

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Gerald (Jerry) Bennett, on February 4, 2015 at 8:00 AM, in Room 137 Capitol

ROLL CALL

Members Present:

Rep. Gerald (Jerry) Bennett, Chair (R)
Rep. Virginia Court, Vice Chair (D)
Rep. Alan Doane, Vice Chair (R)
Rep. Seth Berglee (R)
Rep. Jennifer Eck (D)
Rep. Clayton Fiscus (R)
Rep. Stephanie Hess (R)
Rep. Ellie Boldman Hill (D)
Rep. Sarah Laszloffy (R)
Rep. Theresa Manzella (R)
Rep. Nate McConnell (D)
Rep. G. Bruce Meyers (R)
Rep. Matthew Monforton (R)
Rep. Carolyn Pease-Lopez (D)
Rep. Zac Perry (D)
Rep. Andrew Person (D)
Rep. Randall Pinocci (R)
Rep. Keith Regier (R)
Rep. Kirk Wagoner (R)

Members Excused: Rep. Kathy Kelker (D)
Rep. Margaret (Margie) MacDonald (D)

Members Absent: None

Staff Present: McKenzie Chambers, Committee Secretary
Helen Thigpen, Legislative Branch

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 309, 1/30/2015; HB 330, 1/30/2015
Executive Action: HB 203, HB 282, SB 26

00:01:11 Chair J. Bennett

HEARING ON HB 330

Opening Statement by Sponsor:

00:01:29 Rep. Nicholas Schwaderer (R), HD 14, opened the hearing on HB 330, Establish standards for law enforcement use and acquisition of certain equipment.

Proponents' Testimony:

00:04:22 Rep. Kelker and Rep. MacDonald joined the meeting.

00:05:01 Niki Zupanic, American Civil Liberties Union of Montana (ACLU)

Opponents' Testimony:

00:07:18 Captain John Schaffer, Great Falls Police Department (GFPD) and Montana Police Protective Association (MPPA)

00:17:27 Mark Murphy, Montana Association of Chiefs of Police (MACOP)

00:20:58 John MacDonald, City of Missoula

00:22:14 Colonel Tom Butler, Montana Highway Patrol (MHP)

Informational Testimony: None

Questions from Committee Members and Responses:

00:23:42 Chair J. Bennett left the meeting.

00:23:43 Rep. Doane assumed the role of Chair.

00:23:44 Rep. Wagoner

00:24:08 Niki Zupanic, ACLU

00:25:05 Rep. Wagoner

00:25:48 Rep. Schwaderer

00:26:31 Rep. Meyers

00:27:03 Rep. J. Bennett resumed the role of Chair.

00:27:10 Captain John Schaffer, GFPD and MPPA

00:27:53 Rep. Hess

00:28:16 Rep. Schwaderer

00:29:01 Rep. Hess

00:29:27 Rep. Schwaderer

00:30:13 Chair J. Bennett

00:30:24 Rep. McConnell

00:31:25 Rep. Schwaderer

00:33:30 Rep. Pinocci

00:34:15 Captain John Schaffer, GFPD and MPPA

00:34:53 Rep. Pinocci

00:35:02 Captain John Schaffer, GFPD and MPPA

00:35:15 Rep. Kelker

00:35:35 Colonel Tom Butler, MHP

00:35:36 Rep. Kelker

00:35:46 Colonel Tom Butler, MHP

00:36:02 Rep. Kelker

00:36:04 Colonel Tom Butler, MHP

00:36:53 Rep. Kelker

00:37:12 Colonel John Schaffer, GFPD and MPPA

00:40:12 Rep. Hill
00:42:02 Rep. Schwaderer
00:43:17 Rep. Regier left the meeting.
00:46:29 Rep. Court
00:47:10 Captain John Schaffer, GFPD
00:48:18 Rep. Court
00:48:37 Captain John Schaffer, GFPD
00:48:48 Rep. MacDonald
00:49:32 Captain John Schaffer, GFPD
00:50:49 Rep. Doane
00:51:25 Rep. Schwaderer
00:52:29 Rep. Wagoner
00:53:09 Colonel Tom Butler, MHP
00:53:20 Rep. Wagoner
00:53:43 Captain John Schaffer, GFPD and MPPA
00:54:09 Rep. Berglee
00:54:34 Colonel Tom Butler, MHP
00:55:04 Rep. Berglee
00:55:27 Colonel Tom Butler, MHP
00:56:24 Rep. Berglee
00:56:47 Colonel Tom Butler, MHP
00:57:34 Rep. Meyers
00:58:15 Mark Murphy, MACOP

Closing by Sponsor:

01:00:17 Rep. Schwaderer

01:03:54 Rep. Wagoner

HEARING ON HB 309**Opening Statement by Sponsor:**

01:04:30 Rep. Kathy Kelker (D), HD 47, opened the hearing on HB 309, Create child abuse and neglect review commission.

