



SELECT COMMITTEE ON ENERGY RESOURCE PLANNING AND ACQUISITION

68th Montana Legislature

SENATE MEMBERS

Mike Cuffe
Denise Hayman
Daniel Zolnikov

HOUSE MEMBERS

Joshua Kassmier
Gary Parry
Katie Sullivan

COMMITTEE STAFF

Griffin Burns- Research Analyst
Jacelyn Sterling - Secretary
Jameson Walker - Attorney

PUBLIC MEMBERS

James Brown
Jason Brown
Cyndee Fang
Mark Klein
Darcy Neigum
Diego Rivas

MINUTES LOG

March 25, 2024

137

Helena, Montana

Please note: This document is a Minutes Log and provides annotation of the time elapsed between the beginning of the meeting and the time at which the item was presented or discussed, a motion was made, or a vote was taken. The narrative presented here is provided only as a guide to the audio or video recording of the meeting. The official discussion, motion, or vote is available on the audio or video archive of this meeting. The Legislature does not prepare a transcript of the meeting activities. The time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

Access to an electronic copy of these minutes and the audio or video recording is provided from the Legislative Branch home page at <https://leg.mt.gov>. From the home page, select the "Committees" drop down menu at the top, then select Administrative or Interim, and the appropriate committee. The written minutes log can be located by expanding the accordion menu for the date of the meeting. Links to the audio/video files can be located by selecting the Video/Audio button on the same page, then the "past/current recordings" button. From there, use the calendar to select the date of the meeting you wish to view/listen to. The written Minutes Log, along with links to the audio and video recordings, is listed by meeting date on the interim committee's web page. Each of the Exhibits is linked and can be viewed by clicking on the Exhibit of interest. All Exhibits are public information and may be printed. Please contact the Legislative Services Division at 406-444-3064 for more information.

MEMBERS PRESENT:

Sen. Daniel Zolnikov, Presiding Officer (R)
Sen. Mike Cuffe (R)
Sen. Denise Hayman (D)
Rep. Katie Sullivan, Vice Presiding Officer (D)
Rep. Gary Parry (R)
Rep. Joshua Kassmier (R)
James Brown, Public Member, Public Service Commission
Jason Brown, Public Member, Montana Consumer Council
Cyndee Fang, Public Member, NorthWestern Energy
Mark Klein, Public Member, Independent Power Producers
Darcy Neigum, Public Member, Montana Dakota Utilities
Diego Rivas, Public Member, NorthWest Energy Coalition

MEMBERS EXCUSED:

MEMBERS ABSENT:

STAFF PRESENT:

Jason Mohr, Legislative Environmental Analyst

Griffin Burns, Research Analyst
Jacelyn Sterling, Secretary
Jameson Walker, Attorney

AGENDA ([Attachment 1](#))

VISITORS' LIST ([Attachment 2](#))

COMMITTEE ACTION

CALL TO ORDER/ROLL CALL

10:29:52 Presiding Officer Daniel Zolnikov called the meeting to order at 10:29 AM. The committee secretary took roll.

Bill Draft Overview

10:33:34 Jason Mohr, LSD
[EXHIBIT1](#)

GROUP BILL DRAFT DISCUSSION

10:40:55 Sen. Mike Cuffe
10:42:25 Diego Rivas
10:45:24 Presiding Officer Daniel Zolnikov
10:47:18 Vice Presiding Officer Katie Sullivan
10:48:37 Sen. Mike Cuffe
10:49:57 Presiding Officer Daniel Zolnikov
10:50:29 Jason Brown
10:56:43 Presiding Officer Daniel Zolnikov
10:57:35 Darcy Neigum
11:00:00 Diego Rivas
11:00:44 Darcy Neigum
11:01:19 James Brown
11:01:31 Sen. Denise Hayman
11:02:23 Jason Mohr
11:03:18 Presiding Officer Daniel Zolnikov
11:04:06 James Brown
11:05:23 Sen. Denise Hayman
11:05:34 Presiding Officer Daniel Zolnikov
11:05:52 Sen. Denise Hayman
11:06:06 Darcy Neigum
11:07:24 Presiding Officer Daniel Zolnikov
11:07:51 Rep. Gary Parry
11:08:14 Presiding Officer Daniel Zolnikov
11:09:02 Jason Brown
11:09:35 Diego Rivas
11:11:32 Presiding Officer Daniel Zolnikov
11:11:50 Diego Rivas
11:13:32 Presiding Officer Daniel Zolnikov
11:14:12 Cyndee Fang
11:15:19 Presiding Officer Daniel Zolnikov
11:15:59 James Brown

