

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

**Call to Order:** Chair John Esp-R, on March 24, 2023 at 8:02 AM, in 317

**ROLL CALL**

**Members Present:** Sen. John Esp, Chair (R)  
Sen. Janet Ellis, Vice Chair (D)  
Sen. Carl Glimm, Vice Chair (R)  
Sen. Dan Bartel (R)  
Sen. Kenneth Bogner (R)  
Sen. Mike Cuffe (R)  
Sen. Pat Flowers (D)  
Sen. John Fuller (R)  
Sen. Mike Lang (R)  
Sen. Dennis Lenz (R)  
Sen. Ryan Lynch (D)  
Sen. Forrest Mandeville (R)  
Sen. Tom McGillvray (R)  
Sen. Shane Morigeau (D)  
Sen. Christopher Pope (D)  
Sen. Daniel Salomon (R)  
Sen. Shelley Vance (R)  
Sen. Jeffrey Welborn (R)

**Members Excused:** Sen. Ellie Boldman (D)

**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 117 03/22/2023  
HB 163 03/22/2023  
HB 171 03/22/2023  
HB 355 03/22/2023  
HB 797 03/22/2023

Executive Action:

HB 367 BE CONCURRED IN AS  
AMENDED  
SB 47 DO PASS AS AMENDED  
SB 250 DO PASS AS AMENDED  
SB 474 TO TABLE  
HB 117 BE CONCURRED IN  
HB 171 BE CONCURRED IN

**HEARING ON HB 171 - Revise education laws related to residential treatment facilities**

**Opening Statement:**

08:04:00 Rep. David Bedey (R), HD 86, opened the hearing on HB 171, Revise education laws related to residential treatment facilities.

**Discussion:**

08:05:35 Sen. Kenneth Bogner left the meeting.

**Proponent Testimony:**

08:11:26 Matt Bugni, AWARE, Inc.

**Opponent Testimony:**

None

**Informational Witness Testimony:**

08:08:07 Jay Phillips, Office of Public Instruction (OPI)

08:08:23 Meghan Peel, Department of Public Health and Human Services (DPHHS)

**Questions from Committee:**

08:09:01 Sen. Mike Cuffe

08:09:27 Rep. David Bedey-R

**Closing Statement:**

08:14:28 Rep. David Bedey (R), HD 86, closed the hearing on HB 171.

**HEARING ON HB 117 - Generally revise working retiree laws under TRS**

**Opening Statement:**

08:14:57 Rep. Marta Bertoglio (R), HD 75, opened the hearing on HB 117, Generally revise working retiree laws under TRS.

**Discussion:**

08:15:31 Sen. Jeffrey Welborn left the meeting.

**Proponent Testimony:**

08:16:59 Shawn Graham, Montana Teachers Retirement System (TRS)

08:20:18 Sen. Shane Morigeau left the meeting.

08:20:36 Dennis Parman, Montana Rural Education Association (MREA)

08:21:44 Sarah Piper, Montana Federation of Public Employees (MFPE)

**Opponent Testimony:**

None

**Informational Witness Testimony:**

08:23:01 Jay Phillips, Office of Public Instruction (OPI)

**Questions from Committee:**

08:23:23 Vice Chair Carl Glimm

08:23:50 Shawn Graham, TRS

**Closing Statement:**

08:27:04 Rep. Marta Bertoglio (R), HD 75, closed the hearing on HB 117.

**HEARING ON HB 163 - Revise and extend Missing Indigenous Persons Task Force**

**Opening Statement:**

08:28:16 Rep. Tyson Running Wolf (D), HD 16, opened the hearing on HB 163, Revise and extend Missing Indigenous Persons Task Force.

**Proponent Testimony:**

08:31:05 Dana Toole, Department of Justice (DOJ)

08:33:01 Alan Doane, Department of Justice (DOJ)

08:33:59 Patrick Yawakie, Blackfeet Tribe

08:35:34 Joan Kresich, Northern Plains Resource Council (NPRC)

08:36:14 Sen. Mike Lang left the meeting.

