MINUTES

MONTANA HOUSE OF REPRESENTATIVES
64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Gerald (Jerry) Bennett, on March 13, 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. Kathy Kelker (D)
Rep. Sarah Laszloffy (R)
Rep. Margaret (Margie) MacDonald (D)
Rep. Theresa Manzella (R)
Rep. Nate McConnell (D)
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. Ellie Boldman Hill (D)
Rep. G. Bruce Meyers (R)

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 593, 3/6/2015; HB 598, 3/6/2015; HJ 21, 3/6/2015; SB 223, 3/6/2015
Executive Action: SB 90, SB 109, SB 126, SB 219, SB 223, SB 242, SB 253, SB 266

00:00:50   Chair J. Bennett
00:01:04   Rep. Fiscus
00:01:16   Chair J. Bennett

HEARING ON SB 223

Opening Statement by Sponsor:
00:01:39   Sen. Gordon Vance (R), SD 34, opened the hearing on SB 223, Generally revise bail bond laws.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:
00:02:34   Sen. Vance

HEARING ON HJ 21

Opening Statement by Sponsor:
00:02:58   Rep. Bryce Bennett (D), HD 91, opened the hearing on HJ 21, Interim study on ownership of personal information.

Proponents' Testimony:
00:06:48   Rep. Hill joined the meeting.
00:07:04   Gary Marbut, Montana Shooting Sports Association (MSSA)

Opponents' Testimony:
00:08:27   Geoff Feiss, Montana Telecommunications Association (MTA)

Informational Testimony: None

Questions from Committee Members and Responses:
00:11:36   Rep. Wagoner
00:11:59   Rep. B. Bennett
00:12:30   Rep. MacDonald
00:13:31   Rep. B. Bennett

Closing by Sponsor:
00:14:25   Rep. B. Bennett

HEARING ON HB 598

Opening Statement by Sponsor:
00:15:25   Rep. Matthew Monforton (R), HD 69, opened the hearing on HB 598,
                Referendum for gun owners access to justice act.

Proponents' Testimony:
00:22:28   Gary Marbut, Montana Shooting Sports Association (MSSA)
00:28:00   Doug Nulle, Self
00:30:23   Garett Bacon, Self

Opponents' Testimony:
00:31:47   John Fitzpatrick, Northwestern Energy
00:38:08   Webb Brown, Montana Chamber of Commerce
00:39:13   Dave Galt, Montana Petroleum Association (MPA)
00:41:41   Aimee Grmoljez, Montana Bankers Association (MBA)
00:42:36   Donya Parrish, Montana Credit Union Network (MCUN)
00:43:37   JC Weingartner, MEA-MFT
00:44:42   Robin Turner, Montana Coalition Against Domestic & Sexual Violence
                (MCADSV)
00:45:13   David Nielsen, Montana League of Cities and Towns (MLCT)
00:49:06   Judith Heilman, Montana Chapter of Moms Demand Action for Gun Sense in
                America

Informational Testimony:
00:53:36   Linda McCulloch, Secretary of State (SOS)

Questions from Committee Members and Responses:
00:55:05   Rep. Laszloffy
00:55:40   Rep. Monforton
00:55:50   Rep. Laszloffy
00:55:58   Rep. Monforton
00:56:42   Rep. Laszloffy
00:57:10   Linda McCulloch, SOS
00:57:44   Rep. Pinocci
00:58:35   Gary Marbut, MSSA
00:58:47   Rep. Pinocci
00:59:04   Gary Marbut, MSSA
01:01:19   Rep. Kelker
01:03:14   Rep. Monforton
01:04:51   Rep. Kelker
01:04:58   Rep. Monforton
01:05:01   Rep. Regier left the meeting.
01:05:44   Rep. Kelker
01:06:03   Rep. Monforton
01:08:08   Rep. Fiscus
01:08:56   Linda McCulloch, SOS
01:09:18   Rep. Fiscus
01:09:31   Linda McCulloch, SOS
01:09:51   Rep. Wagoner

01:10:27	Rep. Monforton
01:11:24	Rep. Wagoner
01:11:35	Rep. Monforton
01:12:30	Rep. MacDonald
01:12:47	Chair J. Bennett
01:12:58	Rep. MacDonald
01:13:37	John Fitzpatrick, Northwestern Energy
01:16:12	Rep. Pinocci
01:17:06	Donya Parrish, MCUN
01:17:47	Rep. Pinocci
01:17:59	Donya Parrish, MCUN
01:18:23	Rep. Kelker
01:19:08	John Fitzpatrick, Northwestern Energy
01:20:10	Rep. Person
01:20:41	Rep. Monforton
01:22:00	Rep. Person
01:22:07	Rep. Monforton
01:22:53	Rep. Pease-Lopez
01:24:44	John Fitzpatrick, Northwestern Energy
01:26:30	Rep. McConnell
01:26:57	Rep. Monforton
01:28:03	Rep. McConnell
01:28:37	Rep. Monforton
01:28:51	Rep. Wagoner
01:29:22	Rep. Monforton
01:29:59	Rep. Wagoner
01:30:03	Rep. Monforton
01:30:25	Rep. Wagoner
01:31:12	John Fitzpatrick, Northwestern Energy
01:31:46	Rep. Pease-Lopez
01:32:39	Rep. Monforton
01:33:10	Rep. Pease-Lopez
01:33:20	Rep. Monforton
01:34:01	Chair J. Bennett
01:34:43	Rep. Monforton

