

**MINUTES**  
**MONTANA SENATE**  
**68th LEGISLATURE - REGULAR SESSION**  
**COMMITTEE ON (S) JUDICIARY**

**Call to Order:** Chair Keith Regier-R, on March 16, 2023 at 8:58 AM, in 303

**ROLL CALL**

**Members Present:** Sen. Keith Regier, Chair (R)  
Sen. Jen Gross, Vice Chair (D)  
Sen. Bob Brown (R)  
Sen. Daniel Emrich (R)  
Sen. Steve Hinebauch (R)  
Sen. Theresa Manzella (R)  
Sen. Andrea Olsen (D)  
Sen. Susan Webber (D)

**Members Excused:** Sen. Chris Friedel (R)  
Sen. Kathy Kelker (D)  
Sen. Barry Usher (R)

**Staff Present:** Julianne Burkhardt, Attorney  
Grace Gibney, 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 301 03/14/2023  
HB 356 03/14/2023  
HB 397 03/13/2023  
HB 426 03/13/2023

Executive Action:

HB 125  
HB 381  
HB 450  
HB 480

**HEARING ON HB 397 - Allow DOJ to share SSNs with DOR in certain situations**

**Opening Statement:**

08:59:45 Rep. Bill Mercer (R), HD 46, opened the hearing on HB 397, Allow DOJ to share SSNs with DOR in certain situations.

**Proponent Testimony:**

09:03:19 Derek Bell, Division Administrator, Montana Department of Revenue (MDR)

**Opponent Testimony:**

None

**Informational Witness Testimony:**

09:07:31 Logan Nordahl, Analytics and Planning Program Manager, Montana Department of Revenue

**Questions from Committee:**

09:08:12 Sen. Daniel Emrich

09:08:43 Derek Bell, MDR

09:10:44 Vice Chair Jen Gross

09:11:02 Derek Bell, MDR

**Closing Statement:**

09:11:28 Rep. Bill Mercer (R), HD 46, closed the hearing on HB 397.

**HEARING ON HB 426 - Revising laws relating to inmates approaching parole eligibility or discharge**

**Opening Statement:**

09:12:00 Rep. Michael Yakawich (R), HD 51, opened the hearing on HB 426, Revising laws relating to inmates approaching parole eligibility or discharge.

**Proponent Testimony:**

09:15:48 Amy Tenney, Montana Community Corrections Association (MCCA)

09:17:58 Representative Lola Sheldon-Galloway

09:20:27 Maggie Bornstein, American Civil Liberties Union of Montana (ACLU MT)

09:21:24 John Metropoulos, Missoula Correctional Services (MCS)

09:22:10 Erin McGowan, Executive Director, Montana Community Corrections Association (MCCA)

09:24:23 Dave Armstrong, Alternatives Inc.

09:26:46 Nicole Gomez, Montana Women Vote

**Opponent Testimony:**

None

**Informational Witness Testimony:**

09:27:28 Scott Eychner, Department of Corrections (DOC)

**Questions from Committee:**

09:27:53 Sen. Theresa Manzella

09:28:33 Amy Tenney, MCCA

09:30:05 Chair Keith Regier

09:30:10 Amy Tenney, MCCA

09:30:41 Vice Chair Jen Gross

09:31:29 Scott Eychner, DOC

09:33:42 Amy Tenney, MCCA

09:34:04 Sen. Daniel Emrich

09:34:59 Amy Tenney, MCCA

09:38:40 Chair Keith Regier

09:39:14 John Metropoulos, MCS

**Closing Statement:**

09:40:10 Rep. Michael Yakawich (R), HD 51, closed the hearing on HB 426.

**HEARING ON HB 301 - Revise laws relating to dangerous drugs**

**Opening Statement:**

09:42:17 Rep. Denise Baum (D), HD 47, opened the hearing on HB 301, Revise laws relating to dangerous drugs.

**Proponent Testimony:**

09:44:33 Steven Crawford, Bureau Chief of the Narcotics Bureau, Montana Division of Criminal Investigation (MDCI)

09:47:26 Shelby DeMars, Montana Police Protective Association (MPPA)

09:49:26 Nanette Gilbertson, Montana Sherrifs and Peace Officers Association (MSPOA), Montana County Attorneys Association (MCAA)

09:51:29 Jessie Luther, Association of Montana Troopers (AMT)

09:52:22 Ed Zink, Yellowstone County Attorney's Office

**Opponent Testimony:**

09:56:20 Maggie Bornstein, American Civil Liberties Union of Montana (ACLU MT)

10:01:12 Nicole Gomez, Montana Women Vote

**Informational Witness Testimony:**

None

**Questions from Committee:**

10:03:47 Sen. Theresa Manzella

10:05:01 Rep. Denise Baum-D

10:08:10 Vice Chair Jen Gross

10:09:47 Rep. Denise Baum-D

10:10:14 Vice Chair Barry Usher joined the meeting.

