

MINUTES
HOUSE LOCAL GOVERNMENT COMMITTEE

DATE: Wednesday, February 22, 2012
TIME: 1:30 or Upon Adjournment
PLACE: Room EW05
MEMBERS: Chairman Barrett, Vice Chairman Marriott, Representative(s) Collins, Bayer, Chadderdon, Barbieri, Luker, Perry, Sims, Higgins, Buckner-Webb
**ABSENT/
EXCUSED:** None.
GUESTS: See attached.

Chairman Barrett called the meeting to order at 2:55 p.m.

H 561: **Representative Simpson** presented **H 561**, which places a moratorium on certain industrial wind farms and wind turbines for a time certain; amending Chapter 65, Title 67, Idaho Code, by the addition of a new section 67-6539, Idaho Code, to provide legislative findings and intent, to provide a moratorium on the permitting, licensing or construction of certain industrial wind farms and wind turbines, and to provide for creation of a legislative task force, declaring an emergency and providing a sunset date.

The sunset date is July 1, 2014. Until that time, municipalities, counties and state agencies would be prohibited from granting approval or issuing any new licenses or permits for the construction or operation of wind turbines that exceed 100 feet in height and have a nameplate capacity that exceeds 100 kilowatts. Projects that have been approved, with no legal proceedings against them as of February 1, 2012, would be allowed to continue with construction.

Representative Simpson used a PowerPoint presentation to illustrate the rationale for placing a two-year moratorium on wind development in Idaho. The presentation included data on federal energy subsidies, of which wind subsidies are considerably higher than other energy subsidies; limited creation of jobs; high cost to ratepayers; need for more stringent siting regulations; and need for state uniformity of energy controls.

A thorough question-and-answer period ensued covering all aspects presented by **Representative Simpson**, including costs to ratepayers, federal subsidies, job creation, and the negative impact of wind farms on housing developments.

Testimony was heard from **Robert Ellis**, Ridgeline Energy; **Russ Hendricks**, Idaho Farm Bureau; **Don Barnhill**, Murphy Flat Wind; **Dawna Marie Cardwell**, citizen; **Todd Haynes**, Terna Energy; **Bill Block**, J-U-B Engineers; **George Cook**, Colonial Power; **John Steiner**, Idaho Wind Farms; **Randy Reynolds**, Bennett Creek Farms; **Bob Steinlicht**, Power County Building Administrator; **Gilbert Hofmeister**, landowner; **Bill Myers**, Renewable Energy Systems; **John Faulkner**, Faulkner Land and Livestock; **Jared Brackett**, Antelope Springs Ranch; **Matt Thompson**, Bonneville County Cattlemen's Association and self; **Peter Richardson**, (North Idaho) Intermountain Power Coalition; **Elizabeth Criner**, J. R. Simplot Company; and **Brian Jackson**, American Wind Group, and **Rep. Eric Anderson**, who testified **in opposition** to **H 561**. **Wayne Hoffman**, Idaho Freedom Foundation; **Hubert Osborne**, property owner; **Rayma Cates**, property owner; **Tauna Christensen**, Energy Integrity Project; and **John Eaton**, Idaho Association of Realtors, testified **in support** of **H 561**.

Committee members posed questions for the individuals testifying, both for and against **H 561**, regarding their specific concerns. Primary issues of those testifying in **opposition** to the legislation were related to the financial impact of a moratorium. Primary arguments of individuals testifying **in favor** of **H 561** were related to the negative impact of adjacent wind farms on their property.

At the request of **Representative Bayer, Mr. Neil Colwell**, a lobbyist for Avista Utilities, provided information on possible financial implications to ratepayers. Mr. Colwell is knowledgeable about regulatory energy structures and rules in Washington State.

Representative Simpson summarized his presentation of **H 561** and countered arguments opposing the legislation by reviewing topics discussed in his initial presentation.

MOTION: **Representative Barbieri** made a motion to send **H 561** to the floor with a **DO PASS** recommendation.

Committee members expressed their opinions and rationale for supporting or opposing **H 561**. It was the general feeling by those supporting the legislation that time is needed to review the impact of the proliferation of wind farms and make a decision as to regulations. Members who opposed the legislation felt the language was not specific enough regarding time line of permits; other members felt the negative financial impact on projects already in process was too great.

ROLL CALL VOTE: **Chairman Barrett** called for a roll call vote on **H 561** **The motion carried by a vote of 6 AYE and 5 NAY. Reps. Bayer, Barbieri, Luker, Sims, Higgins, and Chairman Barrett** voting **AYE**; **Reps. Marriott, Collins, Chadderdon, Perry, and Buckner-Webb** voting **NAY**.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 6:50 p.m.

Representative Barrett
Chair

Jeanne Clayton
Secretary