

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON ENERGY, TECHNOLOGY AND FEDERAL RELATIONS

Call to Order: Chair Derek Skees, on February 24, 2021 at 3:00 PM, in Room 472
Capitol

ROLL CALL

Members Present:

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:

Rep. Derek Skees, Chair (R)

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 494, 2/19/2021; HB 538, 2/19/2021; HB 542, 2/19/2021; HB 587, 2/19/2021; HB 597, 2/19/2021; HJ 14, 2/19/2021

15:01:31 Vice Chair Zolnikov assumed the chair
15:02:54 Rep. Phalen left the meeting
15:02:57 Rep. Duram joined the meeting

HEARING ON HB 587

Opening Statement by Sponsor:

15:03:12 Rep. Lola Sheldon-Galloway (R), HD 22, opened the hearing on HB 587, Prohibit censorship by social media site providers.

Proponents' Testimony:

15:04:23 Jordan Hall, Sidney

Opponents' Testimony:

15:11:59 Samantha Kersul, TechNet
15:14:51 Rose Feliciano, Internet Association

Informational Testimony:

15:19:21 Cameron Sholty, Heartland Institute

Questions from Committee Members and Responses:

15:20:58 Rep. Duram
15:21:54 Samantha Kersul, TechNet
15:22:35 Rose Feliciano, Internet Association
15:24:58 Rep. Duram

Closing by Sponsor:

15:25:22 Rep. Sheldon-Galloway

15:26:33 Vice Chair Zolnikov

HEARING ON HB 597

Opening Statement by Sponsor:

15:26:44 Rep. Lola Sheldon-Galloway (R), HD 22, opened the hearing on HB 597, Revise laws regarding big technology communication corporations.

Proponents' Testimony:

15:28:42 Randal Pinocci, self
15:31:09 Jordan Hall, Sidney

Opponents' Testimony:

15:34:13 Samantha Kersul, TechNet
15:36:06 Rose Feliciano, Internet Association
15:37:53 Carl Szabo, Net Choice

Informational Testimony:

15:40:47 Jennie Stapp, State Librarian

Questions from Committee Members and Responses:

15:41:09 Rep. Olsen
15:43:33 Randal Pinocci, self
15:44:38 Rep. Duram
15:45:19 Carl Szabo, Net Choice
15:47:30 Rep. Brewster
15:48:07 Randal Pinocci, self
15:49:18 Rep. Custer
15:51:41 Carl Szabo, Net Choice

Closing by Sponsor:

15:52:53 Rep. Sheldon-Galloway

15:54:50 Vice Chair Zolnikov
15:55:22 Rep. Kassmier left the meeting

HEARING ON HB 538

Opening Statement by Sponsor:

15:55:49 Rep. Neil Duram (R), HD 2, opened the hearing on HB 538, Create Montana standard time.

Proponents' Testimony:

15:58:51 Commissioner Josh Letcher, Lincoln County
16:00:31 Terra Letcher, self
16:00:48 Douglas Letcher, self
16:01:04 Sheldon Letcher, self
16:01:13 Kevin Letcher, self

Opponents' Testimony:

16:01:58 Dewey Bruce, Montana Broadcasters Association (MBA)
16:04:51 Jessie Luther, Motion Picture Association America (MPAA)
16:05:19 Chair Skees joined the meeting
16:06:21 Stewart Dogget, Montana Lodging and Hospitality Association (MLHA)
16:07:55 Rick Duncan, School Administrators of Montana (SAM)

Questions from Committee Members and Responses:

16:10:19 Rep. Brewster
16:10:43 Rep. Duram
16:10:55 Rep. Custer
16:11:25 Rick Duncan, SAM

Closing by Sponsor:

16:12:51 Rep. Duram

16:14:52 Vice Chair Skees

HEARING ON HB 494

Opening Statement by Sponsor:

16:15:27 Rep. Derek Harvey (D), HD 74, opened the hearing on HB 494, Revise transportation construction law.

Proponents' Testimony:

16:18:22 Kevin Hamm, Treasure State Internet and Telegraph
16:20:21 Derek Hitt, Montana Carpenters Local Union 82 (Montana Local 82)
16:21:07 Mick Wonnecket, Laborers Local 1686
16:21:33 John Sonjeu, Big Sky Economic Development (Big Sky EDA)
16:22:05 Dwight Rose, International Brotherhood of Electrical Workers 44 (IBEW44)
16:22:30 Steve Gross, International Union of Operating Engineers (IUOE)

Informational Testimony:

16:23:39 Rob Stapley, Montana Department of Transportation (MDT)

Questions from Committee Members and Responses:

16:24:44 Rep. Sullivan
16:25:44 Rob Stapley, MDT
16:26:32 Vice Chair Hayman
16:27:27 Rob Stapley, MDT
16:28:18 Rep. Custer
16:29:12 Rob Stapley, MDT

Closing by Sponsor:

16:29:46 Rep. Harvey

16:30:56 Vice Chair Zolnikov

HEARING ON HJ 14

Opening Statement by Sponsor:

16:31:25 Rep. Frank Garner (R), HD 7, opened the hearing on HJ 14, Joint resolution regarding public safety telecommunicator.

