

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

Call to Order: Chair Llew Jones-R, on March 16, 2023 at 8:04 AM, in Room 102

ROLL CALL

Members Present: Rep. Llew Jones, Chair (R)
Rep. Mary Caferro, Vice Chair (D)
Rep. Bob Keenan, Vice Chair (R)
Rep. David Bedey (R)
Rep. Michele Binkley (R)
Rep. Terry Falk (R)
Rep. Jim Hamilton (D)
Rep. Naarah Hastings (R)
Rep. Lyn Hellegaard (R)
Rep. Connie Keogh (D)
Rep. Bill Mercer (R)
Rep. Terry Moore (R)
Rep. Fiona Nave (R)
Rep. Joe Read (R)
Rep. Paul Tuss (D)

Members Excused: Rep. John Fitzpatrick (R)
Rep. Jane Gillette (R)
Rep. Mike Hopkins (R)
Rep. Emma Kerr-Carpenter (D)
Rep. Matt Regier (R)
Rep. Jerry Schillinger (R)
Rep. Sharon Stewart Peregoy (D)
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 6 03/02/2023

HB 7 03/02/2023

HB 8 03/02/2023

HB 11 03/02/2023

HB 520 03/13/2023

HB 740 03/03/2023

HB 743 03/03/2023

Executive Action:

HB 4 TO DELAY EXECUTIVE
ACTION UNTIL A FUTURE DATE

HB 743 DO PASS

HB 740 DO PASS

HB 520 DO PASS

HEARING ON HB 740 - Revise laws relating to out-of-state placement of youth with mental health needs

Opening Statement:

08:05:51 Rep. Laura Smith (D), HD 79, opened the hearing on HB 740, Revise laws relating to out-of-state placement of youth with mental health needs.

Proponent Testimony:

None

Opponent Testimony:

None

Informational Witness Testimony:

08:09:10 Megan Peel, Chief, Children's Mental Health Bureau, Department of Public Health and Human Services (DPHHS)

Questions from Committee:

08:09:40 Rep. David Bedey

08:10:15 Rep. Laura Smith-D

08:10:32 Megan Peel, DPHHS

08:11:10 Rep. David Bedey

08:11:21 Megan Peel, DPHHS

Closing Statement:

08:11:03 Rep. Laura Smith (D), HD 79, closed the hearing on HB 740.

HEARING ON HB 743 - Revising laws related to incest

Opening Statement:

08:12:13 Rep. Laura Smith (D), HD 79, opened the hearing on HB 743, Revising laws related to incest.

Proponent Testimony:

08:13:53 Nanette Gilbertson, Montana County Attorneys Association (MCAA)

Opponent Testimony:

None

Informational Witness Testimony:

08:14:58 Natalie Smitham, Chief Financial Officer, Department of Corrections (DOC)

Questions from Committee:

08:15:20 Rep. Bill Mercer

08:16:04 Rep. Laura Smith-D

08:19:05 Rep. Bill Mercer

08:19:29 Rep. Hopkins joined the meeting.

08:19:46 Natalie Smitham, DOC

08:22:26 Rep. Kerr-Carpenter joined the meeting.

08:24:56 Rep. Jim Hamilton

08:25:51 Natalie Smitham, DOC

08:27:14 Vice Chair Mary Caferro

08:28:03 Natalie Smitham, DOC

Closing Statement:

08:28:35 Rep. Laura Smith (D), HD 79, closed the hearing on HB 743.

HEARING ON HB 6 - Renewable resource grants

Opening Statement:

08:30:09 Rep. Mike Hopkins (R), HD 92, opened the hearing on HB 6, Renewable resource grants.

Discussion:

08:30:15 Rep. Schillinger joined the meeting.

Proponent Testimony:

08:32:24 Lindsey Volpe, Department of Natural Resources and Conservation (DNRC)

[EXHIBIT\(230316APHa1\)](#)

08:33:57 Clayton Elliot, Montana Trout Unlimited

08:35:40 Mike Murphy, Montana Water Resources Association (MWRA)

08:36:25 Jennifer Patrick, Milk River Joint Board of Control (JBC)

08:39:35 Sen. Mike Lang, SD 17

[EXHIBIT\(230316APHa2\)](#)

08:52:26 Krista Lee Evans, Gallatin Agricultural Irrigators

08:52:51 Rebecca Boslough-King, Montana Association of Conservation Districts (MACD)

08:53:47 Alan Shaw, Ford Smith Water and Sewer District

08:58:15 Jason Harlow, Governor's Office of Budget Program and Planning (OBPP)

Opponent Testimony:

None

Informational Witness Testimony:

08:58:15 Jason Harlow, Governor's Office of Budget Program and Planning (OBPP)

Questions from Committee:

08:58:50 Rep. Paul Tuss

09:00:19 Jennifer Patrick, JBC

09:05:37 Rep. Jim Hamilton

09:06:16 Rep. Mike Hopkins-R

09:08:38 Katy Callum, Legislative Fiscal Division (LFD)

09:10:15 Rep. Jim Hamilton

09:11:08 Katy Callum, LFD

09:11:30 Lindsey Volpe, DNRC

09:11:46 Rep. Jim Hamilton

Closing Statement:

09:12:07 Rep. Mike Hopkins (R), HD 92, closed the hearing on HB 6.

HEARING ON HB 7 - Reclamation and development grants

Opening Statement:

09:13:34 Rep. Mike Hopkins (R), HD 92, opened the hearing on HB 7, Reclamation and development grants.

Proponent Testimony:

09:14:32 Jorri Dyer, Reclamation Development Grants Program

[EXHIBIT\(230316APHa3\)](#)

09:15:04 Clayton Elliot, Montana Trout Unlimited

09:17:12 Kelly Lynch, Executive Director, Montana League of Cities and Towns (MLCT)

09:17:52 Rebecca Boslough-King, Montana Association of Conservation Districts (MACD)

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

09:18:55 Rep. Emma Kerr-Carpenter

09:19:28 Katy Callum, LFD
09:19:59 Rep. Jim Hamilton
09:20:52 Katy Callum, LFD
09:21:15 Rep. Mike Hopkins-R

Closing Statement:

09:21:47 Rep. Mike Hopkins (R), HD 92, closed the hearing on HB 7.

HEARING ON HB 520 - Interim study of private ponds

Opening Statement:

09:21:55 Rep. Denley Loge (R), HD 14, opened the hearing on HB 520, Interim study of private ponds.

Proponent Testimony:

09:23:40 Clayton Elliot, Montana Trout Unlimited
09:25:32 Krista Lee Evans, Association of Gallatin Agricultural Irrigators, Senior Water Rights Coalition
09:26:18 Rebecca Boslough-King, Montana Association of Conservation Districts (MACD)
09:27:00 Mike Murphy, Montana Water Resources Association (MWRA)

Opponent Testimony:

None

Informational Witness Testimony:

09:28:02 Lena Havron, Chief Financial Officer, Montana Fish Wildlife and Parks (FWP)

Questions from Committee:

09:28:23 Rep. David Bedey
09:28:49 Rep. Denley Loge-R
09:30:26 Rep. David Bedey

Closing Statement:

09:30:47 Rep. Denley Loge (R), HD 14, closed the hearing on HB 520.

HEARING ON HB 8 - Renewable resource bonds and loans

Opening Statement:

09:32:41 Rep. Mike Hopkins (R), HD 92, opened the hearing on HB 8, Renewable resource bonds and loans.

Proponent Testimony:

09:34:10 Anna Miller, Conservation Resource and Development Division, Department of Natural Resources and Conservation (DNRC)

09:36:14 Rob Cook, North Central Montana Regional Water, Dry Red Regional Water Authority

09:36:50 Krista Lee Evans, Dry Prairie Rural Water

09:37:22 Kelly Lynch, Executive Director, Montana League of Cities and Towns (MLCT)

09:38:04 Mike Murphy, Montana Water Resources Association

09:39:27 Clayton Elliot, Montana Trout Unlimited

09:39:46 Rebecca Boslough-King, Montana Association of Conservation Districts (MACD)

Opponent Testimony:

None

Questions from Committee:

09:40:31 Rep. David Bedey

09:40:50 Rep. Mike Hopkins-R

09:42:37 Anna Miller, DNRC

09:42:56 Rep. David Bedey

09:44:20 Rep. Mike Hopkins-R

09:44:50 Rep. Kerr-Carpenter
09:45:21 Rep. Mike Hopkins-R
09:45:40 Anna Miller, DNRC
09:46:27 Rep. Windy Boy joined the meeting.
09:47:20 Rep. Nave left the meeting.
09:48:30 Rep. Lyn Hellegaard
09:48:44 Rep. Mike Hopkins-R
09:49:14 Rep. Jim Hamilton
09:50:11 Anna Miller, DNRC

Closing Statement:

09:51:38 Rep. Mike Hopkins (R), HD 92, closed the hearing on HB 8.

HEARING ON HB 11 - Montana coal endowment program

Opening Statement:

09:52:53 Rep. John Fitzpatrick (R), HD 77, opened the hearing on HB 11, Montana coal endowment program.

