

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

Call to Order: Chair Llew Jones-R, on March 29, 2023 at 7:05 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. John Fitzpatrick (R)
Rep. Jane Gillette (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. Bill Mercer (R)
Rep. Terry Moore (R)
Rep. Fiona Nave (R)
Rep. Joe Read (R)
Rep. Jerry Schillinger (R)

Members Excused: Rep. Matt Regier (R)
Rep. Sharon Stewart Peregoy (D)
Rep. Paul Tuss (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 390 03/28/2023

HB 872 03/24/2023

HB 922 03/27/2023

HB 939 03/27/2023

HB 946 03/28/2023

Executive Action:

HB 916 DO PASS AS AMENDED

HB 891 DO PASS AS AMENDED

HB 917 DO PASS AS AMENDED

HB 899 TO TABLE

HB 288 DO PASS AS AMENDED

HB 939 TO TABLE

HB 922 DO PASS

HB 946 DO PASS AS AMENDED

EXECUTIVE ACTION ON HB 916 - Authorize transfers and other necessary measures to implement HB2-Section D

07:07:18 **Motion:** Vice Chair Bob Keenan moved that **HB 916 DO PASS.**

Discussion:

07:07:25 Rep. Bill Mercer

07:08:42 **Motion:** Rep. John Fitzpatrick moved that **HB 916 BE AMENDED.**

Discussion:

07:10:42 Rep. Bill Mercer

15:20:21 **Vote:** Motion carried unanimously by voice vote.

07:11:09 **Motion:** Vice Chair Bob Keenan moved that **HB 916 DO PASS AS AMENDED.**

Discussion:

07:11:20 Rep. Joe Read

07:12:47 Rep. Bill Mercer

07:13:03 Julie Johnson

07:13:59 Rep. Emma Kerr-Carpenter

07:14:53 Rep. Bill Mercer

07:15:17 Julie Johnson

07:16:02 **Motion:** Rep. Bill Mercer moved that **HB 916 BE AMENDED.**

Discussion:

07:16:46 Rep. Connie Keogh

15:20:21 **Vote:** Motion carried unanimously by voice vote.

07:17:07 **Motion:** Vice Chair Bob Keenan moved that **HB 916 DO PASS AS AMENDED.**

15:20:21 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 891 - Provide one-time emergency stabilization payments to nursing homes

07:21:24 **Motion:** Vice Chair Bob Keenan moved that **HB 891 DO PASS.**

07:21:30 **Motion:** Vice Chair Bob Keenan moved that **HB 891 BE AMENDED.**

Discussion:

07:21:49 Rep. Jane Gillette

07:25:41 Rep. Bill Mercer

07:26:59 Rep. Stewart-Peregoy joined the meeting.

07:27:12 Rep. Emma Kerr-Carpenter

07:27:23 Rep. Jane Gillette

07:29:11 Chair Llew Jones

07:29:15 Vice Chair Mary Caferro

07:33:14 Rep. Jane Gillette

07:34:27 Rep. Tuss joined the meeting.

07:36:08 Vice Chair Mary Caferro

15:20:21 **Vote:** Motion carried 19 - 4 by roll call vote with Rep. Caferro, Rep. Hamilton, Rep. Keogh, Rep. Windy Boy, voting no.
Rep. Windy Boy, By Proxy

07:37:46 **Motion:** Vice Chair Bob Keenan moved that **HB 891 DO PASS AS AMENDED.**

15:20:21 **Vote:** Motion carried unanimously by roll call vote.

EXECUTIVE ACTION ON HB 917 - Authorize transfers and other necessary measure to implement HB 2 section B

07:39:05 **Motion:** Vice Chair Bob Keenan moved that **HB 917 DO PASS.**

07:39:20 **Motion:** Rep. John Fitzpatrick moved that **HB 917 BE AMENDED.**

Discussion:

07:39:45 Rep. Mercer and Rep. Readleft the meeting.

15:20:21 **Vote:** Motion carried unanimously by voice vote.

07:40:41 **Motion:** Rep. John Fitzpatrick moved that **HB 917 BE AMENDED.**

Discussion:

07:41:47 Rep. Jane Gillette

07:42:12 Rep. Jim Hamilton

15:20:21 **Vote:** Motion carried unanimously by voice vote.

