

## MINUTES

### MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON ENERGY AND TELECOMMUNICATIONS

**Call to Order:** Chair Roger Webb, on March 24, 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)  
Sen. Bob Keenan (R)  
Sen. Cliff Larsen (D)  
Sen. Mary McNally (D)  
Sen. Jonathan Windy Boy (D)

**Members Excused:** Sen. Llew Jones (R)  
Sen. Bruce Tutvedt (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 402, 3/17/2015

Executive Action: SB 402 - DO PASS AS AMENDED

00:00:01 Chairman Webb

**HEARING ON SB 402**

**Opening Statement by Sponsor:**

00:01:19 Sen. Duane Ankney (R), SD 20, opened the hearing on SB 402, Revise laws related to utilities and coal-fired generation.

**Proponents' Testimony:**

00:13:32 Leo Barry, attorney, representing Great Northern Properties (GNP)  
 00:20:06 Rex Rogers, business manager, Colstrip International Brotherhood of Electrical Workers, IBEW 1638 Colstrip  
 00:22:09 John Johnson, representing Operating Engineers, Colstrip  
 00:22:35 J.D. Lynch, Montana State Building and Construction Trades Council  
 00:23:35 Aimee Grmoljez, attorney, representing Arch Coal, Inc.  
 00:25:12 Harold Blattie, executive director, Montana Association of Counties  
 00:26:15 Chris Cavazos, political director, Montana AFL-CIO  
 00:27:01 Dan Flynn, Montana State Conference of Electrical Workers

**Opponents' Testimony:**

00:28:01 Tom Ebzery, attorney, representing Avista Corporation; Puget Sound Energy; Portland General Electric (PGE)

**[EXHIBIT\(ens61a01\)](#)**

00:52:29 Bob Story, president, Montana Taxpayers Association

**[EXHIBIT\(ens61a02\)](#)**

01:02:19 Ann Hedges, deputy director, Montana Environment Information Center (MEIC)

**[EXHIBIT\(ens61a03\)](#)**

01:03:10 Sen. Keenan left the hearing.

01:13:08 Shelbi Dantic, political coordinator, Montana Conservation Voters  
 01:13:56 Jake Brown, program director, Montana Public Interest Research Group  
 01:14:58 Diego Rivas, Montana policy associate, Northwest Energy Coalition

**Informational Testimony:**

01:21:25 Gene Walburn, deputy director, Department of Revenue

**Questions from Committee Members and Responses:**

01:21:54 Sen. Keane  
 01:22:14 Sen. Ankney  
 01:22:23 Sen. Keane  
 01:25:23 Sen. Larsen  
 01:25:51 Mr. Ebzery, PGE

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01:26:42 Sen. Larsen  
01:27:16 Mr. Ebzery  
01:28:02 Sen. Larsen  
01:28:42 Sen. Driscoll  
01:29:09 Sen. Ankney  
01:29:41 Sen. Driscoll  
01:30:04 Sen. Ankney  
01:31:37 Sen. Driscoll  
01:31:42 Sen, Ankney  
01:31:51 Sen. Connell  
01:32:48 Mr. Barry, GNP  
01:33:22 Sen. Connell  
01:34:19 Mr. Barry  
01:34:42 Sen. Connell  
01:36:05 Mr. Barry  
01:38:14 Sen. Connell  
01:39:57 Chairman Webb  
01:40:05 Sen. McNally  
01:41:44 Mr. Ebzery  
01:43:15 Sen. McNally  
01:43:56 Mr. Ebzery  
01:45:03 Sen. McNally  
01:45:33 Sen. Ankney  
01:46:40 Sen. McNally  
01:47:30 Sen. Ankney  
01:48:16 Sen. McNally  
01:48:33 Sen. Ankney  
01:49:17 Chairman Webb  
01:49:30 Sen. Ankney  
01:49:38 Chairman Webb  
01:50:03 Sen. Ankney  
01:50:41 Sen. Keane  
01:51:13 Ms. Hedges, MEIC  
01:51:26 Sen. Keane  
01:51:47 Ms. Hedges  
01:52:13 Sen. Keane  
01:52:22 Ms. Hedges  
01:52:59 Sen. Keane  
01:53:16 Ms. Hedges  
01:53:43 Sen. Keane  
01:53:52 Ms. Hedges

**Closing by Sponsor:**

01:54:27 Sen. Ankney  
02:01:20 Recess  
02:15:02 Reconvene

02:15:03 Chairman Webb

**EXECUTIVE ACTION ON SB 402**

02:15:07 **Motion:** Sen. Ankney moved that **SB 402 DO PASS.**

02:15:32 **Motion:** Sen. Ankney moved that **SB 402 BE AMENDED.**  
**EXHIBIT(ens61a04)**

**Discussion:**

02:15:52 Sonja Nowakowski, research analyst, Legislative Services Division

02:16:52 Chairman Webb

02:16:56 **Vote:** Motion carried unanimously by voice vote. Sen. Jones, Sen. Keenan and Sen. Tutvedt voted by proxy.

02:17:25 **Motion:** Sen. Ankney moved that **SB 402 DO PASS AS AMENDED.**

**Discussion:**

02:17:36 Sen. Larson

02:18:16 Sen. Ankney

02:18:41 Sen. Windy boy

02:18:56 Sen. Connell

02:19:40 Sen. Larson

02:19:46 Sen. Connell

02:20:05 Sen. Kary

02:20:23 Sen. Keane

02:21:31 Sen. McNally

02:24:20 **Vote:** Motion carried 10-3 by roll call vote with Sen. Driscoll, Sen. Larsen and Sen. McNally voting no. Sen. Jones, Sen. Keenan and Sen. Tutvedt voted by proxy.

**ADJOURNMENT**

Adjournment: 5:25 PM

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Barbara Pietuch, Secretary

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Additional Documents:

**EXHIBIT**([ens61aad.pdf](#))