

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

Call to Order: Chair Carl Glimm-R, on April 14, 2023 at 3:29 PM, in 317

ROLL CALL

Members Present: Sen. John Esp, Chair (R)
Sen. Janet Ellis, Vice Chair (D)
Sen. Carl Glimm, Vice Chair (R)
Sen. Ellie Boldman (D)
Sen. Pat Flowers (D)
Sen. John Fuller (R)
Sen. Dennis Lenz (R)
Sen. Tom McGillvray (R)
Sen. Shane Morigeau (D)
Sen. Christopher Pope (D)
Sen. Jeffrey Welborn (R)

Members Excused: Sen. Dan Bartel (R)
Sen. Kenneth Bogner (R)
Sen. Mike Cuffe (R)
Sen. Mike Lang (R)
Sen. Ryan Lynch (D)
Sen. Forrest Mandeville (R)
Sen. Daniel Salomon (R)
Sen. Shelley Vance (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 16 04/13/2023
HB 362 04/13/2023
HB 398 04/14/2023
HB 680 04/14/2023

HB 791 04/13/2023
HB 839 04/13/2023

Executive Action:

HB 190 BE CONCURRED IN AS
AMENDED
HB 839 TO TABLE
HB 362 TO TABLE
HB 16 BE CONCURRED IN
HB 791 BE CONCURRED IN
HB 398 TO TABLE
HB 680 TO TABLE
HB 818 TO TABLE

HEARING ON HB 791 - Generally revise drug crime sentences

Opening Statement:

15:30:44 Rep. Courtenay Sprunger (R), HD 7, opened the hearing on HB 791, Generally revise drug crime sentences.

Discussion:

15:31:30 Sen. Pat Flowers left the meeting.

15:31:34 Sen. Shane Morigeau left the meeting.

15:31:41 Sen. Jeffrey Welborn left the meeting.

Proponent Testimony:

15:33:07 Steven Crawford, Department of Justice (DOJ)

15:33:35 Nanette Gilbertson, Montana Sheriffs and Peace Officers Association (MSPOA)

Opponent Testimony:

15:35:04 Maggie Bornstein, American Civil Liberties Union of Montana (ACLU)

Informational Witness Testimony:

15:34:51 Natalie Smitham, Department of Corrections (DOC)

Questions from Committee:

15:37:17 Sen. Kenneth Bogner joined the meeting.

15:37:25 Sen. John Fuller

15:38:29 Natalie Smitham, DOC

15:38:38 Sen. Ellie Boldman

15:39:06 Natalie Smitham, DOC

Closing Statement:

15:40:50 Rep. Courtenay Sprunger (R), HD 7, closed the hearing on HB 791.

Discussion:

15:41:22 Sen. Forrest Mandeville joined the meeting.

HEARING ON HB 16 - Revise laws relating to child abuse and neglect proceedings

Opening Statement:

15:43:05 Rep. Jennifer Carlson (R), HD 69, opened the hearing on HB 16, Revise laws relating to child abuse and neglect proceedings.

Discussion:

15:43:21 Sen. Mike Lang joined the meeting.

Proponent Testimony:

15:44:54 Erica Johnston, Department of Public Health and Human Services (DPHHS)

15:45:18 Nanette Gilbertson, Montana County Attorneys Association (MCAA)

Opponent Testimony:

None

Informational Witness Testimony:

15:46:42 Koan Mercer, Office of the State Public Defender (OPD)

15:46:56 Beth McLaughlin, Judicial Branch

Questions from Committee:

15:47:20 Chair John Esp

15:47:43 Rep. Jennifer Carlson-R

15:48:08 Sen. Dennis Lenz

15:48:49 Rep. Jennifer Carlson-R

15:49:35 Sen. Christopher Pope

15:50:00 Rep. Jennifer Carlson-R

15:50:03 Sen. Pat Flowers joined the meeting.

15:50:45 Sen. Ellie Boldman

15:51:17 Koan Mercer, OPD

Closing Statement:

15:51:35 Rep. Jennifer Carlson (R), HD 69, closed the hearing on HB 16.

Discussion:

15:51:45 Sen. Pat Flowers left the meeting.

HEARING ON HB 362 - Revise laws related to the crisis intervention team training program

Opening Statement:

15:53:11 Rep. Denise Baum (D), HD 47, opened the hearing on HB 362, Revise laws related to the crisis intervention team training program.

Discussion:

15:54:48 Sen. Kenneth Bogner left the meeting.

15:55:41 Sen. Pat Flowers joined the meeting.

