

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 67th LEGISLATURE - REGULAR SESSION COMMITTEE ON APPROPRIATIONS

Call to Order: Chair Llew Jones, on March 1, 2021 at 12:00 P.M., in Room 102 Capitol

ROLL CALL

Members Present:

Rep. Llew Jones, Chair (R)
Rep. Mary Caferro, Vice Chair (D)
Rep. Kenneth L. Holmlund, Vice Chair (R)
Rep. Matt Regier, Vice Chair (R)
Rep. Brad Tschida, Vice Chair (R)
Rep. Dan Bartel (R)
Rep. David Bedey (R)
Rep. John Fuller (R)
Rep. Frank Garner (R)
Rep. Jim Hamilton (D)
Rep. Mike Hopkins (R)
Rep. Jim Keane (D)
Rep. Connie Keogh (D)
Rep. Emma Kerr-Carpenter (D)
Rep. Bill Mercer (R)
Rep. Terry Moore (R)
Rep. Fiona Nave (R)
Rep. Jimmy Patelis (R)
Rep. Joe Read (R)
Rep. Vince Ricci (R)
Rep. Jerry Schillinger (R)
Rep. Sharon Stewart Peregoy (D)
Rep. Jonathan Windy Boy (D)

Members Excused:

Rep. Sue Vinton (R)

Staff Present:

Joe Triem, Legislative Fiscal Division
Julie Johnson, Legislative Fiscal Division
Jamie Bonilla, Committee Secretary
Anthony Nuno, 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 406, 2/26/21; HB 391, 2/26/21; HB 404, 2/27/21; HB 46, 3/1/21; HB 206, 3/1/21; HB 336, 3/1/21; HB 497, 3/1/21; HB 484, 3/1/21; and HB 553, 3/1/21.

Executive Action: HB 406, HB391, HB 404, HB 46, HB 206, HB 336, HB 497, HB 484, and HB 553.

HEARING ON HB 406**Opening Statement by Sponsor:**

12:13:27 Rep. Mark Noland (R), HD 10, opened the hearing on HB 406, Revise absentee and mail ballot laws.

Proponents: None

Opponents:

12:16:05 Keaton Sunchild, Western Native Voice (WNV)
12:16:58 Katjana Stutzer, Montana Public Interest Group (MontPIRG)
12:18:32 Rep. Caferro
12:19:04 Sam Forstag, American Civil Liberties Union (ACLU)
12:20:47 Ruthie Barbour, Forward Montana
12:21:40 Alanna Wulf, Self
12:22:12 Daliyah Killsback, Western Native Voice
12:23:12 Chair Jones

Informational Testimony:

12:23:31 Angela Nunn, Secretary of State's Office (SOS)

Questions from Committee Members and Responses:

12:24:08 Rep. Hamilton
12:24:45 Rep. Noland

Closing by Sponsor:

12:24:50 Rep. Noland

EXECUTIVE ACTION ON HB 406

12:25:09 **Motion/Vote:** Rep. Holmlund moved that **HB 406 DO PASS**. Motion carried 17-7 by roll call vote with Rep. Caferro, Rep. Garner, Rep. Keane, Rep. Keogh, Rep. Kerr-Carpenter, Rep. Stewart Peregoy and Rep. Windy Boy voting no. Rep. Vinton voted by proxy.

HEARING ON HB 391**Opening Statement by Sponsor:**

12:27:04 Rep. Frank Fleming (R), HD 51, opened the hearing on HB 391, Revise and enhance penalties for criminal distribution of dangerous drugs.

Proponents:

12:30:14 Nanette Gilbertson, Montana County Attorneys Association (MCAA)

Opponents: None

Informational Testimony:

12:31:42 Rhonda Lindquist, Office of Public Defender (OPD)
12:32:14 Cynthia Wolken, Department of Corrections (DOC)

Questions from Committee Members and Responses:

12:32:42 Rep. Hamilton
12:34:04 Rep. Fleming
12:34:16 Rep. Hamilton
12:34:26 Cynthia Wolken, DOC

Closing by Sponsor:

12:35:12 Rep. Fleming

EXECUTIVE ACTION ON HB 391

12:35:41 **Motion:** Rep. Holmlund moved that **HB 391 DO PASS.**

Discussion:

12:36:24 Rep. Stewart-Peregoy
12:37:46 Rep. Bedey

12:38:01 **Vote:** Motion carried 16-8 by roll call vote with Rep. Caferro, Rep. Hamilton, Rep. Holmlund, Rep. Keane, Rep. Keogh, Rep. Kerr-Carpenter, Rep. Stewart Peregoy and Rep. Windy Boy voting no. Rep. Vinton voted by proxy.

HEARING ON HB 404**Opening Statement by Sponsor:**

12:39:56 Rep. Jimmy Patelis (R), HD 52, opened the hearing on HB 404, Generally revise education funding relating to oil and gas distribution.

12:41:21 Chair Jones
12:42:08 Rep. Patelis

Proponents:

12:43:46 E.J. Redding, Bainville School
12:43:48 Rep. Mercer re-joined the meeting

Opponents: None

Informational Testimony:

12:45:14 Paul Taylor, Office of Public Instruction (OPI)

Questions from Committee Members and Responses:

12:45:47 Rep. Bedey
12:47:41 Rep. Patelis
12:48:04 Chair Jones
12:48:06 Rep. Hamilton
12:49:08 Rep. Patelis
12:50:15 Rep. Windy Boy
12:50:54 Paul Taylor, OPI

Closing by Sponsor:

12:51:39 Rep. Patelis

EXECUTIVE ACTION ON HB 404

12:54:21 **Motion:** Rep. Holmlund moved that **HB 404 DO PASS**.

