

MINUTES

MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON ENERGY AND TELECOMMUNICATIONS

Call to Order: Chair Duane Ankney, on February 23, 2021 at 3:00 PM, in Room 317
Capitol

ROLL CALL

Members Present in the Committee Room:

Sen. Duane Ankney, Chair (R)
Sen. Jason D. Small, Vice Chair (R)
Sen. Mike Cuffe (R)
Sen. Terry Gauthier (R)
Sen. Douglas (Doug) Kary (R)
Sen. Ryan Lynch (D)
Sen. Brad Molnar (R)
Sen. Keith Regier (R)
Sen. Mark Sweeney (D)
Sen. Russel (Russ) Tempel (R)

Members Present by Zoom Video Conference:

Sen. Mary McNally, Vice Chair (D)
Sen. Shane A. Morigeau (D)
Sen. Christopher Pope (D)

Members Excused: None

Members Absent: None

Staff Present: Lauren de Paepe, Committee Secretary
Trevor Graff, Legislative Branch
Jacquie Simmons, Remote Meeting Coordinator

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 179, 2/16/2021; SB 213, 2/16/2021; SB 264, 2/18/2021 -
Withdrawn at Sponsor's Request
Executive Action: SB 197 - Be Tabled; SB 237 - Do Pass as Amended; SJ10 - Do
Pass

HEARING ON SB 179

Opening Statement by Sponsor:

15:04:25 Sen. Pat Flowers (D), SD 32, opened the hearing on SB179, Generally revise billing practices for telecommunications.

Proponents' Testimony: None

Opponents' Testimony:

15:06:14 Mark Baker, attorney, AT&T
15:11:08 Aimee, Grmoljez, Verizon Wireless
15:12:23 Margaret Morgan, T-Mobile

15:14:07 Sen. Pope entered the meeting.

Informational Testimony: None

Questions from Committee Members and Responses:

15:14:54 Sen. McNally
15:16:18 Mr. Baker, AT&T
15:16:38 Sen. McNally

Closing by Sponsor:

15:17:24 Sen. Flowers

HEARING ON SB 213

Opening Statement by Sponsor:

15:19:23 Sen. Keith Regier (R), SD 3, opened the hearing on SB213, Revising the PSC appeals process in contested cases.

Proponents' Testimony:

15:22:06 Zach Rogala, staff attorney, Public Service Commission (PSC)

Opponents' Testimony:

15:24:31 Monica Tranel, citizen; former staff attorney, PSC/Montana Consumer Counsel
15:30:09 Colson Williams, citizen; attorney

Informational Testimony: None

Questions from Committee Members and Responses:

15:31:55 Sen. McNally
15:32:29 Ms. Tranel, citizen
15:35:10 Sen. McNally
15:35:32 Sen. Regier
15:35:48 Mr. Rogala, PSC
15:39:53 Sen. McNally
15:40:09 Ms. Tranel

15:44:16 Sen. Pope
 15:45:52 Ms. Tranel
 15:48:18 Sen. Pope
 15:51:34 Mr. Rogala

 15:52:50 Sen. Lynch left the meeting.

Closing by Sponsor:

15:54:12 Sen. Regier

EXECUTIVE ACTION ON SB 197

15:56:01 **Motion:** Sen. Small moved that **SB 197 DO PASS.**

Discussion:

15:56:29 Sen. McNally
 15:56:55 Sen. Small
 15:57:22 Sen. Pope

15:59:04 **Vote:** Motion failed 6-7 by roll call vote with Sen. Gauthier, Sen. Lynch, Sen. McNally, Sen. Morigeau, Sen. Pope and Sen. Sweeney voting aye. Sen. Lynch voted by proxy.

16:00:12 **Motion/Vote:** Sen. Small moved that **SB 197 BE TABLED.** Motion carried 12-1 by roll call vote with Sen. Morigeau voting no. Sen. Lynch voted by proxy.

EXECUTIVE ACTION ON SB 237

16:01:15 **Motion:** Sen. Small moved that **SB 237 DO PASS.**

16:01:36 **Motion:** Sen. Kary moved that **SB 237 BE AMENDED.**
[**EXHIBIT\(ens38a01\)**](#)

Discussion:

16:01:54 Sen. Kary
 16:02:23 Sen. McNally
 16:02:40 Sen. Kary

16:03:02 **Vote:** Motion carried unanimously by voice vote. Sen. Lynch voted by proxy.

16:03:22 **Motion:** Sen. Small moved that **SB 237 DO PASS AS AMENDED.**

Discussion:

16:03:34 Sen. Kary
 16:03:54 Sen. McNally

16:04:36 **Vote:** Motion carried 8-5 by roll call vote with Sen. Lynch, Sen. McNally, Sen. Morigeau, Sen. Pope and Sen. Sweeney voting no. Sen. Lynch voted by proxy.

EXECUTIVE ACTION ON SJ 10

16:05:42 **Motion:** Sen. Small moved that **SJ 10 DO PASS.**

Discussion:

16:06:12 Sen. Tempel

16:08:10 Chair Ankney

16:08:26 **Vote:** Motion carried 12-1 by voice vote with Sen. Tempel voting no. Sen. Lynch voted by proxy.

ADJOURNMENT

Adjournment: 4:10 PM

Lauren de Paepe, Secretary

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Additional Documents:

EXHIBIT([ens38aad.pdf](#))