

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON ENERGY, TECHNOLOGY AND FEDERAL RELATIONS

Call to Order: Chair Derek Skees, on February 19, 2021 at 3:15 PM, in Room 472
Capitol

ROLL CALL

Members Present:

Rep. Derek Skees, Chair (R)
Rep. Denise Hayman, Vice Chair (D)
Rep. Katie Zolnikov, Vice Chair (R)
Rep. Michele Binkley (R)
Rep. Larry Brewster (R)
Rep. Geraldine Custer (R)
Rep. Neil Duram (R)
Rep. Joshua Kassmier (R)
Rep. Kelly Kortum (D)
Rep. Andrea Olsen (D)
Rep. Bob Phalen (R)
Rep. Katie Sullivan (D)

Members Excused: None

Members Absent: None

Staff Present:

Brittany Bury, Committee Secretary
Trevor Graff, Legislative Branch
Taylor Eggebrecht, 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: HB 359, 2/13/2021; HB 370, 2/13/2021; HJ 9, 2/13/2021

15:24:38 Chair Skees

HEARING ON HJ 9

Opening Statement by Sponsor:

15:26:05 Rep. Ron Marshall (R), HD 87, opened the hearing on HJ 9, A joint resolution on endless foreign intervention.

Proponents' Testimony:

15:29:46 Rep. C. Hinkle

15:30:58 Justin Carpenter, Concerned Veterans of America (CVA)

EXHIBIT(feh35a01)

15:38:07 Roger Hagan, Montana Department of American Legion (MDAL)

15:40:10 Tom Johnson, Veterans of Foreign Wars (VFW)

15:42:52 Chris Enget, Afghanistan Combat Veteran

15:45:56 Jackson Duprey, self

15:47:54 Hannah Allen, self

15:49:27 Henry Kriegel, self

Questions from Committee Members and Responses:

15:56:50 Rep. Olsen

16:00:07 Rep. Marshall

16:01:11 Chair Skees

16:02:23 Justin Carpenter, VFW

Closing by Sponsor:

16:02:40 Rep. Marshall

16:05:49 Chair Skees

HEARING ON HB 359

Opening Statement by Sponsor:

16:06:30 Rep. Larry Brewster (R), HD 44, opened the hearing on HB 359, Revising net metering rates.

16:07:12 Chair Skees

16:07:20 Rep. Duram

16:08:37 Rep. Brewster

16:08:54 Chair Skees

16:09:11 Rep. Olsen

16:09:51 Trevor Graff, Legislative Services Division (LSD)

16:10:30 Chair Skees

16:10:51 Rep. Brewster

16:10:56 Chair Skees, by request of the sponsor, HB 359 and HB 370 have been withdrawn

16:12:47 Rep. Olsen

16:13:06 Chair Skees

16:14:40 Vice Chair Hayman

16:15:01 Chair Skees

16:15:19 Brief Recess
16:33:17 Reconvened

16:33:25 Chair Skees
16:33:46 Trevor Graff, LSD
16:34:15 Chair Skees
16:34:29 Trevor Graff, LSD
16:35:01 Chair Skees

16:35:17 Brief Recess
16:42:21 Reconvened

16:42:23 Chair Skees

EXECUTIVE ACTION ON HB 245

16:43:04 **Motion:** Rep. Zolnikov moved that **HB 245 DO PASS.**

Discussion:

16:43:08 Chair Skees
16:43:29 Trevor Graff, LSD
16:44:04 Chair Skees

16:44:11 **Substitute Motion:** Rep. Hayman moved that **HB 245 BE AMENDED.**
EXHIBIT(feh35a02)

Discussion:

16:44:26 Chair Skees
16:44:40 Trevor Graff, LSD
16:45:11 Chair Skees
16:45:23 Vice Chair Hayman
16:45:43 Chair Skees
16:45:50 Vice Chair Hayman
16:46:03 Chair Skees
16:46:06 Vice Chair Zolnikov
16:46:21 Rep. Brewster
16:46:32 Chair Skees
16:46:37 Rep. Brewster
16:46:41 Trevor Graff, LSD
16:47:16 Rep. Brewster
16:47:20 Chair Skees
16:47:36 Vice Chair Hayman
16:47:49 Chair Skees
16:48:12 Rep. Brewster

16:48:21 **Vote:** Motion failed 4-8 by roll call vote with Rep. Hayman, Rep. Kortum, Rep. Olsen and Rep. Sullivan voting aye.

