

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES**

**68th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON (H) JOINT APPROPS SUBCOM ON JUDICIAL BRANCH, LAW  
ENFORCEMENT, AND JUSTICE**

**Call to Order:** Chair Rep. Bill Mercer-R, on February 16, 2023 at 8:08 AM, in 317A

**ROLL CALL**

**Members Present:** Rep. Bill Mercer, Chair (R)  
Sen. Tom McGillvray, Vice Chair (R)  
Rep. Michele Binkley (R)  
Rep. Emma Kerr-Carpenter (D)  
Rep. Fiona Nave (R)  
Sen. Shelley Vance (R)

**Members Excused:** Sen. Ryan Lynch (D)

**Staff Present:** Macy McCauley, Secretary

**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:

Executive Action:

08:09:03

**Committee Discussion:**

08:09:07 Rep. Bill Mercer

08:09:50 Walker Hopkins LFD

08:10:45 Rep. Bill Mercer

08:11:15 Sen. Tom McGillvray

08:11:38 Cathy Duncan, LFD

08:14:57 Rep. Bill Mercer

08:15:30 **Motion/Vote:** Global Vote - Adopt Base Budget- McGillvray Motion carried unanimously by voice vote.

08:16:37 **Motion/Vote:** Move to adopt DP 1 and DP2 , 20,22,23- McGillvray Motion carried unanimously by voice vote.

08:17:21

**Committee Discussion:**

08:17:27 Sen. Tom McGillvray

08:18:05 Rep. Fiona Nave

08:18:38 Rep. Bill Mercer

08:19:08 Cathy Duncan, LFD

08:20:05 Rep. Bill Mercer

08:22:38 Sen. Tom McGillvray

08:24:42 Rep. Bill Mercer

08:25:50 Cathy Duncan, LFD

08:25:51 Rep. Bill Mercer

08:22:10 **Motion/Vote:** HB 2 Language Motion carried unanimously by voice vote.

08:23:21 **Motion/Vote:** Proprietary Rates Motion carried unanimously by voice vote.

08:24:03 **Motion/Vote:** Appropriations for Community Corrections Motion carried unanimously by voice vote.

08:26:08 **Substitute Motion:** Amended motion

08:26:08 **Vote:** Motion carried unanimously by voice vote.

08:26:21 **Motion/Vote:** Adoption's of Proprietary Rates Motion carried unanimously by voice vote.

08:27:51 Exhibit 1

08:28:05

**Committee Discussion:**

08:28:14 Rep. Bill Mercer

08:29:20 Sen. Tom McGillvray

08:29:20 Rep. Bill Mercer

08:29:35 Rep. Emma Kerr-Carpenter

08:30:35 Rep. Bill Mercer

08:30:52 Rep. Emma Kerr-Carpenter

08:31:06 Rep. Bill Mercer

08:31:29 Rep. Fiona Nave

08:32:15 Rep. Emma Kerr-Carpenter

08:32:59 Rep. Fiona Nave

08:33:08 Rep. Bill Mercer

08:33:30 Rep. Fiona Nave

08:33:46 Rep. Bill Mercer

08:34:10 Jennifer Fielder, PSC

08:35:30 Rep. Emma Kerr-Carpenter

08:35:34 Cathy Duncan, LFD

08:36:15 Rep. Bill Mercer

08:28:49 **Motion/Vote:** DP 4

08:29:54 **Substitute Motion:** Kerr Carpenter- To Amend VC Motion

08:35:47 **Substitute Motion:** Retract Sub Motion- Kerr-Carpenter

08:36:27 Sen. Lynch has arrived

08:36:32 **Substitute Motion:** Amend - Kerr-Carpenter

08:36:32 **Vote:** Motion failed 4 - 3 by voice vote with Rep. Kerr-Carpenter, Sen. Lynch, Sen. Vance, voting yes.

08:38:24 **Motion/Vote:** Biennial Motion carried unanimously by voice vote.

08:38:37 **Motion/Vote:** dp 4 once amended Motion carried unanimously by voice vote.

08:38:55 **Motion/Vote:** DP 5 - McGillvray - adopted at 90% Motion carried unanimously by voice vote.

08:39:43

**Committee Discussion:**

08:39:46 Rep. Bill Mercer

08:40:21 Sen. Ryan Lynch

08:41:05 **Motion/Vote:** DP 7

08:41:53

**Committee Discussion:**

08:41:59 Walker Hopkins LFD

08:42:24 Sen. Tom McGillvray

08:43:08 **Motion/Vote:** DP 7 Motion carried unanimously by voice vote.

