MINUTES

MONTANA HOUSE OF REPRESENTATIVES
65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Alan Doane, on April 6, 2017 at 8:00 AM, in Room 137 Capitol

ROLL CALL

Members Present:

     Rep. Alan Doane, Chair (R)
     Rep. Seth Berglee, Vice Chair (R)
     Rep. Virginia Court, Vice Chair (D)
     Rep. Laurie Bishop (D)
     Rep. Bob Brown (R)
     Rep. Jennifer Eck (D)
     Rep. Bill Harris (R)
     Rep. Kathy Kelker (D)
     Rep. Casey Knudsen (R)
     Rep. Theresa Manzella (R)
     Rep. Dale Mortensen (R)
     Rep. Zac Perry (D)
     Rep. Matt Regier (R)
     Rep. Lola Sheldon-Galloway (R)
     Rep. Kirk Wagoner (R)

Members Excused: Rep. Ellie Hill Smith (D)
                  Rep. Nate McConnell (D)
                  Rep. Shane A. Morigeau (D)
                  Rep. Barry Usher (R)

Members Absent: None

Staff Present: Sara Fleming, 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: SB 174, 4/3/2017; SB 276, 4/3/2017; HB 664, 4/3/2017;
                              SB 352, 4/3/2017
Executive Action: SB 197, SB 249

HEARING ON HB 664

Opening Statement by Sponsor:
00:00:20   Rep. Kimberly Dudik (D), HD 94, opened the hearing on HB 664, Create a task force to study child abuse/neglect laws and legal processes.

00:00:33   Rep. Hill Smith, Rep. Morigeau and Rep. Usher joined the meeting.

Proponents' Testimony:
00:03:41   Beth McLaughlin, Court Administrators Office (CAO)
00:04:57   Sarah Corbally, Self
00:06:39   Traci Shinabarger, Department of Justice (DOJ)
00:07:34   Kelsen Young, Montana Coalition Against Domestic and Sexual Violence (MCADSV)
00:08:43   SK Rossi, American Civil Liberties Union (ACLU); Montana Association of Christians (MAC)

Opponents' Testimony: None

Informational Testimony:
00:09:12   Laura Smith, Department of Health and Human Services (DPHHS)

Questions from Committee Members and Responses:
00:10:00   Rep. Manzella
00:10:57   Rep. Dudik
00:11:32   Rep. Harris
00:11:41   Rep. Dudik
00:12:03   Rep. Hill Smith
00:12:27   Laura Smith, DPHHS
00:14:40   Rep. Hill Smith
00:15:01   Rep. Dudik

Closing by Sponsor:
00:15:50   Rep. Dudik

HEARING ON SB 174

Opening Statement by Sponsor:
00:16:40   Sen. Roger Webb (R), SD 23, opened the hearing on SB 174, Revise laws related to landlord-tenant disputes.

Proponents' Testimony:
00:17:57   John Sinrud, Montana Landlords Association (MLA)
00:21:47   Lonny Bergstrom, Central Montana Landlords Association (MLA)
00:23:48   Taylor Oldroyd, Montana Association of Realtors (MAR)

Opponents' Testimony:
00:24:41   Andy Bixler, Montana Associated Students (MAS)
00:25:55   Abigail Belcher, Associated Students of the University of Montana (ASUM)
00:26:17   Katy Westhoff, Montana Public Interest Research Group (MontPIRG)

Informational Testimony: None

Questions from Committee Members and Responses:
00:26:48   Rep. Usher
00:27:57   Andy Bixler, MAS
00:29:28   Rep. Kelker
00:30:07   Sen. Webb
00:31:25   Rep. Bishop
00:31:52   Sen. Webb
00:32:14   Helen Thigpen, Legislative Services Division (LSD)
00:32:48   Rep. C. Knudsen
00:33:09   Sen. Webb

Closing by Sponsor:
00:33:45   Sen. Webb

HEARING ON SB 276

Opening Statement by Sponsor:
00:34:51   Sen. Roger Webb (R), SD 23, opened the hearing on SB 276, Generally revise
            retaliation laws related to landlords and tenants.

Proponents' Testimony:
00:36:18   John Sinrud, Montana Landlords Association (MLA)

Opponents' Testimony:
00:42:42   Andy Bixler, Montana Associated Students (MAS)
00:43:35   Abigail Belcher, Associated Students of the University of Montana (ASUM)
00:43:53   Katy Westhoff, Montana Public Interest Research Group (MontPIRG)

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:
00:44:37   Sen. Webb

HEARING ON SB 352

Opening Statement by Sponsor:
00:53:54   Sen. Albert Olszewski (R), SD 6, opened the hearing on SB 352, Referendum on
            prohibition of ballot collection by certain individuals.