08:37:03 Danielle Vazquez, Montana Women Vote (MWV)

**Opponent Testimony:**

None

**Informational Witness Testimony:**

08:38:00 Nate Thomas, Department of Justice (DOJ)

**Questions from Committee:**

08:38:46 Sen. Tom McGillvray  
08:39:12 Rep. Tyson Running Wolf-D  
08:40:24 Sen. Tom McGillvray  
08:40:55 Alan Doane, DOJ  
08:42:59 Sen. Ryan Lynch  
08:43:38 Rep. Tyson Running Wolf-D  
08:44:46 Sen. Ryan Lynch  
08:45:10 Alan Doane, DOJ  
08:46:55 Sen. Mike Cuffe  
08:48:16 Alan Doane, DOJ  
08:48:46 Sen. Christopher Pope  
08:49:20 Rep. Tyson Running Wolf-D  
08:49:37 Sen. Christopher Pope  
08:49:47 Dana Toole, DOJ  
08:50:07 Vice Chair Janet Ellis left the meeting.  
08:50:30 Sen. Mike Cuffe left the meeting.  
08:51:59 Sen. Forrest Mandeville  
08:52:18 Dana Toole, DOJ  
08:52:26 Chair John Esp  
08:52:32 Sen. Forrest Mandeville  
08:52:41 Chair John Esp  
08:52:52 Vice Chair Carl Glimm  
08:53:33 Rep. Tyson Running Wolf-D

08:54:42 Vice Chair Carl Glimm  
08:55:03 Dana Toole, DOJ  
08:56:13 Chair John Esp  
08:57:27 Sen. Forrest Mandeville  
08:58:15 Dana Toole, DOJ  
08:58:28 Nate Thomas, DOJ  
09:00:44 Sen. Forrest Mandeville  
09:00:49 Chair John Esp  
09:01:17 Nate Thomas, DOJ  
09:02:12 Joe Triem  
09:02:44 Sen. Pat Flowers  
09:03:58 Chair John Esp  
09:04:14 Sen. Forrest Mandeville  
09:04:23 Chair John Esp

**Closing Statement:**

09:04:33 Rep. Tyson Running Wolf (D), HD 16, closed the hearing on HB 163.

09:09:37 **Recessed**

09:20:03 **Reconvened**

**HEARING ON HB 355 - Appropriate funds for local government infrastructure projects**

**Opening Statement:**

09:20:22 Rep. John Fitzpatrick (R), HD 77, opened the hearing on HB 355, Appropriate funds for local government infrastructure projects.

**Discussion:**

[EXHIBIT\(230324FCSa1\)](#)

09:25:42 Sen. Mike Cuffe joined the meeting.

09:25:46 Sen. Mike Lang joined the meeting.

**Proponent Testimony:**

09:32:26 Joe Briggs, Montana Association of Counties (MACo)

09:36:05 Tom Rolfe, Lewis and Clark County Commissioner

09:37:36 Daniel Karlin, American Society of Civil Engineers (ASCE)

09:41:25 Cory Kirsch, Jefferson County Commissioner

09:42:20 George Real Bird III, Big Horn County Commissioner

09:44:52 Darryl James, Montana Infrastructure Coalition (MIC)

09:48:14 Amanda Frickle, Montana American Federation of Labor and Congress of Industrial Organizations (AFL-CIO)

09:49:58 Adam Haight, Laborers Local 1686 (Laborers)

09:50:38 Al Ekblad, Operating Engineers Local 400 (OE)

09:51:47 John Forkin, Montana State Building and Construction Trades Council (MSBCTC)

09:52:03 Sen. Jeffrey Welborn joined the meeting.

09:52:34 Sam Forstag, Cities of Missoula and Bozeman

09:53:08 Dwight Rose, International Brotherhood of Electrical Workers Local 44 (IBEW)

09:53:18 Steve Wade, Montana Contractors Association (MCA)

09:53:48 Jackie McBroom, Montana State Conference of Electrical Workers (MSCEW)

09:54:28 Jason Strouf, Custer County Commissioner

09:55:12 Davin Buffington, Liberty County

09:55:48 John Ostlund, Yellowstone County Commissioner

09:56:27 Gordon Oelkers, Roosevelt County Commissioner  
09:57:53 Tyrel Hamilton, Stillwater County Commissioner  
09:59:14 Allison Corbyn, Montana Economic Developers Association (MEDA)

**Opponent Testimony:**

None

**Informational Witness Testimony:**

10:00:24 Mandy Rambo, Department of Commerce (DOC)

