

## MINUTES

### MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON ENERGY AND TELECOMMUNICATIONS

**Call to Order:** Chair Roger Webb, on February 19, 2015 at 3:00 PM, in Room 317  
Capitol

#### ROLL CALL

**Members Present:**

Sen. Roger Webb, Chair (R)  
Sen. Duane Ankney, Vice Chair (R)  
Sen. Mark Blasdel (R)  
Sen. Pat Connell (R)  
Sen. Robyn Driscoll (D)  
Sen. Douglas (Doug) Kary (R)  
Sen. Jim Keane (D) (arrived after roll call)  
Sen. Bob Keenan (R) (arrived after roll call)  
Sen. Cliff Larsen (D)  
Sen. Mary McNally (D)  
Sen. Bruce Tutvedt (R) (arrived after roll call)  
Sen. Jonathan Windy Boy (D) (arrived after roll call)

**Members Excused:** Sen. Llew Jones (R)

**Members Absent:** None

**Staff Present:** Sonja Nowakowski, Legislative Branch  
Barbara Pietuch, 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 301, 2/12/2015; SB 314, 2/12/2015; SB 343, 2/16/2015;  
SB 321, 2/13/2015

Executive Action: SB 305 - TABLED; SB 312 - DO PASS AS AMENDED; SB 301 - TABLED;  
SB 314 - DO PASS; SB 321 - DO PASS AS AMENDED; SB 343 - TABLED

00:00:01 Chairman Webb

**HEARING ON SB 321**

**Opening Statement by Sponsor:**

00:01:34 Sen. Mark Blasdel (R), SD 4, opened the hearing on SB 321, Generally revise energy laws.

00:02:59 Sen. Keenan entered the hearing.

00:03:00 Sen. Keane entered the hearing.

00:03:01 Sen. Windy Boy entered the hearing.

00:03:05 Sen. Tutvedt entered the hearing.

**Proponents' Testimony:**

00:03:16 Mark Lambert, executive director, Treasure State Resource Industry Association

00:05:15 Jessie Luther, Abaco Energy Services (AES)

00:10:55 John Fitzpatrick, Northwestern Energy

**Opponents' Testimony:**

00:11:55 Bob Lake, commissioner, Public Service Commission (PSC)

00:13:33 Sen. Windy Boy left the hearing.

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:15:57 Sen. Connell

00:16:27 Mr. Lake, PSC

00:16:46 Sen. Driscoll

00:17:05 Mr. Lake

00:18:06 Sen. Tutvedt

00:18:28 Mr. Lake

00:18:48 Sen. Tutvedt

00:19:05 Ms. Luther, AES

00:19:35 Sen. Tutvedt

00:19:45 Ms. Luther

00:19:48 Sen. Larsen

00:19:56 Ms. Luther

00:20:20 Sen. Larsen

00:20:41 Ms. Luther

00:20:51 Sen. Kary

00:21:21 Ms. Luther

00:21:51 Sen. Kary

00:22:06 Sen. Ankney  
00:22:46 Mr. Lake  
00:23:09 Justin Kraske, chief legal council, Public Service Commission (PSC)  
00:23:59 Sen. Ankney  
00:24:28 Mr. Kraske, PSC  
00:25:05 Sen. Connell  
00:25:54 Ms. Luther  
00:26:33 Sen. McNally  
00:27:01 Mr. Kraske  
00:27:34 Sen. McNally  
00:27:47 Mr. Kraske

**Closing by Sponsor:**

00:28:27 Sen. Blasdel  
00:30:45 Chairman Webb turned the chair over to Vice Chair Ankney.

**HEARING ON SB 343**

**Opening Statement by Sponsor:**

00:31:01 Sen. Roger Webb (R), SD 23, opened the hearing on SB 343, Revise net metering laws.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

00:31:40 Sen. Webb

**EXECUTIVE ACTION ON SB 343**

00:32:30 **Motion/Vote:** Sen. Ankney moved that **SB 343 BE TABLED**. Motion carried unanimously by voice vote. Sen. Jones and Sen. Windy Boy voted by proxy.

**HEARING ON SB 314**

**Opening Statement by Sponsor:**

00:33:01 Sen. Roger Webb (R), SD 23, opened the hearing on SB 314, Interstate pipeline compact.

**Proponents' Testimony:** None

**Opponents' Testimony:**

00:33:44 Neal Ullman, program director, Montana Conservation Voters  
00:38:30 Derf Johnson, associate program director and staff attorney, Montana  
Environment Information Center (MEIC)

**Informational Testimony:**

00:43:58 Sen. C. Smith

**Questions from Committee Members and Responses:**

00:44:32 Sen. Keane  
00:45:07 Sen. Webb  
00:45:36 Sen. Keane  
00:45:50 Sen. Webb  
00:46:01 Sen. Keane  
00:46:11 Sen. Webb  
00:46:17 Sen. Driscoll  
00:46:34 Sen. Webb  
00:46:44 Sen. Kary  
00:47:14 Mr. Johnson, MEIC  
00:48:15 Sen. Kary  
00:48:31 Mr. Johnson  
00:48:45 Sen. Kary  
  
00:48:59 Sen. Windy Boy entered the hearing.  
  