08:43:43 **Motion/Vote:** DP 10

08:44:10

**Committee Discussion:**

08:44:19 Sen. Ryan Lynch

08:44:48 Rep. Bill Mercer

08:45:05 Brent Doig, OBPP

08:45:32 Rep. Bill Mercer

08:45:53 Brent Doig, OBPP

08:46:05 Rep. Bill Mercer

08:46:13 Cathy Duncan, LFD

08:46:49 Rep. Bill Mercer

08:47:01 Cathy Duncan, LFD

08:47:30 Rep. Bill Mercer

08:48:27 **Motion/Vote:** DP 10 Motion carried unanimously by voice vote.

08:48:41 **Motion/Vote:** DP 11 Motion carried unanimously by voice vote.

08:49:38 **Motion/Vote:** DP 9 - NAVE

08:50:01

**Committee Discussion:**

08:50:12 Rep. Bill Mercer

08:50:18 Rep. Fiona Nave

08:50:53 Rep. Bill Mercer

08:52:19 Rep. Fiona Nave

08:52:39 Rep. Bill Mercer

08:52:55 Walker Hopkins LFD

08:53:23 Rep. Bill Mercer

08:53:52 Sen. Tom McGillvray

08:55:07 Rep. Bill Mercer

08:56:03 Sen. Ryan Lynch

08:57:17 Rep. Bill Mercer

08:57:22 Cathy Duncan, LFD

08:54:05 **Substitute Motion:** Amendment dp 9

08:54:05 **Vote:** Motion carried 6 - 1 by voice vote with Sen. Lynch, voting no.

08:55:47 **Motion/Vote:** DP 9 as amended Motion carried 5 - 2 by voice vote with Rep. Kerr-Carpenter, Sen. Lynch, voting no.

08:58:27 Recessed

09:19:59 Reconvened

09:20:20

**Committee Discussion:**

09:20:34 Walker Hopkins LFD

09:21:27 Cathy Duncan, LFD

09:22:08 Rep. Bill Mercer

09:22:36

**Committee Discussion:**

09:22:45 Rep. Bill Mercer

09:22:45 Cathy Duncan, LFD

09:22:46 Walker Hopkins LFD

09:23:09 Rep. Bill Mercer

09:23:51 Sen. Tom McGilvray

09:24:10 **Motion/Vote:** DP 201

09:24:47

**Committee Discussion:**

09:24:54 Rep. Bill Mercer

09:24:55 Sen. Ryan Lynch

09:25:10 Sen. Tom McGilvray

09:25:45 Rep. Fiona Nave

09:26:15 Rep. Bill Mercer

09:29:23 **Motion/Vote:** DP 201 - Do pass Motion carried unanimously by  
voice vote.

09:29:52 **Motion:** DP 202

09:30:01

**Committee Discussion:**

09:30:07 Sen. Ryan Lynch

09:30:32 **Motion/Vote:** DP 202 Motion carried unanimously by voice vote.

09:30:48 **Motion:** DP 2031

09:31:24

**Committee Discussion:**

09:31:32 Rep. Bill Mercer

09:32:06 **Motion/Vote:** DP 2031 Motion carried unanimously by voice vote.

09:32:24 **Motion:** DP 2032

09:32:31

09:32:39 **Motion/Vote:** DP 23032 Motion carried unanimously by voice vote.

09:32:59 **Motion:** DP 2033

09:33:15

**Committee Discussion:**

09:33:24 Rep. Bill Mercer

09:33:26 Brent Doig, OBPP

09:33:53 Natalie Smitham, DOC

09:34:08 **Motion/Vote:** DP 2033 Motion carried unanimously by voice vote.

09:34:34 **Motion:** DP 2034

09:34:44 **Motion/Vote:** DP 2034 Motion carried unanimously by voice vote.

09:35:00 **Motion:** DP 2035

09:35:07

09:35:12 **Motion/Vote:** DP 2035 Motion carried unanimously by voice vote.

09:35:29 **Motion:** DP 2036

09:35:37

**Committee Discussion:**

09:36:08 Walker Hopkins LFD

09:36:37 Rep. Bill Mercer

09:35:43 **Motion/Vote:** DP 2036 Motion carried unanimously by voice vote.

09:36:45 **Motion:** DP 204

09:36:53

**Committee Discussion:**

09:37:08 Rep. Bill Mercer

09:37:19 **Motion/Vote:** DP 204 Motion carried unanimously by voice vote.

09:37:38 **Motion:** DP 207

09:37:52

**Committee Discussion:**

09:37:58 Sen. Tom McGillvray

09:38:07 Rep. Bill Mercer

09:38:21 **Motion/Vote:** DP 207 Motion carried unanimously by voice vote.

