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
17:0050	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 13th 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 13th 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 13th 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

Lucinda Blair, Secretary

Additional Documents: EXHIBIT(230227FEH)

House Standing Committee Report

February 27, 2023

To the Speaker,

We, your committee on **(H) Energy, Technology and Federal Relations** recommend that **House Joint Resolution 9** (first reading copy – white) **Do Pass**.

Signed: Katie Zolnikov

Rep. Katie Zolnikov-R, Chair

-End-

Committee Vote:

Yes 9, No 4

SJR 2-28

House Standing Committee Report

February 27, 2023

To the Speaker,

We, your committee on **(H) Energy, Technology and Federal Relations** recommend that **House Joint Resolution 11** (first reading copy – white) **Do Pass**.

Signed: Katie Zolnikov

Rep. Katie Zolnikov-R, Chair

-End-

Committee Vote:

Yes 9, No 4

HJ 2-28

House Standing Committee Report

February 27, 2023

To the Speaker,

We, your committee on **(H) Energy, Technology and Federal Relations** recommend that **House Bill 527** (first reading copy – white) **Do Pass as Amended**. The referenced amendment is HB0527.001.001.

Signed: _____

Rep. Katie Zolnikov-R, Chair

-End-

Committee Vote:

Yes 7, No 6

HB 2-28

House Standing Committee Report

February 27, 2023

To the Speaker,

We, your committee on **(H) Energy, Technology and Federal Relations** recommend that **House Bill 797** (first reading copy – white) **Do Pass**.

Signed: _____

Rep. Katie Zolnikov-R, Chair

-End-

Committee Vote:

Yes 11, No 2

KZ 2-28

House Standing Committee Report

February 27, 2023

To the Speaker,

We, your committee on **(H) Energy, Technology and Federal Relations** recommend that **House Bill 729** (first reading copy – white) **Do Pass as Amended**. The referenced amendment is HB0729.001.001.

Signed:_____

Rep. Katie Zolnikov-R, Chair

-End-

Committee Vote:

Yes 13, No 0

HB 2.28

House Standing Committee Report

February 27, 2023

To the Speaker,

We, your committee on **(H) Energy, Technology and Federal Relations** recommend that **House Bill 804** (first reading copy – white) **Do Pass**.

Signed: Katie Zolnikov

Rep. Katie Zolnikov-R, Chair

-End-

Committee Vote:

Yes 12, No 1

3/2-26