

**MINUTES**  
**MONTANA SENATE**  
**68th LEGISLATURE - REGULAR SESSION**  
**COMMITTEE ON (S) FINANCE AND CLAIMS**

**Call to Order:** Chair Sen. John Esp-R, on February 07, 2023 at 3:15 PM, in 303

**ROLL CALL**

**Members Present:** Sen. John Esp, Chair (R)  
Sen. Janet Ellis, Vice Chair (D)  
Sen. Carl Glimm, Vice Chair (R)  
Sen. Kenneth Bogner (R)  
Sen. John Fuller (R)  
Sen. Dennis Lenz (R)  
Sen. Ryan Lynch (D)  
Sen. Forrest Mandeville (R)  
Sen. Shane Morigeau (D)  
Sen. Christopher Pope (D)  
Sen. Daniel Salomon (R)  
Sen. Shelley Vance (R)

**Members Excused:** Sen. Dan Bartel (R)  
Sen. Ellie Boldman (D)  
Sen. Mike Cuffe (R)  
Sen. Pat Flowers (D)  
Sen. Mike Lang (R)  
Sen. Tom McGillvray (R)  
Sen. Jeffrey Welborn (R)

**Staff Present:** Julie Johnson, Research Analyst  
Joe Triem, Fiscal Analyst  
Cy Walsh, 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 175 02/03/2023  
SB 160 02/03/2023  
SB 163 02/03/2023  
SB 168 02/03/2023

SB 183 02/03/2023  
Executive Action:

SB 19 DO PASS  
SB 60 DO PASS  
SB 94 DO PASS AS AMENDED  
SB 95 DO PASS  
SB 126 TO TABLE  
HB 175 BE CONCURRED IN  
SB 163 DO PASS  
SB 168 DO PASS

**HEARING ON HB 175 - Amend state ARPA funding session law**

**Opening Statement:**

15:16:42 Rep. Edward Buttrey (R), HD 21, opened the hearing on HB 175, Amend state ARPA funding session law.

15:18:53 Sen. Lynch has left

15:18:59 Sen. Flowers has arrived

**Proponent Testimony:**

15:19:33 Amy Sassano, Office of Budget and Program Planning (OBPP)

**Opponent Testimony:**

None

**Informational Witness Testimony:**

None

**Questions from Committee:**

None

**Closing Statement:**

15:20:49 Rep. Edward Buttrey (R), HD 21, closed the hearing on HB 175.

**HEARING ON SB 160 - Generally revise drug and human trafficking laws**

**Opening Statement:**

15:21:39 Sen. Brad Molnar (R), SD 28, opened the hearing on SB 160, Generally revise drug and human trafficking laws.

15:23:28 Sen. Boldman has arrived

15:23:50 Sen. Bogner has left

15:25:21 Sen. Pope has left

15:27:13 Sen. McGillvray has arrived

**Discussion:**

[EXHIBIT\(230207FCSa1\)](#)

[EXHIBIT\(230207FCSa2\)](#)

**Proponent Testimony:**

None

**Opponent Testimony:**

15:28:48 Maggie Bornstein, American Civil Liberties Union of Montana (ACLU MT)

15:29:30 Brian Thompson, Montana County Attorneys Association (MCAA)

**Informational Witness Testimony:**

15:30:54 Steven Crawford, Department of Justice (DOJ)

15:31:34 Doug McBroom, Department of Transportation (DOT)

15:32:01 Brent Schandelson, Office of State Public Defender (OPD)

**Questions from Committee:**

15:32:43 Sen. Forrest Mandeville  
15:33:08 Doug McBroom, DOT  
15:34:03 Sen. Pat Flowers  
15:34:25 Doug McBroom, DOT  
15:35:52 Sen. John Esp  
15:36:05 Doug McBroom, DOT  
15:36:38 Sen. John Esp  
15:36:56 Brett Schandelson, OPD  
15:37:16 Sen. Bartel has arrived  
15:38:14 Sen. John Esp  
15:38:40 Steven Crawford, DOJ  
15:42:31 Sen. John Esp  
15:42:39 Sen. Janet Ellis

**Closing Statement:**

15:43:12 Sen. Brad Molnar (R), SD 28, closed the hearing on SB 160.

**HEARING ON SB 163 - Establish volunteer program in child protective services**

**Opening Statement:**

15:48:22 Sen. Dennis Lenz (R), SD 53, opened the hearing on SB 163, Establish volunteer program in child protective services.

**Proponent Testimony:**

15:49:21 Erica Johnston, Department of Public Health and Human Services (DPHHS)

**Opponent Testimony:**

None

**Informational Witness Testimony:**

None

**Questions from Committee:**

15:50:16 Sen. Janet Ellis

**Closing Statement:**

15:50:38 Sen. Dennis Lenz (R), SD 53, closed the hearing on SB 163.

**HEARING ON SB 168 - Revise lottery laws relating to sales agent commissions**

**Opening Statement:**

15:50:53 Sen. Greg Hertz (R), SD 12, opened the hearing on SB 168, Revise lottery laws relating to sales agent commissions.

**Proponent Testimony:**

15:52:10 Scott Sales, Lottery Director

**Opponent Testimony:**

None

**Informational Witness Testimony:**

None

**Questions from Committee:**

None

**Closing Statement:**

15:53:00 Sen. Greg Hertz (R), SD 12, closed the hearing on SB 168.