Proponent Testimony:

15:56:28 Sen. Barry Usher

15:57:12 Sen. Ryan Lynch joined the meeting.

15:57:15 Sen. Shane Morigeau joined the meeting.

15:58:50 Nanette Gilbertson, Montana Sheriffs and Peace Officers Association (MSPOA)

15:59:44 Rep. Jennifer Carlson

Opponent Testimony:

None

Informational Witness Testimony:

16:00:50 Natalia Bowser, Board of Crime Control (BCC)

Questions from Committee:

16:01:27 Sen. Mike Lang

16:02:04 Nanette Gilbertson, MSPOA

16:02:21 Sen. Ryan Lynch left the meeting.

Closing Statement:

16:03:54 Rep. Denise Baum (D), HD 47, closed the hearing on HB 362.

Discussion:

16:04:57 Sen. Kenneth Bogner joined the meeting.

HEARING ON HB 839 - Fund the Great Falls fire training center

Opening Statement:

16:07:43 Rep. Kerri Seekins-Crowe (R), HD 43, opened the hearing on HB 839, Fund the Great Falls fire training center.

Discussion:

16:07:46 Sen. Jeffrey Welborn joined the meeting.

16:11:40 Sen. Mike Cuffe joined the meeting.

Proponent Testimony:

16:11:48 Thomas Jodoin, Montana League of Cities and Towns (MLCT)

16:13:16 Rep. Steve Gist

16:13:16 Rep. Steve Gist

[EXHIBIT\(230414FCSb1\)](#)

[EXHIBIT\(230414FCSb2\)](#)

[EXHIBIT\(230414FCSb3\)](#)

[EXHIBIT\(230414FCSb4\)](#)

[EXHIBIT\(230414FCSb5\)](#)

16:13:55 Sen. Shelley Vance joined the meeting.

16:17:36 Nanette Gilbertson, Montana Sheriffs and Peace Officers Association (MSPOA)

16:18:35 Sen. Forrest Mandeville left the meeting.

16:18:38 Sen. Kenneth Bogner left the meeting.

16:18:57 Jeremy Jones, self

16:20:46 Sen. Dan Bartel joined the meeting.

Opponent Testimony:

None

Informational Witness Testimony:

16:24:04 Russ Katherman, Department of Administration (DOA)

16:24:52 Janae Grotbo, Department of Military Affairs (DMA)

16:25:16 Delila Bruno, Disaster and Emergency Services (DES)

Questions from Committee:

16:25:50 Sen. Dennis Lenz

16:26:57 Rep. Kerri Seekins-Crowe-R

16:27:41 Sen. Pat Flowers

16:27:56 Rep. Kerri Seekins-Crowe-R

16:28:43 Sen. Pat Flowers

16:28:58 Chair John Esp

16:29:00 Sen. Pat Flowers

16:29:19 Rep. Steve Gist

16:31:54 Russ Katherman, DOA

16:32:07 Sen. Pat Flowers

16:32:48 Russ Katherman, DOA

16:33:14 Sen. Pat Flowers

16:33:27 Joe Triem

16:33:41 Sen. Shane Morigeau left the meeting.

16:34:14 Sen. Pat Flowers

16:34:39 Rep. Kerri Seekins-Crowe-R

16:35:46 Vice Chair Janet Ellis

16:36:56 Sen. Ryan Lynch joined the meeting.
16:37:27 Rep. Kerri Seekins-Crowe-R
16:38:08 Chair John Esp
16:38:41 Sen. Mike Cuffe
16:38:56 Jeremy Jones, self

Closing Statement:

16:39:24 Rep. Kerri Seekins-Crowe (R), HD 43, closed the hearing on HB 839.

HEARING ON HB 680 - Generally revise laws related to criminal acts

Opening Statement:

16:41:24 Rep. Kerri Seekins-Crowe (R), HD 43, opened the hearing on HB 680,
Generally revise laws related to criminal acts.

Proponent Testimony:

16:41:58 Patrick Moody, Attorney General's Office
16:44:12 Sen. Ryan Lynch left the meeting.
16:44:26 Nanette Gilbertson, Montana Sheriffs and Peace Officers Association
(MSPOA)

Opponent Testimony:

None

Informational Witness Testimony:

16:45:26 Natalie Smitham, Department of Corrections (DOC)

Questions from Committee:

16:45:49 Sen. Ellie Boldman
16:46:11 Sen. Ryan Lynch joined the meeting.
16:46:41 Natalie Smitham, DOC
16:48:05 Sen. Mike Cuffe left the meeting.
16:48:29 Sen. Kenneth Bogner joined the meeting.

