

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

**Call to Order:** Chair Keith Regier-R, on April 03, 2023 at 8:02 AM, in 303

**ROLL CALL**

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

**Members Excused:** Sen. Kathy Kelker (D)

**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 398 03/28/2023

HB 461 03/28/2023

HB 480 03/28/2023

Executive Action:

HB 255 BE CONCURRED IN AS  
AMENDED

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

**Opening Statement:**

08:03:24 Rep. Neil Duram (R), HD 2, opened the hearing on HB 480, Revise laws relating to State Lottery investigations and enforcement.

**Proponent Testimony:**

08:05:17 Scott Sales, Montana State Director of Lottery

**Opponent Testimony:**

None

**Informational Witness Testimony:**

None

**Questions from Committee:**

08:08:06 Vice Chair Jen Gross  
08:08:42 Scott Sales, Montana State Director of Lottery  
08:09:42 Sen. Andrea Olsen  
08:10:53 Scott Sales, Montana State Director of Lottery  
08:14:07 Sen. Theresa Manzella  
08:14:26 Scott Sales, Montana State Director of Lottery  
08:17:11 Vice Chair Barry Usher  
08:17:38 Scott Sales, Montana State Director of Lottery  
08:18:12 Sen. Susan Webber  
08:18:41 Scott Sales, Montana State Director of Lottery  
08:19:24 Julianne Burkhardt  
08:22:04 Sen. Chris Friedel  
08:22:09 Rep. Neil Duram-R  
08:24:05 Sen. Bob Brown

08:24:27 Rep. Neil Duram-R  
08:26:28 Sen. Daniel Emrich  
08:27:56 Scott Sales, Montana State Director of Lottery

**Closing Statement:**

08:29:02 Rep. Neil Duram (R), HD 2, closed the hearing on HB 480.

**HEARING ON HB 461 - Revise laws related to reporting of child abuse and neglect**

**Opening Statement:**

08:30:26 Rep. Lola Sheldon-Galloway (R), HD 22, opened the hearing on HB 461, Revise laws related to reporting of child abuse and neglect.

**Proponent Testimony:**

08:33:02 Nikki Grossberg, Child and Family Services, Department of Public Health and Human Services (DPHHS)

**Opponent Testimony:**

None

**Informational Witness Testimony:**

None

**Questions from Committee:**

08:34:39 Vice Chair Jen Gross  
08:35:29 Nikki Grossberg, DPHHS  
08:36:15 Sen. Susan Webber  
08:36:31 Nikki Grossberg, DPHHS  
08:37:15 Rep. Lola Sheldon-Galloway-R  
08:38:01 Sen. Theresa Manzella  
08:38:35 Rep. Lola Sheldon-Galloway-R  
08:38:50 Nikki Grossberg, DPHHS  
08:39:48 Sen. Andrea Olsen

08:40:51 Nikki Grossberg, DPHHS

**Closing Statement:**

08:40:57 Rep. Lola Sheldon-Galloway (R), HD 22, closed the hearing on HB 461.

**HEARING ON HB 398 - Define recidivism for executive branch and judicial branch reporting**

**Opening Statement:**

08:41:40 Rep. Bill Mercer (R), HD 46, opened the hearing on HB 398, Define recidivism for executive branch and judicial branch reporting.

**Proponent Testimony:**

None

**Opponent Testimony:**

08:47:47 Brian Gootkin, Director, Montana Department of Corrections (DOC)

**Informational Witness Testimony:**

None

**Questions from Committee:**

08:51:04 Chair Keith Regier  
08:51:13 Brian Gootkin, DOC  
08:51:57 Chair Keith Regier  
08:52:18 Rep. Bill Mercer-R  
08:56:17 Chair Keith Regier  
08:56:59 Rep. Bill Mercer-R  
08:57:05 Vice Chair Jen Gross  
08:58:23 Brian Gootkin, DOC  
08:59:12 Sen. Susan Webber  
09:00:51 Rep. Bill Mercer-R  
09:04:01 Chair Keith Regier

09:04:34 Brian Gootkin, DOC

**Closing Statement:**

09:05:13 Rep. Bill Mercer (R), HD 46, closed the hearing on HB 398.

**EXECUTIVE ACTION ON HB 255 - Generally revise catalytic converter sale laws**

09:30:20 **Motion:** Sen. Barry Usher moved that **HB 255 BE CONCURRED IN.**

09:30:24 **Motion:** Sen. Barry Usher moved that **HB 255 BE AMENDED.**

**Discussion:**

09:32:26 Chair Keith Regier

09:32:57 Julianne Burkhardt

09:33:25 Vice Chair Jen Gross

09:34:24 Sen. Andrea Olsen

09:35:36 Chair Keith Regier

09:35:50 Sen. Andrea Olsen

09:36:46 Julianne Burkhardt

09:37:02 Chair Keith Regier

09:37:05 Julianne Burkhardt

09:30:24 **Vote:** Motion carried 6 - 5 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Regier, Sen. Usher, Sen. Webber, voting no.  
Sen. Kelker, By Proxy

09:38:12 **Motion:** Sen. Barry Usher moved that **HB 255 BE CONCURRED IN AS AMENDED.**

**Discussion:**

09:38:20 Vice Chair Jen Gross

09:39:18 Sen. Andrea Olsen

09:39:52 Sen. Chris Friedel

09:40:55 Chair Keith Regier

09:41:09 Sen. Susan Webber

09:41:53 Sen. Andrea Olsen

09:42:26 Sen. Chris Friedel

09:38:12      **Vote:** Motion carried 7 - 4 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Webber, voting no.  
Sen. Kelker, By Proxy

09:38:12      **Carrier Assigned:** Sen. Chris Friedel

**ADJOURNMENT**

Adjournment: 09:44:48

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Grace Gibney, Secretary

Additional Documents: [EXHIBIT\(230403JUSaad\)](#)