10:10:54 Vice Chair Jen Gross

10:11:03 Ed Zink, Yellowstone County Attorney's Office

10:12:12 Vice Chair Jen Gross

10:12:56 Rep. Denise Baum-D

10:14:15 Sen. Daniel Emrich  
10:15:50 Rep. Denise Baum-D  
10:23:45 Ed Zink, Yellowstone County Attorney's Office  
10:24:04 Sen. Bob Brown  
10:24:45 Rep. Denise Baum-D  
10:26:21 Sen. Theresa Manzella  
10:28:05 Ed Zink, Yellowstone County Attorney's Office  
10:28:52 Chair Keith Regier  
10:29:00 Ed Zink, Yellowstone County Attorney's Office  
10:30:15 Vice Chair Jen Gross  
10:30:30 Vice Chair Barry Usher  
10:31:19 Rep. Denise Baum-D  
10:31:46 Ed Zink, Yellowstone County Attorney's Office

**Closing Statement:**

10:32:20 Rep. Denise Baum (D), HD 47, closed the hearing on HB 301.

**HEARING ON HB 356 - Establish firearms industry nondiscrimination**

**Opening Statement:**

10:35:17 Rep. Brandon Ler (R), HD 35, opened the hearing on HB 356, Establish firearms industry nondiscrimination.

**Discussion:**

10:39:20 Sen. Andrea Olsen  
10:39:27 Attorney General Austin Knudsen, DOJ

**Proponent Testimony:**

10:37:37 Attorney General Austin Knudsen, Attorney General's Office, Montana Department of Justice (DOJ)

10:43:14 Nephi Cole, National Shooting Sports Association (NSSA)  
10:47:38 Garrett Bacon, self  
10:48:46 Alan Doane, Legislative Liaison, Department of Justice (DOJ)  
10:49:20 Brian Gosch, National Rifle Association (NRA)

**Opponent Testimony:**

None

**Informational Witness Testimony:**

10:51:03 Misty Ann Giles, Director, Montana Department of Administration

**Questions from Committee:**

10:51:44 Sen. Andrea Olsen  
10:52:33 Alan Doane, DOJ  
10:53:12 Rep. Brandon Ler-R  
10:54:26 Sen. Andrea Olsen  
10:54:56 Nephi Cole, NSSA  
10:57:46 Sen. Theresa Manzella  
10:58:12 Rep. Brandon Ler-R  
10:59:32 Vice Chair Barry Usher  
11:00:26 Alan Doane, DOJ  
11:01:02 Nephi Cole, NSSA  
11:03:40 Vice Chair Barry Usher  
11:04:17 Nephi Cole, NSSA

**Closing Statement:**

11:04:29 Rep. Brandon Ler (R), HD 35, closed the hearing on HB 356.

**EXECUTIVE ACTION ON HB 125 - Revise public hearing process for Montana facility  
finance authority**

- 11:24:00 **Motion:** Sen. Barry Usher moved that **HB 125 BE CONCURRED IN.**
- 11:24:56 **Motion:** Sen. Theresa Manzella moved that **HB 125 BE AMENDED.**
- 11:24:56 **Vote:** Motion carried unanimously by voice vote.
- 11:26:06 **Motion:** Sen. Barry Usher moved that **HB 125 BE CONCURRED IN AS  
AMENDED.**

**Discussion:**

- 11:26:20 Chair Keith Regier
- 11:26:50 Sen. Susan Webber left the meeting.
- 11:26:06 **Vote:** Motion carried unanimously by voice vote.
- 11:26:06 **Carrier Assigned:** Sen. Daniel Emrich

**EXECUTIVE ACTION ON HB 381 - Revise laws related to methamphetamine  
contamination**

- 11:28:54 **Motion:** Sen. Barry Usher moved that **HB 381 BE CONCURRED IN.**
- 11:28:54 **Vote:** Motion carried unanimously by voice vote.
- 11:30:04 **Motion:** Sen. Jen Gross moved that **HB 381 BE AMENDED.**

**Discussion:**

- 11:30:29 Vice Chair Jen Gross
- 11:31:36 Chair Keith Regier
- 11:32:07 Vice Chair Jen Gross
- 11:30:04 **Vote:** Motion failed 6 - 5 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Usher, Sen. Webber, voting yes.  
Sen. Kelker, Sen. Webber, By Proxy
- 11:33:39 **Motion:** Sen. Barry Usher moved that **HB 381 BE CONCURRED IN.**
- 11:33:39 **Vote:** Motion carried 10 - 1 by roll call vote with Sen. Emrich, voting no.
- 11:33:39 **Carrier Assigned:** Sen. Jen Gross

**EXECUTIVE ACTION ON HB 450 - Protect physical self-defense in K-12 schools**

- 11:35:27 **Motion:** Sen. Barry Usher moved that **HB 450 BE CONCURRED IN.**

11:35:27 **Vote:** Motion carried 7 - 4 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Webber, voting no.  
Sen. Kelker, Sen. Webber, By Proxy

11:35:27 **Carrier Assigned:** Sen. Barry Usher

**EXECUTIVE ACTION ON HB 480 - Revise laws relating to State Lottery investigations and enforcement**

11:37:02 **Motion:** Sen. Barry Usher moved that **HB 480 BE CONCURRED IN.**

11:37:02 **Vote:** Motion carried 7 - 4 by roll call vote with Sen. Emrich, Sen. Friedel, Sen. Manzella, Sen. Usher, voting no.  
Sen. Friedel, By Proxy

11:37:02 **Carrier Assigned:** Sen. Bob Brown

**ADJOURNMENT**

Adjournment: 11:38:43

---

Grace Gibney, Secretary

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