09:38:35 **Motion:** DP 208

09:38:43

**Committee Discussion:**

09:38:46 Sen. Tom McGillvray

09:39:08 Rep. Bill Mercer

09:39:14 Walker Hopkins LFD

09:39:24 **Motion/Vote:** DP 208 Motion carried unanimously by voice vote.

09:39:45 **Motion:** DP 2111

09:40:07

**Committee Discussion:**

09:40:12 Sen. Tom McGillvray

09:40:13 Rep. Bill Mercer

09:40:16 **Motion/Vote:** DP2111 Motion carried unanimously by voice vote.

09:40:49 **Motion:** DP 209

09:40:54

**Committee Discussion:**

09:41:03 Sen. Tom McGillvray

09:41:38 Sen. Ryan Lynch

09:41:43 Rep. Bill Mercer  
09:42:43 Walker Hopkins LFD  
09:43:24 Rep. Bill Mercer  
09:43:52 Cathy Duncan, LFD  
09:44:28 Rep. Bill Mercer  
09:44:40 Sen. Ryan Lynch  
09:45:23 Rep. Bill Mercer  
09:45:40 Sen. Ryan Lynch  
09:45:59 Rep. Bill Mercer  
09:47:34 Brent Doig, OBPP  
09:48:00 Sen. Ryan Lynch  
09:48:04 Brent Doig, OBPP  
09:48:27 Walker Hopkins LFD  
09:48:54 Sen. Ryan Lynch  
09:49:20 Rep. Fiona Nave  
09:49:42 Sen. Ryan Lynch  
09:50:02 Rep. Bill Mercer  
09:50:52 **Substitute Motion:** Withdraw Motion  
09:51:48 **Motion:** DP 2112  
09:51:57

**Committee Discussion:**

09:52:08 Rep. Bill Mercer  
09:52:22 **Motion/Vote:** DP 2112 Motion carried unanimously by voice vote.  
09:52:34 **Motion:** DP 2113

09:52:43

**Committee Discussion:**

09:52:52 Rep. Bill Mercer

09:52:54 **Motion/Vote:** DP 2113 Motion carried unanimously by voice vote.

09:53:06 **Motion:** Dp 298

09:53:12

**Committee Discussion:**

09:53:18 Sen. Tom McGillvray

09:53:31 Rep. Bill Mercer

09:53:33 **Motion/Vote:** DP 298 Motion carried unanimously by voice vote.

09:53:48 **Motion:** DP 299

09:53:52

**Committee Discussion:**

09:53:55 Sen. Tom McGillvray

09:54:08 Rep. Bill Mercer

09:54:12 **Motion/Vote:** DP 299 Motion carried unanimously by voice vote.

09:54:25 **Motion:** DP 301

09:54:36

**Committee Discussion:**

09:54:52 Sen. Tom McGillvray

09:55:10 Rep. Bill Mercer

09:55:44 Walker Hopkins LFD

09:56:25 Natalie Smitham ,(DOC)

09:57:01 Sen. Ryan Lynch

09:57:30 Natalie Smitham ,(DOC)

09:58:06 Sen. Ryan Lynch

09:58:21 **Motion/Vote:** DP 301 Motion carried unanimously by voice vote.

09:58:36 **Motion:** DP 302

09:58:46

**Committee Discussion:**

09:58:51 Sen. Tom McGillvray

09:58:59 Rep. Bill Mercer

09:59:10 **Motion/Vote:** DP 302 Motion carried unanimously by voice vote.

09:59:18 **Motion:** DP 306

09:59:25

**Committee Discussion:**

09:59:27 Sen. Tom McGillvray

09:59:44 Rep. Bill Mercer

09:59:47 **Motion/Vote:** DP 306 Motion carried unanimously by voice vote.

10:00:04 **Motion:** DP 307

10:00:10

**Committee Discussion:**

10:00:13 Sen. Tom McGillvray

10:00:27 Rep. Fiona Nave

10:00:57 Rep. Bill Mercer

10:01:25 Natalie Smitham ,(DOC)

10:01:53 **Motion/Vote:** DP 307 Motion carried unanimously by voice vote.

