

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 3:34 PM, in Room 102

ROLL CALL

Members Present: Rep. Llew Jones, Chair (R)
Rep. Bob Keenan, Vice Chair (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. Connie Keogh (D)
Rep. Emma Kerr-Carpenter (D)
Rep. Terry Moore (R)
Rep. Fiona Nave (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. Mike Hopkins (R)
Rep. Bill Mercer (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 479 03/29/2023

HB 749 03/29/2023

HB 774 03/27/2023

HB 816 03/27/2023

HB 825 03/29/2023

HB 833 03/29/2023

HB 927 03/28/2023

Executive Action:

HB 749 DO PASS

HB 833 DO PASS

HB 479 DO PASS AS AMENDED

HB 478 TO TABLE

SB 127 TO TABLE

HB 390 TO TABLE

HB 321 DO PASS AS AMENDED

HB 393 DO PASS

HB 549 DO PASS

HB 562 DO PASS

HEARING ON HB 816 - Revise distribution of surplus revenue through tax rebates

Opening Statement:

15:34:58 Rep. Joshua Kassmier (R), HD 27, opened the hearing on HB 816, Revise distribution of surplus revenue through tax rebates.

Discussion:

15:34:59 Rep. Hellegaard left the meeting.

Proponent Testimony:

None

Opponent Testimony:

15:36:10 Rose Bender`, Montana Budget and Policy Center

Informational Witness Testimony:

15:36:43 Aaron McNay, Department of Revenue (DOR)

Questions from Committee:

15:36:54 Rep. Hopkins and Rep. Mercer joined the meeting.

Closing Statement:

15:36:56 Rep. Joshua Kassmier (R), HD 27, closed the hearing on HB 816.

HEARING ON HB 774 - Generally revise election laws

Opening Statement:

15:40:40 Rep. Mike Hopkins (R), HD 92, opened the hearing on HB 774, Generally revise election laws.

Proponent Testimony:

None

Opponent Testimony:

15:44:01 Lance Melton, Montana School Boards Association (MSBA), Coalition of Advocates for Montana Public Schools (CAMPS)

15:46:01 Karen Alley, check, Montana Association of Counties (MACo)

15:48:06 Connor Fitzpatrick, Lewis & Clark Elections

15:48:53 George Real Bird III, Big Horn County Commissioner

15:51:13 Greg Chilcott, Commissioner, Ravalli County

15:51:54 Lauren Caldwell, Montana Federation of Public Employees (MFPE)

15:52:32 Rep. Mercer, left the meeting.

15:52:55 Mike Murphy, Montana Water Resources Association (MWRA)

15:54:17 Davin Buffington, Clerk and Recorder, Election Administrator, Liberty County

15:54:57 Ta'jin Perez, Deputy Director, Western Native Voice

15:55:27 Regina Plettenberg, Montana Association of Clerks and Recorders

15:57:34 Gordon Oelkers, Roosevelt County Commissioners

15:58:40 Stephanie Verhasselt, Richland County Clerk and Recorder

Informational Witness Testimony:

15:59:51 Ken Bailey, Office of Public Instruction (OPI)

16:00:05 Vice Chair, Caferro joined the meeting.

Questions from Committee:

16:00:21 Rep. Jim Hamilton

16:00:45 Rep. Mike Hopkins-R

16:04:24 Rep. Fiona Nave

16:04:47 Rep. Fitzpatrick left the meeting.

16:06:18 Rep. Mike Hopkins-R

16:06:48 Rep. Mercer joined the meeting.

Closing Statement:

16:11:31 Rep. Mike Hopkins (R), HD 92, closed the hearing on HB 774.

HEARING ON HB 825 - Provide funding to address affordable housing

Opening Statement:

16:13:52 Rep. Mike Hopkins (R), HD 92, opened the hearing on HB 825, Provide funding to address affordable housing.

