

MINUTES
MONTANA SENATE
68th LEGISLATURE - REGULAR SESSION
COMMITTEE ON (S) ENERGY AND TELECOMMUNICATIONS

Call to Order: Chair Walt Sales-R, on March 30, 2023 at 3:04 PM, in 317

ROLL CALL

Members Present: Sen. Walt Sales, Chair (R)
Sen. Ryan Lynch, Vice Chair (D)
Sen. Jason Small, Vice Chair (R)
Sen. Mike Cuffe (R)
Sen. Janet Ellis (D)
Sen. Denise Hayman (D)
Sen. Brad Molnar (R)
Sen. Christopher Pope (D)
Sen. Keith Regier (R)
Sen. Russel (Russ) Tempel (R)

Members Excused: Sen. Steve Fitzpatrick (R)
Sen. Daniel Zolnikov (R)

Staff Present: Hunter Camac, Attorney
Jason Mohr, OBPP Staffer
Jack Racicot, 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:

HB 729 03/24/2023

SB 539 03/27/2023

SR 59 03/24/2023

Executive Action:

SR 59 DO PASS

HB 284

SB 539 TO TABLE

HEARING ON SR 59 - Confirm governor's appointees for board of oil and gas conservation

Opening Statement:

15:06:49 Chair Walt Sales (R), SD 69, opened the hearing on SR 59, Confirm governor's appointees for board of oil and gas conservation.

Proponent Testimony:

15:07:54 Hannah Slusser, Governor's Office

[EXHIBIT\(230330ENSa1\)](#)

[EXHIBIT\(230330ENSa2\)](#)

15:10:13 John Tietz, Self

15:11:16 Alan Olson, Montana Petroleum Association (MPA)

15:12:44 Dave Galt, Self

15:14:06 Ryan Mclane, Self

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

15:15:21 Vice Chair Jason Small

15:15:35 John Tietz, Self

15:15:46 Sen. Denise Hayman

15:16:24 John Tietz, Self

Closing Statement:

15:16:35 Chair Walt Sales (R), SD 69, closed the hearing on SR 59.

15:24:54 Sen. Cuffe has left

15:24:59 Sen. Regier has left

15:38:56 Sen. Cuffe has arrived

HEARING ON HB 729 - Providing for advanced conductor cost-effectiveness criteria

Opening Statement:

15:18:26 Rep. Steven Galloway (R), HD 24, opened the hearing on HB 729, Providing for advanced conductor cost-effectiveness criteria.

Proponent Testimony:

15:20:42 Randy Pinocci, Public Service Commission (PSC)

15:21:15 Lillian Kimberlin, Hysham High School (HHS)

15:22:10 Adison Gamble, Hysham High School (HHS)

15:22:56 Jo Hopf, Hysham High School (HHS)

15:24:09 Randy Pinocci, PSC

15:25:57 Chris Puyear, NorthWestern Energy (NWE)

15:28:50 Robin Arnold, Renewable NorthWest (RNW)

Opponent Testimony:

None

Informational Witness Testimony:

15:30:28 Lucas Hamilton, Public Service Commission (PSC)

Questions from Committee:

15:30:57 Vice Chair Jason Small

15:31:31 Randy Pinocci, PSC

15:34:09 Sen. Christopher Pope

15:36:57 Lucas Hamilton, PSC
15:38:35 Sen. Russel (Russ) Tempel
15:40:30 Chris Puyear, NWE
15:41:13 Sen. Denise Hayman
15:42:23 Robin Arnold, RNW

Closing Statement:

15:42:54 Rep. Steven Galloway (R), HD 24, closed the hearing on HB 729.

16:26:57 Sen. Regier has arrived
16:29:57 Vice Chair Small has left

HEARING ON SB 539 - Establish the Water Severance Beneficial Use Act

Opening Statement:

15:46:07 Sen. Brad Molnar (R), SD 28, opened the hearing on SB 539, Establish the Water Severance Beneficial Use Act.

