

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 21, 2023 at 9:32 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)
Sen. Shelley Vance (R)

Members Excused: Sen. Ryan Lynch (D)
Rep. Fiona Nave (R)

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:

09:33:13

Committee Discussion:

09:33:19 Cathy Duncan, LFD

09:34:03 Sen. Ryan Lynch joined the meeting.

09:36:11 Rep. Bill Mercer

09:36:47 Cathy Duncan, LFD

09:37:41 Sen. Ryan Lynch

09:37:42 Rep. Fiona Nave joined the meeting.

09:37:47 Cathy Duncan, LFD

09:37:51 Sen. Ryan Lynch

09:37:54 Rep. Bill Mercer

09:38:57 Cathy Duncan, LFD

09:39:19 Rep. Bill Mercer

09:40:41 Sen. Ryan Lynch

09:41:06 Rep. Bill Mercer

09:41:46 Cathy Duncan, LFD

09:42:35 Rep. Bill Mercer

09:43:42 Walker Hopkins LFD

09:43:55 **Motion:** Chair Mercer moves DP 199 as DO PASS.

09:44:30 **Motion/Vote:** DP 199 as DO PASS. Motion carried unanimously by voice vote.

09:45:01

Committee Discussion:

09:45:05 Rep. Emma Kerr-Carpenter

09:45:43 Rep. Bill Mercer

09:46:34 Rep. Emma Kerr-Carpenter

09:47:05 Rep. Bill Mercer

09:47:39 **Motion:** Chair Mercer moves DP 599 as DO PASS.

09:47:51 **Motion/Vote:** DP 599 as DO PASS. Motion carried unanimously
by voice vote.

09:48:51

Committee Discussion:

09:48:55 Sen. Tom McGillvray

09:49:01 Rep. Bill Mercer

09:49:28 Sen. Tom McGillvray

09:49:34 Rep. Bill Mercer

09:50:23 Sen. Tom McGillvray

09:50:53 Rep. Emma Kerr-Carpenter

09:51:28 Rep. Bill Mercer

09:51:42 **Motion:** Rep. Kerr-Carpenter moves DP 501 as DO PASS.

09:52:18 **Substitute Motion:** Chair Mercer moves DP 501 AS AMENDED.

09:52:49

Committee Discussion:

09:52:57 Sen. Ryan Lynch

09:52:58 Rep. Bill Mercer

09:53:02 Walker Hopkins LFD

09:53:18 Sen. Tom McGillvray

09:53:35 Cathy Duncan, LFD

09:54:20 Rep. Bill Mercer

09:55:51 Cathy Duncan, LFD

09:55:51 Rep. Bill Mercer

09:54:40 **Motion/Vote:** DP 501 as DO PASS AS AMENDED. Motion carried 4 - 3 by voice vote with Rep. Binkley, Rep. Kerr-Carpenter, Sen. Lynch, voting no.

09:56:41

Committee Discussion:

09:56:45 Sen. Ryan Lynch

09:56:59 Rep. Bill Mercer

09:57:39 Sen. Tom McGillvray

09:57:52 Rep. Bill Mercer

09:57:55 Cathy Duncan, LFD

09:59:09 Sen. Ryan Lynch

09:59:27 Rep. Bill Mercer

09:59:36 Sen. Tom McGillvray

10:00:04 Rep. Bill Mercer

10:00:19 **Motion:** Sen. Lynch moves DP 90 AS AMENDED.

10:01:23

Committee Discussion:

10:01:28 Cathy Duncan, LFD

10:01:46 Sen. Ryan Lynch

10:01:57 Cathy Duncan, LFD

10:02:18 Sen. Ryan Lynch
10:02:34 Cathy Duncan, LFD
10:02:40 Rep. Bill Mercer
10:03:17 Rep. Fiona Nave
10:03:59 Rep. Bill Mercer
10:05:26 Rep. Emma Kerr-Carpenter
10:05:57 **Motion/Vote:** DP 90 AS AMENDED. Motion carried unanimously
by voice vote.
10:06:19 **Motion:** Rep. Kerr-Carpenter moves HB 2 AS AMENDED.
10:06:40

