

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON ENERGY, TECHNOLOGY AND FEDERAL RELATIONS

Call to Order: Chair Derek Skees, on February 26, 2021 at 4:15 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. Kelly Kortum (D)
Rep. Andrea Olsen (D)
Rep. Bob Phalen (R)
Rep. Katie Sullivan (D)

Members Excused:

Rep. Joshua Kassmier (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 570, 2/22/2021; HB 573, 2/22/2021; HB 576, 2/22/2021; HB 577, 2/22/2021; HB 606, 2/22/2021; HB 607, 2/22/2021; HJ 16, 2/22/2021

16:16:05 Chair Skees

HEARING ON HB 576

Opening Statement by Sponsor:

16:17:40 Rep. Jerry Schillinger (R), HD 37, opened the hearing on HB 576, Repeal the renewable portfolio standard.

Proponents' Testimony:

16:20:45 David Hoffman, NorthWestern Energy (NWE)

16:21:35 Aimee Grmoljez, MDU Resources

Opponents' Testimony:

16:22:49 Ruben Castren, Montana Public Interest Group (MontPIRG)

EXHIBIT(feh41a01)

16:24:12 Whitner Chase, Montana Conservation Voters (MCV)

16:25:11 Colson Williams, self

16:25:47 Andrew Valainis, Montana Renewable Energy Association (MREA)

16:27:04 Conor Ploeger, Montana Environmental Information Center (MEIC)

16:29:19 Amy Seaman, Montana Audubon

Questions from Committee Members and Responses:

16:30:14 Vice Chair Hayman

16:30:45 Conor Ploeger, MEIC

16:31:25 Chair Skees

16:32:49 David Hoffman, NWE

16:33:32 Chair Skees

16:34:00 Aimee Grmoljez, MDU Resources

16:34:16 Chair Skees

Closing by Sponsor:

16:34:37 Rep. Schillinger

16:36:15 Chair Skees

HEARING ON HB 606

Opening Statement by Sponsor:

16:36:35 Rep. Paul Fielder (R), HD 13, opened the hearing on HB 606, Requiring opt-in for advanced meter installation.

Proponents' Testimony:

16:42:49 Commissioner Randall Pinocci, self

16:46:39 Mae Woo, self

16:49:43 Salina Christaria, self

Opponents' Testimony:

16:52:34 David Hoffman, NorthWestern Energy (NWE)

EXHIBIT(feh41a02)

16:55:58 Aimee Grmoljez, MDU Resources
16:56:18 John MacDonald, City of Bozeman; City of Missoula
16:57:12 Conor Ploeger, Montana Environmental Information Center (MEIC)

Informational Testimony:

16:57:59 Robin Arnold, Montana Public Service Commission (PSC)

Questions from Committee Members and Responses:

16:58:13 Rep. Duram
16:59:19 David Hoffman, NWE
16:59:42 Rep. Phalen
17:00:04 David Hoffman, NWE
17:00:44 Vice Chair Hayman
17:01:28 Robin Arnold, PSC
17:01:53 Rep. Brewster
17:02:12 David Hoffman, NWE
17:02:43 Chair Skees
17:04:22 David Hoffman, NWE

Closing by Sponsor:

17:04:35 Rep. Fielder

17:07:04 Chair Skees left the meeting.
17:07:05 Vice Chair Zolnikov assumed the chair.

HEARING ON HB 577

Opening Statement by Sponsor:

17:07:19 Rep. Katie Sullivan (D), HD 89, opened the hearing on HB 577, Revise laws related to facial recognition technology.

17:10:50 Chair Skees joined the meeting.

Proponents' Testimony:

17:11:33 Kendall Cotton, Frontier Institute
17:14:20 Katyana, Montana Public Interest Research Group (MontPIRG)
17:16:48 Anja Wookey-Huffman, self

Opponents' Testimony:

17:19:46 Greg Pinski, SCRAM Systems
17:22:20 Alan Doane, Montana Department of Justice (DOJ)
17:25:05 Mark Murphy, Montana Association of Chiefs of Police (MACP); Montana Police Protective Association (MPPA)
17:27:38 Drake Jamali, Security Industry Association (SIA)

Informational Testimony:

17:30:10 Quinlan O'Connor, Department of Labor and Industry (DLI)

Questions from Committee Members and Responses:

17:30:30 Rep. Duram

17:31:00 Alan Doane, DOJ
 17:31:12 Vice Chair Hayman
 17:31:49 Quinlan O'Connor, DLI
 17:32:22 Chair Skees
 17:35:28 Alan Doane, DOJ
 17:35:58 Chair Skees
 17:36:30 Rep. Duram
 17:37:45 Quinlan O'Connor, DLI
 17:38:45 Chair Skees
 17:40:18 Rep. Sullivan
 17:40:44 Vice Chair Zolnikov
 17:42:35 Rep. Sullivan
 17:42:57 Vice Chair Zolnikov
 17:43:16 Mark Murphy, MACP; MPPA

Closing by Sponsor:

17:44:02 Rep. Sullivan

 17:46:28 Vice Chair Zolnikov
 17:46:35 Chair Skees assumed the Chair.

