

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Alan Doane, on January 17, 2019 at 8:00 AM, in Room 137 Capitol

ROLL CALL

Members Present:

Rep. Alan Doane, Chair (R)
Rep. Kathy Kelker, Vice Chair (D)
Rep. Barry Usher, Vice Chair (R)
Rep. Seth Berglee (R)
Rep. Barbara Bessette (D)
Rep. Laurie Bishop (D)
Rep. Bob Brown (R)
Rep. Greg DeVries (R)
Rep. David Dunn (R)
Rep. Robert Farris-Olsen (D)
Rep. Connie Keogh (D)
Rep. Casey Knudsen (R)
Rep. Jasmine Krotkov (D)
Rep. Dennis R. Lenz (R)
Rep. Theresa Manzella (R)
Rep. Shane A. Morigeau (D)
Rep. Zac Perry (D)
Rep. Derek Skees (R)

Members Excused:

Rep. Terry Moore (R)

Members Absent: None

Staff Present: Abigail Konen, Committee Clerk
Rachel Weiss, 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 23, 1/11/2019; HB 87, 1/11/2019; HB 110, 1/11/2019; HB 111, 1/11/2019

08:01:37 Chair Doane

HEARING ON HB 87

Opening Statement by Sponsor:

08:02:10 Rep. Kimberly Dudik (D), HD 94, opened the hearing on HB 87, Revise child abuse diversion pilot project laws.

[EXHIBIT\(juh09a01\)](#)

[EXHIBIT\(juh09a02\)](#)

Proponents' Testimony:

08:05:47 Rep. Holmlund

08:06:34 Beth McLaughlin, Supreme Court

08:07:58 Marti Vining, Child and Family Services Division (CFSD)

08:08:18 Rhonda Schaffer, Office of Public Defender (OPD)

Opponents' Testimony:

08:08:45 Beth Brenneman, Disability Rights Montana

08:14:01 SK Rossi, American Civil Liberties Union of Montana (ACLU)

Informational Testimony:

None

Questions from Committee Members and Responses:

08:14:48 Vice Chair Kelker

08:15:35 Beth McLaughlin, Supreme Court

08:16:01 Vice Chair Kelker

08:17:50 Marti Vining, CFSD

08:18:15 Rep. B. Brown

08:18:54 Rep. Dudik

08:19:40 Beth McLaughlin, Supreme Court

08:20:13 Vice Chair Kelker

08:20:55 Rep. Dudik

08:21:44 Vice Chair Kelker

08:21:59 Rep. Dudik

08:24:13 Vice Chair Usher

08:24:52 Beth McLaughlin, Supreme Court

08:26:43 Rep. Keogh

08:27:16 Marti Vining, CFSD

08:27:54 Chair Doane

08:28:16 Rep. Dudik

08:29:04 Chair Doane

08:29:18 Beth Brenneman, Disability Rights Montana

08:30:02 Chair Doane

08:30:09 Beth Brenneman, Disability Rights Montana

Closing by Sponsor:

08:31:35 Rep. Dudik

08:33:37 Vice Chair Kelker

08:34:00 Chair Doane

HEARING ON HB 110

Opening Statement by Sponsor:

08:34:36 Rep. Ryan Lynch (D), HD 76, opened the hearing on HB 110, Generally revise pretrial diversion laws.

Proponents' Testimony:

08:35:43 Beth McLaughlin, Supreme Court
08:36:05 Rep. Morigeau left the meeting
08:41:04 Rhonda Schaffer, Office of Public Defender (OPD)
08:41:36 Patrick Webb, Americans for Prosperity Montana (AFP-MT)

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

08:42:11 Vice Chair Usher
08:42:57 Beth McLaughlin, Supreme Court
08:44:25 Vice Chair Usher
08:44:34 Beth McLaughlin, Supreme Court
08:44:39 Rep. C. Knudsen
08:45:36 Beth McLaughlin, Supreme Court
08:47:22 Chair Doane
08:47:54 Beth McLaughlin, Supreme Court
08:49:47 Chair Doane
08:49:56 Beth McLaughlin, Supreme Court

Closing by Sponsor:

08:50:45 Rep. Lynch

08:52:32 Recessed
09:01:21 Reconvened

09:01:21 Rep. Morigeau reentered the meeting

HEARING ON HB 23

Opening Statement by Sponsor:

09:01:34 Rep. Ryan Lynch (D), HD 76, opened the hearing on HB 23, Revise appointment of board of pardons and parole members.

[EXHIBIT\(juh09a03\)](#)

Proponents' Testimony:

None

Opponents' Testimony:

09:06:15 Raph Graybill, Governor's Office

Informational Testimony:

09:12:12 Annette Carter, Montana Board of Pardons and Parole (BOPP)

Questions from Committee Members and Responses:

09:12:36 Vice Chair Kelker
09:13:11 Annette Carter, BOPP
09:14:08 Vice Chair Kelker
09:14:10 Rep. T. Moore joined the meeting
09:14:19 Annette Carter, BOPP
09:14:32 Vice Chair Kelker
09:14:48 Annette Carter, BOPP
09:15:02 Vice Chair Usher
09:15:55 Rep. Lynch
09:16:13 Vice Chair Usher
09:16:32 Rep. Lynch
09:17:17 Rep. Bishop
09:21:21 Rep. Lynch
09:21:57 Chair Doane
09:22:10 Rep. Lynch

Closing by Sponsor:

09:22:27 Rep. Lynch

HEARING ON HB 111**Opening Statement by Sponsor:**

09:26:24 Rep. Frank Fleming (R), HD 51, opened the hearing on HB 111, Transfer parole supervision of certain youth to youth court.

[EXHIBIT\(juh09a04\)](#)

Proponents' Testimony:

09:28:57 Cynthia Wolken, Department of Corrections (DOC)

09:31:00 Beth McLaughlin, Supreme Court

[EXHIBIT\(juh09a05\)](#)

09:33:31 SK Rossi, American Civil Liberties Union of Montana (ACLU)

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

09:34:07 Rep. Berglee
09:34:47 Cynthia Wolken, DOC
09:35:26 Vice Chair Kelker

09:35:42 Cynthia Wolken, DOC
09:35:52 Beth McLaughlin, Supreme Court
09:36:26 Rep. C. Knudsen
09:37:00 Cynthia Wolken, DOC
09:38:01 Rep. C. Knudsen
09:38:21 Cynthia Wolken, DOC
09:38:32 Vice Chair Usher
09:39:16 Beth McLaughlin, Supreme Court
09:40:03 Chair Doane
09:42:48 Cynthia Wolken, DOC
09:43:44 Beth McLaughlin, Supreme Court

Closing by Sponsor:

09:45:02 Rep. Fleming

09:46:48 Chair Doane

ADJOURNMENT

Adjournment: 09:47:14

Abigail Konen, Clerk

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Additional Documents:

EXHIBIT([juh09aad.pdf](#))