Committee Discussion:

10:06:46 Sen. Tom McGillvray
10:06:57 Rep. Bill Mercer
10:07:54 Sen. Ryan Lynch
10:08:04 Rep. Bill Mercer
10:08:05 Sen. Shelley Vance left the meeting.
10:09:11 Rep. Emma Kerr-Carpenter
10:09:34 Cathy Duncan, LFD
10:10:09 Rep. Bill Mercer
10:10:57 Sen. Ryan Lynch
10:11:59 Rep. Bill Mercer
10:12:05 **Substitute Motion:** Chair Mercer moves HB 2 AS AMENDED.
10:13:36

Committee Discussion:

10:13:49 Cathy Duncan, LFD

10:14:16 Rep. Bill Mercer

10:14:24 Walker Hopkins LFD

10:14:39 Rep. Bill Mercer

10:14:56 **Motion/Vote:** HB 2 as DO PASS AS AMENDED Motion carried unanimously by voice vote.

10:15:41

Committee Discussion:

10:15:47 Rep. Bill Mercer

10:17:23 **Motion:** Chair Mercer moves DP 305 as DO PASS.

10:17:26 **Motion/Vote:** DP 305 as DO PASS. Motion carried unanimously by voice vote.

10:19:15

Committee Discussion:

10:19:21 Walker Hopkins LFD

10:20:39 Rep. Bill Mercer

10:20:50 Walker Hopkins LFD

10:21:22 Rep. Bill Mercer

10:21:50 Sen. Tom McGillvray left the meeting.

10:22:34 Brent Doig, OBPP

10:23:03 Rep. Bill Mercer

10:23:22 Walker Hopkins LFD

10:24:17 Rep. Bill Mercer

10:24:29 Brent Doig, OBPP

10:24:34 Walker Hopkins LFD

10:25:35 Sen. Shelley Vance joined the meeting.

10:24:54 **Motion:** Sen . Lynch moves DP 399 to RECONSIDER ACTIONS.

10:25:15 **Motion/Vote:** DP 399 to RECONSIDER ACTIONS. Motion carried unanimously by voice vote.

10:25:40 **Motion:** Sen. Lynch moves TO STRIKE DP 399.

10:25:57 **Motion/Vote:** DP 399 as TO STRIKE. Motion carried unanimously by voice vote.

10:26:14

Committee Discussion:

10:26:19 Rep. Bill Mercer

10:26:44 Sen. Ryan Lynch

10:27:09 Recessed

10:35:44 Reconvened

10:36:00

Committee Discussion:

10:36:17 Sen. Tom McGillvray joined the meeting.

10:36:18 Sen. Ryan Lynch left the meeting.

10:36:20 Rep. Bill Mercer

10:37:36 Natalie Smitham ,(DOC)

10:38:25 Rep. Bill Mercer

10:38:28 Natalie Smitham ,(DOC)

10:39:34 Rep. Bill Mercer

10:39:45 Natalie Smitham ,(DOC)

10:40:46 Sen. Tom McGillvray

10:40:48 Rep. Bill Mercer

10:41:23 **Motion:** Rep. Kerr-Carpenter moves DP 214 AS AMENDED.

10:41:31

Committee Discussion:

10:41:45 Walker Hopkins LFD

10:42:44 Rep. Emma Kerr-Carpenter

10:42:45 Rep. Bill Mercer

10:43:45 Rep. Fiona Nave

10:44:07 Natalie Smitham ,(DOC)

10:44:17 Rep. Fiona Nave

10:44:25 Natalie Smitham ,(DOC)

10:44:37 Walker Hopkins LFD

10:45:01 Rep. Bill Mercer

10:45:24 Walker Hopkins LFD

10:45:43 Rep. Fiona Nave

10:46:06 Walker Hopkins LFD

10:47:06 Rep. Fiona Nave

10:47:29 Walker Hopkins LFD

10:42:36 **Substitute Motion:** Chair Mercer moves DP 214 AS AMENDED

10:47:51 **Motion/Vote:** DP 214 AS AMENDED Motion carried 5 - 2 by voice vote with Rep. Mercer, Rep. Nave, voting no.