Proponents' Testimony:

16:36:17 Rep. Duram
16:38:47 Kimberly Burdick, Chouteau County Dispatch Center
16:43:08 Jessica Graham, Chouteau County Dispatch Center
16:46:09 Susan Bomstad, Association of Public Safety Communication Officials

Closing by Sponsor:

16:50:24 Rep. Garner

16:51:43 Vice Chair Zolnikov

16:51:54 Brief Recess
17:01:21 Reconvened with Rep. Duram absent

HEARING ON HB 542

Opening Statement by Sponsor:

17:01:37 Rep. Derek Skees (R), HD 11, opened the hearing on HB 542, Eliminate any state support for radio stations.

Proponents' Testimony: None**Opponents' Testimony:**

17:04:01 Rep. Duram joined the meeting
17:04:07 Chris Stockwell, self
17:07:26 Dewey Bruce, Montana Broadcasters Association (MBA)
17:08:29 Kevin Skaalure, Montana Radio Company
17:08:47 Rep. Kassmier joined the meeting
17:10:25 Laurie Little Dog, self
17:12:58 Clemente Arciga, self
17:15:21 Josh Butterfly, Opening Doors
17:16:44 Marcos Bullchild, Opening Doors
17:17:14 Mikyla Veis, self
17:19:58 Noelle Huser, KBGA College Radio
17:21:53 Cara Wilder, self
17:24:08 Leila Horgan, self
17:27:22 Richard Liebert, Great Falls Public Radio Association
17:29:46 Gregory Ragan, self
17:31:14 Alex Miller, KGLT
17:34:29 Geoff Pepos, self
17:36:12 Patti Steinmuller, self
17:38:37 Keith Suta, self
17:40:51 Claudia Davis, Last Chance Public Radio Association (LCPRA)

Questions from Committee Members and Responses:

17:42:50 Rep. Duram
17:43:55 Claudia Davis, LCPRA
17:44:48 Rep. Duram
17:46:42 Rep. Skees
17:46:50 Rep. Binkley
17:47:39 Rep. Skees
17:47:56 Rep. Custer
17:48:23 Noelle Huser, KBGA College Radio
17:49:51 Rep. Custer
17:50:31 Dewey Bruce, MBA
17:50:58 Rep. Olsen
17:51:26 Chris Stockwell, self
17:51:59 Rep. Duram
17:52:35 Noelle Huser, KBGA College Radio
17:53:59 Rep. Olsen
17:55:19 Rep. Skees
17:56:30 Vice Chair Hayman
17:57:00 Rep. Phalen joined the meeting
17:57:48 Rep. Skees
17:58:31 Rep. Custer
17:58:57 Rep. Skees

Closing by Sponsor:

17:59:56 Rep. Skees
18:04:03 Vice Chair Zolnikov
18:05:34 Vice Chair
18:06:02 Recess
18:15:51 Reconvened with Chair Skees assuming the Chair and Rep. Olsen absent
18:15:58 Chair Skees
18:16:20 Vice Chair Hayman
18:16:29 Chair Skees

EXECUTIVE ACTION ON HB 414

18:18:37 **Motion:** Rep. Zolnikov moved that **HB 414 DO PASS.**

Discussion:

18:18:43 Chair Skees
18:18:49 Rep. Olsen joined the meeting
18:19:54 Chair Skees
18:19:56 Rep. Custer
18:20:22 Rep. Duram
18:21:03 Chair Skees
18:21:22 Rep. Duram
18:21:31 **Substitute Motion/Vote:** Rep. Phalen made a substitute motion that **HB 414 BE TABLED.** Substitute Motion carried 8-4 by roll call vote with Rep. Hayman, Rep. Kortum, Rep. Olsen and Rep. Sullivan voting no.

EXECUTIVE ACTION ON HB 442

18:22:40 **Motion:** Rep. Zolnikov moved that **HB 442 DO PASS.**

Discussion:

18:22:46 Chair Skees
18:22:57 Vice Chair Hayman
18:24:06 Rep. Custer
18:24:57 Chair Skees
18:26:32 Rep. Kortum
18:29:16 Chair Skees
18:29:53 Rep. Duram
18:30:23 **Vote:** Motion carried 7-5 by roll call vote with Rep. Custer, Rep. Hayman, Rep. Kortum, Rep. Olsen and Rep. Sullivan voting no.

EXECUTIVE ACTION ON HB 448

18:33:30 **Motion:** Rep. Zolnikov moved that **HB 448 DO PASS.**

Discussion:

18:33:35 Chair Skees

18:33:41 **Motion:** Rep. Zolnikov moved that **HB 448 BE AMENDED.**
EXHIBIT(feh39a01)

18:34:10 Chair Skees

18:34:35 Rep. Kassmier

18:34:39 Chair Skees

18:34:52 Rep. Olsen

18:35:09 Trevor Graff, Legislative Services Division (LSD)

18:35:44 **Vote:** Motion carried unanimously by voice vote.

