

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Alan Doane, on January 25, 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. 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. Terry Moore (R)
Rep. Shane A. Morigeau (D)
Rep. Zac Perry (D)
Rep. Derek Skees (R)

Members Excused:

Rep. Laurie Bishop (D)

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 182, 1/21/2019; HB 256, 1/22/2019; HB 257, 1/22/2019; HJ 6, 1/22/2019
Executive Action: HB 244 - Do Pass, HB 245 - Do Pass, HB 246 - Be Tabled

08:01:52 Chair Doane
08:01:54 Rep. Bishop entered the meeting.

HEARING ON HB 182

Opening Statement by Sponsor:

08:02:27 Rep. Kenneth Holmlund (R), HD 38, opened the hearing on HB 182, Establish the Civil Justice Improvements Act.

Proponents' Testimony:

08:04:44 Justice Beth Baker, Montana Supreme Court
08:09:10 Mike Menahan, Judge, First Judicial District Court
08:14:25 Greg Mohr, Montana Magistrates Association
08:17:13 Marthe VanSickle, Self
08:21:09 Jon Bennion, Attorney General's Office (AGO)
08:22:03 Jane Amdahl, American Association of Retired Persons Montana (AARP)
08:25:46 Abigail St. Lawrence, Montana Association of Christians (MAC)
08:26:44 Charlie Rehbein, Self

EXHIBIT(juh15a01)

08:30:10 Bruce Spencer, State Bar of Montana
08:32:29 Greg Dorrington, Montana Defense Trial Lawyers
08:34:23 Chris Manos, Montana Generational Justice Group
08:35:45 Bill Bronson, Cascade County Law Clinic

EXHIBIT(juh15a02)

08:39:09 Aimee Grmoljez, Self
08:41:40 Rose Scheid, Self
08:45:14 Jessie Luther, Montana Association of Clerks of District Court
08:46:01 Ed Bartlett, Montana Judges Association, Montana Chamber of Commerce
08:50:31 Niki Zupanic, Montana Justice Foundation
08:51:45 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence (MCADSV)

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

08:53:01 Rep. C. Knudsen
08:53:38 Justice Beth Baker, Montana Supreme Court
08:54:22 Rep. C. Knudsen
08:54:44 Justice Beth Baker, Montana Supreme Court
08:55:14 Vice Chair Kelker
08:55:46 Justice Beth Baker, Montana Supreme Court
08:57:11 Vice Chair Usher
08:57:47 Justice Beth Baker, Montana Supreme Court
08:58:49 Rep. Morigeau

08:59:28 Justice Beth Baker, Montana Supreme Court
09:00:56 Rep. Manzella
09:01:59 Justice Beth Baker, Montana Supreme Court
09:03:25 Rep. Manzella
09:04:21 Justice Beth Baker, Montana Supreme Court
09:06:28 Rep. Farris-Olsen
09:06:53 Justice Beth Baker, Montana Supreme Court
09:07:28 Alison Paul, Montana Legal Services Association (MLSA)
09:08:31 Chair Doane
09:08:43 Rep. Dunn
09:09:00 Rep. Holmlund
09:09:44 Rep. Dunn
09:09:56 Rep. Holmlund
09:10:03 Justice Beth Baker, Montana Supreme Court
09:10:52 Chair Doane

Closing by Sponsor:

09:11:07 Rep. Holmlund

09:14:02 Recessed

09:19:16 Reconvened

HEARING ON HB 256

Opening Statement by Sponsor:

09:19:48 Rep. Connie Keogh (D), HD 91, opened the hearing on HB 256, Allow time of death transfer of vehicles.

EXHIBIT(juh15a03)

Proponents' Testimony:

09:26:51 Thomas Morrison, Montana Bar Association

09:29:54 Vicki Cocchiarella, Self

09:32:24 DarAnne Dunning, Luxan and Murfitt

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

09:37:54 Rep. Morigeau

09:38:27 DarAnne Dunning, Luxan and Murfitt

09:41:59 Vice Chair Usher

09:42:45 DarAnne Dunning, Luxan and Murfitt

09:44:01 Rep. Lenz

09:44:58 DarAnne Dunning, Luxan and Murfitt

09:47:35 Rep. T. Moore

09:47:58 DarAnne Dunning, Luxan and Murfitt

Closing by Sponsor:

09:49:56 Rep. Keogh

09:50:21 Rep. Morigeau
09:50:35 Chair Doane

09:51:09 Recessed
09:59:42 Reconvened

HEARING ON HB 257

Opening Statement by Sponsor:

10:00:41 Rep. Willis Curdy (D), HD 98, opened the hearing on HB 257, Allow certain UAV information to be admissible.