07:43:10 **Motion:** Vice Chair Mary Caferro moved that **HB 917 BE AMENDED.**

Discussion:

- 07:45:21 Quinn Holzer
- 07:45:59 Rep. Jane Gillette
- 07:47:59 Rep. Fitzpatrick left the meeting.
[EXHIBIT\(230329APHa1\)](#)
- 07:49:00 Rep. Mercer joined the meeting.
- 07:49:03 Vice Chair Mary Caferro
- 15:20:21 **Vote:** Motion failed 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 yes.
Rep. Windy Boy, By Proxy
- 07:53:20 **Motion:** Vice Chair Bob Keenan moved that **HB 917 DO PASS AS AMENDED.**
- 15:20:21 **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.
Rep. Windy Boy, By Proxy

EXECUTIVE ACTION ON HB 899 - Provide funding to alleviate impact of nursing home closures

- 07:54:46 **Motion:** Vice Chair Bob Keenan moved that **HB 899 DO PASS.**
- Discussion:**
- 07:54:50 Rep. Hopkins left the meeting.
- 07:55:09 **Motion:** Rep. Paul Tuss moved that **HB 899 BE AMENDED.**
- 15:20:21 **Vote:** Motion carried 18 - 5 by roll call vote with Rep. Falk, Rep. Hellegaard, Rep. Read, Rep. Regier, Rep. Schillinger, voting no.
Rep. Read, Rep. Regier, By Proxy
- 07:58:35 **Motion:** Vice Chair Bob Keenan moved that **HB 899 DO PASS AS AMENDED.**
- 15:20:21 **Vote:** Motion failed 13 - 10 by roll call vote with Rep. Bedey, Rep. Caferro, Rep. Gillette, Rep. Hamilton, Rep. Hastings, Rep. Keogh, Rep. Kerr-Carpenter, Rep. Stewart Peregoy, Rep. Tuss, Rep. Windy Boy, voting yes.
Rep. Windy Boy, By Proxy
- 08:00:05 **Motion:** Chair Llew Jones moved that **HB 899 TO TABLE.**
- 15:20:21 **Vote:** Motion carried 13 - 10 by voice vote with Rep. Bedey, Rep. Caferro, Rep. Gillette, Rep. Hamilton, Rep. Hastings, Rep. Keogh, Rep. Kerr-Carpenter, Rep. Stewart Peregoy, Rep. Tuss, Rep. Windy Boy, voting no.

HEARING ON HB 922 - Require DPHHS to develop and implement an Olmstead plan

Opening Statement:

08:00:55 Vice Chair Bob Keenan (R), HD 5, opened the hearing on HB 922, Require DPHHS to develop and implement an Olmstead plan.

Proponent Testimony:

08:03:35 June Hermanson, self

08:08:24 Joel Peden, Summit Independent Living Center, Ability Montana

08:10:14 Barbara Smith,, Administrator, Senior and Long Term Care Division, Department of Public Health and Human Services (DPHHS)

08:11:30 Deborah Swingley, Montana Council on Developmental Disabilities (MCDD)

08:12:45 Mike Batista, President, Ability Montana, AARP Montana

08:14:00 Maggie Bornstein, ACLU Montana

08:14:29 Tom Osborn, Executive Director, North Central Independent Living Services

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

None

Closing Statement:

08:17:05 Vice Chair Bob Keenan (R), HD 5, closed the hearing on HB 922.

Discussion:

08:17:09 Rep. Caferro, Rep. Moore, Rep. Mercer, Rep. Gillette left the meeting.

HEARING ON HB 872 - Provide funding for behavioral health system for future generations

Opening Statement:

08:18:15 Vice Chair Bob Keenan (R), HD 5, opened the hearing on HB 872, Provide funding for behavioral health system for future generations.

Discussion:

[EXHIBIT\(230329APHa2\)](#)

08:30:38 Rep. Moore joined the meeting and Rep. Kerr-Carpenter left the meeting.

08:32:37 Rep. Gillette and Rep. Fitzpatrick joined the meeting.

Proponent Testimony:

08:40:56 Sen. John Esp, SD 30

08:47:21 Ryan Evans, Assistant Director, Governor's Office of Budget Program and Planning (OBPP)

08:47:52 Rep. Hellegaard, left the meeting.

08:50:10 Rachel Green, Governor's Health Policy Advisor

08:51:36 Colleen Rahn, NAMI Montana

08:52:04 Levi Anderson, Chief Executive, Western Montana Mental Health Center (WMHC)

08:52:58 Aidan Myhre, Logan Health

08:53:58 Patrick Maddison, Board President, Montana Association of Community Disability Services (MACDS)

08:56:51 Rebecca Meyers, Montana Association of Community Disability Services (MACDS), self

08:59:25 John Metropolis, Montana Psychiatric Association

09:00:27 Jeff Fulsom, self

09:02:04 Erin McGowan, Home Care Montana

09:03:14 Rep. Caferro and Rep. Kerr-Carpenter, joined the meeting.