Discussion:

12:54:55 Chair Jones

12:56:50 **Substitute Motion/Vote:** Rep. Holmlund moved that **HB 404 BE TABLED**. Motion carried 14-10 by roll call vote with Rep. Bartel, Rep. Fuller, Rep. Jones, Rep. Nave, Rep. Patelis, Rep. Read, Rep. M. Regier, Rep. Ricci, Rep. Schillinger and Rep. Tschida voting no. Rep. Vinton voted by proxy.

HEARING ON HB 46

Opening Statement by Sponsor:

12:58:58 Rep. David Bedey (R), HD 86, opened the hearing on HB 46, Revise special education funding.

Proponents: None

Opponents: None

Informational Testimony:

13:00:29 Paul Taylor, Office of Public Instruction (OPI)

Questions from Committee Members and Responses: None

Closing by Sponsor:

13:00:49 Rep. Bedey

EXECUTIVE ACTION ON HB 46

13:01:01 **Motion/Vote:** Rep. Holmlund moved that **HB 46 DO PASS**. Motion carried 13-11 by roll call vote with Rep. Bartel, Rep. Fuller, Rep. Mercer, Rep. Moore, Rep. Nave, Rep. Patelis, Rep. Read, Rep. M. Regier, Rep. Ricci, Rep. Schillinger and Rep. Tschida voting no. Rep. Vinton voted by proxy.

HEARING ON HB 206

Opening Statement by Sponsor:

13:03:06 Rep. David Bedey (R), HD 86, opened the hearing on HB 206, Revise education laws related to tuition and in-state treatment.

Proponents: None

Opponents: None

Informational Testimony:

13:04:49 Kenneth Bailey, Office of Public Instruction (OPI)

13:05:06 Chair Jones

Questions from Committee Members and Responses: None

Closing by Sponsor:

13:05:32 Rep. Bedey

EXECUTIVE ACTION ON HB 206

13:05:56 **Motion/Vote:** Rep. Holmlund moved that **HB 206 DO PASS**. Motion carried unanimously by roll call vote. Rep. Vinton voted by proxy.

HEARING ON HB 336

Opening Statement by Sponsor:

13:07:55 Rep. Brandon Ler (R), HD 35, opened the hearing on HB 336, Interstate cooperative meat packing compact.

Proponents: None

Opponents: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

13:09:27 Rep. Ler

EXECUTIVE ACTION ON HB 336

13:09:34 **Motion/Vote:** Rep. Holmlund moved that **HB 336 DO PASS**. Motion carried 21-3 by voice vote with Rep. Hamilton, Rep. Holmlund and Rep. Hopkins voting no. Rep. Vinton voted by proxy.

HEARING ON HB 497

Opening Statement by Sponsor:

13:12:08 Rep. Bill Mercer (R), HD 46, opened the hearing on HB 497, Establish interim budget committees.

Proponents: None

Opponents: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

13:14:32 Rep. Mercer

EXECUTIVE ACTION ON HB 49713:14:41 **Motion:** Rep. Holmlund moved that **HB 497 DO PASS**.**Discussion:**

13:14:57 Rep. Hamilton

13:17:43 Chair Jones

13:18:03 **Vote:** Motion carried 19-5 by roll call vote with Rep. Hamilton, Rep. Keane, Rep. Keogh, Rep. Stewart Peregoy and Rep. Windy Boy voting no. Rep. Hopkins and Rep. Vinton voted by proxy.**HEARING ON HB 484****Opening Statement by Sponsor:**

13:19:45 Rep. Jane Gillette (R), , opened the hearing on HB 484, Require state programs to participate in a health information exchange.

Proponents:

13:22:40 Jean Branscum, Montana Medical Association (MMA)

Opponents: None**Informational Testimony:**

13:24:44 Amber Thorvilson, Department of Administration (DOA)

Questions from Committee Members and Responses:

13:25:08 Rep. Hamilton

13:26:05 Amber Thorvilson, DOA

13:26:27 Rep. Moore

13:27:30 Rep. Gillette

13:28:08 Rep. Caferro

13:29:18 Rep. Keane

13:29:38 Jean Branscum, MMA

Closing by Sponsor:

13:31:35 Rep. Gillette

EXECUTIVE ACTION ON HB 48413:32:04 **Motion/Vote:** Rep. Holmlund moved that **HB 484 DO PASS**. Motion carried 21-3 by roll call vote with Rep. Fuller, Rep. Moore and Rep. Read voting no. Rep. Hamilton, Rep. Hopkins, Rep. Vinton and Rep. Windy Boy voted by proxy.

HEARING ON HB 553

Opening Statement by Sponsor:

13:34:19 Rep. Jimmy Patelis (R), HD 52, opened the hearing on HB 553, Limit time of suspended sentences for felony convictions.

Proponents: None

Opponents: None

Informational Testimony:

13:35:27 Tyna Wright, Office of Public Defender (OPD)

Questions from Committee Members and Responses: None

Closing by Sponsor:

13:36:02 Rep. Patelis

EXECUTIVE ACTION ON HB 553

13:36:12 **Motion/Vote:** Rep. Holmlund moved that **HB 553 DO PASS**. Motion carried unanimously by voice vote. Rep. Vinton and Rep. Windy Boy voted by proxy.

13:36:20 Rep. Kerr-Carpenter

13:38:08 Chair Jones

13:38:12 Rep. Keane

13:38:39 Chair Jones

ADJOURNMENT

Adjournment: 13:39:55

Jamie Bonilla, Secretary

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Additional Documents:

EXHIBIT([aph43aad.pdf](#))