

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES

#### 68th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON (H) ENERGY, TECHNOLOGY AND FEDERAL RELATIONS

**Call to Order:** Chair Katie Zolnikov-R, on February 27, 2023 at 3:27 PM, in 472

#### ROLL CALL

**Members Present:** Rep. Katie Zolnikov, Chair (R)  
Rep. Steven Galloway, Vice Chair (R)  
Rep. Katie Sullivan, Vice Chair (D)  
Rep. Laurie Bishop  
Rep. Larry Brewster (R)  
Rep. Paul Green (R)  
Rep. Derek Harvey (D)  
Rep Joshua Kassmier (R)  
Rep. Greg Kmetz (R)  
Rep. Casey Knudsen (R)  
Rep. Kelly Kortum (D)  
Rep. Bob Phalen (R)

**Members Excused:** Rep. Paul Fielder (R)

**Staff Present:** Lucinda Blair, Secretary  
Trevor Graff, Research Analyst

**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 527 02/24/2023

HB 643 02/24/2023

HB 650 02/24/2023

HB 726 02/24/2023

HB 729 02/24/2023

HB 797 02/24/2023

HB 804 02/24/2023

HJ 9 02/24/2023

HJ 11 02/24/2023

HJ 13 02/24/2023

Executive Action:

HB 527 DO PASS AS AMENDED

HB 643 TO TABLE

HB 650 TO TABLE

HB 726 TO TABLE

HB 729 DO PASS AS AMENDED

HB 737 TO TABLE

HB 797 DO PASS

HB 804 DO PASS

HJ 9 DO PASS

HJ 11 DO PASS

HJ 13 TO TABLE

**HEARING ON HJ 13 – Resolution for Article V Convention for a balanced budget amendment**

**Opening Statement:**

15:28:40 Rep. Jennifer Carlson (R), HD 69, opened the hearing on HJ 13, Resolution for Article V Convention for a balanced budget amendment.

**Proponent Testimony:**

15:32:45 Terry Kramer, Self  
15:34:40 Senator Tom McGillvray, SD 23  
15:41:30 Dan McLean, Self

**Opponent Testimony:**

15:43:10 Ed Regan, Broadwater County Republic Central Committee  
15:48:30 Kathy Love, Self  
15:51:20 Allen Lackey, Self  
15:54:20 Terri Lackey, Self  
15:56:35 Patrick Yawakie, Blackfeet Tribe  
15:58:06 Daniel Keter, Self  
15:59:00 Robert Reese, Self  
15:59:11 Gina Barnes, Self  
15:59:24 Samuel P. Sanders, Self  
15:59:43 Dave Swaim, Self  
15:59:59 Glenda Edgeworth, Self

**Informational Witness Testimony:**

None

**Questions from Committee:**

16:00:45 Vice Chair Steven Galloway  
16:01:10 Daniel Keter  
16:01:48 Rep. Paul Fielder  
16:02:20 Chair Katie Zolnikov  
16:02:38 Senator Tom McGillvray

**Closing Statement:**

16:05:00 Rep. Jennifer Carlson (R), HD 69, closed the hearing on HJ 13.

**HEARING ON HB 527 – Require official action to release Montana national guard to active duty combat**

**Opening Statement:**

16:08:45 Rep. Lee Deming (R), HD 55, opened the hearing on HB 527, Require official action to release Montana national guard to active duty combat.

**Proponent Testimony:**

16:17:00 Christopher Enget, Self  
16:20:30 Darin Gaub, Restore Liberty, Montanans for Limited Government, Montana Freedom Caucus and Global Veterans Coalition  
16:25:28 Sid Daoud, Montana Libertarian Party (MLP)  
16:27:24 Ray Southworth, Self  
16:31:20 Dan McKnight, Self  
16:33:00 Deondrai Ramsey, Self  
16:33:34 Rep. Caleb Hinkle, HD 68  
16:33:55 Tom Jandron, Self  
16:34:06 Heidi Friedlander, Self  
16:34:23 Patrick Webb, Self  
16:34:38 Leslie Soule, Self  
16:34:53 Liam McCollum, Self  
16:35:10 Dustin Scott, Self  
16:35:27 Keegan Medrano, American Civil Liberties Union of Montana  
16:35:40 Rep. Jedediah Hinkle, HD 67  
16:36:00 Jared Frerichs, Self  
16:36:49 Druanna Koester, Self  
16:37:22 Chelsea Culpon, Self  
16:37:46 Lucretia Humphrey, self  
16:38:15 Scott Horton, Libertarian Institute  
16:38:43 Dale Gann, Self  
16:39:00 Elaina Gagliano, Self

