

MINUTES

MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON ENERGY AND TELECOMMUNICATIONS

Call to Order: Chair Duane Ankney, on March 23, 2019 at 10:00 AM, 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 336, 3/18/2019; SB 328, 3/18/2019; SB 337, 3/18/2019
Executive Action: SB 337- Do Pass; SB 336 - Tabled; SB 328 - Do Pass; SB 189 - Tabled; SB 245 - Do Pass As Amended; HB 22 - Tabled; HB 150 - Be Concurred In; HB 267 - Be Concurred In; HB 314 - Tabled; HB 476 - Be Concurred In; HB 487 - Be Concurred In

10:03:39 Sen. Vuckovich and Sen. Richmond entered the hearing.

HEARING ON SB 337

Opening Statement by Sponsor:

10:03:58 Sen. Jeffrey Welborn (R), SD 36, opened the hearing on SB 337, Revise income tax credit for alternative energy generation.

Proponents' Testimony:

10:05:51 Peter Mohr, Clark Canyon Hydro LLC

10:06:31 Brian Fadie, Montana Environmental Information Center

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

10:08:10 Sen. Welborn

HEARING ON SB 336

Opening Statement by Sponsor:

10:08:30 Sen. Janet Ellis (D), SD 41, opened the hearing on SB 336, Require coal-fired generating unit to provide a bond.

[EXHIBIT\(ens60a01\)](#)

[EXHIBIT\(ens60a02\)](#)

Proponents' Testimony:

10:17:33 Anne Hedges, Montana Environmental Information Center

10:18:21 Jake Brown, Montana Conservation Voters

10:18:36 Cody Ferguson, Northern Plains Resource Council

10:19:22 Adam Haight, Montana American Federation of Labor- Congress of Industrial Organizations (AFL-CIO)

10:19:46 Amy Seaman, Montana Audubon

Opponents' Testimony:

10:20:49 Bridger Mahlum, Montana Chamber of Commerce

Informational Testimony:

10:22:37 Keith Newmeyer, self

Questions from Committee Members and Responses: None

Closing by Sponsor:

10:24:29 Sen. Ellis

HEARING ON SB 328

Opening Statement by Sponsor:

10:25:59 Sen. Tom Richmond (R), SD 28, opened the hearing on SB 328, Authorize local abatement of coal gross proceeds tax for surface mines.

Proponents' Testimony:

10:27:30 Steve Wade, Great Northern Properties (GNP), Treasure State Resources Association

10:28:37 Jason Rittal, Montana Association of Counties

10:29:53 Bridger Mahlum, Montana Chamber of Commerce

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

10:30:28 Sen. McNally

10:30:53 Mr. Wade, GNP

Closing by Sponsor:

10:31:33 Sen. Richmond

10:32:47 Recess

10:47:45 Reconvened

10:48:36 Sen. McNally

10:48:50 Chair Ankney

EXECUTIVE ACTION ON SB 337

10:49:47 **Motion/Vote:** Sen. Small moved that **SB 337 DO PASS**. Motion carried unanimously by roll call vote.

EXECUTIVE ACTION ON SB 336

10:50:58 **Motion:** Sen. Small moved that **SB 336 DO PASS**.

Discussion:

10:51:11 Sen. Kary

10:51:28 Sen. Malek

10:51:53 Sen. McNally

10:52:53 Sen. Phillips

10:53:11 **Vote:** Motion failed 5-8 by roll call vote with Sen. Barrett, Sen. Malek, Sen. McNally, Sen. Phillips and Sen. Vuckovich voting aye.

10:54:05 **Motion/Vote:** Sen. Small moved that **SB 336 BE TABLED**. Motion carried 8-5 by roll call vote with Sen. Barrett, Sen. Malek, Sen. McNally, Sen. Phillips and Sen. Vuckovich voting no.

EXECUTIVE ACTION ON SB 328

10:55:25 **Motion/Vote:** Sen. Small moved that **SB 328 DO PASS**. Motion carried 12-1 by roll call vote with Sen. Malek voting no.