09:03:53 Stacey Anderson, Montana Primary Care Association

09:04:50 Angela Kimball, Senior Vice President, Advocacy and Public Policy, Inseparable

09:06:46 Mary Windecker, Behavioral Health Alliance of Montana (BHAM)

09:09:17 Rep. Windy Boy, joined the meeting.

09:09:37 Bella Nyman, Rural Behavioral Health Institute (RBHI)

09:10:57 Charlie Brereton, Director, Department of Public Health and Human Services (DPHHS)

09:19:33 Rep. Hellegaard, joined the meeting.

Opponent Testimony:

09:23:39 Joel Peden, Ability Montana, Summit Independent Living Center, Disability Rights Montana (DRM)

09:32:21 Shawn Conroe, Ability Montana

09:34:11 Maggie Bornstein, ACLU Montana

09:36:05 Kelly Richardson, Citizens Commission on Human Rights of Montana, Washington, and Alaska

Informational Witness Testimony:

09:43:36 Russ Katherman, Administrator, Architecture and Engineering Division, Department of Administration (DOA)

09:43:57 Jason Gerling, Guidehouse Consulting

Questions from Committee:

09:44:35 Rep. John Fitzpatrick

09:45:41 Russ Katherman, DOA

09:48:16 Rep. Falk joined the meeting.

09:50:45 Rep. John Fitzpatrick

09:51:52 Charlie Brereton, DPHHS

09:54:25 Rep. Paul Tuss

09:55:15 Rep. Bob Keenan-R

09:59:59 Vice Chair Mary Caferro

10:00:11 Rep. Nave, Rep. Schillinger and Rep. Read joined the meeting.

10:00:59 Charlie Brereton, DPHHS
10:01:15 Russ Katherman, DOA
10:04:20 Chair Llew Jones
10:05:07 Vice Chair Mary Caferro
10:07:12 Russ Katherman, DOA
10:08:20 Charlie Brereton, DPHHS
10:08:32 Rep. John Fitzpatrick
10:09:47 Rep. Keenan
10:10:21 Rep. Naarah Hastings
10:10:54 Rep. Mercer joined the meeting.
10:11:09 Rep. Bob Keenan-R
10:11:50 Charlie Brereton, DPHHS
10:12:16 Rep. Hastings
10:12:45 Rep. Keenan
10:13:04 Charlie Brereton, DPHHS
10:13:28 Rep. Emma Kerr-Carpenter
10:14:16 Charlie Brereton, DPHHS
10:15:03 Rep. Jonathan Windy Boy
10:15:54 Charlie Brereton, DPHHS
10:20:44 Vice Chair Mary Caferro
10:21:51 Charlie Brereton, DPHHS
10:34:10 Rep. Jonathan Windy Boy
10:34:37 Charlie Brereton, DPHHS
10:35:45 Vice Chair Mary Caferro

10:36:00 Chair Llew Jones
10:36:45 Rep. Bob Keenan-R
10:38:23 Vice Chair Mary Caferro
10:41:28 Charlie Brereton, DPHHS

Closing Statement:

10:42:05 Vice Chair Bob Keenan (R), HD 5, closed the hearing on HB 872.

HEARING ON HB 946 - Implement provisions of HB2 - Section E - education

Opening Statement:

10:46:42 Rep. David Bedey (R), HD 86, opened the hearing on HB 946, Implement provisions of HB2 - Section E - education.

Discussion:

10:46:52 Rep. Moore left the meeting.

Proponent Testimony:

None

Opponent Testimony:

10:52:19 Sam Forstag, Montana Library Association

Opponent Testimony:

10:52:19 Sam Forstag, Montana Library Association

Informational Witness Testimony:

10:54:16 Paul Taylor, Budget Analyst, Office of Public Instruction (OPI)

10:54:53 Jennie Stapp, State Librarian

Questions from Committee:

10:55:14 Rep. Jim Hamilton

10:55:46 Rep. David Bedey-R

10:57:03 Rep. Bill Mercer

10:57:24 Rep. David Bedey-R

11:02:14 Rep. Connie Keogh

11:04:52 Rep. David Bedey-R

Closing Statement:

11:07:27 Rep. David Bedey (R), HD 86, closed the hearing on HB 946.

HEARING ON HB 939 - Provide for implementation of certified community behavioral health clinic model

Opening Statement:

11:09:14 Rep. Jane Gillette (R), HD 64, opened the hearing on HB 939, Provide for implementation of certified community behavioral health clinic model.