16:49:37 **Motion:** Rep. Brewster moved that **HB 245 BE AMENDED.**
EXHIBIT(feh35a03)

Discussion:

16:50:19 Chair Skees
16:50:39 Rep. Kortum
16:50:53 Trevor Graff, LSD
16:51:13 Rep. Brewster
16:51:29 Chair Skees
16:51:58 Rep. Brewster
16:53:05 Chair Skees
16:53:21 Trevor Graff, LSD

16:53:38 **Vote:** Motion carried unanimously by roll call vote.

16:54:35 Chair Skees

16:54:45 **Motion:** Rep. Zolnikov moved that **HB 245 DO PASS AS AMENDED.**

Discussion:

16:54:58 Chair Skees
16:54:01 Rep. Brewster
16:55:11 Chair Skees
16:56:17 Rep. Brewster

16:56:43 **Substitute Motion/Vote:** Rep. Skees made a substitute motion that **HB 245 BE TABLED.** Substitute Motion carried 9-3 by roll call vote with Rep. Brewster, Rep. Custer and Rep. Kassmier voting no.

EXECUTIVE ACTION ON HB 314

16:58:11 Chair Skees
16:58:18 Trevor Graff, LSD

16:58:45 **Motion:** Rep. Zolnikov moved that **HB 314 DO PASS.**

16:58:55 **Motion:** Rep. Phalen moved that **HB 314 BE AMENDED.**
EXHIBIT(feh35a04)

Discussion:

16:59:44 Chair Skees
17:00:20 Trevor Graff, LSD
17:00:54 Chair Skees
17:00:58 Rep. Phalen
17:03:52 Chair Skees
17:04:28 Rep. Custer

17:05:48 **Vote:** Motion carried 11-1 by roll call vote with Rep. Kortum voting no.

17:06:47 **Motion:** Rep. Zolnikov moved that **HB 314 DO PASS AS AMENDED.**

Discussion:

17:07:04 Rep. Kassmier

17:07:11 Chair Skees

17:07:31 Rep. Phalen

17:07:48 Rep. Kassmier

17:07:51 Chair Skees

17:09:40 Rep. Phalen

17:10:20 **Substitute Motion/Vote:** Rep. Skees made a substitute motion that **HB 314 BE TABLED.** Substitute Motion carried 9-3 by roll call vote with Rep. Custer, Rep. Duram and Rep. Phalen voting no.

EXECUTIVE ACTION ON HB 315

17:12:07 Trevor Graff, LSD

17:12:38 Chair Skees

17:12:44 **Motion:** Rep. Zolnikov moved that **HB 315 DO PASS.**

17:12:51 **Substitute Motion/Vote:** Rep. Hayman made a substitute motion that **HB 315 BE TABLED.** Substitute Motion carried 9-3 by roll call vote with Rep. Duram, Rep. Kortum and Rep. Olsen voting no.

17:13:26 Chair Skees

EXECUTIVE ACTION ON HB 346

17:15:09 Trevor Graff, LSD

17:15:28 Chair Skees

17:15:31 **Motion:** Rep. Zolnikov moved that **HB 346 DO PASS.**

17:15:37 Chair Skees

17:15:57 **Motion:** Rep. Custer moved that **HB 346 BE AMENDED.**

EXHIBIT(feh35a05)

Discussion:

17:16:06 Chair Skees

17:16:35 Trevor Graff, LSD

17:17:14 Chair Skees

17:17:39 Rep. Custer

17:18:23 Rep. Kortum

17:18:42 Rep. Custer

17:18:52 Chair Skees

17:19:22 Rep. Duram

17:19:49 Chair Skees

17:21:29 Rep. Duram

17:21:43 Chair Skees
17:21:47 Rep. Kassmier
17:22:02 Chair Skees
17:22:08 Vice Chair Hayman
17:22:32 Rep. Brewster
17:24:00 Rep. Custer
17:25:07 Rep. Brewster
17:25:27 Rep. Duram
17:25:49 Trevor Graff, LSD
17:26:27 Rep. Duram
17:26:42 Chair Skees
17:27:28 Rep. Custer
17:27:40 Rep. Brewster

17:27:57 **Vote:** Motion carried unanimously by voice vote.

