02:21:59 Rep. Knox
02:22:26 Stan Frasier
02:22:30 Rep. Knox
02:22:39 Stan Frasier

02:22:43 Rep. O'Hara left the hearing.

02:23:14 Rep. Skees
02:23:40 Stan Frasier
02:24:41 Rep. Skees
02:24:51 Stan Frasier
02:24:59 Rep. Skees
02:25:10 Stan Frasier
02:25:57 Rep. Skees
02:26:16 Stan Frasier
02:27:14 Rep. McNally
02:27:41 Rep. Menahan
02:29:02 Stan Frasier

02:29:23 Rep. O'Hara returned to the hearing.

Closing by Sponsor:

02:30:55 Rep. Peterson

02:34:13 Rep. Klock

ADJOURNMENT

02:34:34 Adjournment

Cara Gold, Secretary

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Additional Exhibits:

[EXHIBIT\(feh12a07\)](#)

Additional Documents:

[EXHIBIT\(feh12aad.pdf\)](#)