

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

**Call to Order:** Chair Bob Keenan-R, on March 24, 2023 at 8:03 AM, in Room 102

**ROLL CALL**

**Members Present:** Rep. Llew Jones, Chair (R)  
Rep. Bob Keenan, Vice Chair (R)  
Rep. Michele Binkley (R)  
Rep. John Fitzpatrick (R)  
Rep. Jim Hamilton (D)  
Rep. Naarah Hastings (R)  
Rep. Lyn Hellegaard (R)  
Rep. Mike Hopkins (R)  
Rep. Connie Keogh (D)  
Rep. Emma Kerr-Carpenter (D)  
Rep. Terry Moore (R)  
Rep. Joe Read (R)  
Rep. Jerry Schillinger (R)  
Rep. Sharon Stewart Peregoy (D)  
Rep. Paul Tuss (D)

**Members Excused:** Rep. David Bedey (R)  
Rep. Mary Caferro (D)  
Rep. Terry Falk (R)  
Rep. Jane Gillette (R)  
Rep. Bill Mercer (R)  
Rep. Fiona Nave (R)  
Rep. Matt Regier (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 478 03/21/2023

SB 127 03/21/2023

Executive Action:

HB 5 DO PASS AS AMENDED

HB 6 DO PASS AS AMENDED

HB 8 DO PASS AS AMENDED

HB 10 DO PASS AS AMENDED

HB 352 DO PASS AS AMENDED

HB 766 TO TABLE

SB 417 TO TABLE

**HEARING ON HB 478 - Provide an appropriation for PL 280 reimbursement**

**Opening Statement:**

08:05:38 Rep. Joe Read (R), HD 93, opened the hearing on HB 478, Provide an appropriation for PL 280 reimbursement.

**Discussion:**

08:06:51 Rep. Nave joined the meeting.

**Proponent Testimony:**

08:11:46 Gale Decker, Lake County Commissioner

08:16:18 Sen. Greg Hertz, SD 6

**Opponent Testimony:**

08:18:47 Ethan Friedlander, Confederated Salish-Kootenai Tribe (CSKT)

[EXHIBIT\(230324APHa1\)](#)

08:22:43 Lexx Pierre, Confederated Salish-Kootenai Tribe (CSKT)

**Informational Witness Testimony:**

None

**Questions from Committee:**

08:26:33 Rep. Jim Hamilton

08:26:49 Rep. Falk and Rep. Bedey joined the meeting.

08:27:00 Rep. Joe Read-R

08:28:25 Rep. Hopkins left the meeting.

08:32:50 Rep. Jim Hamilton

08:33:07 Gale Decker, Lake County

08:41:31 Rep. Sharon Stewart Peregoy

08:44:02 Gale Decker, Lake County  
08:50:00 Rep. Moore left the meeting.  
08:52:01 Rep. Sharon Stewart Peregoy  
08:52:40 Lex Pierre, CSKT  
08:57:42 Rep. John Fitzpatrick  
08:59:11 Gale Decker, Lake County  
09:10:10 Rep. Moore and Rep. Gillette joined the meeting.

**Closing Statement:**

09:00:53 Rep. Joe Read (R), HD 93, closed the hearing on HB 478.

**HEARING ON SB 127 - Require Montana to provide funding for enforcement of PL280**

**Opening Statement:**

09:09:16 Sen. Greg Hertz (R), SD 6, opened the hearing on SB 127, Require Montana to provide funding for enforcement of PL280.

**Proponent Testimony:**

09:22:14 Scott Reichner, Lake County Commissioners  
09:24:32 Gale Decker, Commissioner, Lake County  
09:24:48 Vice Chair Caferro, joined the meeting.  
09:28:33 Robert Bell, Board of County Commissioners (BCC)

**Opponent Testimony:**

09:34:07 Ethan Freidlander, Confederated Salish-Kootenai Tribe (CSKT)  
[EXHIBIT\(230324APHa2\)](#)  
09:39:07 Lexx Pierre, Confederated Salish-Kootenai Tribe (CSKT)  
[EXHIBIT\(230324APHa3\)](#)  
09:41:56 Rep. Fitzpatrick, left the meeting.