**Opponent Testimony:**

16:32:00 Major General J. Peter Hronek, Montana National Guard (MTNG),  
Department of Military Affairs

16:51:25 Mike Talia, American Legion of Montana

16:52:50 Joe Fletcher, Department of Montana Veterans of Foreign Wars

16:55:12 Bill White, American Legion

16:55:40 Duane Cunningham, American legion

16:56:00 Lowell Long, Self

16:56:28 Roger Hagan, Montana National Guard Officer Association and Montana  
National Guard Enlisted Association

16:57:00 Richard Lievert, Self

**Informational Witness Testimony:**

16:57:45 Major Todd Wayne, Montana National Guard (MTNG)

16:58:28 Sundi West, Department of Military Affairs

**Questions from Committee:**

16:59:00 Rep. Paul Green

16:59:25 Major Todd Wayne, MTNG

17:00:50 Rep. Kelly Kortum

17:01:00 Major General Peter Hronek, MTNG

17:02:15 Rep. Paul Fielder

17:02:30 Dan McKnight, Self

**Closing Statement:**

17:03:45 Rep. Lee Deming (R), HD 55, closed the hearing on HB 527.

17:13:00 **Recessed**

17:18:20 **Reconvened**

**HEARING ON HJ 11– Joint resolution relating to Environmental, Social and Governmental regulation**

**Opening Statement:**

17:18:40 Rep. Steve Gist (R), HD 25, opened the hearing on HJ 11, Joint resolution relating to Environmental, Social and Governmental regulation.

**Proponent Testimony:**

17:22:20 Cary Hegreberg, Montana Bankers Association (MBA)

17:26:40 Alan Olson, Montana Petroleum Association (MPA)

17:25:53 Dave Galt, Montana Chamber of Commerce (MCC)

17:28:15 Rachel Cone, Montana Farm Bureau Federation (MFB)

**Opponent Testimony:**

17:29:30 Derf Johnson, Montana Environmental Information Center

**Informational Witness Testimony:**

None

**Questions from Committee:**

17:33:30 Rep. Paul Green

17:34:00 Cary Hegreberg, MBA

17:35:50 Rep. Laurie Bishop

17:42:45 Vice Chair Steven Galloway

**Closing Statement:**

17:44:10 Rep. Steve Gist (R), HD 25, closed the hearing on HJ 11.

**HEARING ON HJ 9 – Joint resolution for MT historical society repository of original 13<sup>th</sup> amendment**

**Opening Statement:**

17:48:00 Rep. Joe Read (R), HD 93, opened the hearing on HJ 9, Joint resolution for MT historical society repository of original 13<sup>th</sup> amendment.

**Proponent Testimony:**

None

**Opponent Testimony:**

None

**Informational Witness Testimony:**

17:55:40 Molly Kruckenberg, Montana Historical Society

**Questions from Committee:**

17:56:05 Rep. Casey Knudsen

17:56:30 Rep. Joe Read

**Closing Statement:**

17:57:10 Rep. Joe Read (R), HD 93, closed the hearing on HJ 9.

**HEARING ON HB 650 – Require agency reporting on financial assistance to tribes**

**Opening Statement:**

17:59:50 Rep. Joe Read (R), HD 93, opened the hearing on HB 650, Require agency reporting on financial assistance to tribes.

**Proponent Testimony:**

None

**Opponent Testimony:**

18:02:48 Patrick Yawakie, Blackfeet Tribe

**Informational Witness Testimony:**

18:04:30 Danielle Vincent, Department of Administration

**Questions from Committee:**

18:05:10 Vice Chair Katie Sullivan

18:05:30 Patrick Yawakie, Blackfeet Tribe

**Closing Statement:**

18:05:50 Rep. Joe Read (R), HD 93, closed the hearing on HB 650.

