

HOUSE JOINT RESOLUTION NO. 18

INTRODUCED BY SEIFERT, CONROY, ANDERSON, CONN, HARP,  
BENNETT, HEALY, LEE, HUENNEKENS, QUILICI, RUDAILY, 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	Rerferred 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 concurred in. Report adopted.
March 27, 1981	Second reading, concurred in.
March 30, 1981	Third reading, concurred in. Ayes, 44; Noes, 5.

IN THE HOUSE

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

*Healy*  
*Lee* HOUSE JOINT RESOLUTION NO. 18 *Bennett*  
 INTRODUCED BY Seifert Conroy Annanas Corn HARP  
*Glennister* *Guilford* *Healy* *Henry* *Curtiss*  
*Steve* *Brown* *Bob* *Brown* *Blaylock* *Vince* *Long*  
 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

1 within the Flathead Reservation, such annual charge being  
 2 currently \$2.6 million per year; and  
 3 WHEREAS, the Federal Power Act provides that the  
 4 federal government may, under certain circumstances, take  
 5 over the project; and  
 6 WHEREAS, the project represents a material portion of  
 7 the property tax base of Lake County, Montana, and also  
 8 provides property taxes in Flathead County and corporation  
 9 license taxes and electrical energy producers taxes to the  
 10 State of Montana; and  
 11 WHEREAS, the taking of the project by the federal  
 12 government will result in a loss of property taxes to Lake  
 13 and Flathead Counties and the loss of corporation license  
 14 taxes and electrical energy producers license taxes to the  
 15 State of Montana; and  
 16 WHEREAS, the project provides a significant portion of  
 17 the Montana Power Company's low embedded cost hydroelectric  
 18 energy supply for Montana consumers; and  
 19 WHEREAS, the taking of the project by the federal  
 20 government will result in the loss of the project's output  
 21 to Montana customers; and  
 22 WHEREAS, the project, if lost to the Montana Power  
 23 Company's consumers, could be replaced after delay, if at  
 24 all, only at very high costs; and  
 25 WHEREAS, it appears that the licensing of the project

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

*Nealy*

*Lee*

HOUSE JOINT RESOLUTION NO. 18

*INTRODUCED BY Seifert, Conroy, Aranson, Conn, HARP*

*Hopmiller, Durkin, Shadley, Davis, Curtis, Long, Steve Brown, Bob Brown, Blawie, Dyer, Vinger, Long*

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