HEARING ON HB 607

Opening Statement by Sponsor:

17:47:22 Rep. Andrea Olsen (D), HD 100, opened the hearing on HB 607, Generally revising energy generation laws and renewable requirements.

Proponents' Testimony:

17:49:58 Mayor Wilmont Collins, City of Helena
 17:52:05 Whitner Chase, Montana Conservation Voters (MCV)
 17:52:33 Jasmine Krotkov, self
 17:55:16 Melissa Smith, self
 17:55:55 Dolores Andersen, MT Cares
 17:58:59 Russ Doty, self
 17:59:27 Chair Skees
 17:59:54 Rep. Olsen
 18:00:08 Chair Skees
 18:00:23 Andrew Valainis, Montana Renewable Energy Association (MREA)
 18:01:23 Vicki Watson, self
 18:03:29 David Saslav, self
 18:05:40 Mary Catherine Dunphy, self
 18:07:47 Karen Stears, self

Opponents' Testimony:

18:11:08 Brad Bauman, Sun River Electric Cooperative
 18:13:42 Doug Hardy, Montana Electric Cooperative (MEC)
 18:16:04 Joe Lukas, Western Montana G&T
 18:17:25 Charles Robison, Montana Electric Cooperative (MEC)
 18:19:28 Aimee Grmoljez, MDU Resources

Informational Testimony:

18:20:12 Tom Perry, Department of Natural Resources and Conservation (DNRC)
18:20:47 Matt Arno, Department of Natural Resources and Conservation (DNRC)

Questions from Committee Members and Responses:

18:21:16 Rep. Phalen
18:23:28 Rep. Olsen
18:24:16 Chair Skees
18:24:19 Rep. Phalen
18:24:51 Charles Robison, MEC
18:25:04 Vice Chair Zolnikov left the meeting.
18:26:05 Rep. Duram
18:28:56 David Saslav, self
18:29:06 Rep. Duram
18:29:15 Rep. Olsen
18:30:18 Dolores Andersen, MT Cares
18:31:11 Rep. Duram
18:33:03 Dolores Andersen, MT Cares
18:33:54 Vice Chair Zolnikov, Rep. Kassmier joined the meeting.
18:34:02 Rep. Duram
18:34:48 Tom Perry, DNRC
18:35:33 Rep. Duram
18:35:39 Rep. Custer
18:36:57 Doug Hardy, MEC
18:37:12 Chair Skees
18:37:24 Doug Hardy, MEC

Closing by Sponsor:

18:39:24 Rep. Olsen

18:43:12 Chair Skees
18:43:22 Vice Chair Zolnikov assumed the chair.
18:43:42 Chair Skees left the meeting.

HEARING ON HB 573

Opening Statement by Sponsor:

18:43:49 Rep. Brad Tschida (R), HD 97, opened the hearing on HB 573, Expand the role of the PSC to oversee the operation of internet tech companies.

Proponents' Testimony:

18:49:50 Commissioner Randall Pinocci, self

EXHIBIT(feh41a03)

18:51:43 Chair Skees joined the meeting.
18:51:57 Dan Happel, self
18:54:13 Jordan Hall, self
18:57:03 Rep. Olsen

Questions from Committee Members and Responses:

18:57:42 Vice Chair Zolnikov
18:57:57 Commissioner Pinocci, self
18:58:13 Rep. Brewster
19:01:56 Rep. Tschida
19:03:55 Rep. Custer
19:08:15 Rep. Tschida

EXHIBIT(feh41a04)

19:09:58 Rep. Duram
19:12:38 Commissioner Pinocci, self
19:13:06 Chair Skees
19:14:27 Rep. Tschida
19:15:24 Vice Chair Zolnikov
19:15:46 Commissioner Pinocci, self

Closing by Sponsor:

19:16:04 Rep. Tschida

19:18:55 Chair Skees left the meeting.
19:19:02 Vice Chair Zolnikov
19:19:51 Rep. Sullivan
19:20:24 Vice Chair Zolnikov
19:20:37 Chair Skees entered the meeting.

19:20:49 Brief Recess
19:26:02 Reconvened

19:26:09 Vice Chair Zolnikov

HEARING ON HB 570

Opening Statement by Sponsor:

19:26:18 Rep. Derek Skees (R), HD 11, opened the hearing on HB 570, Prohibit infringement of constitutional right to nullify certain fed legislation.