16:48:32 Sen. Forrest Mandeville joined the meeting.
16:48:35 Sen. Dennis Lenz left the meeting.
16:48:38 Vice Chair Janet Ellis
16:48:44 Sen. Mike Lang left the meeting.
16:49:12 Natalie Smitham, DOC
16:49:47 Sen. Ellie Boldman
16:50:24 Natalie Smitham, DOC

Closing Statement:

16:50:42 Rep. Kerri Seekins-Crowe (R), HD 43, closed the hearing on HB 680.

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

Opening Statement:

16:52:04 Rep. Bill Mercer (R), HD 46, opened the hearing on HB 398, Define recidivism for executive branch and judicial branch reporting.

Discussion:

16:52:25 Sen. Mike Cuffe joined the meeting.
16:52:28 Sen. Mike Lang joined the meeting.

Proponent Testimony:

None

Opponent Testimony:

16:54:45 Natalie Smitham, Department of Corrections (DOC)
16:55:14 Sen. Dennis Lenz joined the meeting.

Informational Witness Testimony:

None

Questions from Committee:

16:56:35 Sen. Ryan Lynch
16:57:03 Rep. Bill Mercer-R
17:00:45 Sen. Shane Morigeau joined the meeting.
17:01:55 Vice Chair Carl Glimm
17:02:10 Natalie Smitham, DOC

Closing Statement:

17:03:07 Rep. Bill Mercer (R), HD 46, closed the hearing on HB 398.

EXECUTIVE ACTION ON HB 190 - Provide for a state government performance and results act

17:04:23 **Motion:** Vice Chair Carl Glimm moved that **HB 190 BE CONCURRED IN.**

17:04:41 **Motion:** Vice Chair Carl Glimm moved that **HB 190 BE AMENDED.**

Discussion:

17:04:53 Chair John Esp

17:05:15 Rep. Bill Mercer

17:04:41 **Vote:** Motion carried unanimously by voice vote.

17:06:06 **Motion:** Vice Chair Carl Glimm moved that **HB 190 BE CONCURRED IN AS AMENDED.**

Discussion:

17:06:20 Sen. Dennis Lenz

17:07:25 Chair John Esp

17:07:26 Vice Chair Carl Glimm

17:07:35 Chair John Esp

17:08:05 Sen. Jeffrey Welborn

17:08:37 Chair John Esp

17:06:06 **Vote:** Motion carried 14 - 5 by roll call vote with Sen. Esp, Sen. Lang, Sen. Lenz, Sen. Mandeville, Sen. Welborn, voting no.

17:06:06 **Carrier Assigned:** Sen. Wendy McKamey

EXECUTIVE ACTION ON HB 839 - Fund the Great Falls fire training center

17:09:57 **Motion:** Vice Chair Carl Glimm moved that **HB 839 BE CONCURRED IN.**

Discussion:

17:10:29 Vice Chair Carl Glimm

17:10:39 Sen. Mike Cuffe

17:10:50 Sen. Dennis Lenz

17:12:03 Sen. Dan Bartel

17:12:32 Sen. Mike Lang

17:13:34 **Substitute Motion:** Vice Chair Janet Ellis moved that **HB 839 TO TABLE.**

17:13:34 **Vote:** Substitute Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 362 - Revise laws related to the crisis intervention team training program

17:13:57 **Motion:** Vice Chair Carl Glimm moved that **HB 362 BE CONCURRED IN.**

Discussion:

17:14:26 Vice Chair Carl Glimm

17:14:34 **Vote:** Motion failed 11 - 8 by roll call vote with Sen. Bogner, Sen. Boldman, Sen. Ellis, Sen. Flowers, Sen. Lynch, Sen. Morigeau, Sen. Pope, Sen. Salomon, voting yes.
Sen. Salomon, By Proxy

17:15:53 **Motion:** Vice Chair Carl Glimm moved that **HB 362 TO TABLE.**

17:15:53 **Vote:** Motion carried 11 - 8 by voice vote with Sen. Bogner, Sen. Boldman, Sen. Ellis, Sen. Flowers, Sen. Lynch, Sen. Morigeau, Sen. Pope, Sen. Salomon, voting no.
Sen. Salomon, By Proxy

EXECUTIVE ACTION ON HB 16 - Revise laws relating to child abuse and neglect proceedings

17:16:05 **Motion:** Vice Chair Carl Glimm moved that **HB 16 BE CONCURRED IN.**

Discussion:

17:16:30 Sen. Dennis Lenz

17:16:05 **Vote:** Motion carried unanimously by voice vote.