Proponents' Testimony:

01:11:14 Sarah Corbally, Administrator, Child and Family Services Division, Department of Health and Human Services (DPHHS)

EXHIBIT(juh25a01)

01:17:00 Kiely Keane, Montana Medical Association (MMA)
01:18:40 Captain John Schaffer, Great Falls Police Department (GFPD)
01:20:08 Abigail St. Lawrence, Montana Association of Christians (MAC)
01:21:46 Dr. Elizabeth Kohlstaedt, Intermountain
01:24:41 Jani McCall, Legacy Provider Group
01:26:40 Robin Turner, Montana Coalition Against Domestic & Sexual Violence (MCADSV)
01:28:40 Matthew Dale, Director, Victim Services Division, Office of Consumer Protection and Victim Services, Department of Justice (DOJ)
01:30:04 Jim Ahrens, Montana Children's Initiative (MCI)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:30:51 Rep. Hess
01:31:18 Sarah Corbally, DPHHS
01:31:51 Rep. Hess
01:32:10 Sarah Corbally, DPHHS
01:32:49 Rep. Eck
01:33:15 Matthew Dale, DOJ
01:33:52 Rep. Eck
01:34:09 Matthew Dale, DOJ
01:35:07 Rep. Eck
01:35:22 Sarah Corbally, DPHHS
01:36:13 Rep. Monforton
01:37:43 Abigail St. Lawrence, MAC
01:38:00 Sarah Corbally, DPHHS
01:38:57 Rep. Monforton
01:39:17 Sarah Corbally, DPHHS
01:40:08 Rep. Monforton
01:40:36 Sarah Corbally, DPHHS
01:40:47 Rep. MacDonald
01:41:22 Matthew Dale, DOJ

EXHIBIT(juh25a02)

01:44:15 Rep. Wagoner
01:45:06 Sarah Corbally, DPHHS
01:45:08 Rep. Wagoner
01:45:25 Sarah Corbally, DPHHS
01:45:34 Rep. Court
01:46:21 Rep. Kelker
01:46:38 Rep. Court
01:47:00 Rep. Kelker
01:47:08 Rep. Court
01:47:33 Rep. Kelker
01:47:45 Rep. Court
01:48:47 Rep. Eck
01:49:52 Matthew Dale, DOJ
01:51:33 Rep. Eck
01:51:47 Matthew Dale, DOJ

Closing by Sponsor:

01:52:33 Rep. Kelker

EXHIBIT(juh25a03)

01:54:40 Chair J. Bennett

01:55:28 Recess
02:12:35 Reconvened

02:12:38 Chair J. Bennett

EXECUTIVE ACTION ON HB 203

02:14:25 **Motion:** Rep. Doane moved that **HB 203 DO PASS.**

Discussion:

02:14:33 Helen Thigpen, Legislative Services Division (LSD)

[EXHIBIT\(juh25a04\)](#)

[EXHIBIT\(juh25a05\)](#)

02:15:09 Rep. McConnell

02:15:26 **Motion:** Rep. Doane moved that **HB 203 BE AMENDED.**

Discussion:

02:15:43 Rep. Doane

02:16:10 Helen Thigpen, LSD

02:19:08 Rep. Court

02:19:47 Rep. Kelker

02:20:05 Helen Thigpen, LSD

02:20:27 **Vote:** Motion carried 12-9 by roll call vote with Rep. Court, Rep. Eck, Rep. Hill, Rep. Kelker, Rep. MacDonald, Rep. McConnell, Rep. Pease-Lopez, Rep. Perry and Rep. Person voting no. Rep. Regier voted by proxy.

02:21:22 **Motion:** Rep. Doane moved that **HB 203 DO PASS AS AMENDED.**

Discussion:

02:21:37 Rep. Hill

02:22:46 Rep. McConnell

02:23:52 Rep. Person

02:24:42 **Vote:** Motion carried 12-9 by roll call vote with Rep. Court, Rep. Eck, Rep. Hill, Rep. Kelker, Rep. MacDonald, Rep. McConnell, Rep. Pease-Lopez, Rep. Perry and Rep. Person voting no. Rep. Regier voted by proxy.

EXECUTIVE ACTION ON HB 282

02:25:40 **Motion/Vote:** Rep. Doane moved that **HB 282 BE TABLED.** Motion carried 12-9 by roll call vote with Rep. Court, Rep. Eck, Rep. Hill, Rep. Kelker, Rep. MacDonald, Rep. McConnell, Rep. Pease-Lopez, Rep. Perry and Rep. Person voting no. Rep. Regier voted by proxy.

EXECUTIVE ACTION ON SB 26

02:26:52 **Motion:** Rep. Doane moved that **SB 26 BE CONCURRED IN.**

Discussion:

02:26:59 Helen Thigpen, LSD

02:27:34 **Vote:** Motion carried unanimously by voice vote. Rep. Regier voted by proxy.
Rep. Wagoner will carry the bill.

02:27:46 Chair J. Bennett

02:27:54 Helen Thigpen, LSD

02:28:49 Chair J. Bennett

ADJOURNMENT

Adjournment: 02:29:30

McKenzie Chambers, Secretary

mc

Additional Documents:

EXHIBIT([juh25aad.pdf](#))