**Informational Witness Testimony:**

None

**Questions from Committee:**

09:46:04 Rep. Jim Hamilton  
09:47:04 Sen. Greg Hertz-R  
09:49:44 Rep. Fiona Nave  
09:49:56 Robert Bell, BCC  
09:52:53 Rep. Windy Boy joined the meeting.  
09:53:11 Rep. Fiona Nave  
09:53:40 Scott Reichner, Lake County Commissioners  
09:54:52 Rep. Sharon Stewart Peregoy  
09:55:14 Robert Bell, BCC  
09:57:28 Rep. Jane Gillette  
09:58:00 Sen. Greg Hertz-R  
10:01:27 Gale Decker, Lake County  
10:04:26 Rep. Moore left the meeting.  
10:06:22 Rep. Emma Kerr-Carpenter  
10:06:43 Gale Decker, Lake County  
10:10:26 Rep. Joe Read  
10:11:09 Gale Decker, Lake County  
10:11:44 Rep. Joe Read  
10:12:15 Julie Johnson  
10:13:24 Rep. Joe Read  
10:14:14 Sen. Greg Hertz-R

**Closing Statement:**

10:14:19 Sen. Greg Hertz (R), SD 6, closed the hearing on SB 127.

10:21:16 **Recessed**

14:21:23 **Reconvened**

**EXECUTIVE ACTION ON HB 5 - Long-range building appropriations**

14:23:06 **Motion:** Rep. Bob Keenan moved that **HB 5 DO PASS.**

**Discussion:**

10:18:46 Ending Comments

14:28:33 Rep. Regier, Rep. Falk, and Rep. Mercer absent at Reconvention.

14:23:16 **Motion:** Rep. Mike Hopkins moved that **HB 5 BE AMENDED.**

14:23:16 **Vote:** Motion carried unanimously by voice vote.

14:24:48 **Motion:** Rep. Mike Hopkins moved that **HB 5 BE AMENDED.**

**Discussion:**

14:25:15 Rep. Jane Gillette

14:28:09 Rep. Mercer and Rep. Falk joined the meeting.

[EXHIBIT\(230324APHa4\)](#)

14:33:05 Rep. Mike Hopkins

14:35:19 Rep. Fiona Nave

14:35:31 Chair Llew Jones

14:36:01 Rep. Naarah Hastings

14:36:52 Rep. Mike Hopkins

14:38:12 Rep. Jim Hamilton

14:38:20 Rep. Jane Gillette

14:41:02 Rep. Terry Falk

14:41:27 Rep. Jane Gillette

14:42:07 Rep. Jim Hamilton

14:44:56 Rep. Jane Gillette

14:24:48 **Vote:** Motion failed 12 - 11 by roll call vote with Rep. Falk, Rep. Gillette, Rep. Hastings, Rep. Hellegaard, Rep. Jones, Rep. Keenan, Rep. Moore, Rep. Nave, Rep. Read, Rep. Regier, Rep. Schillinger, voting yes.  
Rep. Regier, By Proxy

14:47:08 **Motion:** Rep. Mike Hopkins moved that **HB 5 BE AMENDED.**

14:47:08 **Vote:** Motion carried unanimously by voice vote.

14:49:06 **Motion:** Rep. Mike Hopkins moved that **HB 5 BE AMENDED.**

14:49:06 **Vote:** Motion carried unanimously by voice vote.

14:50:10 **Motion:** Rep. Mike Hopkins moved that **HB 5 BE AMENDED.**

14:50:10 **Vote:** Motion carried unanimously by voice vote.

14:52:00 **Motion:** Rep. Mike Hopkins moved that **HB 5 BE AMENDED.**

**Discussion:**

14:52:40 Rep. Bill Mercer

14:53:23 Rep. Jane Gillette

14:54:06 Rep. Mike Hopkins

14:52:00 **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.