17:16:05 **Carrier Assigned:** Sen. Theresa Manzella

EXECUTIVE ACTION ON HB 791 - Generally revise drug crime sentences

17:17:58 **Motion:** Vice Chair Carl Glimm moved that **HB 791 BE CONCURRED IN.**

17:17:58 **Vote:** Motion carried 10 - 9 by roll call vote with Sen. Bogner, Sen. Boldman, Sen. Ellis, Sen. Flowers, Sen. Lenz, Sen. Lynch, Sen. Morigeau, Sen. Pope, Sen. Welborn, voting no.

17:17:58 **Carrier Assigned:** Sen. Bob Brown

EXECUTIVE ACTION ON HB 398 - Define recidivism for executive branch and judicial branch reporting

17:19:41 **Motion:** Vice Chair Carl Glimm moved that **HB 398 BE CONCURRED IN.**

17:19:41 **Vote:** Motion failed 10 - 9 by roll call vote with Sen. Bartel, Sen. Bogner, Sen. Cuffe, Sen. Esp, Sen. Fuller, Sen. Glimm, Sen. McGillvray, Sen. Salomon, Sen. Vance, voting yes.
Sen. Salomon, By Proxy

17:20:52 **Motion:** Vice Chair Carl Glimm moved that **HB 398 TO TABLE.**

17:20:52 **Vote:** Motion carried 10 - 9 by voice vote with Sen. Bartel, Sen. Bogner, Sen. Cuffe, Sen. Esp, Sen. Fuller, Sen. Glimm, Sen. McGillvray, Sen. Salomon, Sen. Vance, voting no.
Sen. Salomon, By Proxy

EXECUTIVE ACTION ON HB 680 - Generally revise laws related to criminal acts

17:21:02 **Motion:** Vice Chair Carl Glimm moved that **HB 680 BE CONCURRED IN.**

Discussion:

17:21:56 Chair John Esp

17:22:02 Sen. Mike Cuffe

17:22:03 Chair John Esp

17:22:20 **Motion:** Vice Chair Carl Glimm moved that **HB 680 BE AMENDED.**

Discussion:

17:22:33 Sen. Ellie Boldman

17:23:35 Sen. Mike Lang

17:23:45 Chair John Esp

17:22:20 **Vote:** Motion carried 18 - 1 by voice vote with Sen. Lenz, voting no.

- 17:24:19 **Motion:** Vice Chair Carl Glimm moved that **HB 680 BE CONCURRED IN AS AMENDED.**
- 17:24:19 **Vote:** Motion failed 11 - 8 by roll call vote with Sen. Bartel, Sen. Bogner, Sen. Esp, Sen. Fuller, Sen. Glimm, Sen. Mandeville, Sen. Salomon, Sen. Vance, voting yes.
Sen. Salomon, By Proxy
- 17:25:48 **Motion:** Vice Chair Carl Glimm moved that **HB 680 TO TABLE.**
- 17:25:48 **Vote:** Motion carried 11 - 8 by voice vote with Sen. Bogner, Sen. Boldman, Sen. Ellis, Sen. Esp, Sen. Fuller, Sen. Mandeville, Sen. McGillvray, Sen. Vance, voting no.

EXECUTIVE ACTION ON HB 818 - Generally revise laws related to funding for school facilities

- 17:26:23 **Motion:** Vice Chair Carl Glimm moved that **HB 818 BE CONCURRED IN.**
- 17:26:43 **Motion:** Vice Chair Carl Glimm moved that **HB 818 BE AMENDED.**
- Discussion:**
- 17:27:50 Chair John Esp
- 17:27:55 Sen. Mike Cuffe left the meeting.
- 17:26:43 **Vote:** Motion failed 11 - 8 by roll call vote with Sen. Bogner, Sen. Cuffe, Sen. Esp, Sen. Fuller, Sen. Glimm, Sen. Mandeville, Sen. Salomon, Sen. Vance, voting yes.
Sen. Cuffe, Sen. Salomon, By Proxy
- 17:28:52 **Motion:** Vice Chair Carl Glimm moved that **HB 818 BE CONCURRED IN.**
- 17:29:06 **Substitute Motion:** Vice Chair Carl Glimm moved that **HB 818 TO TABLE.**
- 17:29:06 **Vote:** Substitute Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 17:29:31

Cy Walsh, Secretary

Additional Documents: [EXHIBIT\(230414FCSbad\)](#)