**HEARING ON HB 726 – Assign oversight of water compacts and management to Public Service Commission**

**Opening Statement:**

18:08:00 Rep. Joe Read (R), HD 93, opened the hearing on HB 726, Assign oversight of water compacts and management to Public Service Commission.

**Proponent Testimony:**

18:10:05 Randy Pinocci, Self

**Opponent Testimony:**

18:11:30 Patrick Yawakie, Blackfeet Tribe  
18:13:23 Anna Pakenham-Stevenson, Department of Natural Resources & Conservation (DNRC)  
18:16:15 Keegan Medrano, American Civil Liberties Union of Montana (ACLU)  
18:18:35 Ryan McLane, NorthWestern Energy (NWE)  
18:19:51 Raylee Honeycutt, Montana Stockgrowers Association (MSGA) and Montana Public Lands Council  
18:20:45 Clayton Elliott, Montana Trout Unlimited  
18:21:40 Rachel Cone, Montana Farm Bureau Federation (MFB)

**Informational Witness Testimony:**

None

**Questions from Committee:**

None

**Closing Statement:**

18:22:55 Rep. Joe Read (R), HD 93, closed the hearing on HB 726.

**HEARING ON HB 797 – Require agency reporting on financial assistance to tribes**

**Opening Statement:**

17:59:50 Rep. Jonathan Windy Boy (D), HD 32, opened the hearing on HB 797,  
Require agency reporting on financial assistance to tribes.

**Proponent Testimony:**

18:29:30 Patrick Yawakie, Blackfeet Tribe

18:30:30 Keegan Medrano, American Civil Liberties Union of Montana (ACLU)

**Opponent Testimony:**

None

**Informational Witness Testimony:**

18:30:53 Erin Weisgerber, Department of Labor and Industry (DLI)

**Questions from Committee:**

None

**Closing Statement:**

18:31:25 Rep. Jonathan Windy Boy (D), HD 32, closed the hearing on HB 797.

**HEARING ON HB 804 – Providing broadband funding review requirements**

**Opening Statement:**

18:32:07 Rep. Tyson Running Wolf (D), HD 16, opened the hearing on HB 804,  
Providing broadband funding review requirements.

**Proponent Testimony:**

18:38:18 Patrick Yawakie, Blackfeet Tribe

18:42:53 Keegan Medrano, American Civil Liberties Union of Montana (ACLU)

18:44:50 Jade Bahr, Montana Budget and Policy Center (MBPC)

14:45:55 Geoff Feiss, Broadband Montana

**Opponent Testimony:**

18:49:00 Bridger Mahlum, Charter Communications

**Informational Witness Testimony:**

None

**Questions from Committee:**

18:53:30 Vice Chair Katie Sullivan

18:53:45 Rep. Tyson Running Wolf

**Closing Statement:**

18:55:05 Rep. Tyson Running Wolf (D), HD 16, closed the hearing on HB 804.

**HEARING ON HB 643 – Revising net metering laws**

**Opening Statement:**

18:57:55 Rep. Joshua Kassmier (R), HD 27, opened the hearing on HB 643, Revising net metering laws.

**Proponent Testimony:**

18:59:00 Chris Puyear, NorthWestern Energy (NWE)

19:07:58 Dwight Rose, IVW Local 44

**Opponent Testimony:**

19:09:02 Makenna Sellers, Montana Renewable Energy Association

19:13:50 Randy Pinocci, Self

19:16:30 Derek Skees, Self

19:19:50 Jasmine Krotkov, Montana Farmers Union

19:21:00 Ted Beck, Self

19:23:20 Jackson Isbell, Solar Montana

19:25:08 Roxa Reller, Northern Plains Resource Council

19:25:25 Brad Van Wert, Harvest Solar

19:25:40 Diego Rivas, Northwest Energy Coalition (NWC)

19:25:55 Matthew Goudreau, Self

19:26:05 Ian Lund, Montana Environmental Information Center (MEIC)  
19:26:30 Andrew Valainis, Self  
19:27:00 Kelly King, Mountain Hot Tub  
19:27:41 James Pallo, Self  
19:28:35 Kathleen Hochstrat, Self  
19:29:05 Konnor Kelsey, Watson Irrigation  
19:30:01 Sam Spector, Self

