

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON ENERGY AND TELECOMMUNICATIONS

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

Hearing & Date Posted: SB 391, 3/1/2011; HB 198, 3/1/2011

HEARING ON HB 198

Opening Statement by Sponsor:

00:04:17 Rep. Ken Peterson (R), HD 46, opened the hearing on HB 198, Generally revise eminent domain laws.

Proponents' Testimony:

00:19:36 Senator Jim Peterson, SD 15, President of the Senate
 00:25:55 John Alke, Montana-Dakota Utilities (MDU) and Montana Alberta Tie Ltd. (MATL)
[EXHIBIT\(ens48a01\)](#)
 00:33:26 John Fitzpatrick, NorthWestern Energy (NWE)
[EXHIBIT\(ens48a02\)](#)
 00:37:21 Gary Wiens, representing Montana Electric Cooperatives Association (MECA)
 00:38:11 Mark Baker, representing Todd O'Hair on behalf of Cloud Peak Energy (CPE)
 00:39:53 Allan Underdal, Toole County Commissioner
 00:43:30 Brett Doney, Great Falls Development (GED)
 00:46:42 Derek Maretz, representing NaturEner
[EXHIBIT\(ens48a03\)](#)
 00:49:05 Aimee Grmoljez, representing Renewable Northwest Project (RNP)
 00:50:31 Melissa Lewis, representing City of Shelby
[EXHIBIT\(ens48a04\)](#)
 00:52:05 Bud Clinch, Montana Coal Council (MCC)
 00:55:00 Cary Hegreberg, representing Montana Contractors Association (MCA)
 00:57:17 Dan Flynn, IBEW
 00:58:43 Jay Skoog, American Council of Engineers (ACE)
 00:59:31 Leo Berry, representing Great Northern Properties (GNP)
 01:01:09 Mark Lambrecht, representing Montana Quality Education Coalition (MQEC)
 01:03:16 Chris Cavazos, representing Montana AFL-CIO
 01:03:56 Ronda Wiggers, representing Helena and Great Falls Chambers of Commerce (GFCC)
 01:05:09 Sarah Converse, Sweetgrass Development
[EXHIBIT\(ens48a05\)](#)
 01:06:03 Webb Brown, Montana Chamber of Commerce (MCC)
 01:07:02 John Roeber, representing Boilermakers II
 01:07:34 Josh Shomate, representing self

Opponents' Testimony:

01:08:35 Lyle Quick, self
 01:12:24 Curt Diehl, self
 01:16:05 Beth Kaeding, Northern Plains Resource Council (NPRC)
 01:19:36 Bruce Maurer, self
[EXHIBIT\(ens48a06\)](#)
[EXHIBIT\(ens48a07\)](#)
 01:23:41 Chris Stephens, self
[EXHIBIT\(ens48a08\)](#)
 01:26:18 Larry Martin, self
 01:29:47 Ron Laubach, self

01:33:06 Pat McCain, self and Conservative Tea Party (CTP)

01:33:54 Lee Bruner, self

01:36:09 Leona Somerfeld, self

[EXHIBIT\(ens48a09\)](#)

01:39:39 Rachel Roberts, Concerned Citizens Montana (CCM)

[EXHIBIT\(ens48a10\)](#)

[EXHIBIT\(ens48a11\)](#)

01:43:40 Bob Haseman, self

01:46:09 Bill Petrovish, representing citizens of Broadwater County

[EXHIBIT\(ens48a12\)](#)

01:49:29 Linda Rogers, M.D., self

[EXHIBIT\(ens48a13\)](#)

01:55:08 Tim Ravndal, self

01:56:33 Charles Wideman, self

[EXHIBIT\(ens48a14\)](#)

01:57:52 Katrina Martin, self

[EXHIBIT\(ens48a15\)](#)

01:58:00 Jim Sheffels, self

[EXHIBIT\(ens48a16\)](#)

01:59:36 Hertha Lund, Attorney for Larry Salois

[EXHIBIT\(ens48a17\)](#)

02:03:53 Peter Scott, representing Jefferson County

[EXHIBIT\(ens48a18\)](#)

02:09:18 Carol Lambert, Women Involved in Farm Economics (WIFE)

02:10:27 Chris Christiaens, Montana Farmers Union (MFU)

02:12:13 John Bodner, Montana Stockgrowers Association (MSA)

02:14:01 John Youngberg, Montana Farm Bureau Federation (MFBF)

02:15:23 Debra Hanneman, self

[EXHIBIT\(ens48a19\)](#)

02:16:00 Don Kronenberger, self

[EXHIBIT\(ens48a20\)](#)

02:18:56 Steve Jennings, Beaverhead Outdoors Association (BOA)

[EXHIBIT\(ens48a21\)](#)