Proponents' Testimony:

10:01:50 Tom Butler, Chief, Montana Highway Patrol (MHP)
10:02:25 Shawn Hazelton, Montana Highway Patrol (MHP)

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

10:05:18 Rep. Skees
10:05:56 Shawn Hazelton, MHP
10:06:45 Rep. Skees
10:06:52 Chief Tom Butler, MHP
10:07:40 Vice Chair Kelker
10:08:16 Rachel Weiss, Legislative Services Division (LSD)
10:08:51 Vice Chair Kelker
10:09:08 Rachel Weiss, LSD
10:09:40 Vice Chair Kelker
10:09:47 Rep. Berglee
10:10:39 Chief Tom Butler, MHP
10:11:46 Vice Chair Usher
10:12:43 Chief Tom Butler, MHP
10:13:17 Vice Chair Usher
10:13:58 Shawn Hazelton, MHP
10:14:42 Vice Chair Usher
10:14:51 Shawn Hazelton, MHP
10:15:22 Rep. Manzella
10:16:09 Chief Tom Butler, MHP
10:18:24 Rep. Lenz
10:19:04 Chief Tom Butler, MHP
10:19:59 Chair Doane
10:20:17 Chief Tom Butler, MHP
10:21:42 Chair Doane

10:21:48 Chief Tom Butler, MHP

Closing by Sponsor:

10:22:10 Rep. Curdy

10:23:47 Vice Chair Usher assumed the chair.

HEARING ON HJ 6

Opening Statement by Sponsor:

10:24:06 Rep. Kimberly Dudik (D), HD 94, opened the hearing on HJ 6, Study resolution on postincarceration employment opportunities.

Proponents' Testimony:

10:26:41 Amy Tenney, Montana Community Corrections Association (MCCA)

10:28:32 Cary Hegreberg, Montana Chamber of Commerce

10:31:15 Zuri Moreno, American Civil Liberties Union of Montana (ACLU)

Opponents' Testimony:

None

Informational Testimony:

10:32:23 Gayle Butler, Department of Corrections (DOC)

Questions from Committee Members and Responses:

10:33:13 Rep. Skees

10:33:54 Rep. Dudik

10:34:03 Rep. Skees

10:34:46 Rep. Dudik

10:35:20 Chair Doane

10:36:19 Rep. Dudik

10:38:08 Chair Doane

10:38:15 Rep. Dudik

10:38:37 Rep. Keogh

10:40:05 Rep. Dudik

Closing by Sponsor:

10:40:57 Rep. Dudik

10:41:38 Chair Doane assumed the chair.

10:41:41 Chair Doane

10:41:57 At ease

10:44:13 Reconvened

10:44:13 Rep. Bishop left the meeting.

10:44:23 Rachel Weiss, LSD

10:44:37 Chair Doane

EXECUTIVE ACTION ON HB 244

10:44:57 Rachel Weiss, LSD

10:45:31 **Motion:** Vice Chair Usher moved that **HB 244 DO PASS.**

10:45:38 **Substitute Motion/Vote:** Vice Chair Kelker made a substitute motion that **HB 244 BE TABLED.** Substitute Motion failed 8-11 by roll call vote with Rep. Bessette, Rep. Bishop, Rep. Farris-Olsen, Vice Chair Kelker, Rep. Keogh, Rep. Krotkov, Rep. Morigeau and Rep. Perry voting aye. Rep. Bishop voted by proxy.

10:47:11 Rep. B. Brown

10:47:54 Chair Doane

10:48:20 Rep. Morigeau

10:49:12 **Vote:** Motion carried 12-7 by roll call vote with Rep. Bessette, Rep. Bishop, Vice Chair Kelker, Rep. Keogh, Rep. Krotkov, Rep. T. Moore and Rep. Perry voting no. Rep. Bishop voted by proxy.

EXECUTIVE ACTION ON HB 245

10:50:34 **Motion:** Vice Chair Usher moved that **HB 245 DO PASS.**

Discussion:

10:50:48 Rep. B. Brown

10:51:00 Chair Doane

10:51:21 **Vote:** Motion carried 12-7 by roll call vote with Rep. Bessette, Rep. Bishop, Vice Chair Kelker, Rep. Keogh, Rep. Krotkov, Rep. T. Moore and Rep. Perry voting no. Rep. Bishop voted by proxy.

EXECUTIVE ACTION ON HB 246

10:52:44 **Motion/Vote:** Vice Chair Usher moved that **HB 246 BE TABLED.** Motion carried unanimously by voice vote. Rep. Bishop voted by proxy.

10:53:34 Chair Doane

10:53:37 Rep. Skees

ADJOURNMENT

Adjournment: 10:53:59

Abigail Konen, Clerk

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Additional Documents:

EXHIBIT([juh15aad.pdf](#))