10:48:57 **Motion:** Rep. Kerr- Carpenter moves DP 214 AS AMENDED.

10:49:03 **Motion/Vote:** DP 214 as DO PASS AS AMENDED. Motion carried unanimously by voice vote.

10:50:36

Committee Discussion:

10:50:47 Rep. Bill Mercer

10:51:18 Rep. Bill Mercer

10:51:32 Rep. Emma Kerr-Carpenter

10:51:00 **Motion:** Rep. Kerr-Carpenter moves HB 2 Language AS DO PASS.

10:51:36 **Motion:** Rep. Kerr-Carpenter moves to RETRACT MOTION on HB 2 Language.

10:51:56

Committee Discussion:

10:52:00 Rep. Bill Mercer

10:52:41 Cathy Duncan, LFD

10:53:14 Rep. Bill Mercer

10:54:08 Rep. Emma Kerr-Carpenter

10:55:06 Rep. Bill Mercer

10:54:23 **Motion:** Rep. Kerr-Carpenter moves a Reporting Requirement for DP 3, DP 4, DP 5, DP 6, and DP 7 as DO PASS.

10:55:13 **Motion/Vote:** Reporting Requirement for DP 3, DP 4, DP 5, DP 6, and DP 7 as DO PASS. Motion carried unanimously by voice vote.

10:56:29

Committee Discussion:

10:56:43 Rep. Bill Mercer

10:56:50 Sen. Ryan Lynch joined the meeting.

10:57:04 Sen. Ryan Lynch

10:57:26 Rep. Bill Mercer

10:57:48 Sen. Ryan Lynch

10:58:56 Rep. Bill Mercer

10:59:24 Brent Doig, OBPP

10:59:25 Rep. Bill Mercer

10:59:32 Sen. Ryan Lynch

11:00:38 Rep. Emma Kerr-Carpenter

11:00:16 **Motion:** Rep Kerr-Carpenter moves HB 2 Language as DO PASS.

11:02:26

Committee Discussion:

11:02:31 Rep. Fiona Nave

11:02:44 Rep. Bill Mercer

11:02:52 Rep. Emma Kerr-Carpenter

11:03:17 Rep. Fiona Nave

11:03:34 Sen. Ryan Lynch

11:03:55 Rep. Bill Mercer

11:04:34 **Motion:** Rep. Kerr-Carpenter moves HB 2 Language as DO PASS.

11:04:34 **Vote:** Motion carried unanimously by voice vote.

11:05:24

Committee Discussion:

11:05:32 Rep. Emma Kerr-Carpenter

11:05:32 Rep. Bill Mercer

11:05:38 Rep. Emma Kerr-Carpenter

11:06:14 Sen. Tom McGillvray left the meeting.

11:06:32 **Motion/Vote:** Rep. Kerr-Carpenter moves Companion Bill as DO PASS. Motion carried unanimously by voice vote.

11:07:31

Committee Discussion:

11:07:35 Rep. Fiona Nave

11:07:52 Rep. Bill Mercer

11:07:56 **Motion/Vote:** Companion Bill as DO PASS. Motion carried
unanimously by voice vote.

11:08:34

Committee Discussion:

11:08:55 Rep. Bill Mercer

11:12:10 Cathy Duncan, LFD

11:12:31 Rep. Bill Mercer

11:14:05 Rep. Fiona Nave

11:14:24 Rep. Bill Mercer

11:15:18 Sen. Ryan Lynch

11:16:47 Rep. Bill Mercer

11:20:15 Rep. Emma Kerr-Carpenter left the meeting.

11:20:46 Rep. Fiona Nave

11:21:24 Rep. Bill Mercer

11:22:19 Sen. Ryan Lynch

11:23:08 Rep. Bill Mercer

11:09:49 Chair Mercer moves Ability to Work on Language as DO PASS.

11:23:22

Committee Discussion:

11:23:27 Rep. Bill Mercer

ADJOURNMENT

Adjournment: 11:24:05

Macy McCauley, Secretary

Additional Documents: [EXHIBIT\(230221JCHaad\)](#)