Closing by Sponsor:

01:35:57	Rep. Monforton
01:38:26	Chair J. Bennett
01:38:30	Recessed
01:49:36	Reconvened
01:49:37	Chair J. Bennett

HEARING ON HB 593

Opening Statement by Sponsor:
01:50:21   Rep. Jeff Essmann (R), HD 54, opened the hearing on HB 593, Establish the Montana unmanned aerial vehicle act.
EXHIBIT(juh52a01)
EXHIBIT(juh52a02)
EXHIBIT(juh52a03)

Proponents' Testimony:
02:07:25   Chair J. Bennett
02:08:06   Shelby DeMars, United Property Owners of Montana (UPOM)

Opponents' Testimony:
02:10:47   Steve White, Self
EXHIBIT(juh52a04)
02:16:49   Chair J. Bennett left and Rep. Doane assumed the role of chair.
02:17:50   Mark Lambrecht, Treasure State Resource Industry Association (TSRIA)
02:19:17   Dave Galt, Montana Petroleum Association
02:19:52   John MacDonald, Montana Newspaper Association
02:20:10   Rep. J. Bennett rejoined the meeting and resumed the role of chair.
02:23:16   Chair J. Bennett
02:23:27   Chuck Flynn, Montana Pilots Association
02:30:39   Greg Van Horssen, State Farm Insurance and representing American Insurance Association (AIA), Property Casualty Insurers Association of America (PCIAA) and Farmers Insurance Group
02:32:00   Curtis Suter, Helena Flying Tigers Radio Control Flying Club
02:41:58   Travis Elbert, Helena Flying Tigers, Academy of Model Aeronautics (AMA) and National Miniature Pylon Racing Association District 2 (NMPRA)
02:45:16   Gary Forrester, MDU Resources Group, Inc.
02:45:37   John Metropoulos, Farmers Insurance Group

EXHIBIT(juh52a05)
EXHIBIT(juh52a06)
EXHIBIT(juh52a07)

Informational Testimony:
02:46:24   Debbie Alke, Administrator, Aeronautics Division, Department of Transportation (MDT)

Questions from Committee Members and Responses:
02:46:48   Rep. Wagoner
02:47:34   Rep. Essmann
02:47:44   Rep. Wagoner
02:48:41   Rep. Essmann
02:49:31   Rep. Wagoner
02:50:14   Rep. Essmann
02:50:50   Chair J. Bennett
02:50:55   Rep. Kelker
02:51:34   Rep. Essmann

02:52:08   Rep. Kelker
02:52:44   Rep. Essmann
02:53:02   Rep. Laszloffy
02:53:51   Rep. Essmann
02:54:40   Rep. Laszloffy
02:54:49   Rep. Hess
02:55:22   Rep. Essmann

Closing by Sponsor:
02:55:51   Rep. Essmann

02:58:52   Chair J. Bennett

03:02:18   Recessed

03:02:53   Chair J. Bennett

03:29:59   Reconvened

03:30:00   Chair J. Bennett

EXECUTIVE ACTION ON SB 90

03:30:19   **Motion:** Rep. Doane moved that **SB 90 BE CONCURRED IN**.

Discussion:
03:30:32   Helen Thigpen, Legislative Services Division (LSD)
EXHIBIT(juh52a08)

03:30:59   **Motion:** Rep. Doane moved that **SB 90 BE AMENDED**.

Discussion:
03:31:08   Helen Thigpen, LSD
03:31:27   Rep. MacDonald
03:32:46   Rep. Hill
03:35:01   Rep. Wagoner
03:35:19   Rep. Person

03:36:42   **Vote:** Motion carried 12-9 by roll call vote with Rep. J. Bennett, Rep. Eck, Rep. Fiscus, Rep. Hess, Rep. Hill, Rep. Laszloffy, Rep. Pinocci, Rep. Regier and Rep. Wagoner voting no. Rep. Meyers and Rep. Regier voted by proxy.

03:37:48   **Motion:** Rep. Doane moved that **SB 90 BE CONCURRED IN AS AMENDED**.

Discussion:

03:37:55	Rep. MacDonald
03:38:33	Rep. Wagoner
03:39:02	Rep. Hill
03:41:07	Chair J. Bennett
03:41:29	Rep. McConnell

03:42:09   **Vote:** Motion failed 2-19 by roll call vote with Rep. MacDonald and Rep. Person voting aye. Rep. Meyers and Rep. Regier voted by proxy.