Proponent Testimony:

11:21:20 Rachel Green, Governor's Policy Advisor

11:22:27 Megan Peel, Chief, Children's Mental Health Bureau, Department of Public Health and Human Services (DPHHS)

11:24:23 Levi Anderson, Chief Executive, Western Montana Health Center (WMHC)

11:25:47 Colleen Rahn, Education Director, NAMI Montana

11:26:57 Stacy Anderson, Montana Primary Care Association

11:27:38 Scott Eychner, Department of Corrections (DOC)

11:28:13 Maggie Bornstein, ACLU Montana, Montana Women Vote

11:28:47 Jean Branscum, CEO, Montana Medical Association

11:29:36 Mary Windecker, Executive Director, Behavioral Health Alliance of Montana (BHAM)

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

None

Closing Statement:

11:31:37 Rep. Jane Gillette (R), HD 64, closed the hearing on HB 939.

HEARING ON HB 390 - Provide for homestead exemption for primary residences

Opening Statement:

11:33:21 Rep. Sherry Essmann (R), HD 52, opened the hearing on HB 390, Provide for homestead exemption for primary residences.

Proponent Testimony:

None

Opponent Testimony:

None

Informational Witness Testimony:

11:36:08 Bryce Kaatz, Bureau Chief, Property Assessment Division, Department of Revenue (DOR)

Questions from Committee:

11:36:38 Rep. Jane Gillette

11:37:42 Bryce Kaatz, DOR

11:39:20 Rep. Bill Mercer

11:41:01 Bryce Kaatz, DOR

11:41:35 Rep. Terry Falk

11:42:45 Bryce Kaatz, DOR

11:44:06 Rep. Jim Hamilton

11:45:57 Bryce Kaatz, DOR

Closing Statement:

11:47:56 Rep. Sherry Essmann (R), HD 52, closed the hearing on HB 390.

EXECUTIVE ACTION ON HB 288 - Revise laws related to tuition waivers for American Indian students

11:48:32 **Motion:** Vice Chair Bob Keenan moved that **HB 288 BE AMENDED.**

11:48:47 **Motion:** Rep. Jonathan Windy Boy moved that **HB 288 BE AMENDED.**

Discussion:

11:50:54 Rep. Naarah Hastings

11:51:03 Rep. Jonathan Windy Boy

15:20:21 **Vote:** Motion carried unanimously by voice vote.

11:51:42 **Motion:** Vice Chair Bob Keenan moved that **HB 288 DO PASS AS AMENDED.**

15:20:21 **Vote:** Motion carried 17 - 6 by roll call vote with Rep. Mercer, Rep. Moore, Rep. Nave, Rep. Read, Rep. Regier, Rep. Schillinger, voting no. Rep. Nave, Rep. Regier, By Proxy

EXECUTIVE ACTION ON HB 939 - Provide for implementation of certified community behavioral health clinic model

11:53:34 **Motion:** Vice Chair Bob Keenan moved that **HB 939 DO PASS.**

Discussion:

11:53:44 Rep. John Fitzpatrick

11:54:33 **Substitute Motion:** Rep. John Fitzpatrick moved that **HB 939 TO TABLE.**

15:20:21 **Vote:** Substitute Motion carried 13 - 10 by roll call vote with Rep. Falk, Rep. Gillette, Rep. Hastings, Rep. Hellegaard, Rep. Hopkins, Rep. Jones, Rep. Keenan, Rep. Mercer, Rep. Moore, Rep. Nave, voting no. Rep. Hopkins, Rep. Nave, By Proxy

EXECUTIVE ACTION ON HB 922 - Require DPHHS to develop and implement an Olmstead plan

11:56:47 **Motion:** Vice Chair Bob Keenan moved that **HB 922 DO PASS.**

15:20:21 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 946 - Implement provisions of HB2 - Section E - education

11:57:30 **Motion:** Vice Chair Bob Keenan moved that **HB 946 DO PASS.**

11:58:45 **Motion:** Rep. David Bedey moved that **HB 946 BE AMENDED.**

15:20:21 **Vote:** Motion carried unanimously by voice vote.

11:59:08 **Motion:** Vice Chair Bob Keenan moved that **HB 946 DO PASS AS AMENDED.**

Discussion:

11:59:20 Rep. Sharon Stewart Peregoy

15:20:21 **Vote:** Motion carried 20 - 3 by roll call vote with Rep. Hamilton, Rep. Stewart Peregoy, Rep. Windy Boy, voting no.

ADJOURNMENT

Adjournment: 12:04:21

Kathlyn Walker, Secretary

Additional Documents: [EXHIBIT\(230329APHaad\)](#)