EXECUTIVE ACTION ON SB 189

10:56:31 **Motion:** Sen. Small moved that **SB 189 BE TABLED**.

Discussion:

10:56:49 Sen. Phillips

10:57:12 Sen. Ankney

10:58:04 **Vote:** Motion carried 8-5 by roll call vote with Sen. Barrett, Sen. Malek, Sen. McNally, Sen. Phillips and Sen. Vuckovich voting no.

EXECUTIVE ACTION ON SB 245

10:58:18 **Motion:** Sen. Small moved that **SB 245 DO PASS**.

10:58:24 **Motion:** Sen. McNally moved that **SB 245 BE AMENDED**.

[EXHIBIT\(ens60a03\)](#)

Discussion:

11:00:08 Sen. Small

11:00:36 **Vote:** Motion carried unanimously by roll call vote.

11:01:06 **Motion:** Sen. Small moved that **SB 245 DO PASS AS AMENDED**.

Discussion:

11:01:21 Sen. McNally

11:02:14 Sen. Cuffe

11:02:32 Sen. Regier

11:02:49 Sen. Small

11:03:16 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 22

11:03:40 **Motion/Vote:** Sen. Small moved that **HB 22 BE CONCURRED IN**. Motion failed 6-7 by roll call vote with Sen. Barrett, Sen. Gauthier, Sen. Malek, Sen. McNally, Sen. Phillips and Sen. Vuckovich voting aye.

11:04:45 **Motion/Vote:** Sen. Small moved that **HB 22 BE TABLED**. Motion carried 11-2 by roll call vote with Sen. Barrett and Sen. Malek voting no.

EXECUTIVE ACTION ON HB 150

11:05:52 **Motion/Vote:** Sen. Small moved that **HB 150 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Small will carry the bill.

EXECUTIVE ACTION ON HB 267

11:06:51 **Motion:** Sen. Small moved that **HB 267 BE CONCURRED IN**.

Discussion:

11:07:07 Sen. McNally

11:07:36 Sen. Small

11:07:53 **Vote:** Motion carried unanimously by voice vote. Sen. Phillips will carry the bill.

EXECUTIVE ACTION ON HB 314

11:08:14 **Motion:** Sen. Small moved that **HB 314 BE CONCURRED IN**.

Discussion:

11:08:25 Sen. McNally

11:09:05 Sen. Phillips

11:09:28 Sen. Small

11:10:07 Sen. Phillips

11:10:42 Sen. Malek

11:11:23 **Vote:** Motion failed 6-7 by roll call vote with Sen. Barrett, Sen. Gauthier, Sen. Malek, Sen. McNally, Sen. Phillips and Sen. Vuckovich voting aye.

11:12:06 **Motion/Vote:** Sen. Small moved that **HB 314 BE TABLED**. Motion carried 8-5 by roll call vote with Sen. Barrett, Sen. Malek, Sen. McNally, Sen. Phillips and Sen. Vuckovich voting no.

EXECUTIVE ACTION ON HB 476

11:13:04 **Motion:** Sen. Small moved that **HB 476 BE CONCURRED IN**.

Discussion:

11:13:17 Sen. McNally

11:13:50 Sen. Regier

11:14:16 Sen. McNally

11:14:58 Sen. Malek

11:15:31 **Vote:** Motion carried 11-2 by roll call vote with Sen. Barrett and Sen. Malek voting no. Sen. Ankney will carry the bill.

EXECUTIVE ACTION ON HB 487

11:16:20 **Motion:** Sen. Small moved that **HB 487 BE CONCURRED IN**.

Discussion:

11:16:31 Sen. Cuffe

11:16:44 Sen. Small

11:17:05 Sen. Barrett

11:17:24 **Vote:** Motion carried 8-5 by roll call vote with Sen. Barrett, Sen. Malek, Sen. McNally, Sen. Phillips and Sen. Vuckovich voting no. Sen. Small will carry the bill.

11:18:16 Chair Ankney

ADJOURNMENT

Adjournment:

Jacelyn Stewart, Secretary

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Additional Documents:

EXHIBIT([ens60aad.pdf](#))