

HOUSE JOINT RESOLUTION NO. 18

INTRODUCED BY SEIFERT, CONROY, ANDERSON, CONN, HARP,
BENNETT, HEALY, LEE, HUENNEKENS, QUILICI, EUDAILY, LORY,
CURTISS, S. BROWN, B. BROWN, BLAYLOCK, VINGER, IVERSON

IN THE HOUSE

January 26, 1981	Introduced and referred to Committee on Rules.
February 2, 1981	Referred to Committee on Natural Resources.
February 20, 1981	Committee recommend bill do pass. Report adopted. Bill printed and placed on members' desks.
February 21, 1981	Second reading, do pass.
February 23, 1981	Considered correctly engrossed.
February 24, 1981	Third reading, passed. Ayes, 82; Noes, 16. Transmitted to Senate.

IN THE SENATE

March 2, 1981	Introduced and referred to Committee on Natural Resources.
March 26, 1981	Committee recommend bill be concurrent in. Report adopted.
March 27, 1981	Second reading, concurrent in.
March 30, 1981	Third reading, concurrent in. Ayes, 44; Noes, 5.

IN THE HOUSE

March 31, 1981	Returned from Senate. Con- current in. Sent to enrolling. Reported correctly enrolled.
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Healy

Lee

HOUSE JOINT RESOLUTION NO. 18

Bennett

INTRODUCED BY Seifert Conroy Amason Conn HARP

Alumaker Juleri Scharly Juma Curtiss Long
STEVE BROWN Bob Brown Blaylock

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA URGING THAT THE FEDERAL ENERGY REGULATORY COMMISSION RELICENSE THE KERR HYDROELECTRIC PROJECT TO THE MONTANA POWER COMPANY.

WHEREAS, The Montana Power Company owns the Kerr Hydroelectric Project located in Lake and Flathead Counties in Montana and partially within the boundaries of the Flathead Indian Reservation and has operated the project under a 50-year license issued by the Federal Power Commission; and

WHEREAS, the Montana Power Company's long-term license to operate the project expired on May 23, 1980; and

WHEREAS, the Montana Power Company has applied to the Federal Energy Regulatory Commission, the successor of the Federal Power Commission, for a new long-term license to operate the project; and

WHEREAS, under the Federal Power Act, the Montana Power Company as licensee of the project must pay the Confederated Salish and Kootenai Tribes of the Flathead Reservation a "reasonable annual charge", which is subject to periodic adjustment, because a portion of the project is located

within the Flathead Reservation, such annual charge being currently \$2.6 million per year; and

WHEREAS, the Federal Power Act provides that the federal government may, under certain circumstances, take over the project; and

WHEREAS, the project represents a material portion of the property tax base of Lake County, Montana, and also provides property taxes in Flathead County and corporation license taxes and electrical energy producers taxes to the State of Montana; and

WHEREAS, the taking of the project by the federal government will result in a loss of property taxes to Lake and Flathead Counties and the loss of corporation license taxes and electrical energy producers license taxes to the State of Montana; and

WHEREAS, the project provides a significant portion of the Montana Power Company's low embedded cost hydroelectric energy supply for Montana consumers; and

WHEREAS, the taking of the project by the federal government will result in the loss of the project's output to Montana customers; and

WHEREAS, the project, if lost to the Montana Power Company's consumers, could be replaced after delay, if at all, only at very high costs; and

WHEREAS, it appears that the licensing of the project

LC 1297/01

1 to the Montana Power Company is in the best interest of the
2 citizens of the State of Montana.

3

4 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
5 OF REPRESENTATIVES OF THE STATE OF MONTANA:

6 That the Federal Energy Regulatory Commission is
7 strongly urged to issue a new long-term license for the
8 continued operation of the Kerr Hydroelectric Project to the
9 Montana Power Company for the benefit of its consumers.

10 BE IT FURTHER RESOLVED, that a certified copy of this
11 resolution be forwarded by the Secretary of the State of
12 Montana to the Secretary of the Federal Energy Regulatory
13 Commission.

-End-

Approved by Committee
on Natural Resources

Healy

H. J. ...

1 *Lee* HOUSE JOINT RESOLUTION NO. 18

2 INTRODUCED BY *Seiferl Conroy Anarsan Conn HARP*

3 *Therrien Purvis Siskaly Duan Curless Long*

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