

MINUTES
MONTANA HOUSE OF REPRESENTATIVES
68th LEGISLATURE - REGULAR SESSION
COMMITTEE ON (H) APPROPRIATIONS

Call to Order: Chair Bob Keenan-R, on February 28, 2023 at 8:34 AM, in Room 102

ROLL CALL

Members Present: Rep. Llew Jones, Chair (R)
Rep. Bob Keenan, Vice Chair (R)
Rep. David Bedey (R)
Rep. Michele Binkley (R)
Rep. Terry Falk (R)
Rep. John Fitzpatrick (R)
Rep. Jane Gillette (R)
Rep. Jim Hamilton (D)
Rep. Naarah Hastings (R)
Rep. Connie Keogh (D)
Rep. Emma Kerr-Carpenter (D)
Rep. Bill Mercer (R)
Rep. Terry Moore (R)
Rep. Fiona Nave (R)
Rep. Joe Read (R)
Rep. Matt Regier (R)
Rep. Jerry Schillinger (R)
Rep. Sharon Stewart Peregoy (D)
Rep. Paul Tuss (D)

Members Excused: Rep. Mary Caferro (D)
Rep. Lyn Hellegaard (R)
Rep. Mike Hopkins (R)
Rep. Jonathan Windy Boy (D)

Staff Present: Quinn Holzer, Fiscal Analyst
Julie Johnson, Research Analyst
Kathlyn Walker, 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:

HB 136 02/27/2023

HB 349 02/27/2023

HB 457 02/27/2023

HB 463 02/27/2023

HB 519 02/27/2023

HB 525 02/27/2023

Executive Action:

HB 722 DO PASS AS AMENDED

HB 669 POSTPONE

CONSIDERATION UNTIL AFTER

MARCH 9TH 2023

HB 136 DO PASS

HB 349 DO PASS AS AMENDED

HB 457 DO PASS AS AMENDED

HB 463 TO TABLE

HB 519 TO TABLE

HB 525 DO PASS

HB 321 POSTPONE

CONSIDERATION UNTIL AFTER

MARCH 9TH 2023

HB 36 DO PASS

HEARING ON HB 136 - Adopt Montana Revised Unclaimed Property Act

Opening Statement:

08:36:38 Rep. Marta Bertoglio (R), HD 75, opened the hearing on HB 136, Adopt Montana Revised Unclaimed Property Act.

Proponent Testimony:

08:37:21 Derek Bell, Administrator, Business and Income Tax Division, Department of Revenue (DOR)

08:37:56 Tracy Morano, Operations Director, Department of Revenue (DOR)

Opponent Testimony:

None

Informational Witness Testimony:

08:41:03 Jason Lay, Manager, Miscellaneous Taxes Unit, Department of Revenue (DOR)

Questions from Committee:

08:41:33 Vice Chair Bob Keenan

08:42:07 Tracy Morano, DOR

08:42:18 Derek Bell, DOR

Closing Statement:

08:43:27 Rep. Marta Bertoglio (R), HD 75, closed the hearing on HB 136.

HEARING ON HB 457 - Criminalize use of date rape drugs

Opening Statement:

08:43:59 Rep. Alice Buckley (D), HD 63, opened the hearing on HB 457, Criminalize use of date rape drugs.

Discussion:

08:45:16 Vice Chair Caferro joined the meeting.

Proponent Testimony:

08:47:38 Travis Spinder, self

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

08:48:20 Rep. Bill Mercer

08:48:41 Travis Spinder

08:51:05 Rep. Bill Mercer

08:51:36 Rep. Alice Buckley-D

08:52:52 Rep. Bill Mercer

08:53:00 Rep. Regier left the meeting.

08:53:08 Julie Johnson

Closing Statement:

08:54:04 Rep. Alice Buckley (D), HD 63, closed the hearing on HB 457.

HEARING ON HB 463 - Establish reporting requirement for food procurement

Opening Statement:

08:55:06 Rep. Katie Sullivan (D), HD 89, opened the hearing on HB 463, Establish reporting requirement for food procurement.