02:20:05 Bob Hodgskiss, self

02:22:56 Michael J. Gilles, Lewis and Clark Tea Party

02:23:19 Mickey Vardell, self

[EXHIBIT\(ens48a22\)](#)

02:24:11 Tom Lythgoe, Jefferson County Commissioner

[EXHIBIT\(ens48a23\)](#)

Additional Testimony

Informational Testimony:

02:24:56 Brad Molnar, Public Service Commission

[EXHIBIT\(ens48a24\)](#)

Questions from Committee Members and Responses:

02:29:29 Sen. Essmann

02:32:56 Hertha Lund, Attorney

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02:36:10	Sen. Essmann
02:36:35	Hertha Lund
02:37:10	Sen. Essmann
02:38:23	John Fitzpatrick, NWE
02:43:57	Sen. Essmann
02:44:18	Sen. Erickson
02:45:16	Rep. Peterson
02:46:02	Sen. Erickson
02:46:22	Rep. Peterson
02:46:59	Sen. Priest
02:47:48	Rep. Peterson
02:48:57	Sen. Priest
02:50:01	Hertha Lund
02:54:26	Sen. Priest
02:54:45	Hertha Lund
02:55:49	Sen. Van Dyk
02:57:05	Rep. Peterson
02:58:21	Sen. Van Dyk
02:58:39	John Alke, MDU
03:01:34	Sen. Tropila
03:02:42	John Alke
03:05:32	Sen. Tropila
03:06:08	Hertha Lund
03:07:58	Sen. Tropila
03:08:39	Jim Sheffels, Sheffels Farms, Inc.
03:09:51	Sen. Walker
03:10:02	Hertha Lund
03:12:35	Sen. Walker
03:13:18	Hertha Lund
03:14:44	Sen. Walker
03:15:20	John Fitzpatrick
03:16:34	Sen. Walker
03:17:24	John Alke
03:19:16	Sen. Walker
03:20:23	Brad Molnar, PSC
03:20:43	Sen. Vincent
03:21:24	Hertha Lund
03:22:58	Sen. Vincent
03:23:27	Hertha Lund
03:25:21	Sen. Tropila
03:26:18	Ronda Wiggers, GFCC
03:28:22	Sen. Essmann
03:29:09	John Alke
03:29:18	Sen. Essmann
03:30:19	John Alke
03:31:31	Sen. Moss
03:32:15	Hertha Lund
03:32:26	Sen. Moss

Closing by Sponsor:

03:32:38 Rep. Peterson

03:44:55 Recess

HEARING ON SB 391

Opening Statement by Sponsor:

04:02:57 Sen. Art Wittich (R), SD 35, opened the hearing on SB 391, Establishing private property protection program related to energy transmission.

[EXHIBIT](#)(ens48a25)

Proponents' Testimony:

04:15:20 Rachel Roberts, Concerned Citizens Montana (CCM)

04:16:21 Debra Hanneman, self

04:16:50 Curt Diehl, self

04:17:39 Charles Wideman, self

04:18:26 Bill Petrovish, representing citizens of Broadwater County

04:21:18 Chris Christiaens, Montana Farmers Union (MFU)

Opponents' Testimony:

04:25:26 John Fitzpatrick, Northwest Energy (NWE)

[EXHIBIT](#)(ens48a26)

04:41:11 Darryl James, Montana Alberta Tie Ltd. (MATL)

04:43:39 Gary Wiens, Montana Electric Cooperatives Association (MECA)

Informational Testimony: None

Questions from Committee Members and Responses:

04:44:55 Sen. Erickson

04:46:00 Sen. Wittich

04:47:40 Sen. Lake

04:48:01 Sen. Wittich

04:55:14 Sen. Lake

04:55:50 Sen. Wittich

04:57:40 Sen. Priest

04:58:02 John Fitzpatrick, NWE

04:58:35 Sen. Priest

04:59:23 John Fitzpatrick

05:00:33 Sen. Essmann

05:01:41 Sen. Wittich

05:03:32 Sen. Essmann

05:04:54 Sen. Wittich

05:06:21 Sen. Vincent

05:07:03	John Fitzpatrick
05:07:26	Sen. Vincent
05:07:59	John Fitzpatrick
05:09:40	Sen. Walker
05:10:14	John Fitzpatrick
05:12:06	Sen. Walker
05:12:55	Sen. Wittich
05:16:06	Sen. Walker
05:16:32	Sen. Wittich
05:17:15	Chairman Olson
05:18:37	Sen. Wittich
05:19:31	Chairman Olson
05:19:37	Sen. Wittich

Closing by Sponsor:

05:20:09	Sen. Wittich
05:24:07	Sen. Essmann
05:24:21	Chairman Olson

ADJOURNMENT

05:25:01 Adjournment:

Liane Taylor, Secretary

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Additional Documents:

EXHIBIT([ens48aad.pdf](#))