Proponent Testimony:

None

Opponent Testimony:

15:58:08 Bob Story, Montana Taxpayers Association (MTA)
[EXHIBIT\(230330ENSa3\)](#)
16:09:24 Aimee Grmoljez, CrowleyFleck (CF) and Avista Corporation
16:12:59 Ryan Mclean, NorthWestern Energy (NWE)
16:15:42 Krista Lee Evans, Senior Water Rights Coalition (SWRC) and Association of Gallatin Agricultural Irrigators (AGAI)
16:15:48 Raylee Honeycutt, Montana Stockgrowers Association (MSGA)
16:17:24 Mark Lambrecht, Montana Electric Cooperative Association (MECA)
16:19:24 Rachel Cone, Montana Farm Bureau Federation (MFBF)

16:20:51 Mike Murphy, Montana Water Resources Association (MWRA)

16:21:02 Peggy Trenk, Treasure State Resource Association (TSRA)

16:22:29 Charles Robinson, Montana Chamber of Commerce (MCC)

Informational Witness Testimony:

16:23:12 Jared Isom, Department of Revenue (DOR)

16:23:28 Tyler Flaig, Department of Revenue (DOR)

16:23:58 Kate Wilson, Bonneville Power Administration (BPA)

Questions from Committee:

16:24:46 Sen. Mike Cuffe

16:24:50 Kate Wilson, BPA

16:25:14 Sen. Mike Cuffe

16:26:43 Sen. Brad Molnar-R

16:28:34 Sen. Denise Hayman

16:29:14 Aimee Grmoljez, CF and Avista Corp.

Closing Statement:

16:32:06 Sen. Brad Molnar (R), SD 28, closed the hearing on SB 539.

16:40:12 Vice Chair Small has arrived

EXECUTIVE ACTION ON SR 59 - Confirm governor's appointees for board of oil and gas conservation

16:45:23 **Motion:** Vice Chair Jason Small moved that **SR 59 DO PASS.**

Discussion:

16:45:34 Vice Chair Jason Small

16:45:07 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 284 - Revise laws related to approval of electricity supply resources

16:46:21 **Motion:** Vice Chair Jason Small moved that **HB 284 BE CONCURRED IN.**

Discussion:

16:46:42 Sen. Mike Cuffe

16:46:43 Vice Chair Jason Small

16:46:07 **Vote:** Motion carried unanimously by voice vote.

16:46:58 **Motion:** Vice Chair Jason Small moved that **HB 284 BE AMENDED.**

Discussion:

16:47:15 Vice Chair Jason Small

16:47:29 Chair Walt Sales

16:47:43 Sen. Christopher Pope

16:49:13 Vice Chair Ryan Lynch

16:50:07 **Vote:** Motion carried unanimously by voice vote.

16:50:24 **Motion:** Vice Chair Jason Small moved that **HB 284 BE CONCURRED IN AS AMENDED.**

Discussion:

16:50:37 Sen. Brad Molnar

16:54:37 Sen. Christopher Pope

16:56:07 **Vote:** Motion carried 10 - 2 by voice vote with Sen. Ellis, Sen. Hayman, voting no.

16:50:24 **Carrier Assigned:** Sen. Jason Small

EXECUTIVE ACTION ON SB 539 - Establish the Water Severance Beneficial Use Act

16:57:04 **Motion:** Vice Chair Jason Small moved that **SB 539 DO PASS.**

Discussion:

16:57:14 Vice Chair Jason Small

16:57:31 Sen. Denise Hayman

16:57:33 Vice Chair Jason Small

16:58:07 **Vote:** Motion failed 9 - 3 by roll call vote with Sen. Cuffe, Sen. Molnar, Sen. Tempel, voting yes.

16:59:06 **Motion:** Vice Chair Jason Small moved that **SB 539 TO TABLE.**

16:59:07 **Vote:** Motion carried 11 - 1 by voice vote with Sen. Molnar, voting no.

ADJOURNMENT

Adjournment: 17:01:26

Jack Racicot, Secretary

Additional Documents: [EXHIBIT\(230330ENSaad\)](#)