



Public Safety Interim Budget Committee
68th Montana Legislature

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SENATE MEMBERS

SHELLEY VANCE
TOM MCGILVRAY, VICE-CHAIR
RYAN LYNCH

HOUSE MEMBERS

EMMA KERR-CARPENTER
BILL MERCER, CHAIR
FIONA NAVE
MICHELLE BINKLEY

JULIE JOHNSON, Staff Attorney
WALKER HOPKINS, Fiscal Analyst
BRENT DOIG, OBPP Analyst
QUINN HOLZER, Assistant Director

June 20, 2024
Room
Helena, Montana

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MEMBERS PRESENT:

Rep. Bill Mercer, Chair (R)
Sen. Tom McGillvray, Vice Chair (R)
Sen. Shelley Vance (R)
Rep. Emma Kerr-Carpenter (D)
Rep. Fiona Nave (R)
Rep. Michelle Binkley (D)

MEMBERS EXCUSED:

Sen. Ryan Lynch (D)

MEMBERS ABSENT:

STAFF PRESENT:

Walker Hopkins, Fiscal Analyst
Kate Flavin, Fiscal Analyst
Jenn Whitt, Secretary
Brent Doig, OBPP Staff

AGENDA ([Attachment 1](#))

VISITORS' LIST ([Attachment 2](#))

COMMITTEE ACTION

Call to Order/Roll Call

08:01:12 Rep Bill Mercer called meeting to order. Secretary took roll.

08:06 Rep Bill Mercer provided overview of last meeting and review of this meeting

Legislative Audit Division and Legislative Fiscal Division Updates:

08:08 Alyssa Sorenson, Senior Management and Program Analyst, Legislative Audit Division (LAD), provided updates and audit discussion

08:21 Sen McGillvray asked for the department's response to the recommendations made by LAD

08:21 Scott Eychner, Rehabilitation Program Chief of Department of Corrections (DOC), shared department's response

08:29 Rep Nave asked what the numbers look like after the COVID years

08:31 Sen McGillivray asked if inmates met with job counselors, was education optional within the system, were there any compulsory activities or jobs for the inmates

8:36 Rep Kerr Carpenter asked about the number of inmates who left the system with work lined up vs the number of inmates that will be a visitor to the system for the rest of their life

8:38 Rep Mercer asked about recidivism, data on education prior to entrance to system vs education when leaving system, and conditional releases

8:42

8:49 Rep Mercer suggested conversation with audit committee

8:50 Walker Hopkins and Kate Flavin, Fiscal Analysts with Legislative Fiscal Division, presented fund balances

9:04 Rep Nave asked about Pine Hills

9:04 Rep Mercer asked about juvenile cost of care

Public Comment:

9:05 May Simmons

9:13 Rep Mercer asked for more information from Scott Eychner based on public comment

Judicial Branch:

- 9:15 Kate Flavin, Fiscal Analyst LFD, presented Judicial Branch quarterly financial report.
- 9:30 Rep Mercer
- 9:30 Beth McLaughlin, Court Administrator
- 9:37 Rep Mercer asked for clarification within the youth court criminal justice map
- 9:38 Beth McLaughlin
- 9:51 Rep Kerr Carpenter
- 10:01 Rep Nave requested clarification on placement of kids
- 10:07 Sen McGillvray
- 10:14 Rep Mercer
- 10:28 Rep Nave asked what time period the data being presented represented
- 10:28 Sen McGillvray asked for a breakdown of courts with limited jurisdiction vs district courts
- 10:30 Rep Mercer suggested stopping presentation and pick back up in September

Public Comment:

- 10:03 May Simmons

Break:

- 10:34 Reconvened at

Department of Justice:

- 10:46 Walker Hopkins, presented Department of Justice (DOJ) quarterly financial report
- 10:50 Rep Carpenter
- 10:59 Sen McGillvray asks about ARPA authority
- 11:00 Sen McGillvray redirects question to Will Selph with DOJ
- Will Selph addressed questions from quarterly financial report
- 11:13 Bryan Lockerby, administrator for Department of Criminal Investigations (DOJ), addressed questions on ARPA funding
- 11:14 Brent Doig, Office of Budget and Program Planning, added comments on ARPA funding, quarterly financial report, and collaboration

11:14 Sen McGillvray requested more information on temporary positions and funding so budget committees can make more informed decisions

11:16 Rep Mercer

11:19 Sen McGillvray requested clarity by September on FTE and movement within positions

11:19 Rep Nave asked about end of watch trust

11:24 Dan Guzynski, Prosecutions Services Bureau

11:29 Rep Mercer asked if funding was a potential cause for declining cases

11:37 Sen Vance requested a survey of county attorneys to assess needs and hurdles they are facing

11:41 Rep Nave asked if the prosecutions services bureau is working in mainly rural communities because they have a lack of capacity or if there is something behind the scenes causing these transgressions

11:43 Sen McGillvray asked about the types of cases associated with Fish, Wildlife and Parks

11:48 Rep Mercer asked the department to continue with agenda and address the Lake County/PL280 concerns

11:54 Rep Mercer started conversation about HB174

11:55 Beth Thompson, Chief Financial Officer DOJ

12:02 Rep Mercer asked about the abatement trust

12:09 Rep Mercer asked for an accounting of time spent on litigation of laws

12:17 Rep Mercer started conversation with Natalie Bowser, Director of Board of Crime Control, on funding

12:26 Rep Mercer asked Will Selph about the remaining authority for fiscal year 2024

12:29 Sen McGillivray asked if DOJ defends all legislation being challenged in court system

Comment:

15:32:43 Public Comment

Lunch:

12:33:20 Reconvened at 1315

Department of Corrections

13:17 Walker Hopkins, Fiscal Analyst LFD, presented the Department of Corrections quarterly financial report

Public Comment:

15:02 None

Break

15:07 Reconvened at 1510

Office of State Public Defender

15:10 Kate Flavin, Fiscal Analyst LFD, presented Office of State Public Defender quarterly financial report

15:17 Brett Schandelson, Director, presented agency updates

15:36 Rep Mercer commented on the difficulty of proving a negative

15:45 Sen McGillvray requested clarification on what will be provided by Office of Public Defender data sets

15:47 Brett Schandelson spoke on state level diversion program

15:48 Rep Mercer

15:53 Sen McGillvray asked about contract fees

16:26 Brent Doig, OBPP, stated it was too early to provide insight or comments when asked

Public Comment:

16:26 Rep Carlson, provided on comments on diversion programs

16:37 May Simmons

Public Service Commission

16:41 James Brown, President of the Public Service Commission

16:44 Rep Mercer asked if the issues with the previous program had been resolved

Public Comment:

15:32:43 None

Committee Business:

16:49 Brent Doig explained OBPP next steps and September meeting items

16:54 Rep Nave asked if an extra day would be warranted with the abundance of agenda items for September

Adjournment:

16:56 Rep Bill Mercer adjourned the meeting.