

## MINUTES

### MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON ENERGY AND TELECOMMUNICATIONS

**Call to Order:** Chair Duane Ankney, on February 19, 2019 at 3:00 PM, in Room 317  
Capitol

#### ROLL CALL

**Members Present:**

Sen. Duane Ankney, Chair (R)  
Sen. Mary McNally, Vice Chair (D)  
Sen. Jason D. Small, Vice Chair (R)  
Sen. Dick Barrett (D)  
Sen. Mike Cuffe (R)  
Sen. Terry Gauthier (R)  
Sen. Douglas (Doug) Kary (R)  
Sen. Sue Malek (D)  
Sen. Mike Phillips (D)  
Sen. Keith Regier (R)  
Sen. Tom Richmond (R)  
Sen. Russel (Russ) Tempel (R)  
Sen. Gene Vuckovich (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Trevor Graff, Legislative Branch  
Jacelyn Stewart, 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 244, 2/14/2019; SB 195, 2/14/2019; SJ 8, 2/14/2019

Executive Action: SB 199 - Do Pass

**HEARING ON SB 244**

**Opening Statement by Sponsor:**

15:04:43 Sen. Mark Blasdel (R), SD 4, opened the hearing on SB 244, Revise utility cost recovery.

**[EXHIBIT\(ens35a01\)](#)**

**Proponents' Testimony:**

15:05:43 David Hoffman, NorthWestern Energy (NWE)

**Opponents' Testimony:**

15:09:39 Robin Arnold, Public Service Commission (PSC)

**[EXHIBIT\(ens35a02\)](#)**

15:13:19 Jason Brown, Montana Consumer Counsel (MCC)

**Informational Testimony:** None

15:18:19 Sen. Gauthier entered the meeting.

**Questions from Committee Members and Responses:**

15:18:27 Sen. McNally

15:19:02 Mr. Brown, MCC

15:20:23 Sen. McNally

15:20:44 Mr. Brown

15:22:03 Sen. Kary

15:22:26 Mr. Hoffman, NWE

15:23:33 Sen. Malek

15:24:04 Mr. Hoffman

15:24:22 Sen. Malek

15:24:55 Mr. Hoffman

15:25:02 Chair Ankney left the meeting and turned the duties of the chair over to Vice Chair Small.

15:25:13 Sen. Malek

15:25:55 Mr. Hoffman

15:26:13 Sen. Malek

15:26:39 Mr. Brown

15:27:29 Sen. Malek

15:27:38 Mr. Brown

15:27:48 Sen. Malek

15:28:20 Sen. McNally

15:28:49 Mr. Hoffman

15:29:51 Sen. McNally

15:30:02 Mr. Hoffman

15:30:58 Sen. McNally

15:31:26 Ms. Arnold, PSC

**Closing by Sponsor:**

15:32:22 Sen. Blasdel

**HEARING ON SB 195**

**Opening Statement by Sponsor:**

15:33:11 Sen. Jill Cohenour (D), SD 42, opened the hearing on SB 195, Generally revise energy performance contracting laws.

**Proponents' Testimony:**

15:36:03 Kelly Lynch, deputy director and chief legal counsel, Montana League of Cities and Towns

15:40:05 Eric Bryson, Montana Association of Counties

15:43:48 Brian Solan, Ameresco Renewable Energy, Energy Efficiency Management

15:45:50 Tim Tolman, McKinstry

**Opponents' Testimony:** None

**Informational Testimony:**

15:48:24 Chris Dorrington, Department of Environmental Quality (DEQ)

**Questions from Committee Members and Responses:**

15:49:07 Sen. Cuffe

15:49:33 Mr. Tolman, McKinstry

15:50:10 Sen. Cuffe

15:50:32 Bonnie Rouse, DEQ

15:51:04 Sen. Cuffe

15:51:25 Sen. Cohenour

15:53:16 Sen. Cuffe

15:53:32 Sen. Cohenour

15:54:30 Sen. Regier entered the meeting.

15:54:31 Sen. Tempel

15:55:02 Ron Pecarina, DEQ

15:55:21 Sen. Cuffe left the meeting.

15:57:14 Sen. Tempel

15:57:38 Mr. Pecarina

15:57:56 Sen. Tempel

15:58:08 Mr. Pecarina

**Closing by Sponsor:**

15:59:14 Sen. Cohenour

16:01:25 Chair Ankney returned to the meeting and resumed the position and duties of the chair.

**HEARING ON SJ 8**

**Opening Statement by Sponsor:**

16:01:48 Sen. Dick Barrett (D), SD 45, opened the hearing on SJ 8, Resolution to Congress regarding climate change policy.

[EXHIBIT\(ens35a03\)](#)

[EXHIBIT\(ens35a04\)](#)

[EXHIBIT\(ens35a05\)](#)

[EXHIBIT\(ens35a06\)](#)

[EXHIBIT\(ens35a07\)](#)

**Proponents' Testimony:**

16:14:13 Malcolm Gilbert, Montana Environmental Information Center

16:15:10 Sen. Phillips entered the meeting.

16:15:45 Julian Adler, Montana Public Interest Research Group

16:21:31 Richard Parks, Northern Plains Resource Council, self

**Opponents' Testimony:**

16:24:47 Alan Olson, Montana Petroleum Association (MPA)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

16:29:52 Sen. Phillips

16:30:32 Mr. Olson, MPA

16:30:45 Sen. Phillips

16:31:07 Mr. Olson

16:31:50 Sen. Phillips

16:32:23 Mr. Olson

16:32:35 Sen. McNally

16:33:45 Mr. Olson

16:34:28 Sen. McNally

**Closing by Sponsor:**

16:35:01 Sen. Barrett

**EXECUTIVE ACTION ON SB 199**

16:41:26 **Motion:** Sen. Small moved that **SB 199 DO PASS.**

**Discussion:**

16:41:42 Sen. McNally

16:43:02 Sen. Richmond

16:44:36 Sen. Malek

16:44:56 Sen. Richmond

16:45:35 Sen. Malek

16:45:52 Sen. Richmond

16:46:13 Sen. Malek

16:48:18

**Vote:** Motion carried 8-5 by roll call vote with Sen. Barrett, Sen. Malek, Sen. McNally, Sen. Phillips and Sen. Vuckovich voting no. Sen. Cuffe voted by proxy.

**ADJOURNMENT**

Adjournment: 4:50 PM

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Jacelyn Stewart, Secretary

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Additional Documents:

**EXHIBIT**([ens35aad.pdf](#))