Proponent Testimony:

16:16:22 Glenn Oppel, Policy Advisor, Governor's Office

16:17:30 Ryan Evans, Assistant Director, Office of Budget Program and Planning (OBPP)

16:18:23 Melissa Shannon, Montana Housing Coalition (MHC)

16:19:12 Karen Alley, Associate General Council, Montana Association of Counties (MACo)

16:19:47 Sarah Converse, Executive Director, North Central Montana Economic Development District

16:20:37 Dan Villa, Executive Director, Montana Board of Investments (MBI)

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

16:23:01 Rep. Bill Mercer

16:24:59 Rep. Windy Boy joined the meeting.

16:25:21 Glenn Oppel, Governor's Office

16:25:53 Rep. Mike Hopkins-R

16:28:07 Rep. Fiona Nave

16:28:28 Rep. Mike Hopkins-R

16:28:55 Rep. Jim Hamilton

16:29:29 Rep. Mike Hopkins-R

16:30:53 Dan Villa, MBI

16:31:36 Rep. Regier joined the meeting.

16:32:48 Rep. Jim Hamilton

16:32:57 Dan Villa, MBI

16:36:47 Vice Chair Keenan left the meeting.

16:37:20 Rep. Terry Moore

16:41:03 Glenn Oppel, Governor's Office

16:42:12 Rep. Jerry Schillinger

16:43:03 Dan Villa, MBI

16:46:22 Rep. Naarah Hastings

16:48:41 Dan Villa, MBI

16:49:55 Rep. Emma Kerr-Carpenter

16:50:39 Glenn Oppel, Governor's Office

16:54:01 Dan Villa, MBI

16:54:52 Rep. Jane Gillette

16:55:31 Rep. Hastings left the meeting.

16:55:42 Dan Villa, MBI

16:55:49 Vice Chair Keenan joined the meeting.

17:04:39 Glenn Oppel, Governor's Office

17:06:54 Rep. Terry Falk

17:07:30 Dan Villa, MBI

17:11:26 Rep. Bill Mercer

17:11:57 Ryan Evans, OBPP

Closing Statement:

17:12:17 Rep. Mike Hopkins (R), HD 92, closed the hearing on HB 825.

HEARING ON HB 927 - Authorize additional authority for coal trust housing loans

Opening Statement:

17:14:00 Rep. Matt Regier (R), HD 4, opened the hearing on HB 927, Authorize additional authority for coal trust housing loans.

Discussion:

17:14:06 Rep. Hastings joined the meeting.

Proponent Testimony:

17:15:31 Melissa Shannon, Montana Housing Coalition (MHC)

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

17:17:09 Rep. Jim Hamilton

17:18:03 Chair Llew Jones

17:19:25 Rep. Matt Regier-R

17:19:33 Chair Llew Jones

17:19:43 Dan Villa, MBI

17:21:37 Rep. Jim Hamilton

Closing Statement:

17:22:48 Rep. Matt Regier (R), HD 4, closed the hearing on HB 927.

HEARING ON HB 833 - Establish teacher residency program

Opening Statement:

17:23:42 Rep. Brad Barker (R), HD 58, opened the hearing on HB 833, Establish teacher residency program.

Discussion:

17:23:43 Rep. Regier left the meeting.

Proponent Testimony:

17:25:44 Sharyl Allen, Deputy Superintendent, Office of Public Instruction (OPI)

17:26:18 Rep. Bedey, joined the meeting.

17:30:05 Lance Melton, Coalition of Advocates for Montana Public Schools (CAMPS)

Opponent Testimony:

None

Questions from Committee:

17:32:23 Rep. Connie Keogh

17:33:16 Rep. Brad Barker-R

17:34:29 Rep. Connie Keogh

17:35:10 Sharyl Allen, OPI

17:36:49 Rep. Jane Gillette

17:39:53 Rep. Brad Barker-R

17:40:26 Rep. Jerry Schillinger

17:41:00 Sharyl Allen, OPI

17:41:54 Rep. Terry Falk

17:44:28 Rep. Brad Barker-R

17:46:07 Rep. Sharon Stewart Peregoy

17:47:12 Sharyl Allen, OPI

Closing Statement:

17:48:56 Rep. Brad Barker (R), HD 58, closed the hearing on HB 833.