Public Comment

11:16:28 Sonja Nowakowski, Administrator, Air, Energy & Mining Division, Department of Environmental Quality (DEQ)
11:17:43 Chris Puyear, Northwestern Energy
11:20:50 Irion Sanger, Northwest Intermountain Powers Producers Coalition

GROUP BILL DRAFT DISCUSSION CONTINUED

11:23:19 Presiding Officer Daniel Zolnikov
11:24:56 Diego Rivas
11:26:26 Presiding Officer Daniel Zolnikov
11:26:50 James Brown
11:28:46 Darcy Neigum
11:29:39 Sen. Mike Cuffe
11:30:49 Cyndee Fang
11:31:46 James Brown
11:32:36 Rep. Gary Parry
11:32:44 Presiding Officer Daniel Zolnikov
11:34:42 James Brown
11:35:57 Will Rosquist, Public Service Commission (PSC)
11:39:35 Diego Rivas
11:40:06 Will Rosquist, PSC
11:41:20 Presiding Officer Daniel Zolnikov
11:43:38 James Brown
11:43:55 Presiding Officer Daniel Zolnikov
11:44:04 James Brown
11:44:31 Presiding Officer Daniel Zolnikov

Recess 11:45:14
Reconvene 11:58:16

GROUP BILL DRAFT DISCUSSION CONTINUED

11:58:40 Rep. Gary Parry
12:00:17 Presiding Officer Daniel Zolnikov
12:00:43 Rep. Joshua Kassmier

Motion

12:00:59 Diego Rivas Moved to amend page 4 line 21-23.

Discussion on the motion

12:01:42 Jason Mohr
12:02:02 Sen. Mike Cuffe
12:02:08 Rep. Joshua Kassmier
12:02:20 Cyndee Fang
12:02:35 Diego Rivas
12:03:39 Cyndee Fang
12:06:09 Sen. Mike Cuffe

12:06:21 **Vote:** Failed by roll call vote 3-7 with Sen. Cuffe, Sen. Zolnikov, Rep. Kassmier, Rep. Parry, Darcy Niegum, Cyndee Fang, Jason Brown voting no. Mark Klein was absent. James Brown abstained from vote.

Motion

12:07:34 Diego Rivas moved to eliminate any changes to Section 7, (69-3-1208)

Discussion on the motion

12:08:31 Rep. Gary Parry
12:09:14 Diego Rivas
12:11:47 Rep. Joshua Kassmier
12:12:18 Presiding Officer Daniel Zolnikov
12:12:41 Sen. Denise Hayman
12:13:24 Presiding Officer Daniel Zolnikov

Public Comment On The Motion

12:13:49 Kyle Unruh, Renewable Northwest
12:14:41 Makenna Sellers, Montana Renewable Energy Association (MREA)

Committee Discussion On The Motion Continued

12:16:13 Rep. Joshua Kassmier

12:16:52 **Vote:** Motion failed 4-6 by roll call vote, Sen. Cuffe, Sen. Zolnikov, Rep. Parry, Rep Kassmier, Darcy Niegum, Cyndee Fang, voting no. Mark Klein was absent, James Brown abstained from vote.