10:02:30

**Committee Discussion:**

10:02:44	Sen. Tom McGillvray
10:02:45	Sen. Ryan Lynch
10:03:31	Rep. Bill Mercer
10:04:12	Cathy Duncan, LFD
10:04:45	Walker Hopkins LFD
10:04:52	Sen. Ryan Lynch
10:05:49	Rep. Bill Mercer
10:06:04	Sen. Tom McGillvray
10:06:13	Sen. Ryan Lynch
10:07:00	Sen. Tom McGillvray
10:07:24	Sen. Ryan Lynch
10:07:43	Walker Hopkins LFD
10:08:05	Sen. Ryan Lynch
10:08:07	Rep. Bill Mercer
10:08:29	Sen. Ryan Lynch
10:08:32	Rep. Bill Mercer
10:09:52	Sen. Ryan Lynch
10:10:25	Rep. Bill Mercer
10:10:28	Sen. Ryan Lynch
10:10:55	Sen. Tom McGillvray
10:11:50	Sen. Ryan Lynch
10:11:52	Rep. Fiona Nave
10:12:48	Sen. Ryan Lynch

10:05:14 **Motion:** DP 312 - Lynch - to DP 396

10:13:17 **Motion/Vote:** DP 396 Motion carried 5 - 2 by voice vote with Rep. Mercer, Rep. Nave, voting no.

10:14:09 **Motion:** DP 397

10:14:25

**Committee Discussion:**

10:14:27 Sen. Tom McGillvray

10:14:31 Rep. Bill Mercer

10:14:33 **Motion/Vote:** DP 397 Motion carried unanimously by voice vote.

10:14:46 **Motion:** DP 398

10:15:05

**Committee Discussion:**

10:15:08 Sen. Tom McGillvray

10:15:18 Rep. Bill Mercer

10:15:19 **Motion/Vote:** DP 398 Motion carried unanimously by voice vote.

10:15:34 **Motion:** DP 399

10:15:40

**Committee Discussion:**

10:15:45 Sen. Tom McGillvray

10:15:55 Sen. Ryan Lynch

10:16:16 Rep. Bill Mercer

10:16:31 Rep. Fiona Nave

10:16:48 Rep. Bill Mercer

10:17:18 Walker Hopkins LFD

10:17:52 Cathy Duncan, LFD

10:18:24 Sen. Ryan Lynch

10:18:50 Rep. Bill Mercer

10:19:12 Sen. Ryan Lynch

10:19:29 **Motion/Vote:** DP 399 Motion carried unanimously by voice vote.

10:19:50 **Motion:** DP 401

10:20:02

**Committee Discussion:**

10:20:05 Sen. Tom McGillvray

10:20:34 Walker Hopkins LFD

10:21:11 Sen. Tom McGillvray

10:21:16 Walker Hopkins LFD

10:21:57 Rep. Bill Mercer

10:22:04 Walker Hopkins LFD

10:22:24 Sen. Ryan Lynch

10:22:57 Walker Hopkins LFD

10:21:22 **Substitute Motion:** DP 401 - Amended

10:23:52 **Motion:** DP 402

10:23:54

**Committee Discussion:**

10:23:57 Sen. Tom McGillvray

10:23:58 Rep. Bill Mercer

10:24:01 **Motion/Vote:** DP 402 Motion carried unanimously by voice vote.

10:24:58 Recessed

10:46:25 Reconvened

10:46:43

**Committee Discussion:**

10:46:56 Sen. Tom McGillvray

10:47:29 Rep. Bill Mercer

10:47:36 Walker Hopkins LFD

10:47:58 Rep. Bill Mercer

10:48:27 Sen. Tom McGillvray

10:50:12 Sen. Ryan Lynch

10:50:31 Walker Hopkins LFD

10:51:19 Sen. Tom McGillvray

10:52:46 Rep. Bill Mercer

10:52:48 Cathy Duncan, LFD

10:53:08 Sen. Ryan Lynch

10:53:19 Sen. Tom McGillvray

10:54:03 Sen. Ryan Lynch

10:54:16 Walker Hopkins LFD

10:48:37 **Substitute Motion:** Withdrwan previous motions 307

10:48:50 **Motion:** DP 307

10:48:50 **Vote:** Motion carried unanimously by voice vote.

10:50:42 **Substitute Motion:** DP 402

10:50:42 **Vote:** Motion carried unanimously by voice vote.

10:51:51 **Motion:** DP 395

10:53:24 **Substitute Motion:** DP 395

10:53:24 **Vote:** Motion carried unanimously by voice vote.

10:55:00

**Committee Discussion:**

10:55:06 Sen. Tom McGillvray

10:55:35 Rep. Bill Mercer

10:57:01 Rep. Fiona Nave

10:58:22 **Motion/Vote:** DP 395 Motion carried unanimously by voice vote.

10:59:03

**Committee Discussion:**

10:59:11 Sen. Tom McGillvray

11:00:48 Rep. Bill Mercer

11:01:57 Sen. Ryan Lynch

11:03:00 Rep. Bill Mercer

**ADJOURNMENT**

Adjournment: 11:03:56

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Macy McCauley, Secretary

Additional Documents: [EXHIBIT\(230216JCHaad\)](#)