Discussion:

17:49:06 Rep. Kerr-Carpenter and Rep. Hopkins left the meeting.

HEARING ON HB 479 - Provide appropriation for DOJ to assume law enforcement PL-280

Opening Statement:

17:50:17 Rep. Joe Read (R), HD 93, opened the hearing on HB 479, Provide appropriation for DOJ to assume law enforcement PL-280.

Proponent Testimony:

None

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

17:51:53 Rep. Sharon Stewart Peregoy

17:53:09 Rep. Joe Read-R

17:57:10 Rep. Fitzpatrick joined the meeting.

18:03:29 Rep. Jonathan Windy Boy

18:03:56 Rep. Joe Read-R

Closing Statement:

18:07:20 Rep. Joe Read (R), HD 93, closed the hearing on HB 479.

HEARING ON HB 749 - Revise Montana digital academy laws

Opening Statement:

18:07:58 Chair Llew Jones (R), HD 18, opened the hearing on HB 749, Revise Montana digital academy laws.

Proponent Testimony:

18:11:32 Lance Melton, Montana School Boards Association (MSBA), Coalition of Advocates for Montana Public Schools (CAMPS)

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

18:14:01 Rep. Bill Mercer

18:14:43 Lance Melton, MSBA, CAMPS

18:20:11 Rep. Jim Hamilton

18:20:33 Chair Llew Jones

18:24:15 Rep. Fiona Nave

18:26:15 Rep. Jonathan Windy Boy

Closing Statement:

18:27:54 Chair Llew Jones (R), HD 18, closed the hearing on HB 749.

18:50:34 **Recessed**

19:06:10 **Reconvened**

EXECUTIVE ACTION ON HB 749 - Revise Montana digital academy laws

19:06:35 **Motion:** Rep. Bob Keenan moved that **HB 749 DO PASS.**

19:06:35 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 833 - Establish teacher residency program

19:07:56 **Motion:** Rep. Bob Keenan moved that **HB 833 DO PASS.**

19:07:56 **Vote:** Motion carried 20 - 3 by roll call vote with Rep. Falk, Rep. Mercer, Rep. Schillinger, voting no.

EXECUTIVE ACTION ON HB 479 - Provide appropriation for DOJ to assume law enforcement PL-280

19:09:32 **Motion:** Rep. Bob Keenan moved that **HB 479 DO PASS.**

19:09:38 **Motion:** Rep. Bill Mercer moved that **HB 479 BE AMENDED.**

Discussion:

19:12:25 Rep. Joe Read

19:12:42 Rep. Jim Hamilton

19:13:17 Rep. Bill Mercer

19:13:53 Rep. Jonathan Windy Boy

19:14:33 Rep. Bill Mercer

19:16:08 Rep. Sharon Stewart Peregoy

19:16:25 Rep. Bill Mercer

19:09:38 **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. Rep. Kerr-Carpenter, By Proxy

19:18:32 **Motion:** Rep. Bob Keenan moved that **HB 479 DO PASS AS AMENDED.**

19:19:08 **Substitute Motion:** Rep. Jonathan Windy Boy moved that **HB 479 BE AMENDED.**

Discussion:

19:19:55 Julie Johnson

19:20:24 Rep. Bill Mercer

19:21:21 Rep. Joe Read

19:22:02 Rep. Jonathan Windy Boy

19:22:47 Rep. Jim Hamilton

19:23:24 Julie Johnson

19:19:08 **Vote:** Substitute Motion failed 17 - 6 by roll call vote with Rep. Caferro, Rep. Keogh, Rep. Kerr-Carpenter, Rep. Stewart Peregoy, Rep. Tuss, Rep. Windy Boy, voting yes. Rep. Kerr-Carpenter, By Proxy