00:49:05 Mr. Johnson

**Closing by Sponsor:**

00:49:31 Sen. Webb  
00:50:01 Vice Chair Ankney turned the chair over to Chairman Webb.

**HEARING ON SB 301**

**Opening Statement by Sponsor:**

00:52:47 Sen. Cary Smith (R), SD 27, opened the hearing on SB 301, Revise laws on  
public service commission regulation of municipal utilities.

[EXHIBIT\(ens38a01\)](#)

[EXHIBIT\(ens38a02\)](#)

**Proponents' Testimony:**

01:04:04 John Quandt, representing himself

**Opponents' Testimony:**

01:08:52 Bruce McCandless, assistant city administrator, City of Billings  
 01:15:26 Anna Rosenberry, finance director, Administrative Services, City of Bozeman  
 01:27:16 Bill Bronson, city commissioner, City of Great Falls  
  
 01:29:38 Sen. Keenan left the hearing.  
  
 01:36:00 Dave Dobbs, city engineer, City of Great Falls  
 01:39:49 Dave Nielsen, Montana League of Cities and Towns

**Informational Testimony:**

01:47:37 Justin Kraske, chief legal council, Public Service Commission (PSC)

**Questions from Committee Members and Responses:**

01:48:01 Sen. Windy Boy  
 01:48:37 Mr. Kraske, PSC

**Closing by Sponsor:**

01:50:12 Sen. Smith  
  
 01:58:26 Brief Recess  
 02:14:50 Reconvene

**EXECUTIVE ACTION ON SB 301**

02:15:04 **Motion:** Sen. Ankney moved that **SB 301 DO PASS.**  
  
 02:15:15 **Vote:** Motion failed 1-10 with Sen. Kary voting aye by voice vote. Sen. Jones and Sen. Keenan were excused.  
  
 02:15:30 **Motion/Vote:** Sen. Ankney moved that **SB 301 BE TABLED.** Motion carried 11-0 by voice vote. Sen. Jones and Sen. Keenan were excused.

**EXECUTIVE ACTION ON SB 314**

02:16:00 **Motion:** Sen. Ankney moved that **SB 314 DO PASS.**

**Discussion:**

02:16:15 Sen. Keane  
 02:16:22 Chairman Webb  
 02:17:23 Sen. Connell

02:17:39 **Vote:** Motion carried 7-6 by roll call vote with Sen. Driscoll, Sen. Keane, Sen. Larsen, Sen. McNally, Sen. Tutvedt and Sen. Windy Boy voting no. Sen. Jones and Sen. Keenan voted by proxy.

**EXECUTIVE ACTION ON SB 321**

02:18:49 **Motion:** Sen. Blasdel moved that **SB 321 DO PASS.**

02:18:57 **Motion:** Sen. Blasdel moved that **SB 321 BE AMENDED.**  
[EXHIBIT\(ens38a03\)](#)

**Discussion:**

02:19:17 Sen. Blasdel  
02:19:33 Chairman Webb  
02:19:49 Sen. Blasdel

02:20:27 **Vote:** Motion carried unanimously by voice vote. Sen. Jones and Sen. Keenan voted by proxy.

02:20:45 **Motion/Vote:** Sen. Blasdel moved that **SB 321 DO PASS AS AMENDED.** Motion carried 11-2 by roll call vote with Sen. Driscoll and Sen. McNally voting no. Sen. Jones and Sen. Keenan voted by proxy.

**EXECUTIVE ACTION ON SB 305**

02:22:45 **Motion/Vote:** Sen. Driscoll moved that **SB 305 BE TABLED.** Motion carried 9-4 by roll call vote with Sen. Ankney, Sen. Blasdel, Sen. Kary and Sen. Keane voting no. Sen. Jones and Sen. Keenan voted by proxy.

**EXECUTIVE ACTION ON SB 312**

02:24:19 **Motion:** Sen. Ankney moved that **SB 312 DO PASS.**

02:24:33 **Motion:** Sen. Ankney moved that **SB 312 BE AMENDED.**  
[EXHIBIT\(ens38a04\)](#)

**Discussion:**

02:25:02 Sen. Ankney  
02:30:53 Sen. Keenan entered the hearing.  
02:31:10 Sen. Jones entered the hearing.  
02:31:48 Sen. Connell  
02:32:53 Sen. McNally  
02:33:42 Sen. Windy Boy  
02:34:01 Sen. Ankney  
02:34:09 Sen. Tutvedt

02:34:20 **Vote:** Motion carried unanimously by roll call vote.

**Discussion:**

02:35:31 Sen. Windy Boy

02:35:35 Sonja Nowakowski, research analyst, Legislative Services Division (LSD)

02:36:01 Sen. Larsen

02:37:41 Sen. Connell

02:38:27 **Motion/Vote:** Sen. Ankney moved that **SB 312 DO PASS AS AMENDED**.  
Motion carried 9-4 by roll call vote with Sen. Blasdel, Sen. Kary, Sen. Keenan  
and Sen. Webb voting no.

**ADJOURNMENT**

Adjournment: 5:42 PM

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Barbara Pietuch, Secretary

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Additional Documents:

**EXHIBIT([ens38aad.pdf](#))**