**Informational Witness Testimony:**

19:30:22 Will Rosquist, Public Service Commission (PSC)

**Questions from Committee:**

19:31:58 Vice Chair Katie Sullivan  
19:32:30 Will Rosquist, PSC  
19:33:40 Rep. Greg Kmetz  
19:33:47 Randy Pinocci, Self  
19:36:17 Rep. Bob Phalen  
19:36:30 Chris Puyear, NWE  
19:38:20 Jackson Isbell, Solar MT  
19:38:55 Rep. Kelly Kortum  
19:39:07 Kelly King, Mountain Hot Tub  
19:40:05 Rep. Laurie Bishp  
19:40:45 Diego Rivas, NWC  
19:42:56 Vice Chair Steven Galloway  
19:47:50 Andrew Valainis, Self  
19:51:10 Chair Katie Sullivan  
19:52:20 Derek Skees

**Closing Statement:**

20:08:45 Rep. Joshua Kassmier (R), HD 27, closed the hearing on HB 643.

**HEARING ON HB 729 – Providing for advanced conductor cost-effectiveness criteria**

**Opening Statement:**

20:11:10 Rep. Steven Galloway (R), HD 24, opened the hearing on HB 729, Providing for advanced conductor cost-effectiveness criteria.

**Proponent Testimony:**

20:14:05 Randy Pinocci, Public Service Commission (PSC)  
20:16:40 Brad Van Wert, Harvest Solar  
20:17:15 Chris Puyear, NorthWestern Energy (NWE)  
20:18:33 Jack Isbell, Solar Montana  
20:18:50 Ian Lund, Montana Environmental Information Center (MEIC)

**Opponent Testimony:**

None

**Informational Witness Testimony:**

None

**Questions from Committee:**

20:19:40 Rep. Paul Green  
20:20:22 Rep. Steven Galloway  
20:23:30 Rep. Derek Harvey  
20:23:40 Chris Puyear, NWE  
20:24:30 Rep. Bob Phalen  
20:25:17 Chair Katie Zolnikov  
20:25:20 Randy Pinocci, PSC  
20:27:00 Vice Chair Katie Sullivan

**Closing Statement:**

20:34:58 Rep. Steven Galloway (R), HD 24, closed the hearing on HB 729.

20:35:45 **Recessed**

20:54:00 **Reconvened**

**EXECUTIVE ACTION ON HJ 13 – Resolution for Article V Convention for a balanced budget amendment**

20:54:40           **Motion:** Vice Chair Steven Galloway moved that **HJ 13 DO PASS**.  
**Vote:** Motion failed 3-10 by roll call vote with Rep. Brewster, Rep. Knudsen, Rep. Zolnikov, voting yes.  
Chair Katie Zolnikov stated that the bill would **moved to the table**. Without objection, so ordered.

**EXECUTIVE ACTION ON HB 527 – Require official action to release Montana national guard to active duty combat**

20:55:50           **Motion:** Vice Chair Steven Galloway moved that **HB 527 DO PASS**.  
20:56:15           **Motion:** Vice Chair Steven Galloway moved that **HB 527 BE AMENDED**.  
**Vote:** Motion carried unanimously by voice vote.  
20:57:22           **Motion:** Vice Chair Steven Galloway moved that **HB 527 DO PASS AS AMENDED**.  
**Vote:** Motion carried 7-6 by roll call vote with Rep. Bishop, Rep. Green, Rep. Harvey, Rep. Kassmier, Rep. Kortum, Rep. Sullivan, voting no.

**EXECUTIVE ACTION ON HJ 11 – Joint resolution relating to Environmental, Social and Governmental regulation**

20:59:20           **Motion:** Vice Chair Steven Galloway moved that **HJ 11 DO PASS**.  
**Vote:** Motion carried 9 - 4 by roll call vote with Rep. Bishop, Rep. Harvey, Rep. Kortum, Rep. Sullivan, voting no.

**EXECUTIVE ACTION ON HJ 9 – Joint resolution for MT historical society repository of original 13<sup>th</sup> Amendment**

21:01:00           **Motion:** Vice Chair Steven Galloway moved that **HJ 9 DO PASS**.  
**Vote:** Motion carried 9 - 4 by roll call vote with Rep. Bishop, Rep. Green, Rep. Kassmier, Rep. Kortum, voting no.

