

MINUTES

MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Keith Regier, on March 23, 2017 at 9:00 AM, in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Keith Regier, Chair (R)
Sen. Jennifer Fielder, Vice Chair (R)
Sen. Carlie Boland (D)
Sen. Steve Hinebauch (R)
Sen. Jedediah Hinkle (R)
Sen. Margaret (Margie) MacDonald (D)
Sen. Diane Sands (D)
Sen. Nels Swandal (R)
Sen. Chas Vincent (R)

Members Excused: Sen. Jen Gross (D)
Sen. Scott Sales (R)

Members Absent: None

Staff Present: Julianne Burkhardt, Legislative Branch
Charlene Devine, Committee 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 351, 3/10/2017; HB 404, 3/10/2017; HB 521, 3/06/2017

Executive Action: HB 494, Be Concurred In
HB 351, Be Concurred In
HB 521, Be Concurred In
HB 93, Tabled
HB 182, Tabled
HB 94, Amended Only, Be Concurred In Motion Withdrawn

00:00:41 Chair Regier

HEARING ON HB 521

Opening Statement by Sponsor:

00:01:23 Rep. Jeff Essmann (R), HD 54, opened the hearing on HB 521, Revise laws related to representation of LLC.

Proponents' Testimony:

00:04:20 John Sinrud, Montana Landlords Association

Opponents' Testimony: None

Informational Testimony:

00:05:15 Greg Mohr, Montana Magistrates Association

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:05:39 Rep. Essmann

HEARING ON HB 404

Opening Statement by Sponsor:

00:06:22 Rep. Lola Sheldon-Galloway (R), HD 22, opened the hearing on HB 404, Generally revise laws related to rentals.

Proponents' Testimony:

00:07:36 John Sinrud, Montana Landlords Association (MLA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:17:12 Sen. Sands
00:17:52 Rep. Sheldon-Galloway
00:18:13 Sen. Sands
00:18:21 Mr. Sinrud, MLA
00:20:12 Sen. Sands
00:20:25 Sen. Swandal
00:20:42 Mr. Sinrud

00:20:52 Sen. Vincent
00:21:35 Sen. Boland
00:22:22 Mr. Sinrud
00:24:07 Sen. Boland
00:24:37 Mr. Sinrud
00:24:48 Sen. Boland
00:25:11 Mr. Sinrud
00:25:38 Sen. Boland

Closing by Sponsor:

00:25:50 Rep. Sheldon-Galloway

HEARING ON HB 351

Opening Statement by Sponsor:

00:31:18 Rep. Kimberly Dudik (D), HD 94, opened the hearing on HB 351, Revise laws relating to permanency of youth in foster care.

Proponents' Testimony:

00:35:25 Abigail St. Lawrence, Montana Association of Christians
00:37:10 Lena Havron, former foster parent
00:39:09 Maurita Johnson, administrator, Child and Family Services, Department of Public Health and Human Services (DPHHS)
00:41:44 Melissa Schlichting, assistant attorney general, Department of Justice
00:42:39 Jani McCall, representing Intermountain, Yellowstone Boys and Girls Ranch, Family Support Network, and member, Protect Montana Kids Commission

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:44:59 Sen. Hinkle
00:45:16 Rep. Dudik
00:45:51 Sen. Fielder
00:46:28 Rep. Dudik
00:46:53 Sen. Fielder
00:47:11 Rep. Dudik
00:48:15 Sen. Fielder
00:48:28 Rep. Dudik
00:48:47 Sen. Fielder
00:49:16 Ms. Johnson, DPHHS
00:50:40 Sen. Fielder
00:50:52 Ms. Johnson
00:51:05 Sen. Fielder
00:51:30 Ms. Johnson

00:52:27 Sen. MacDonald
00:53:35 Ms. Johnson
00:54:16 Sen. MacDonald
00:54:35 Chair Regier
00:54:55 Rep. Dudik
00:55:29 Chair Regier
00:55:39 Rep. Dudik
00:55:50 Sen. Sands
00:56:06 Rep. Dudik
00:56:24 Sen. Swandal
00:56:34 Rep. Dudik
00:56:47 Sen. Vincent
00:57:12 Rep. Dudik
00:57:15 Sen. Vincent
00:57:25 Rep. Dudik

Closing by Sponsor:

00:57:49 Rep. Dudik
00:58:08 Chair Regier
00:58:38 Recess
01:10:36 Reconvene
01:10:42 Chair Regier

EXECUTIVE ACTION ON HB 494

01:10:56 **Motion:** Sen. Fielder moved that **HB 494 BE CONCURRED IN.**

Discussion:

01:11:05 Chair Regier
01:11:11 Julianne Burkhardt, Legislative Services Division
01:11:20 **Motion:** Sen. Sands moved that **HB 494 BE AMENDED.**
EXHIBIT(jus60a01)

Discussion:

01:11:55 Sen. Sands
01:12:47 Sen. Hinebauch
01:12:57 Chair Regier
01:13:12 **Vote:** Motion failed 4-7 by roll call vote with Sen. Boland, Sen. Gross, Sen. MacDonald and Sen. Sands voting aye. Sen. Gross and Sen. S. Sales voted by proxy.

01:14:00 **Vote:** Motion carried 7-4 by roll call vote with Sen. Boland, Sen. Gross, Sen. MacDonald and Sen. Sands voting no. Sen. Gross and Sen. S. Sales voted by proxy. Sen. Regier will carry the bill.

EXECUTIVE ACTION ON HB 94

01:15:37 **Motion:** Sen. Fielder moved that **HB 94 BE CONCURRED IN.**

Discussion:

01:15:53 Chair Regier

01:16:06 Julianne Burkhardt, Legislative Services Division (LSD)

01:16:56 **Motion:** Sen. Fielder moved that **HB 94 BE AMENDED.**
EXHIBIT(jus60a02)

Discussion:

01:17:56 Sen. Fielder

01:18:22 **Vote:** Motion carried unanimously by voice vote. Sen. Gross and Sen. S. Sales voted by proxy.

01:18:36 **Motion:** Sen. Fielder moved that **HB 94 BE AMENDED.**
EXHIBIT(jus60a03)

Discussion:

01:18:46 Ms. Burkhardt, LSD

01:19:29 Sen. Sands

01:19:59 Without objection Sen. Fielder withdrew the BE AMENDED and BE CONCURRED IN motions.

01:20:15 Chair Regier

EXECUTIVE ACTION ON HB 93

01:20:42 **Motion:** Sen. Fielder moved that **HB 93 BE CONCURRED IN.**

Discussion:

01:20:55 Chair Regier

01:21:16 Sen. Vincent

01:21:41 Sen. Swandal

01:22:52 Sen. MacDonald

01:24:24 Sen. Fielder

01:26:08 Chair Regier

01:26:30 **Vote:** Motion failed unanimously by roll call vote. Sen. Gross and Sen. S. Sales voted by proxy.

01:27:20 **Motion/Vote:** Sen. Swandal moved that **HB 93 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote. Sen. Gross and Sen. S. Sales voted by proxy.

EXECUTIVE ACTION ON HB 182

01:27:40 **Motion/Vote:** Sen. Fielder moved that **HB 182 BE TABLED.** Motion carried 6-5 by roll call vote with Sen. Boland, Sen. Gross, Sen. Hinkle, Sen. MacDonald and Sen. Sands voting no. Sen. Gross and Sen. S. Sales voted by proxy.

EXECUTIVE ACTION ON HB 351

01:29:01 Chair Regier

01:29:40 **Motion:** Sen. Fielder moved that **HB 351 BE CONCURRED IN.**

Discussion:

01:29:46 Chair Regier

01:30:00 Sen. Vincent

01:30:16 **Vote:** Motion carried unanimously by voice vote. Sen. Gross and Sen. S. Sales voted by proxy. Sen. Vincent will carry the bill.

EXECUTIVE ACTION ON HB 521

01:31:09 **Motion:** Sen. Fielder moved that **HB 521 BE CONCURRED IN.**

Discussion:

01:31:30 Sen Fielder

01:31:50 **Vote:** Motion carried unanimously by voice vote. Sen. Gross and Sen. S. Sales voted by proxy. Sen. Pomnichowski will carry the bill.

01:32:38 Chair Regier

01:32:51 Sen. Sands

ADJOURNMENT

Adjournment: 11:00 AM

Charlene Devine, Secretary

cd

Additional Documents:

EXHIBIT([jus60aad.pdf](#))