Proponents' Testimony:

19:31:07 Cindi Hamilton, self

Opponents' Testimony: None

Questions from Committee Members and Responses:

19:34:46 Rep. Phalen
19:35:14 Cindi Hamilton, self
19:36:00 Rep. Olsen
19:43:50 Rep. Skees
19:45:20 Rep. Custer
19:47:36 Rep. Skees
19:50:05 Vice Chair Zolnikov

Closing by Sponsor:

19:50:12 Rep. Skees

19:50:17 Vice Chair Zolnikov

HEARING ON HJ 16

Opening Statement by Sponsor:

19:51:12 Rep. Neil Duram (R), HD 2, opened the hearing on HJ 16, Joint resolution regarding television broadcast designated marketing areas.

Proponents' Testimony: None

Opponents' Testimony: None

Questions from Committee Members and Responses:

19:57:10 Rep. Phalen

19:57:35 Rep. Duram

19:58:01 Vice Chair Zolnikov

19:58:33 Rep. Duram

Closing by Sponsor:

19:58:50 Rep. Duram

20:00:04 Chair Skees assumed the chair.

20:00:23 Vice Chair Hayman

20:00:46 Chair Skees

20:00:51 Vice Chair Zolnikov

20:01:39 Chair Skees

20:01:46 Vice Chair Hayman

20:02:10 Chair Skees

20:02:34 Rep. Olsen

20:02:44 Trevor Graff, Legislative Services Division (LSD)

20:02:57 Chair Skees

20:03:31 Rep. Kortum

20:04:02 Trevor Graff, LSD

EXECUTIVE ACTION ON HJ 16

20:04:49 **Motion:** Rep. Zolnikov moved that **HJ 16 DO PASS.**

20:04:55 Chair Skees

20:04:58 **Motion:** Rep. Duram moved that **HJ 16 BE AMENDED.**

EXHIBIT(feh41a05)

Discussion:

20:05:49 Chair Skees

20:06:14 **Vote:** Motion carried 11-0 by voice vote. Rep. Zolnikov was excused.

20:06:43 **Motion/Vote:** Rep. Skees moved that **HJ 16 DO PASS AS AMENDED**. Motion carried 11-0 by voice vote. Rep. Zolnikov was excused.

EXECUTIVE ACTION ON HB 607

20:07:27 **Motion:** Rep. Zolnikov moved that **HB 607 DO PASS**.

20:07:37 **Substitute Motion/Vote:** Rep. Phalen made a substitute motion that **HB 607 BE TABLED**. Substitute Motion carried 8-4 by voice vote with Rep. Hayman, Rep. Kortum, Rep. Olsen and Rep. Sullivan voting no.

EXECUTIVE ACTION ON HB 597

20:08:53 **Motion:** Rep. Zolnikov moved that **HB 597 DO PASS**.

Discussion:

20:08:55 Chair Skees
20:09:02 Trevor Graff, LSD
20:09:42 Chair Skees
20:10:25 Rep. Custer
20:10:40 Trevor Graff, LSD
20:11:58 Chair Skees
20:12:12 Rep. Custer

20:13:41 **Substitute Motion/Vote:** Rep. Custer made a substitute motion that **HB 597 BE TABLED**. Substitute Motion carried 8-4 by roll call vote with Rep. Duram, Rep. Kassmier, Rep. Phalen and Rep. Skees voting no.

EXECUTIVE ACTION ON HB 587

Discussion:

20:15:04 Trevor Graff, LSD
20:15:43 Chair Skees

20:15:47 **Motion:** Rep. Zolnikov moved that **HB 587 DO PASS**.

Discussion:

20:15:56 Chair Skees
20:16:02 Rep. Olsen

20:16:27 **Substitute Motion/Vote:** Rep. Olsen made a substitute motion that **HB 587 BE TABLED**. Substitute Motion failed 6-6 by roll call vote with Rep. Binkley, Rep. Custer, Rep. Hayman, Rep. Kortum, Rep. Olsen and Rep. Sullivan voting aye.

20:17:46 Rep. Duram
20:18:29 Rep. Binkley
20:19:04 Rep. Brewster
20:19:49 Vice Chair Zolnikov

20:20:56 Rep. Custer
20:21:55 Chair Skees
20:22:04 Rep. Kortum
20:23:21 Vice Chair Hayman
20:23:32 Rep. Olsen

20:23:50 **Motion/Vote:** Rep. Skees moved that **HB 587 DO PASS**. Motion failed 3-9 by roll call vote with Rep. Brewster, Rep. Phalen and Rep. Skees voting aye.

EXECUTIVE ACTION ON HB 542

20:25:21 **Motion:** Rep. Zolnikov moved that **HB 542 DO PASS**.