PUBLIC COMMENT

12:18:38 Sonja Nowakowski, DEQ
12:23:38 Bruce Spencer
12:25:17 Kyle Unruh, Renewable NorthWest
12:27:03 Makenna Sellers, MREA
12:28:49 Irion Sanger, NIPPC

Committee Discussion/Questions

12:36:24 Presiding Officer Daniel Zolnikov
12:39:09 Chris Puyear
12:39:49 Presiding Officer Daniel Zolnikov
12:40:24 Sen. Mike Cuffe
12:40:48 James Brown
12:41:11 Presiding Officer Daniel Zolnikov
12:42:05 Irion Sanger
12:42:52 Presiding Officer Daniel Zolnikov
12:44:39 Rep. Joshua Kassmier
12:45:27 Rep. Gary Parry
12:46:05 Presiding Officer Daniel Zolnikov
12:46:26 James Brown
12:49:25 Bruce Spencer
12:51:22 Presiding Officer Daniel Zolnikov
12:51:46 Diego Rivas
12:53:39 Sen. Mike Cuffe
12:55:30 Presiding Officer Daniel Zolnikov
12:55:55 Cyndee Fang
12:57:08 Rep. Gary Parry
12:57:58 Sen. Mike Cuffe
12:58:21 Presiding Officer Daniel Zolnikov

12:58:33 Rep. Gary Parry
12:58:54 Presiding Officer Daniel Zolnikov
12:59:16 Sonja Nowakowski
13:00:17 Cyndee Fang
13:00:52 Presiding Officer Daniel Zolnikov
13:01:53 Rep. Joshua Kassmier
13:02:49 Sonja Nowakowski
13:03:22 Presiding Officer Daniel Zolnikov
13:03:38 Sonja Nowakowski
13:04:28 Rep. Joshua Kassmier
13:05:05 Presiding Officer Daniel Zolnikov
13:05:25 Rep. Joshua Kassmier
13:05:36 Chris Puyear
13:07:23 Presiding Officer Daniel Zolnikov
13:08:46 Bruce Spencer
13:11:18 Rep. Gary Parry
13:14:06 Presiding Officer Daniel Zolnikov
13:14:18 Jason Mohr
13:14:57 Rep. Gary Parry
13:15:26 Jason Mohr
13:15:37 Presiding Officer Daniel Zolnikov
13:15:42

Motion

13:16:06 Diego Rivas moved to amend the public comment time to 60 days.

Discussion On The motion

13:18:18 Rep. Gary Parry
13:18:40 Rep. Joshua Kassmier
13:19:07 Diego Rivas

Motion

13:21:26 Rep. Gary Parry moved to pass the bill as amended.

Discussion On The Motion

13:21:58 Rep. Joshua Kassmier
13:22:13 Presiding Officer Daniel Zolnikov
13:22:52 Rep. Joshua Kassmier
13:23:47 Vice Presiding Officer Katie Sullivan
13:24:23 Jason Brown
13:25:03 Presiding Officer Daniel Zolnikov

Substitute Motion

13:25:55 Jason Brown made a substitute motion to move the bill as amended adding language pg 4 line 28 & pg 5 line 1-3

Discussion On The Substitute Motion

13:29:43 Cyndee Fang
13:31:01 Jason Brown
13:32:01 Diego Rivas
13:34:09 Darcy Neigum

13:34:58 Cyndee Fang
13:36:24 Sen. Mike Cuffe

13:37:54 **Vote:** Motion failed by tie vote 5-5 with Sen. Cuffe, Rep. Parry, Rep. Kassmier, Darcy Neigum, Cyndee Fang voting no. James Brown and Mark Klein abstained from vote.

13:39:05 **Vote:** Motion to pass bill as amended passed 8-3, with Sen. Hayman, Rep. Sullivan, Diego Rivas voting no. Jason Brown abstained from vote.

Committee Discussion

13:39:58 Presiding Officer Daniel Zolnikov
13:40:42 Sen. Mike Cuffe
13:40:59 Diego Rivas

Adjournment

13:41:11 Adjournment