**HEARING ON SB 183 - Provide for jury trials in cases involving termination of parental rights**

**Opening Statement:**

15:53:23 Sen. Dennis Lenz (R), SD 53, opened the hearing on SB 183, Provide for jury trials in cases involving termination of parental rights.

**Proponent Testimony:**

None

**Opponent Testimony:**

15:54:14 Brian Thompson, Montana County Attorneys Association (MCAA)

15:57:25 Bruce Spencer, Montana Judges Association (MJA)

16:00:08 Jessie Luther, Montana Association of Clerks of District Court (MACDC)

16:01:27 Amanda O'Shea Tiernan, Yellowstone County Attorneys Office (YCAO)

**Informational Witness Testimony:**

16:03:46 Erica Johnston, Department of Public Health and Human Services (DPHHS)

16:04:11 Beth McLaughlin, Judicial Branch

16:04:31 Brett Schandelson, Office of the State Public Defender (OPD)

**Questions from Committee:**

16:04:58 Sen. Ellie Boldman

16:05:28 Brian Thompson, MCAA

16:06:20 Sen. Ellie Boldman

16:06:35 Bruce Spencer, MJA

16:08:22 Sen. John Esp  
16:08:34 Bruce Spencer, MJA  
16:08:41 Sen. Carl Glimm  
16:09:00 Sen. Dennis Lenz-R  
16:09:25 Sen. Carl Glimm  
16:09:40 Brett Schandelson, OPD  
16:11:45 Sen. Shane Morigeau  
16:12:39 Brian Thompson, MCAA  
16:13:42 Sen. Janet Ellis  
16:14:24 Brett Schandelson, OPD  
16:15:23 Sen. John Esp  
16:15:41 Beth McLaughlin, Judicial Branch  
16:16:45 Sen. Ellie Boldman  
16:17:36 Brett Schandelson, OPD

**Closing Statement:**

16:19:16 Sen. Dennis Lenz (R), SD 53, closed the hearing on SB 183.

16:23:31 Recessed  
16:41:36 Reconvened  
16:41:55 Sen. Welborn has arrived  
16:41:58 Sen. Lynch has arrived  
16:42:01 Sen. Bogner has arrived

**EXECUTIVE ACTION ON SB 19 - Generally revise disorderly conduct sentencing laws**

16:42:36 **Motion:** Sen. Carl Glimm moved that **SB 19 DO PASS.**

**Discussion:**

16:43:06 Sen. Ellie Boldman  
16:46:14 Sen. John Esp  
16:46:34 Sen. Carl Glimm  
16:42:36 **Vote:** Motion carried 13 - 6 by roll call vote with Sen. Boldman, Sen. Ellis, Sen. Flowers, Sen. Lynch, Sen. Morigeau, Sen. Pope, voting no.

**EXECUTIVE ACTION ON SB 60 - Establish enterprise fund for Montana spatial real time network**

16:48:17 **Motion:** Sen. Carl Glimm moved that **SB 60 DO PASS.**

**Discussion:**

16:48:33 Sen. John Esp

16:48:17 **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 94 - Generally revise laws related to recovery residences**

16:49:18 **Motion:** Sen. Carl Glimm moved that **SB 94 DO PASS.**

16:49:41 **Substitute Motion:** Sen. Jeffrey Welborn moved that **SB 94 BE AMENDED.**

**Discussion:**

16:50:06 Sen. Jeffrey Welborn

16:50:31 Sen. John Esp

16:49:41 **Vote:** Substitute Motion carried unanimously by voice vote.

16:51:16 **Motion:** Sen. Carl Glimm moved that **SB 94 DO PASS AS AMENDED.**

16:51:16 **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 95 - Generally revise theft laws**

16:51:47 **Motion:** Sen. Carl Glimm moved that **SB 95 DO PASS.**

16:51:47 **Vote:** Motion carried 13 - 6 by roll call vote with Sen. Boldman, Sen. Ellis, Sen. Flowers, Sen. Lynch, Sen. Morigeau, Sen. Pope, voting no.

**EXECUTIVE ACTION ON SB 126 - Provide funding for Montana State Fund**

16:54:01 **Motion:** Sen. Carl Glimm moved that **SB 126 DO PASS.**

16:54:13 **Substitute Motion:** Sen. Daniel Salomon moved that **SB 126 TO TABLE.**

16:54:13 **Vote:** Substitute Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 175 - Amend state ARPA funding session law**

16:55:08 **Motion:** Sen. Carl Glimm moved that **HB 175 BE CONCURRED IN.**

16:55:08 **Vote:** Motion carried unanimously by voice vote.

16:55:08 **Carrier Assigned:** Sen. Daniel Salomon

**EXECUTIVE ACTION ON SB 163 - Establish volunteer program in child protective services**

16:56:06 **Motion:** Sen. Carl Glimm moved that **SB 163 DO PASS.**

16:56:06 **Vote:** Motion carried 18 - 1 by voice vote with Sen. Flowers, voting no.

**EXECUTIVE ACTION ON SB 168 - Revise lottery laws relating to sales agent  
commissions**

16:56:43        **Motion:** Sen. Janet Ellis moved that **SB 168 DO PASS.**

16:56:43        **Vote:** Motion carried 16 - 3 by roll call vote with Sen. Lenz, Sen. McGillvray,  
Sen. Welborn, voting no.

**ADJOURNMENT**

Adjournment: 16:59:15

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Cy Walsh, Secretary

Additional Documents: [EXHIBIT\(230207FCSaad\)](#)