Proponent Testimony:

09:55:25 Renee Lemon, Administrator, Community MT Division, Department of Commerce

[EXHIBIT\(230316APHa4\)](#)

09:56:53 Rob Cook, Dry Red Water, North Central Montana Regional Water

09:57:34 Krista Lee Evans, Dry Prairie Rural Water

09:58:04 Kelly Lynch, Executive Director, Montana League of Cities and Towns (MLTC)

09:58:43 Karen Alley, Montana Association of Counties (MACo)

09:59:29 Todd Devlin, Prairie County

09:59:55 Mike Murphy, Montana Water Resources Association (MWRA)
10:00:21 Anna Miller, Department of Natural Resources and Conservation (DNRC)
10:01:27 Clayton Elliot, Montana Trout Unlimited
10:02:00 George Harris, Executive Director, Montana Coal Council
10:04:01 Alan Shaw, Ford Smith Water and Sewer District

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

10:08:23 Rep. Jim Hamilton
10:09:07 Rep. John Fitzpatrick-R
10:10:44 Anna Miller, DNRC
10:11:42 Rep. Jim Hamilton
10:12:22 Rep. Stewart-Peregoy
10:12:57 Rep. John Fitzpatrick-R
10:14:50 Rep. Bill Mercer
10:15:56 Rep. John Fitzpatrick-R

Closing Statement:

10:16:44 Rep. John Fitzpatrick (R), HD 77, closed the hearing on HB 11.

EXECUTIVE ACTION ON HB 4 - Appropriations by budget amendment

10:21:15 **Motion:** Vice Chair Bob Keenan moved that **HB 4 DO PASS.**

10:21:27 **Motion:** Vice Chair Bob Keenan moved that **HB 4 BE AMENDED.**

Discussion:

10:22:39 Amy Sassano, Director, Governor's Office of Budget Program and Planning (OBPP)

10:28:29 Chair Llew Jones

10:29:32 Rep. Fiona Nave

10:30:00 Amy Sassano, OBPP

[EXHIBIT\(230316APHa5\)](#)

10:34:04 Chair Llew Jones

10:34:09 Amy Sassano, OBPP

10:34:49 Rep. David Bedey

10:35:18 Rep. Hopkins left the meeting.

10:36:09 Rep. Bill Mercer

10:37:01 Chair Llew Jones

10:37:35 Vice Chair Mary Caferro

10:39:59 Amy Sassano, OBPP

10:41:09 Rep. Jonathan Windy Boy

10:42:19 Amy Sassano, OBPP

10:45:33 Rep. Bill Mercer

10:46:08 Amy Sassano, OBPP

10:57:49 Chair Llew Jones

10:58:38 Rep. Jonathan Windy Boy

10:59:12 Amy Sassano, OBPP

11:00:03 Chair Llew Jones

08:40:36 **Vote:** Motion carried unanimously by voice vote.

11:00:52 **Motion:** Vice Chair Bob Keenan moved that **HB 4 TO DELAY EXECUTIVE ACTION UNTIL A FUTURE DATE.**

08:40:36 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 743 - Revising laws related to incest

11:01:48 **Motion:** Vice Chair Bob Keenan moved that **HB 743 DO PASS.**

Discussion:

11:01:53 Rep. Bill Mercer
11:02:35 Rep. David Bedey
11:05:26 Chair Llew Jones
11:05:37 Rep. David Bedey
11:06:11 Julie Johnson
11:06:42 Rep. David Bedey
11:06:52 Rep. John Fitzpatrick
11:07:56 Rep. Fiona Nave
11:08:17 Rep. Jonathan Windy Boy
11:10:19 Rep. Bill Mercer
11:12:13 Rep. Emma Kerr-Carpenter
11:13:11 Chair Llew Jones
11:14:17 Quinn Holzer
08:40:36 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 740 - Revise laws relating to out-of-state placement of youth with mental health needs

11:15:44 **Motion:** Vice Chair Bob Keenan moved that **HB 740 DO PASS.**
08:40:36 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 520 - Interim study of private ponds

11:16:18 **Motion:** Vice Chair Bob Keenan moved that **HB 520 DO PASS.**
08:40:36 **Vote:** Motion carried 17 - 6 by roll call vote with Rep. Falk, Rep. Hastings, Rep. Keenan, Rep. Nave, Rep. Regier, Rep. Schillinger, voting no. Rep. Regier, By Proxy

ADJOURNMENT

Adjournment: 11:18:15

Kathlyn Walker, Secretary

Additional Documents: [EXHIBIT\(230316APHaad\)](#)