Proponent Testimony:

08:57:10 Jasmine Krotkov, Montana Farmers Union (MFU)

08:58:57 Katjana Stutzer, Montana Brewers Association

Opponent Testimony:

None

Informational Witness Testimony:

08:59:51 Megan Holmlund, State's Chief Procurement Officer, Department of Administration (DOA)

Questions from Committee:

09:00:33 Rep. Jim Hamilton
09:01:11 Jasmine Krotkov, MFU
09:01:40 Rep. Jim Hamilton
09:02:12 Megan Holmlund, DOA
09:05:40 Rep. Bill Mercer
09:06:07 Megan Holmlund, DOA
09:08:31 Rep. Emma Kerr-Carpenter
09:08:42 Megan Holmlund, DOA
09:09:24 Rep. John Fitzpatrick
09:09:31 Megan Holmlund, DOA
09:10:25 Rep. Bill Mercer
09:10:54 Megan Holmlund, DOA

Closing Statement:

09:11:10 Rep. Katie Sullivan (D), HD 89, closed the hearing on HB 463.

HEARING ON HB 519 - Authorize digital drivers licenses through a mobile application

Opening Statement:

09:13:15 Rep. Braxton Mitchell (R), HD 3, opened the hearing on HB 519, Authorize digital drivers licenses through a mobile application.

Proponent Testimony:

09:13:36 Lori Bakri, Administrator, Motor Vehicle Division (MVD)

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

09:14:37 Rep. Bill Mercer
09:15:11 Lori Bakri, MVD
09:18:46 Vice Chair Mary Caferro
09:19:14 Lori Bakri, MVD
09:23:09 Rep. John Fitzpatrick
09:23:39 Rep. Braxton Mitchell-R
09:24:36 Rep. Jim Hamilton

Closing Statement:

09:26:58 Rep. Braxton Mitchell (R), HD 3, closed the hearing on HB 519.

HEARING ON HB 349 - Establish obscenity filter requirements for electronic devices

Opening Statement:

09:27:43 Rep. Lola Sheldon-Galloway (R), HD 22, opened the hearing on HB 349, Establish obscenity filter requirements for electronic devices.

Proponent Testimony:

None

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

09:33:17 Rep. Terry Moore
09:34:48 Rep. Bill Mercer
09:35:07 Vice Chair Caferro and Rep. Gillette left the meeting.
09:35:58 Rep. Jim Hamilton
09:36:42 Rep. Lola Sheldon-Galloway-R
09:40:04 Rep. Michele Binkley
09:40:35 Rep. Lola Sheldon-Galloway-R
09:40:57 Rep. Terry Moore
09:44:48 Chair Llew Jones
09:45:33 Rep. Terry Moore
09:46:46 Rep. David Bedey
09:51:03 Rep. Lola Sheldon-Galloway-R
09:53:23 Rep. Terry Moore

Closing Statement:

09:54:25 Rep. Lola Sheldon-Galloway (R), HD 22, closed the hearing on HB 349.

HEARING ON HB 525 - Enhance penalties for certain sexual crimes

Opening Statement:

09:55:23 Rep. Amy Regier (R), HD 6, opened the hearing on HB 525, Enhance penalties for certain sexual crimes.

Proponent Testimony:

None

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

09:56:28 Vice Chair Bob Keenan

Closing Statement:

09:56:50 Rep. Amy Regier (R), HD 6, closed the hearing on HB 525.

09:59:41 **Recessed**

10:44:59 **Reconvened**

EXECUTIVE ACTION ON HB 722 - Generally revise district courts budget presentation in budget

10:45:14 **Motion:** Vice Chair Bob Keenan moved that **HB 722 DO PASS.**

10:45:30 **Motion:** Rep. Bill Mercer moved that **HB 722 BE AMENDED.**

Discussion:

10:48:02 Rep. Emma Kerr-Carpenter

10:48:56 Rep. Matt Regier

10:49:26 Rep. Terry Moore

10:49:59 Chair Llew Jones

10:45:30 **Vote:** Motion carried unanimously by voice vote.

10:50:57 **Motion:** Vice Chair Bob Keenan moved that **HB 722 DO PASS AS AMENDED.**

Discussion:

10:51:08 Rep. Jonathan Windy Boy

10:50:57 **Vote:** Motion carried 16 - 7 by roll call vote with Rep. Caferro, Rep. Hamilton, Rep. Keogh, Rep. Kerr-Carpenter, Rep. Stewart Peregoy, Rep. Tuss, Rep. Windy Boy, voting no.

