

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Alan Doane, on January 30, 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. 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. Terry Moore (R)
Rep. Shane A. Morigeau (D)
Rep. Zac Perry (D)
Rep. Derek Skees (R)

Members Excused:

Rep. Barbara Bessette (D)

Members Absent: None

Staff Present: Abigail Konen, Committee Clerk
Rachel Weiss, Legislative Branch
Hope Stockwell, 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 21, 1/21/2019; HB 40, 1/21/2019; HB 48, 1/21/2019; HB 54,
1/21/2019

08:01:04 Chair Doane
08:01:35 Rachel Weiss, Legislative Services Division (LSD)
[EXHIBIT\(juh18a01\)](#)

HEARING ON HB 40

Opening Statement by Sponsor:

08:02:21 Rep. Sharon Stewart Peregoy (D), HD 42, opened the hearing on HB 40,
Creating the reentry cultural programming grant program.

[EXHIBIT\(juh18a02\)](#)

Proponents' Testimony:

08:14:03 Jordan Thompson, Confederated Salish and Kootenai Tribes of the Flathead
Nation (CSKT)
08:16:15 Cheryl Eagle, Board of Indian People's Action
08:18:22 Kathleen Little Leaf, Self
08:22:33 Rep. B. Smith
08:23:11 Nikolas Griffith, Boyd Andrew Community Services
08:23:52 Rep. C. Knudsen left the meeting.
08:23:54 SK Rossi, American Civil Liberties Union of Montana (ACLU)

[EXHIBIT\(juh18a03\)](#)

08:28:21 Beth Brenneman, Disability Rights Montana

Opponents' Testimony:

None

Informational Testimony:

08:31:11 Natalia Bowser, Department of Corrections (DOC)
08:31:43 Marcia Levitan, Department of Corrections (DOC)

Questions from Committee Members and Responses:

08:32:08 Vice Chair Kelker
08:32:37 Natalia Bowser, DOC
08:34:45 Vice Chair Kelker
08:35:04 Natalia Bowser, DOC
08:35:35 Rep. Morigeau
08:36:25 SK Rossi, ACLU
08:37:01 Rep. Lenz
08:38:06 SK Rossi, ACLU
08:39:41 Rep. Lenz
08:40:16 SK Rossi, ACLU
08:40:20 Rep. Lenz
08:41:34 Kathleen Little Leaf, Self
08:46:20 Rep. Keogh
08:49:15 Natalia Bowser, DOC
08:49:28 Rep. B. Brown
08:50:04 SK Rossi, ACLU
08:50:24 Rep. B. Brown
08:51:06 Rep. Stewart Peregoy

Closing by Sponsor:

08:53:20 Rep. Stewart Peregoy

08:57:43 Rep. Morigeau left the meeting.

HEARING ON HB 48**Opening Statement by Sponsor:**

09:00:53 Rep. Laurie Bishop (D), HD 60, opened the hearing on HB 48, Provide for stacking of tribal court convictions for partner or family assault.

Proponents' Testimony:

09:03:35 Mary Cochenour, Attorney General's Office (AGO), Department of Justice (DOJ)

09:10:08 Rep. Peppers

09:11:37 Rep. B. Smith

09:12:02 Jason Smith, Director, Office of Indian Affairs

09:12:59 Shelly Fyant, Tribal Council of the Confederated Salish and Kootenai Tribes of the Flathead Reservation (CSKT)

09:14:21 Jackie Jones, Montana County Attorneys Association (MCAA)

09:14:43 Dave Galt, Montana Sheriffs and Peace Officers Association (MSPOA)

09:15:08 Rep. Stewart Peregoy

Opponents' Testimony:

09:15:37 SK Rossi, American Civil Liberties Union of Montana (ACLU)

Informational Testimony:

None

Questions from Committee Members and Responses:

09:18:30 Rep. Lenz

09:19:08 Mary Cochenour, DOJ

09:22:20 Rep. Lenz

09:22:34 Mary Cochenour, DOJ

09:23:03 Vice Chair Kelker

09:23:40 Director Smith, Office of Indian Affairs

09:26:23 Vice Chair Kelker

09:26:42 Director Smith, Office of Indian Affairs

09:27:02 Rep. Manzella

09:27:28 Rep. Bishop

09:28:23 Melissa Schlichting, Attorney General's Office (AGO)

09:29:45 Rep. Manzella

09:29:54 Melissa Schlichting, AGO

09:30:12 Chair Doane

09:30:26 Rep. Morigeau reentered the meeting.

09:30:30 Melissa Schlichting, AGO

09:31:07 Chair Doane

09:31:20 Melissa Schlichting, AGO

09:31:43 Rep. Skees

09:32:05 Melissa Schlichting, AGO

Closing by Sponsor:

09:32:42 Rep. Bishop

09:35:01 Recessed

09:50:01 Reconvened

HEARING ON HB 54**Opening Statement by Sponsor:**

09:50:12 Rep. Rae Peppers (D), HD 41, opened the hearing on HB 54, Revising laws related to missing persons reports.