14:55:57 **Motion:** Rep. John Fitzpatrick moved that **HB 5 BE AMENDED.**

**Discussion:**

14:57:51 Rep. Emma Kerr-Carpenter

14:58:13 Rep. John Fitzpatrick

14:58:31 Rep. Mike Hopkins

15:00:48 Rep. Mercer left the meeting.

14:55:57 **Vote:** Motion failed 17 - 6 by roll call vote with Rep. Caferro, Rep. Fitzpatrick, Rep. Jones, Rep. Mercer, Rep. Read, Rep. Windy Boy, voting yes.  
Rep. Mercer, By Proxy

15:00:25 **Motion:** Rep. John Fitzpatrick moved that **HB 5 BE AMENDED.**

**Discussion:**

15:01:36 Rep. Mike Hopkins

15:00:25 **Vote:** Motion carried unanimously by voice vote.

15:02:06 **Motion:** Rep. John Fitzpatrick moved that **HB 5 BE AMENDED.**

**Discussion:**

15:04:50 Rep. Jane Gillette

15:05:07 Rep. Jerry Schillinger

15:05:14 Rep. John Fitzpatrick

15:05:22 Rep. Mike Hopkins

15:02:06 **Vote:** Motion carried 18 - 5 by roll call vote with Rep. Caferro, Rep. Gillette, Rep. Hastings, Rep. Keogh, Rep. Moore, voting no.

15:06:45 **Motion:** Rep. John Fitzpatrick moved that **HB 5 BE AMENDED.**

**Discussion:**

15:08:47 Rep. Mercer joined the meeting.

15:09:19 Vice Chair Keenan left the meeting.

15:09:22 Rep. Jane Gillette

15:10:10 Rep. John Fitzpatrick

15:10:31 Chair Llew Jones

15:10:59 Jason Harlow, Governor's Office of Budget Program and Planning (OBPP)

15:11:24 Rep. Terry Falk

15:11:32 Rep. John Fitzpatrick

15:06:45 **Vote:** Motion carried unanimously by voice vote.

15:13:08 **Motion:** Rep. John Fitzpatrick moved that **HB 5 BE AMENDED.**

**Discussion:**

15:15:18 Rep. Bill Mercer

15:16:22 Rep. Hamilton, Rep. Read left the meeting.

15:13:08 **Vote:** Motion carried unanimously by voice vote.

15:16:50 **Motion:** Rep. John Fitzpatrick moved that **HB 5 BE AMENDED.**

**Discussion:**

15:18:10 Rep. Jane Gillette

15:19:30 Quinn Holzer

15:19:46 Julie Johnson

15:20:10 Rep. Bill Mercer

15:20:42 Chair Llew Jones

15:22:01 Rep. Emma Kerr-Carpenter

15:22:43 Julie Johnson

15:24:33 Rep. Jonathan Windy Boy

15:25:24 Rep. Bill Mercer

15:25:57 Rep. Emma Kerr-Carpenter

15:26:18 Chair Llew Jones

15:26:33 Julie Johnson

15:26:51 Rep. Bill Mercer

15:27:22 Julie Johnson

15:28:24 Rep. Bill Mercer

15:16:50 **Vote:** Motion carried unanimously by voice vote.

15:29:36 **Motion:** Rep. John Fitzpatrick moved that **HB 5 BE AMENDED.**

**Discussion:**

15:31:12 Chair Llew Jones

15:29:36 **Vote:** Motion carried 19 - 4 by roll call vote with Rep. Caferro, Rep. Hamilton, Rep. Keogh, Rep. Stewart Peregoy, voting no.  
Rep. Hamilton, By Proxy