EXECUTIVE ACTION ON HB 669 - Revise laws related to allocation of marijuana tax revenues

10:53:15 **Motion:** Vice Chair Bob Keenan moved that **HB 669 DO PASS.**

10:53:50 **Motion:** Rep. Bill Mercer moved that **HB 669 BE AMENDED.**

Discussion:

10:54:45 Vice Chair Mary Caferro

10:55:13 Rep. Bill Mercer

10:55:35 Rep. Jim Hamilton

10:53:50 **Vote:** Motion carried 18 - 5 by roll call vote with Rep. Caferro, Rep. Keogh, Rep. Kerr-Carpenter, Rep. Stewart Peregoy, Rep. Windy Boy, voting no.

10:56:47 **Motion:** Vice Chair Bob Keenan moved that **HB 669 POSTPONE CONSIDERATION UNTIL AFTER MARCH 9TH 2023.**

Discussion:

10:57:10 Rep. Jim Hamilton

10:57:47 Chair Llew Jones

10:56:47 **Vote:** Motion carried 16 - 7 by roll call vote with Rep. Caferro, Rep. Hamilton, Rep. Keogh, Rep. Kerr-Carpenter, Rep. Stewart Peregoy, Rep. Tuss, Rep. Windy Boy, voting no.

EXECUTIVE ACTION ON HB 136 - Adopt Montana Revised Unclaimed Property Act

10:59:03 **Motion:** Vice Chair Bob Keenan moved that **HB 136 DO PASS.**

10:59:03 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 349 - Establish obscenity filter requirements for electronic devices

10:59:36 **Motion:** Vice Chair Bob Keenan moved that **HB 349 DO PASS.**

Discussion:

10:59:44 Rep. Terry Moore

11:00:59 **Motion:** Rep. Terry Moore moved that **HB 349 BE AMENDED.**

Discussion:

11:01:13 Rep. Bill Mercer

11:01:45 Rep. Jonathan Windy Boy

11:02:12 Rep. Terry Moore

11:00:59 **Vote:** Motion carried 17 - 6 by roll call vote with Rep. Caferro, Rep. Hamilton, Rep. Keogh, Rep. Kerr-Carpenter, Rep. Stewart Peregoy, Rep. Windy Boy, voting no.

11:04:24 **Motion:** Vice Chair Bob Keenan moved that **HB 349 DO PASS AS AMENDED.**

11:04:24 **Vote:** Motion carried 13 - 10 by roll call vote with Rep. Binkley, Rep. Caferro, Rep. Fitzpatrick, Rep. Hamilton, Rep. Hopkins, Rep. Keogh, Rep. Kerr-Carpenter, Rep. Stewart Peregoy, Rep. Tuss, Rep. Windy Boy, voting no.

EXECUTIVE ACTION ON HB 457 - Criminalize use of date rape drugs

11:05:34 **Motion:** Vice Chair Bob Keenan moved that **HB 457 DO PASS.**

11:06:00 **Motion:** Rep. Bill Mercer moved that **HB 457 BE AMENDED.**

11:07:22 **Substitute Motion:** Rep. Bill Mercer moved that **HB 457 BE AMENDED.**

Discussion:

11:08:32 Rep. Jonathan Windy Boy

11:09:48 Rep. Emma Kerr-Carpenter

11:07:22 **Vote:** Substitute Motion carried unanimously by voice vote.

11:10:35 **Motion:** Vice Chair Bob Keenan moved that **HB 457 DO PASS AS AMENDED.**

11:10:35 **Vote:** Motion carried 22 - 1 by roll call vote with Rep. Caferro, voting no.

EXECUTIVE ACTION ON HB 463 - Establish reporting requirement for food procurement

11:11:42 **Motion:** Vice Chair Bob Keenan moved that **HB 463 DO PASS.**

Discussion:

11:12:01 Rep. John Fitzpatrick

11:12:54 Rep. Jonathan Windy Boy

11:11:42 **Vote:** Motion failed 13 - 10 by roll call vote with Rep. Caferro, Rep. Gillette, Rep. Hamilton, Rep. Hopkins, Rep. Jones, Rep. Keogh, Rep. Kerr-Carpenter, Rep. Stewart Peregoy, Rep. Tuss, Rep. Windy Boy, voting yes.

11:16:08 **Motion:** Vice Chair Bob Keenan moved that **HB 463 TO TABLE.**

11:16:08 **Vote:** Motion carried 13 - 10 by voice vote with Rep. Caferro, Rep. Gillette, Rep. Hamilton, Rep. Hopkins, Rep. Jones, Rep. Keogh, Rep. Kerr-Carpenter, Rep. Stewart Peregoy, Rep. Tuss, Rep. Windy Boy, voting no.