Proponents' Testimony: None

Opponents' Testimony:
00:56:06   SK Rossi, American Civil Liberties Union (ACLU)
01:00:19   Linda Stoll, Montana Association of Clerks and Recorders (MACR)
01:04:13   Katy Westhoff, Montana Public Interest Research Group (MontPIRG)
EXHIBIT(juh72a01)

EXHIBIT(juh72a02)

01:07:05	Keith Losing, Self
01:08:03	Andy Bixler, Montana Associated Students (MAS)
01:09:08	Jules Shindel, Montana Human Rights Network (MHRN); Montana Woman Vote (MWV)
01:10:52	Abigail Belcher, Associated Students of the University of Montana (ASUM)
01:11:32	Alissa Snow, Western Native Vote
01:12:52	Sophie Moon, Montana Public Interest Research Group (MontPIRG)
01:15:58	Michael Toppen, Montana Public Interest Research Group (MontPIRG)
01:17:45	Melissa Glueckert, Self
01:19:05	Kelly Williamson, Self

Informational Testimony: None

Questions from Committee Members and Responses:

01:20:24	Rep. Court
01:20:53	Sen. Olszewski
01:26:02	Rep. Usher
01:26:40	Sen. Olszewski
01:27:51	Rep. Usher
01:28:35	Sophy Mood, Self
01:31:56	Chair Doane
01:32:10	Rep. Eck
01:32:52	Linda Stoll, MACR
01:35:08	Rep. Eck
01:35:56	Andy Bixler, MAS
01:36:40	Rep. Morigeau
01:41:06	Linda Stoll, MACR
01:41:49	Rep. B. Brown
01:42:23	Katy Westhoff, MontPIRG
01:44:27	Rep. Sheldon-Galloway
01:45:34	Michael Toppen, MontPIRG
01:46:30	Rep. Sheldon-Galloway
01:47:34	Rep. Kelker
01:48:11	Sen. Olszewski
01:51:23	Rep. Manzella
01:53:12	Linda Stoll, MACR
01:53:15	Rep. C. Knudsen
01:53:38	Linda Stoll, MACR
01:53:44	Chair Doane
01:54:07	Melissa Gluckert, Self
01:55:55	Chair Doane
01:56:23	Linda Stoll, MACR

Closing by Sponsor:

01:58:34	Sen. Olszewski
02:01:32	Recess
02:16:02	Reconvene

EXECUTIVE ACTION ON SB 197

02:16:40   Helen Thigpen, Legislative Services Division (LSD)

02:16:58   **Motion:** Rep. Berglee moved that **SB 197 BE CONCURRED IN**.

02:17:11   **Motion:** Rep. Berglee moved that **SB 197 BE AMENDED**.
EXHIBIT(juh72a03)

02:17:25   Helen Thigpen, LSD

02:20:15   **Substitute Motion:** Rep. Usher made a substitute motion that **SB 197 BE CONCEPTUALLY AMENDED SEGREGATING 1, 4 AND FIRST HALF OF 5**.

Discussion:
02:20:56   Chair Doane
02:21:00   Helen Thigpen, LSD
02:21:56   Rep. Court
02:22:45   Helen Thigpen, LSD
02:23:26   Chair Doane
02:23:37   Helen Thigpen, LSD
02:23:44   Rep. Bishop
02:25:00   Rep. Regier
02:25:12   Chair Doane
02:25:17   Rep. B. Brown

02:25:49   **Vote:** Motion failed 8-11 by roll call vote with Rep. B. Brown, Rep. Doane, Rep. Harris, Rep. Mortensen, Rep. M. Regier, Rep. Sheldon-Galloway, Rep. Usher and Rep. Wagoner voting aye. Rep. Eck, Rep. Harris, Rep. Hill Smith and Rep. McConnell voted by proxy.

Discussion:
02:27:04   Rep. Wagoner
02:27:11   Rep. Sheldon-Galloway
02:27:33   Rep. Manzella
02:28:37   Rep. Court

02:28:47   **Vote:** Motion carried unanimously by voice vote. Rep. Eck, Rep. Harris, Rep. Hill Smith and Rep. McConnell voted by proxy.

02:28:56   Rep. Eck joined the meeting

02:29:15   **Motion/Vote:** Rep. Berglee moved that **SB 197 BE CONCURRED IN AS** AMENDED. Motion carried 18-1 by voice vote with Rep. Bishop voting no. Rep. Harris, Rep. Hill Smith and Rep. McConnell voted by proxy. Rep. Z. Brown will carry the bill.

EXECUTIVE ACTION ON SB 249

02:30:10   Helen Thigpen, LSD

02:30:45   **Motion:** Rep. Berglee moved that **SB 249 BE CONCURRED IN**.

02:30:50   **Motion:** Rep. Berglee moved that **SB 249 BE AMENDED**.
EXHIBIT(juh72a04)

Discussion:
02:30:57   Helen Thigpen, LSD
02:33:35   Chair Doane

02:33:41   **Vote:** Motion carried unanimously by voice vote. Rep. Harris, Rep. Hill Smith and Rep. McConnell voted by proxy.

02:34:05   **Motion:** Rep. Berglee moved that **SB 249 BE CONCURRED IN AS AMENDED**.

Discussion:
02:34:13   Rep. Usher
02:35:38   Chair Doane
02:36:09   Rep. Bishop
02:37:09   Rep. Morigeau
02:37:44   Helen Thigpen, LSD
02:38:20   Rep. Manzella
02:38:29   Rep. Kelker
02:39:48   Rep. Usher

02:40:44   **Vote:** Motion failed 9-10 by roll call vote with Rep. Bishop, Rep. Court, Rep. Eck, Rep. Hill Smith, Rep. Kelker, Rep. McConnell, Rep. Morigeau, Rep. Mortensen and Rep. Perry voting aye. Rep. Harris, Rep. Hill Smith and Rep. McConnell voted by proxy.

02:41:46   **Substitute Motion** Rep. Berglee made a substitute motion that **SB 249 BE TABLED**. Motion was without objection.

<u>ADJOURNMENT</u>

Adjournment: 02:42:33

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Sara Fleming, Secretary

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Additional Documents:

EXHIBIT(juh72aad.pdf)