15:34:10 **Motion:** Rep. John Fitzpatrick moved that **HB 5 BE AMENDED.**

**Discussion:**

15:34:26 Rep. Jane Gillette

15:34:39 Rep. John Fitzpatrick

15:37:11 Chair Llew Jones

15:38:04 Rep. John Fitzpatrick

15:38:58 Vice Chair Mary Caferro

15:34:10 **Vote:** Motion carried 18 - 5 by roll call vote with Rep. Gillette, Rep. Mercer, Rep. Moore, Rep. Nave, Rep. Regier, voting no.  
Rep. Regier, By Proxy

15:40:33 **Motion:** Rep. Paul Tuss moved that **HB 5 BE AMENDED.**

**Discussion:**

15:41:20 Rep. Mike Hopkins

15:41:52 Rep. David Bedey

- 15:42:31 Rep. Bedey and Rep. Mercer left the meeting.
- 15:40:33 **Vote:** Motion failed 15 - 8 by roll call vote with Rep. Caferro, Rep. Fitzpatrick, Rep. Hamilton, Rep. Keogh, Rep. Kerr-Carpenter, Rep. Stewart Peregoy, Rep. Tuss, Rep. Windy Boy, voting yes.  
Rep. Hamilton, By Proxy
- 15:43:22 **Motion:** Rep. Jonathan Windy Boy moved that **HB 5 BE AMENDED.**
- Discussion:**
- 15:49:11 Rep. Mike Hopkins
- 15:50:40 Rep. Jonathan Windy Boy
- 15:52:40 Rep. Jonathan Windy Boy  
[EXHIBIT\(230324APHa5\)](#)
- 15:43:22 **Vote:** Motion failed 18 - 5 by roll call vote with Rep. Binkley, Rep. Caferro, Rep. Kerr-Carpenter, Rep. Stewart Peregoy, Rep. Windy Boy, voting yes.
- 15:52:55 **Motion:** Rep. Fiona Nave moved that **HB 5 BE AMENDED.**
- Discussion:**
- 15:54:26 Rep. Mike Hopkins
- 15:55:15 Rep. John Fitzpatrick
- 15:56:27 Rep. Fiona Nave
- 15:52:55 **Vote:** Motion failed 16 - 7 by roll call vote with Rep. Bedey, Rep. Falk, Rep. Gillette, Rep. Hastings, Rep. Hellegaard, Rep. Moore, Rep. Nave, voting yes.  
Rep. Bedey, By Proxy
- 15:58:59 **Motion:** Rep. Lyn Hellegaard moved that **HB 5 BE AMENDED.**
- Discussion:**
- 16:00:25 Rep. Mike Hopkins
- 16:01:13 Rep. Jim Hamilton
- 15:58:59 **Vote:** Motion failed 12 - 11 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, Rep. Windy Boy, voting yes.  
Rep. Keenan, Rep. Mercer, Rep. Regier, By Proxy
- 16:04:27 **Motion:** Rep. Mike Hopkins moved that **HB 5 DO PASS AS AMENDED.**
- 16:04:27 **Vote:** Motion carried 22 - 1 by roll call vote with Rep. Read, voting no.

**EXECUTIVE ACTION ON HB 6 - Renewable resource grants**

16:06:02 **Motion:** Rep. Mike Hopkins moved that **HB 6 DO PASS.**

16:06:13 **Motion:** Rep. Mike Hopkins moved that **HB 6 BE AMENDED.**

16:06:13 **Vote:** Motion carried unanimously by voice vote.

16:07:09 **Motion:** Rep. Mike Hopkins moved that **HB 6 BE AMENDED.**

16:07:09 **Vote:** Motion carried unanimously by voice vote.

16:09:22 **Motion:** Rep. Mike Hopkins moved that **HB 6 BE AMENDED.**

**Discussion:**

16:09:43 Julie Johnson

16:11:13 Rep. Paul Tuss

16:11:26 Rep. Mike Hopkins

16:12:19 Rep. Jonathan Windy Boy

16:12:24 Rep. Mercer joined the meeting.

16:09:22 **Vote:** Motion carried 20 - 3 by roll call vote with Rep. Caferro, Rep. Tuss, Rep. Windy Boy, voting no.