EXECUTIVE ACTION ON HB 519 - Authorize digital drivers licenses through a mobile application

11:16:26 **Motion:** Vice Chair Bob Keenan moved that **HB 519 DO PASS.**

Discussion:

11:16:52 Rep. Jim Hamilton

11:17:28 Rep. Paul Tuss

11:17:37 Rep. Terry Moore

11:18:06 Quinn Holzer

11:18:31 Rep. Jonathan Windy Boy

11:18:55 Chair Llew Jones

11:19:18 Vice Chair Mary Caferro

11:20:11 Rep. Mike Hopkins

11:21:04 Rep. Bill Mercer

11:23:54 Rep. David Bedey

11:24:46 Vice Chair Bob Keenan

11:25:11 Rep. Jonathan Windy Boy

11:25:26 Rep. Jim Hamilton

11:16:26 **Vote:** Motion failed 12 - 11 by roll call vote with Rep. Bedey, Rep. Falk, Rep. Gillette, Rep. Hastings, Rep. Hellegaard, Rep. Hopkins, Rep. Jones, Rep. Keenan, Rep. Moore, Rep. Read, Rep. Regier, voting yes.
Rep. Falk, By Proxy

11:26:50 **Motion:** Vice Chair Bob Keenan moved that **HB 519 TO TABLE.**

11:26:50 **Vote:** Motion carried 12 - 11 by voice vote with Rep. Bedey, Rep. Falk, Rep. Gillette, Rep. Hastings, Rep. Hellegaard, Rep. Hopkins, Rep. Jones, Rep. Keenan, Rep. Moore, Rep. Read, Rep. Regier, voting no.

EXECUTIVE ACTION ON HB 525 - Enhance penalties for certain sexual crimes

11:27:20 **Motion:** Vice Chair Bob Keenan moved that **HB 525 DO PASS.**

11:27:20 **Vote:** Motion carried 20 - 3 by roll call vote with Rep. Hamilton, Rep. Keogh, Rep. Windy Boy, voting no.

EXECUTIVE ACTION ON HB 321 - Generally revise laws related to the coal trust

- 11:29:53 **Motion:** Vice Chair Bob Keenan moved that **HB 321 TO TAKE FROM THE TABLE.**
- 11:29:53 **Vote:** Motion carried 20 - 1 by voice vote with Rep. Windy Boy, voting no.
- 11:30:25 **Motion:** Rep. Terry Moore moved that **HB 321 BE AMENDED.**
- 11:30:25 **Vote:** Motion carried unanimously by voice vote.
- 11:31:37 **Motion:** Vice Chair Bob Keenan moved that **HB 321 DO PASS AS AMENDED.**
- 11:31:54 **Substitute Motion:** Vice Chair Bob Keenan moved that **HB 321 POSTPONE CONSIDERATION UNTIL AFTER MARCH 9TH 2023.**
- 11:31:54 **Vote:** Substitute Motion carried 22 - 1 by roll call vote with Rep. Windy Boy, voting no.

EXECUTIVE ACTION ON HB 36 - Revising school funding laws related to enrollment increases

- 11:36:50 **Motion:** Rep. David Bedey moved that **HB 36 TO TAKE FROM THE TABLE.**
- 11:36:50 **Vote:** Motion carried unanimously by voice vote.
- 11:37:52 **Motion:** Vice Chair Bob Keenan moved that **HB 36 DO PASS.**

Discussion:

- 11:03:10 Rep. Falk left the meeting.
- 11:26:40 Rep. Regier left the meeting.
- 11:30:52 Rep. Gillette left the meeting.
- 11:38:31 Rep. David Bedey
- 11:48:30 Rep. Jonathan Windy Boy
- 11:48:38 Rep. Jim Hamilton
- 11:49:15 Rep. David Bedey
- [EXHIBIT\(230228APHa1\)](#)
- 11:37:52 **Vote:** Motion carried 13 - 10 by roll call vote with Rep. Falk, Rep. Gillette, Rep. Hastings, Rep. Hellegaard, Rep. Keenan, Rep. Mercer, Rep. Nave, Rep. Read, Rep. Regier, Rep. Schillinger, voting no.
Rep. Falk, Rep. Gillette, Rep. Regier, By Proxy

ADJOURNMENT

Adjournment: 11:56:00

Kathlyn Walker, Secretary

Additional Documents: [EXHIBIT\(230228APHaad\)](#)