**EXECUTIVE ACTION ON HB 650 – Require agency reporting on financial assistance to tribes**

21:02:200           **Motion:** Vice Chair Steven Galloway moved that **HB 650 DO PASS**.  
**Substitute Motion:** Rep. Josh Kassmier moved that **HB 650 BE TABLED**.  
**Vote:** Motion carried 10 - 3 by voice vote with Rep. Fielder, Rep. Galloway, Rep. Phalen, voting no.  
Rep. Fielder, By Proxy

**EXECUTIVE ACTION ON HB 726 – Assign oversight of water compacts and management to Public Service Commission**

- 21:03:45           **Motion:** Vice Chair Steven Galloway moved that **HB 726 DO PASS**.  
**Substitute Motion:** Rep. Josh Kassmier moved that **HB 726 BE TABLED**.  
**Vote:** Motion carried 12 - 1 by voice vote with Rep. Kmetz, voting no.

**EXECUTIVE ACTION ON HB 797 – Require agency reporting on financial assistance to tribes**

- 21:04:40           **Motion:** Vice Chair Steven Galloway moved that **HB 797 DO PASS**.  
**Vote:** Motion carried 11 - 2 by voice vote with Rep. Fielder, Rep. Galloway, voting no.  
Rep. Fielder, By Proxy

**EXECUTIVE ACTION ON HB 804 – Providing broadband funding review requirements**

- 21:05:30           **Motion:** Vice Chair Steven Galloway moved that **HB 804 DO PASS**.  
**Vote:** Motion carried 12 - 1 by voice vote with Rep. Fielder, voting no.  
Rep. Fielder, By Proxy

**EXECUTIVE ACTION ON HB 643 – Revising net metering laws**

- 21:07:20           **Motion:** Vice Chair Steven Galloway moved that **HB 643 DO PASS**.  
21:07:38           **Motion:** Vice Chair Katie Sullivan moved that **HB 643 BE AMENDED**.  
**Vote:** Motion failed 9 - 4 by roll call vote with Rep. Bishop, Rep. Harvey, Rep. Kortum, Rep. Sullivan, voting no.  
21:07:45           **Motion:** Vice Chair Steven Galloway moved that **HB 643 DO PASS**.  
**Vote:** Motion failed 7 - 6 by roll call vote with Rep. Brewster, Rep. Fielder, Rep. Galloway, Rep. Green, Rep. Kassmier, Rep. Knudsen, voting no.  
Rep. Fielder, By Proxy  
Chair Katie Zolnikov stated that the bill would **moved to the table**. Without objection, so ordered.

**EXECUTIVE ACTION ON HB 729 – Providing for advanced conductor cost-effectiveness criteria**

- 21:14:00           **Motion:** Vice Chair Steven Galloway moved that **HB 729 DO PASS**.  
21:14:15           **Motion:** Vice Chair Steven Galloway moved that **HB 729 BE AMENDED**.  
**Vote:** Motion carried unanimously by voice vote.

21:14:45 **Motion:** Vice Chair Steven Galloway moved that **HB 729 DO PASS AS AMENDED.**

**Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 737 – Revise laws related to coal fired generating unit remediation**

21:16:05 **Motion:** Vice Chair Steven Galloway moved that **HB 737 DO PASS.**

21:16:35 **Motion:** Vice Chair Steven Galloway moved that **HB 737 BE AMENDED.**

**Vote:** Motion carried 12 - 1 by voice vote with Rep. Phalen voting no.

21:17:04 **Motion:** Vice Chair Steven Galloway moved that **HB 737 DO PASS AS AMENDED.**

**Vote:** Motion failed 7 - 6 by roll call vote with Rep. Bishop, Rep. Green, Rep. Harvey, Rep. Kassmier, Rep. Kortum, Rep. Sullivan, voting no.

Chair Katie Zolnikov stated that the bill would **moved to the table**. Without objection, so ordered.

**ADJOURNMENT**

Adjournment: 21:20:57

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Lucinda Blair, Secretary

Additional Documents: [HB 737](#)