16:14:28 **Motion:** Rep. Mike Hopkins moved that **HB 6 DO PASS AS AMENDED.**

16:14:28 **Vote:** Motion carried 22 - 1 by roll call vote with Rep. Windy Boy, voting no.

**EXECUTIVE ACTION ON HB 8 - Renewable resource bonds and loans**

16:16:14 **Motion:** Rep. Mike Hopkins moved that **HB 8 BE AMENDED.**

16:16:27 **Motion:** Rep. Mike Hopkins moved that **HB 8 BE AMENDED.**

16:16:27 **Vote:** Motion carried unanimously by voice vote.

16:17:04 **Motion:** Rep. Mike Hopkins moved that **HB 8 BE AMENDED.**

16:17:04 **Vote:** Motion carried unanimously by voice vote.

16:19:57 **Motion:** Rep. Mike Hopkins moved that **HB 8 BE AMENDED.**

**Discussion:**

16:20:28 Rep. Mike Hopkins

16:21:42 Chair Llew Jones

16:22:48 Rep. Paul Tuss

16:23:08 Rep. Jim Hamilton

16:24:04 Rep. Mike Hopkins

16:19:57 **Vote:** Motion carried unanimously by voice vote.

16:25:56 **Motion:** Rep. Mike Hopkins moved that **HB 8 DO PASS AS AMENDED.**

16:25:56 **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 10 - Long-range information technology financings and appropriations**

16:26:33 **Motion:** Rep. Mike Hopkins moved that **HB 10 DO PASS.**

16:26:38 **Motion:** Rep. Mike Hopkins moved that **HB 10 BE AMENDED.**

16:26:38 **Vote:** Motion carried unanimously by voice vote.

16:29:50 **Motion:** Rep. Mike Hopkins moved that **HB 10 DO PASS AS AMENDED.**

16:29:50 **Vote:** Motion carried 20 - 3 by roll call vote with Rep. Caferro, Rep. Hamilton, Rep. Stewart Peregoy, voting no.

**EXECUTIVE ACTION ON HB 352 - Provide targeted interventions to support 3rd grade reading proficiency**

16:31:20 **Motion:** Rep. Mike Hopkins moved that **HB 352 DO PASS.**

16:31:26 **Motion:** Rep. Jane Gillette moved that **HB 352 BE AMENDED.**

**Discussion:**

16:32:20 Rep. Jim Hamilton

16:33:14 Rep. Jane Gillette

16:33:38 Rep. Keenan, Rep. Windy Boy, Rep. Fitzpatrick, and Rep. Bedey joined the meeting.

16:31:26 **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.

16:35:37 **Motion:** Rep. Bob Keenan moved that **HB 352 DO PASS AS AMENDED.**

16:35:37 **Vote:** Motion carried 21 - 2 by roll call vote with Rep. Moore, Rep. Stewart Peregoy, voting no.

**EXECUTIVE ACTION ON HB 766 - Revise laws related to human trafficking**

16:37:16 **Motion:** Rep. Bob Keenan moved that **HB 766 DO PASS.**

16:37:19 **Substitute Motion:** Rep. John Fitzpatrick moved that **HB 766 TO TABLE.**

16:37:19 **Vote:** Substitute 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 SB 417 - Pay off bonded debt**

16:39:07 **Motion:** Rep. Bob Keenan moved that **SB 417 BE CONCURRED IN.**

**Discussion:**

16:39:28 Rep. Jonathan Windy Boy

16:39:48 **Substitute Motion:** Rep. Jim Hamilton moved that **SB 417 TO TABLE.**

16:39:48 **Vote:** Substitute Motion carried 20 - 3 by roll call vote with Rep. Caferro, Rep. Kerr-Carpenter, Rep. Windy Boy, voting no.

**ADJOURNMENT**

Adjournment: 16:42:20

---

Kathlyn Walker, Secretary

Additional Documents: [EXHIBIT\(230324APHaad\)](#)