03:43:09   **Motion/Vote:** Rep. Doane moved that **SB 90 BE TABLED**. Motion carried 19-0 by voice vote. Rep. Meyers and Rep. Regier were excused.

EXECUTIVE ACTION ON SB 109

03:43:24   **Motion:** Rep. Doane moved that **SB 109 BE CONCURRED IN**.

Discussion:

03:43:34   Helen Thigpen, LSD
EXHIBIT(juh52a09)

03:44:33   **Motion/Vote:** Rep. Doane moved that **SB 109 BE AMENDED**. Motion carried unanimously by voice vote. Rep. Meyers and Rep. Regier voted by proxy.

03:44:55   **Motion/Vote:** Rep. Doane moved that **SB 109 BE CONCURRED IN AS AMENDED**. Motion carried unanimously by voice vote. Rep. Meyers and Rep. Regier voted by proxy. Rep. Kelker will carry the bill.

EXECUTIVE ACTION ON SB 126

03:45:45   **Motion:** Rep. Doane moved that **SB 126 BE CONCURRED IN**.

Discussion:

03:45:52   Helen Thigpen, LSD
EXHIBIT(juh52a10)
EXHIBIT(juh52a11)

03:46:08   **Motion:** Rep. Doane moved that **SB 126 BE AMENDED**.

Discussion:

03:46:18	Helen Thigpen, LSD
03:46:52	Rep. Person

03:47:11   **Vote:** Motion carried unanimously by voice vote. Rep. Meyers and Rep. Regier voted by proxy.

03:47:22   **Motion:** Rep. Doane moved that **SB 126 BE CONCURRED IN AS AMENDED**.

03:47:24   **Motion:** Rep. Doane moved that **SB 126 BE AMENDED**.

Discussion:
03:47:39   Helen Thigpen, LSD
03:48:03   Rep. Pinocci

03:48:35   **Vote:** Motion carried unanimously by voice vote. Rep. Meyers and Rep. Regier voted by proxy.

03:48:47   **Motion:** Rep. Doane moved that **SB 126 BE CONCURRED IN AS AMENDED**.

Discussion:
03:48:59   Rep. Eck
03:49:13   Rep. McConnell

03:49:27   **Vote:** Motion carried unanimously by voice vote. Rep. Meyers and Rep. Regier voted by proxy. Rep. Berglee will carry the bill.

03:49:54   Chair J. Bennett

EXECUTIVE ACTION ON SB 219

03:50:11   **Motion:** Rep. Doane moved that **SB 219 BE CONCURRED IN**.

Discussion:
03:50:17   Helen Thigpen, LSD

03:50:43   **Vote:** Motion carried unanimously by voice vote. Rep. Meyers and Rep. Regier voted by proxy. Rep. Monforton will carry the bill.

EXECUTIVE ACTION ON SB 223

03:51:14   **Motion/Vote:** Rep. Doane moved that **SB 223 BE TABLED**. Motion carried unanimously by voice vote. Rep. Meyers and Rep. Regier voted by proxy.

03:51:42   Chair J. Bennett

EXECUTIVE ACTION ON SB 242

03:51:51   **Motion:** Rep. Doane moved that **SB 242 BE CONCURRED IN**.

Discussion:
03:51:59   Helen Thigpen, LSD

03:52:30   **Vote:** Motion failed 1-20 by roll call vote with Rep. Fiscus voting aye. Rep. Meyers and Rep. Regier voted by proxy.

03:53:17   **Motion/Vote:** Rep. Doane moved that **SB 242 BE TABLED**. Motion carried unanimously by voice vote. Rep. Meyers and Rep. Regier voted by proxy.

EXECUTIVE ACTION ON SB 253

03:53:33   **Motion:** Rep. Doane moved that **SB 253 BE CONCURRED IN**.

Discussion:
03:53:41   Helen Thigpen, LSD

03:54:01   **Vote:** Motion carried unanimously by voice vote. Rep. Meyers and Rep. Regier voted by proxy. Rep. Monforton will carry the bill.

EXECUTIVE ACTION ON SB 266

03:54:27   **Motion:** Rep. Doane moved that **SB 266 BE CONCURRED IN**.

Discussion:
03:54:33   Helen Thigpen, LSD

03:54:54   **Vote:** Motion failed 8-13 by roll call vote with Rep. Court, Rep. Eck, Rep. Hill, Rep. Kelker, Rep. MacDonald, Rep. McConnell, Rep. Pease-Lopez and Rep. Perry voting aye. Rep. Meyers and Rep. Regier voted by proxy.

03:55:52   **Motion/Vote:** Rep. Doane moved that **SB 266 BE TABLED**. Motion carried unanimously by voice vote. Rep. Meyers and Rep. Regier voted by proxy.

03:56:09   Chair J. Bennett

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ADJOURNMENT

Adjournment: 03:56:36

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McKenzie Chambers, Secretary

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Additional Documents:

EXHIBIT(juh52aad.pdf)