Discussion:

20:25:31 Chair Skees

EXHIBIT(feh41a06)

20:27:05 Rep. Custer
20:29:05 Vice Chair Hayman
20:29:47 Chair Skees
20:29:50 Rep. Duram
20:30:36 Rep. Olsen
20:31:05 Rep. Kassmier
20:31:18 Chair Skees
20:31:25 Rep. Kortum

20:32:10 **Vote:** Motion failed 6-6 by roll call vote with Rep. Binkley, Rep. Duram, Rep. Kassmier, Rep. Phalen, Rep. Skees and Rep. Zolnikov voting aye.

20:33:30 Trevor Graff, LSD
20:33:39 Chair Skees

EXECUTIVE ACTION ON HB 576

20:33:54 **Motion:** Rep. Zolnikov moved that **HB 576 DO PASS**.

Discussion:

20:34:00 Chair Skees
20:34:20 Rep. Custer
20:34:41 Trevor Graff, LSD

EXHIBIT(feh41a07)

20:35:53 **Motion/Vote:** Rep. Zolnikov moved that **HB 576 BE AMENDED**. Motion carried unanimously by voice vote.

20:36:38 **Motion:** Rep. Zolnikov moved that **HB 576 DO PASS AS AMENDED**.

Discussion:

20:36:47 Chair Skees
20:36:55 Vice Chair Hayman

20:37:29 **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 606

20:38:35 **Motion:** Rep. Zolnikov moved that **HB 606 DO PASS.**

Discussion:

20:38:41 Chair Skees
20:38:55 Rep. Custer
20:40:16 Rep. Brewster

20:41:57 **Vote:** Motion failed 6-6 by roll call vote with Rep. Binkley, Rep. Duram, Rep. Kassmier, Rep. Phalen, Rep. Skees and Rep. Zolnikov voting aye.

EXECUTIVE ACTION ON HB 577

20:43:26 **Motion:** Rep. Zolnikov moved that **HB 577 DO PASS.**

Discussion:

20:43:31 Chair Skees
20:43:39 Rep. Sullivan
20:44:15 Chair Skees
20:45:01 Rep. Duram

20:45:43 **Substitute Motion/Vote:** Rep. Phalen made a substitute motion that **HB 577 BE TABLED.** Substitute Motion failed 5-7 by roll call vote with Rep. Binkley, Rep. Custer, Rep. Kassmier, Rep. Phalen and Rep. Skees voting aye.

Discussion:

20:45:53 Chair Skees

20:46:43 **Motion/Vote:** Rep. Skees moved that **HB 577 DO PASS.** Motion failed 6-6 by roll call vote with Rep. Brewster, Rep. Duram, Rep. Hayman, Rep. Kortum, Rep. Olsen and Rep. Sullivan voting aye.

EXECUTIVE ACTION ON HB 573

20:48:15 **Motion:** Rep. Zolnikov moved that **HB 573 DO PASS.**

Discussion:

20:48:19 Chair Skees
20:48:35 Rep. Custer
20:50:24 Chair Skees
20:50:33 Rep. Kassmier
20:50:58 Rep. Brewster
20:51:31 Chair Skees
20:51:35 Rep. Brewster

20:52:04 **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 570

20:53:42 **Motion:** Rep. Zolnikov moved that **HB 570 DO PASS.**

Discussion:

20:53:47 Chair Skees
20:53:58 Rep. Olsen
20:54:30 Chair Skees
20:55:44 Rep. Binkley

20:57:01 **Vote:** Motion carried 7-5 by roll call vote with Rep. Custer, Rep. Hayman, Rep. Kortum, Rep. Olsen and Rep. Sullivan voting no.

Discussion:

20:57:20 Trevor Graff, LSD
20:57:27 Chair Skees

20:57:30 **Motion:** Rep. Zolnikov moved that **HB 577 BE REMOVED FROM TABLE.**

Discussion:

20:58:08 Chair Skees
20:58:39 Vice Chair Zolnikov
20:59:03 Chair Skees
20:59:23 Rep. Duram
20:59:34 Rep. Custer

20:59:48 **Vote:** Motion carried 8-4 by roll call vote with Rep. Binkley, Rep. Kassmier, Rep. Phalen and Rep. Skees voting no.

21:00:43 **Motion/Vote:** Rep. Zolnikov moved that **HB 577 DO PASS.** Motion carried 8-4 by roll call vote with Rep. Binkley, Rep. Brewster, Rep. Phalen and Rep. Skees voting no.

21:00:49 Chair Skees

ADJOURNMENT

Adjournment: 21:02:35

Brittany Bury, Secretary

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Additional Documents:

EXHIBIT([feh41aad.pdf](#))