17:28:13 **Motion/Vote:** Rep. Zolnikov moved that **HB 346 DO PASS AS AMENDED.**
Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 387

17:29:13 Trevor Graff, LSD
17:29:39 Chair Skees

17:29:43 **Motion:** Rep. Zolnikov moved that **HB 387 DO PASS.**

17:29:49 Chair Skees

17:29:56 **Motion:** Rep. Hayman moved that **HB 387 BE AMENDED.**
EXHIBIT(feh35a06)

Discussion:

17:30:14 Chair Skees
17:30:23 Vice Chair Hayman
17:30:30 Chair Skees
17:30:34 Trevor Graff, LSD
17:31:02 Chair Skees
17:31:08 Vice Chair Hayman

17:31:25 **Vote:** Motion carried 10-2 by roll call vote with Rep. Kassmier and Rep. Skees voting no.

17:32:21 **Motion:** Rep. Zolnikov moved that **HB 387 DO PASS AS AMENDED.**

Discussion:

17:32:31 Rep. Custer
17:33:47 Chair Skees
17:33:50 Rep. Brewster

17:34:47 **Substitute Motion/Vote:** Rep. Phalen made a substitute motion that **HB 387 BE TABLED**. Substitute Motion carried 11-1 by roll call vote with Rep. Sullivan voting no.

EXECUTIVE ACTION ON HB 389

17:35:54 Trevor Graff, LSD

17:36:20 **Motion:** Rep. Zolnikov moved that **HB 389 DO PASS**.

Discussion:

17:36:29 Chair Skees

17:36:40 Vice Chair Hayman

17:37:49 Rep. Kortum

17:38:19 Trevor Graff, LSD

17:38:30 Chair Skees

17:38:36 **Substitute Motion/Vote:** Rep. Custer made a substitute motion that **HB 389 BE TABLED**. Substitute Motion carried 8-4 by roll call vote with Rep. Hayman, Rep. Kortum, Rep. Olsen and Rep. Sullivan voting no.

17:38:42 Chair Skees

EXECUTIVE ACTION ON HJ 3

17:39:45 **Motion:** Rep. Zolnikov moved that **HJ 3 DO PASS**.

17:39:50 Chair Skees

17:39:54 **Motion:** Rep. Custer moved that **HJ 3 BE AMENDED**.
[EXHIBIT\(feh35a07\)](#)

Discussion:

17:40:11 Chair Skees

17:40:16 Trevor Graff, LSD

17:41:10 Chair Skees

17:41:29 Rep. Custer

17:41:37 Chair Skees

17:41:44 Rep. Phalen

17:41:53 **Vote:** Motion carried unanimously by voice vote.

17:42:05 **Motion:** Rep. Zolnikov moved that **HJ 3 DO PASS AS AMENDED**.

Discussion:

17:42:16 Chair Skees

17:42:32 Rep. Brewster

17:43:02 Rep. Olsen

17:43:38 Chair Skees
17:44:42 Rep. Olsen
17:44:54 Chair Skees
17:45:05 Rep. Duram

17:45:36 **Substitute Motion/Vote:** Rep. Zolnikov made a substitute motion that **HJ 3 BE TABLED**. Substitute Motion carried 7-5 by roll call vote with Rep. Custer, Rep. Hayman, Rep. Kortum, Rep. Olsen and Rep. Sullivan voting no.

17:46:34 Chair Skees

EXECUTIVE ACTION ON HJ 9

17:46:40 **Motion:** Rep. Zolnikov moved that **HJ 9 DO PASS**.

Discussion:

17:46:47 Chair Skees
17:46:57 Rep. Duram
17:48:08 Rep. Phalen
17:48:36 Vice Chair Zolnikov
17:49:00 Chair Skees
17:49:22 Rep. Brewster
17:49:44 Rep. Custer
17:51:22 Rep. Binkley
17:52:07 Rep. Olsen

17:52:56 **Vote:** Motion carried unanimously by voice vote.

17:53:22 Chair Skees
17:55:13 Rep. Phalen
17:55:23 Chair Skees
17:56:27 Rep. Kassmier
17:56:41 Rep. Phalen
17:56:44 Chair Skees
17:57:02 Vice Chair Zolnikov
17:57:41 Chair Skees
17:57:46 Trevor Graff, LSD
17:58:21 Chair Skees
17:58:57 Vice Chair Zolnikov

ADJOURNMENT

Adjournment: 19:59:06

Brittany Bury, Secretary

bb

Additional Documents:

EXHIBIT([feh35aad.pdf](#))