

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON ENERGY, TECHNOLOGY AND FEDERAL RELATIONS

Call to Order: Chair Derek Skees, on March 17, 2021 at 3:00 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)

Members Excused:

Rep. Katie Sullivan (D)

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: SB 201, 3/11/2021; SB 213, 3/11/2021; SB 237, 3/11/2021; SB 272, 3/11/2021; SJ 3, 3/11/2021

15:01:11 Chair Skees
15:03:44 Rep. Olsen
15:04:42 Chair Skees
15:05:57 Rep. Olsen
15:07:19 Chair Skees
15:07:39 Rep. Duram
15:08:38 Chair Skees
15:08:46 Vice Chair Hayman

15:09:47 **Motion:** Rep. Skees moved that **ANYONE OUT-OF-STATE WILL BE ALLOWED TO SPEAK IF THE SPONSOR REQUESTS THEM, OR THEY ARE OPPONENTS WHOM THE LEGISLATION AFFECTS.**

Discussion:

15:11:23 Rep. Duram
15:11:31 Rep. Olsen
15:13:17 Chair Skees
15:14:05 Rep. Olsen

15:14:09 **Vote:** Motion carried 8-4 by voice vote with Rep. Hayman, Rep. Kortum, Rep. Olsen and Rep. Sullivan voting no. Rep. Sullivan voted by proxy.

15:16:21 Rep. Olsen
15:18:14 Chair Skees
15:18:34 Rep. Olsen
15:18:42 Chair Skees
15:18:56 Rep. Sullivan joined the meeting.

15:20:37 **Motion:** Rep. Olsen moved that **OUT OF STATE PARTICIPANTS MUST SIGN UP, WHICH APPLIES TO ALL PROPONENTS, OPPONENTS, AND INFORMATIONAL WITNESSES, ONLINE.**

15:21:04 Chair Skees

15:21:21 **Vote:** Motion failed 4-8 with Rep. Hayman, Rep. Olsen, Rep. Sullivan and Rep. Zolnikov voting aye. Rep. Sullivan voted by proxy.

15:22:25 Rep. Olsen
15:22:41 Chair Skees

HEARING ON SB 272

Opening Statement by Sponsor:

15:23:08 Sen. Gordon Vance (R), SD 34, opened the hearing on SB 272, Generally revise Montana Information Technology Act.

Proponents' Testimony:

15:24:32 Attorney General Austin Knudsen, Attourney General's Office (AG)
15:33:44 Jackie Jones, Commissioner of Securities and Insurance, Office of the Montana State Auditor (CSI)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

15:35:32 Rep. Olsen
15:39:30 Attorney General Austin Knudsen, AG
15:40:26 Rep. Kortum
15:41:16 Attorney General Austin Knudsen, AG
15:43:13 Chair Skees
15:43:32 Michael Harris, Information Technology Services Division of the Department of Justice (DOJ)
15:43:53 Rep. Kortum
15:46:58 Michael Harris, DOJ
15:48:18 Rep. Duram
15:49:20 Michael Harris, DOJ
15:49:56 Dawn Temple, Department of Justice (DOJ)
15:52:27 Rep. Olsen
15:53:31 Dawn Temple, DOJ
15:55:56 Chair Skees
15:56:18 Rep. Olsen
15:57:09 Dawn Temple, DOJ
15:57:19 Attorney General Austin Knudsen, AG
15:58:46 Rep. Olsen
15:59:50 Chair Skees

Closing by Sponsor:

16:00:19 Sen. Vance

16:00:55 Brief Recess
16:03:38 Reconvened

16:03:40 Chair Skees

HEARING ON SB 201

Opening Statement by Sponsor:

16:03:47 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 201, Revise avoided cost rate-making.

Proponents' Testimony:

16:06:08 Robin Arnold, Montana Public Service Commission (PSC)
16:07:03 Jason Brown, Montana Consumer Counsel (MCC)
16:07:47 David Hoffman, NorthWestern Energy (NWE)

Opponents' Testimony:

16:08:38 Michael Uda, Caithness Beaver Creek
16:12:45 Conor Ploeger, Montana Environmental Information Center (MEIC)
16:15:04 Madison Hebner, Forward Montana

16:16:21 Taylor Eggebrecht, Remote Meeting Coordinator (RMC)
16:16:40 Chair Skees

Informational Testimony: None

Questions from Committee Members and Responses:

16:17:08 Rep. Duram
16:17:43 Robin Arnold, PSC
16:18:57 Vice Chair Hayman
16:21:29 Michael Uda, Caithness Beaver Creek
16:22:39 Rep. Custer
16:23:20 Robin Arnold, PSC
16:24:00 Rep. Duram
16:27:30 Madison Hebner, Forward Montana
16:27:47 Chair Skees
16:31:25 Derrel Grant, self

Closing by Sponsor:

16:31:50 Sen. Fitzpatrick

16:33:25 Chair Skees

HEARING ON SB 213

Opening Statement by Sponsor:

16:33:45 Sen. Keith Regier (R), SD 3, opened the hearing on SB 213, Revising the PSC appeals process in contested cases.