**Questions from Committee:**

10:00:54 Sen. Dennis Lenz left the meeting.  
10:00:59 Sen. Tom McGillvray  
10:01:26 Darryl James, MIC  
10:02:41 Sen. Tom McGillvray  
10:03:09 Daniel Karlin, ASCE  
10:04:36 Sen. Tom McGillvray  
10:04:59 Steve Wade, MCA  
10:05:47 Sen. Tom McGillvray  
10:06:13 Rep. John Fitzpatrick-R  
10:08:11 Sen. Dan Bartel  
10:08:22 Rep. John Fitzpatrick-R  
10:10:17 Sen. Dan Bartel  
10:10:42 Joe Briggs, Cascade County  
10:12:24 Sen. Mike Cuffe  
10:13:41 George Karlin, ASCE  
10:14:34 Sen. Shane Morigeau joined the meeting.  
10:14:45 Sen. Mike Cuffe

10:15:43 Sen. Pat Flowers left the meeting.  
10:16:33 Darryl James, MIC  
10:18:27 Sen. Mike Cuffe  
10:18:53 Rep. John Fitzpatrick-R  
10:20:21 Sen. Forrest Mandeville  
10:21:25 Rep. John Fitzpatrick-R  
10:23:00 Sen. Forrest Mandeville  
10:23:31 Tyrel Hamilton, Stillwater County  
10:26:16 Chair John Esp  
10:26:23 Mandy Rambo, DOC  
10:27:11 Sen. John Fuller  
10:28:12 Rep. John Fitzpatrick-R

**Closing Statement:**

10:28:44 Rep. John Fitzpatrick (R), HD 77, closed the hearing on HB 355.

**Discussion:**

10:29:28 Sen. Mike Lang left the meeting.

**HEARING ON HB 797 - Require agency reporting on financial assistance to tribes**

**Opening Statement:**

10:30:50 Rep. Jonathan Windy Boy (D), HD 32, opened the hearing on HB 797, Require agency reporting on financial assistance to tribes.

**Discussion:**

[EXHIBIT\(230324FCSa2\)](#)

**Proponent Testimony:**

10:35:58 Lance Four Star, Montana American Indian Caucus (MAIC)

10:37:34 Sen. Dennis Lenz joined the meeting.

10:38:13 Patrick Yawakie, Blackfeet Tribe

**Opponent Testimony:**

None

**Informational Witness Testimony:**

None

**Questions from Committee:**

10:39:39 Sen. Dan Bartel

10:40:15 Rep. Jonathan Windy Boy-D

**Closing Statement:**

10:41:36 Rep. Jonathan Windy Boy (D), HD 32, closed the hearing on HB 797.

**Discussion:**

10:42:07 Sen. Mike Cuffe left the meeting.

10:44:32 **Recessed**

11:12:47 **Reconvened**

11:12:48 Sen. McGillvray has left

11:12:48 Sen. Boldman has arrived

**EXECUTIVE ACTION ON HB 367 - Providing clarification for use of federal funds for data modernization**

11:13:02 **Motion:** Sen. Carl Glimm moved that **HB 367 BE CONCURRED IN.**

11:13:25 **Motion:** Sen. Jeffrey Welborn moved that **HB 367 BE AMENDED.**

**Discussion:**

11:13:40 Sen. Jeffrey Welborn

11:13:25 **Vote:** Motion carried 18 - 1 by roll call vote with Sen. Esp, voting no.

11:15:40 **Motion:** Sen. Carl Glimm moved that **HB 367 BE CONCURRED IN AS AMENDED.**

11:15:53 **Motion:** Sen. Carl Glimm moved that **HB 367 BE AMENDED.**

**Discussion:**

11:16:19 Chair John Esp

11:15:53 **Vote:** Motion carried unanimously by voice vote.

11:17:02 **Motion:** Sen. Carl Glimm moved that **HB 367 BE CONCURRED IN AS AMENDED.**

11:17:02 **Vote:** Motion carried 18 - 1 by voice vote with Sen. Glimm, voting no.

11:17:02 **Carrier Assigned:** Sen. Daniel Salomon

**EXECUTIVE ACTION ON SB 47 - Revise commercial drivers license laws to comply with federal requirements**

11:17:58 **Motion:** Sen. Carl Glimm moved that **SB 47 DO PASS.**

11:18:41 **Motion:** Sen. Carl Glimm moved that **SB 47 BE AMENDED.**

**Discussion:**

11:18:47 Vice Chair Carl Glimm

11:20:59 Sen. Ryan Lynch

11:21:21 Vice Chair Carl Glimm

11:21:53 Chair John Esp

11:18:41 **Vote:** Motion carried unanimously by voice vote.