18:36:27 **Motion:** Rep. Zolnikov moved that **HB 448 DO PASS AS AMENDED.**

Discussion:

18:36:34 Chair Skees

18:36:37 Rep. Duram

18:36:46 Chair Skees

18:36:53 Rep. Duram

18:37:11 Rep. Brewster

18:37:27 Chair Skees

18:37:34 Rep. Custer

18:38:20 Rep. Phalen

18:38:49 **Vote:** Motion carried unanimously by roll call vote.

EXECUTIVE ACTION ON HB 475

18:39:57 **Motion:** Rep. Zolnikov moved that **HB 475 DO PASS.**

18:40:01 **Motion:** Rep. Skees moved that **HB 475 BE AMENDED.**
EXHIBIT(feh39a02)

Discussion:

18:41:03 Vice Chair Hayman

18:42:10 Chair Skees

18:42:18 Rep. Phalen

18:42:26 Rep. Duram

18:42:42 Rep. Brewster

18:42:59 **Vote:** Motion carried 7-5 by roll call vote with Rep. Duram, Rep. Hayman, Rep. Kortum, Rep. Olsen and Rep. Sullivan voting no.

18:43:41 **Motion:** Rep. Zolnikov moved that **HB 475 DO PASS AS AMENDED.**

Discussion:

18:43:46 Chair Skees

18:44:04 Rep. Olsen

18:44:29 **Vote:** Motion carried 8-4 by roll call vote with Rep. Hayman, Rep. Kortum, Rep. Olsen and Rep. Sullivan voting no.

EXECUTIVE ACTION ON HB 492

18:45:36 **Motion:** Rep. Zolnikov moved that **HB 492 DO PASS.**

Discussion:

18:45:42 Chair Skees

18:45:52 Rep. Custer

18:46:05 Trevor Graff, LSD

18:46:20 Rep. Sullivan

18:46:49 Rep. Duram

18:47:34 Chair Skees

18:47:49 Trevor Graff, LSD

18:47:53 Rep. Custer

18:48:42 Chair Skees

18:48:50 Rep. Brewster

18:49:40 Rep. Kortum

18:50:30 **Substitute Motion/Vote:** Rep. Skees made a substitute motion that **HB 492 BE TABLED.** Substitute Motion carried 9-3 by roll call vote with Rep. Binkley, Rep. Duram and Rep. Skees voting no.

EXECUTIVE ACTION ON HB 494

18:51:54 **Motion:** Rep. Zolnikov moved that **HB 494 DO PASS.**

Discussion:

18:52:00 Chair Skees

18:52:18 Vice Chair Zolnikov

18:52:25 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 538

18:52:48 **Motion:** Rep. Zolnikov moved that **HB 538 DO PASS.**

Discussion:

18:52:54 Chair Skees

18:53:11 Rep. Custer

18:53:56 Rep. Duram

18:55:17 Rep. Phalen

18:55:28 Rep. Duram

18:55:59 Chair Skees

18:56:11 Trevor Graff, LSD
18:56:19 Rep. Custer
18:56:28 Rep. Sullivan
18:56:49 Rep. Binkley
18:57:17 Chair Skees
18:57:24 Rep. Phalen
18:57:33 Rep. Duram
18:57:58 Chair Skees
18:58:05 Vice Chair Zolnikov
18:58:21 Rep. Kassmier left the meeting
18:58:24 Rep. Olsen
18:58:48 Chair Skees
18:58:51 Rep. Duram
18:59:25 Chair Skees
18:59:56 Rep. Olsen
19:00:13 Rep. Duram
19:00:48 Chair Skees
19:00:55 Trevor Graff, LSD
19:01:08 Chair Skees
19:01:14 Rep. Duram
19:01:29 Chair Skees
19:01:54 Trevor Graff, LSD
19:02:05 Chair Skees
19:02:17 Rep. Olsen

19:02:53 **Vote:** Motion carried 8-4 by roll call vote with Rep. Custer, Rep. Hayman, Rep. Kortum and Rep. Sullivan voting no. Rep. Kassmier voted by proxy.

EXECUTIVE ACTION ON HJ 14

19:03:59 **Motion:** Rep. Zolnikov moved that **HJ 14 DO PASS**.

Discussion:

19:04:11 Chair Skees
19:04:16 Rep. Custer
19:04:23 Chair Skees
19:04:30 Rep. Phalen
19:05:52 Rep. Custer

19:06:12 **Vote:** Motion carried unanimously by voice vote. Rep. Kassmier voted by proxy.

19:07:06 Chair Skees
19:07:51 Trevor Graff, LSD
19:08:03 Chair Skees

ADJOURNMENT

Adjournment: 19:08:30

Brittany Bury, Secretary

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Additional Documents:

EXHIBIT([feh39aad.pdf](#))