16:34:13 Chair Skees left the meeting.
16:36:33 Vice Chair Zolnikov assumed the Chair.

Proponents' Testimony:

16:36:42 Zachary Rogala, Montana Public Service Commission (PSC)

Opponents' Testimony:

16:39:50 Colson Williams, self
16:40:58 Chair Skees joined the meeting.

Informational Testimony: None

Questions from Committee Members and Responses:

16:42:53 Rep. Olsen
16:43:40 Sen. K. Regier
16:44:00 Zachary Rogala, PSC
16:44:49 Rep. Olsen
16:48:52 Zachary Rogala, PSC
16:50:06 Rep. Olsen

Closing by Sponsor:

16:50:26 Sen. K. Regier

16:50:57 Chair Skees assumed the Chair
16:51:34 Rep. Custer

HEARING ON SB 237

Opening Statement by Sponsor:

16:51:52 Sen. Douglas (Doug) Kary (R), SD 22, opened the hearing on SB 237, Revise community renewable energy project requirements.

Proponents' Testimony:

16:55:27 Robin Arnold, Montana Public Service Commission (PSC)
16:56:30 David Hoffman, NorthWestern Energy (NWE)
16:59:08 Gary Forrester, Montana-Dakota Utilities (MDU)
16:59:45 Jason Brown, Montana Consumer Counsel (MCC)

Opponents' Testimony:

17:00:41 Andrew Valainis, Montana Renewable Energy Association (MREA)
17:01:45 Conor Ploeger, Montana Environmental Information Center (MEIC)
17:03:11 Madison Hebner, Forward Montana

Informational Testimony: None

Questions from Committee Members and Responses:

17:04:36 Vice Chair Hayman
17:05:12 Jason Brown, MCC
17:06:00 Vice Chair Hayman
17:07:36 Robin Arnold, PSC
17:08:25 Rep. Olsen
17:09:36 Jason Brown, MCC
17:10:50 Rep. Olsen
17:12:54 Sen. Kary
17:13:22 Chair Skees
17:14:08 Sen. Kary

Closing by Sponsor:

17:14:19 Sen. Kary

17:15:01 Chair Skees

HEARING ON SJ 3

Opening Statement by Sponsor:

17:16:05 Sen. Terry Gauthier (R), SD 40, opened the hearing on SJ 3, Provide for a feasibility study of advanced nuclear reactors.

[EXHIBIT\(feh53a01\)](#)

[EXHIBIT\(feh53a02\)](#)

Proponents' Testimony:

17:22:57 Adam Haight, Montana American Federation of Labor, Chief (AFL-CIO)

17:23:34 Patrick Webb, Americans for Prosperity Montana (APM)
17:24:59 David Hoffman, NorthWestern Energy (NWE)
17:25:34 Shelby DeMars, Montana Association of Oil, Gas, and Coal Counties (MAOGCC)
17:26:35 John Forkan, Montana State Building and Construction Trades Counsel
(MSBCT)
17:27:21 Dwight Rose, International Brotherhood of Electrical Workers 44 (IBEW44)
17:28:04 Charles Robison, Montana Electric Cooperatives (MEC)
17:29:40 Marc Nichol, Nuclear Energy Institute (NEI)
17:31:45 John Hopkins, NuScale Power
17:34:17 Conor Ploeger, Montana Environmental Information Center (MEIC)
17:35:27 Jim Atchison, Southeastern Montana Development (SMD)
17:37:01 Mayor John Williams, Colstrip

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

17:39:02 Rep. Duram
17:40:29 Marc Nichol, NEI
17:41:17 Vice Chair Hayman
17:41:52 Marc Nichol, NEI
17:44:14 Vice Chair Hayman
17:44:51 Sen. Gauthier
17:45:45 Rep. Phalen
17:46:08 Marc Nichol, NEI
17:46:47 Rep. Phalen
17:47:34 David Hoffman, NWE
17:47:49 Rep. Olsen
17:48:54 David Hoffman, NWE
17:49:44 Vice Chair Zolnikov
17:51:18 Sen. Gauthier
17:52:04 Rep. Olsen
17:53:36 Sen. Gauthier
17:53:58 Chair Skees
17:54:09 Sen. Gauthier

Closing by Sponsor:

17:54:18 Sen. Gauthier

17:55:45 Chair Skees
17:55:49 Rep. Olsen
17:56:34 Chair Skees
17:57:55 Trevor Graff, Legislative Services Division (LSD)
17:58:13 Chair Skees
17:58:42 Rep. Olsen
18:03:09 Chair Skees
18:03:14 Rep. Duram
18:03:59 Chair Skees

ADJOURNMENT

Adjournment: 18:04:07

Brittany Bury, Secretary

bb

Additional Documents:

EXHIBIT([feh53aad.pdf](#))