11:22:33 **Motion:** Sen. Carl Glimm moved that **SB 47 DO PASS AS AMENDED.**

**Discussion:**

11:22:44 Vice Chair Carl Glimm

11:22:33 **Vote:** Motion carried 12 - 7 by roll call vote with Sen. Bartel, Sen. Glimm, Sen. Lang, Sen. Lenz, Sen. Lynch, Sen. Mandeville, Sen. Vance, voting no. Sen. Lang, By Proxy

**EXECUTIVE ACTION ON SB 250 - Adopt Safety of the Child First Act**

11:24:33 **Motion:** Sen. Carl Glimm moved that **SB 250 DO PASS.**

11:24:39 **Motion:** Sen. Ryan Lynch moved that **SB 250 BE AMENDED.**

**Discussion:**

11:25:45 Sen. Ryan Lynch

11:26:15 Chair John Esp

- 11:27:07 Sen. Ryan Lynch
- 11:24:39 **Vote:** Motion carried 16 - 3 by roll call vote with Sen. Glimm, Sen. Mandeville, Sen. Vance, voting no.
- 11:29:06 **Motion:** Sen. Carl Glimm moved that **SB 250 DO PASS AS AMENDED.**
- 11:29:06 **Vote:** Motion carried 17 - 2 by voice vote with Sen. Cuffe, Sen. Welborn, voting no.  
Sen. Cuffe, By Proxy

**EXECUTIVE ACTION ON SB 474 - Generally revise laws pertaining to sports betting**

- 11:30:09 **Motion:** Sen. Carl Glimm moved that **SB 474 DO PASS.**
- 11:30:37 **Motion:** Sen. Forrest Mandeville moved that **SB 474 BE AMENDED.**
- Discussion:**
- 11:30:53 Sen. Forrest Mandeville
- 11:34:31 Chair John Esp
- 11:30:37 **Vote:** Motion carried 14 - 5 by roll call vote with Sen. Ellis, Sen. Esp, Sen. Flowers, Sen. Lenz, Sen. Pope, voting no.  
Sen. Flowers, By Proxy
- 11:36:08 **Motion:** Sen. Carl Glimm moved that **SB 474 DO PASS AS AMENDED.**
- 11:36:08 **Vote:** Motion failed 10 - 9 by roll call vote with Sen. Bartel, Sen. Bogner, Sen. Boldman, Sen. Fuller, Sen. Glimm, Sen. Lang, Sen. Mandeville, Sen. Morigeau, Sen. Salomon, voting yes.  
Sen. Bogner, Sen. Lang, By Proxy
- 11:37:05 **Motion:** Sen. Carl Glimm moved that **SB 474 TO TABLE.**
- 11:37:05 **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 117 - Generally revise working retiree laws under TRS**

- 11:37:23 **Motion:** Sen. Carl Glimm moved that **HB 117 BE CONCURRED IN.**
- Discussion:**
- 11:37:53 Vice Chair Carl Glimm
- 11:38:16 Sen. Daniel Salomon
- 11:38:42 Chair John Esp
- 11:38:48 Sen. Daniel Salomon
- 11:39:06 Chair John Esp

- 11:39:17 Sen. Ryan Lynch
- 11:39:47 Chair John Esp
- 11:37:23 **Vote:** Motion carried 14 - 5 by roll call vote with Sen. Esp, Sen. Glimm, Sen. Lenz, Sen. Mandeville, Sen. McGillvray, voting no.  
Sen. McGillvray, By Proxy

**EXECUTIVE ACTION ON HB 171 - Revise education laws related to residential treatment facilities**

- 11:40:56 **Motion:** Sen. Carl Glimm moved that **HB 171 BE CONCURRED IN.**
- 11:40:56 **Vote:** Motion carried 18 - 1 by voice vote with Sen. McGillvray, voting no.  
Sen. McGillvray, By Proxy

**DISCUSSION ON HB 81**

- 11:41:58 **Motion:** Sen. Carl Glimm moved that **HB 81 BE CONCURRED IN.**
- 11:42:25 Sen. Ryan Lynch
- 11:43:03 **Motion Withdrawn**

**ADJOURNMENT**

Adjournment: 11:44:31

---

Cy Walsh, Secretary

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