19:25:58 **Motion:** Rep. Jonathan Windy Boy moved that **HB 479 TO TABLE.**

- 19:25:58 **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. Kerr-Carpenter, By Proxy
- 19:27:02 **Motion:** Rep. Bob Keenan moved that **HB 479 DO PASS AS AMENDED.**
- 19:27:02 **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. Kerr-Carpenter, By Proxy

EXECUTIVE ACTION ON HB 478 - Provide an appropriation for PL 280 reimbursement

- 19:28:17 **Motion:** Rep. Bob Keenan moved that **HB 478 DO PASS.**
- 19:28:26 **Substitute Motion:** Rep. Bob Keenan moved that **HB 478 TO TABLE.**
- Discussion:**
- 19:28:43 Rep. Jonathan Windy Boy
- 19:28:26 **Vote:** Substitute Motion carried 20 - 3 by roll call vote with Rep. Caferro, Rep. Kerr-Carpenter, Rep. Windy Boy, voting no.
Rep. Kerr-Carpenter, By Proxy

EXECUTIVE ACTION ON SB 127 - Require Montana to provide funding for enforcement of PL280

- 19:30:34 **Motion:** Rep. Bob Keenan moved that **SB 127 BE CONCURRED IN.**
- 19:30:41 **Substitute Motion:** Rep. Bill Mercer moved that **SB 127 TO TABLE.**
- 19:30:41 **Vote:** Substitute Motion carried 19 - 4 by roll call vote with Rep. Caferro, Rep. Kerr-Carpenter, Rep. Stewart Peregoy, Rep. Windy Boy, voting no.
Rep. Kerr-Carpenter, By Proxy

EXECUTIVE ACTION ON HB 390 - Provide for homestead exemption for primary residences

- 19:31:57 **Motion:** Rep. Bob Keenan moved that **HB 390 DO PASS.**
- 19:32:11 **Substitute Motion:** Rep. John Fitzpatrick moved that **HB 390 TO TABLE.**
- 19:32:11 **Vote:** Substitute Motion carried 20 - 3 by roll call vote with Rep. Mercer, Rep. Read, Rep. Tuss, voting no.

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

19:33:40 **Motion:** Rep. Bob Keenan moved that **HB 321 DO PASS AS AMENDED.**

Discussion:

19:34:10 Rep. Jim Hamilton

19:34:15 Chair Llew Jones

19:35:13 Rep. Jim Hamilton

19:36:05 Vice Chair Mary Caferro

19:33:40 **Vote:** Motion carried unanimously by roll call vote.

EXECUTIVE ACTION ON HB 393 - Establish the Students with Special Needs Equal Opportunity Act

19:38:05 **Motion:** Rep. Bob Keenan moved that **HB 393 DO PASS.**

19:38:05 **Vote:** Motion carried 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 no.
Rep. Kerr-Carpenter, By Proxy

EXECUTIVE ACTION ON HB 549 - Authorizing establishment of public charter schools

19:39:24 **Motion:** Rep. Bob Keenan moved that **HB 549 DO PASS.**

19:39:24 **Vote:** Motion carried 19 - 4 by roll call vote with Rep. Caferro, Rep. Hamilton, Rep. Keogh, Rep. Kerr-Carpenter, voting no.
Rep. Kerr-Carpenter, By Proxy

EXECUTIVE ACTION ON HB 562 - Authorize establishment of community choice schools

19:40:40 **Motion:** Rep. Bob Keenan moved that **HB 562 DO PASS.**

19:40:40 **Vote:** Motion carried 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 no.
Rep. Kerr-Carpenter, By Proxy

ADJOURNMENT

Adjournment: 19:43:41

Kathlyn Walker, Secretary

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