Proponents' Testimony:

09:54:57 Bryan Lockerby, Montana Division of Criminal Investigation (DCI), Department of Justice (DOJ)

09:57:17 Rep. B. Smith

09:57:46 Rep. Stewart Peregoy

09:58:24 Jason Smith, Director, Office of Indian Affairs

09:58:51 Sen. Small

09:59:45 Megan Martin, Montana Department of Justice (DOJ), Division of Criminal Investigation (DCI)

10:00:55 Rep. Windy Boy

10:01:49 Rep. C. Knudsen reentered the meeting.

10:03:00 Cheryl Eagle, Board of Indian People's Action

10:04:57 Malinda Harris Limberhand, Self

10:06:42 Paula Castro-Stops, Self

10:09:25 Rose Harris, Self

10:10:15 Rynalea Whiteman Pena, President, Northern Cheyenne Tribe

10:15:49 Sydney Barry, Montana Coalition Against Domestic and Sexual Violence (MCADSV)

10:16:33 Jackie Jones, Montana County Attorneys Association (MCAA)

10:17:46 Shelly Fyant, Tribal Council of the Confederated Salish and Kootenai Tribes of the Flathead Reservation (CSKT)

10:19:43 Nanette Gilbertson, Montana Sheriffs and Peace Officers Association (MSPOA)

10:20:24 Colleen Campbell, Western Native Voice

10:21:38 Lanada Peppers, Self

10:23:13 Ivy MacDonald, Self

10:24:25 Marita Growing Thunder, Save our Sisters Missing and Murdered Indigenous Women Awareness Project

10:25:12 Ekoo Beck, Montana Women Vote

10:26:08 Brenna Love, Associated Students of the University of Montana (ASUM)

10:26:41 Kim McKeehan, Little Shell Tribe of Chippewa Indians of Montana, Montana Native Women's Coalition

10:28:07 Lance Four Star, Western Native Voice, Fort Peck Assiniboine Council

10:34:23 Melissa Schlichting, Attorney General's Office (AGO)

10:35:08 SK Rossi, American Civil Liberties Union of Montana (ACLU)

Opponents' Testimony:

None

Informational Testimony:

None

10:35:38 Chair Doane

[EXHIBIT\(juh18a04\)](#)

Questions from Committee Members and Responses:

10:35:53 Rep. Manzella
10:36:52 Rep. Peppers
10:37:08 Rep. Manzella
10:37:27 Rep. Peppers
10:37:42 Bryan Lockerby, DOJ
10:38:01 Megan Martin, DOJ
10:38:54 Rep. Skees
10:39:39 Megan Martin, DOJ
10:40:33 Vice Chair Kelker
10:41:42 Bryan Lockerby, DOJ
10:42:46 Vice Chair Kelker
10:43:15 Bryan Lockerby, DOJ
10:43:23 Rep. Farris-Olsen
10:43:53 Rep. Stewart Peregoy
10:47:07 Rep. Farris-Olsen
10:47:14 Rep. Stewart Peregoy
10:47:26 Vice Chair Usher
10:49:15 Director Smith, Office of Indian Affairs
10:50:32 Vice Chair Usher
10:51:34 Rep. Peppers
10:52:24 Rep. Morigeau
10:54:19 Melissa Schlichting, AGO
10:57:31 Rep. Morigeau
10:58:01 Melissa Schlichting, AGO
10:58:17 Vice Chair Kelker
10:59:03 Rep. Stewart Peregoy

Closing by Sponsor:

11:00:15 Rep. Peppers

11:00:38 Rep. Lenz left the meeting.
11:01:03 Rep. C. Knudsen left the meeting.
11:01:19 Chair Doane

HEARING ON HB 21

Opening Statement by Sponsor:

11:02:13 Rep. Rae Peppers (D), HD 41, opened the hearing on HB 21, Establishing "Hanna's Act".

Proponents' Testimony:

11:05:30 Bryan Lockerby, Division of Criminal Investigation (DCI), Montana Department of Justice (DOJ)

EXHIBIT(juh18a05)

11:07:22 Megan Martin, Montana Department of Justice (DOJ)
11:09:48 Rep. B. Smith
11:10:23 Rep. Stewart Peregoy
11:11:18 Jason Smith, Director, Office of Indian Affairs
11:12:06 Peter Fuller, Self
11:14:45 Chair Doane
11:14:55 Peter Fuller, Self
11:16:39 Chair Doane
11:16:44 Peter Fuller, Self
11:17:08 Kathleen Little Leaf, Indian People's Action
11:20:00 Brandi King, Fort Belknap Indian Community Council
11:23:53 Jackie Jones, Montana County Attorneys Association (MCAA)
11:25:36 Cinda Burd, Western Native Voice
11:26:22 Shelly Fyant, Tribal Council of the Confederated Salish and Kootenai Tribes of the Flathead Reservation (CSKT)
11:29:32 Meg Singer, American Civil Liberties Union of Montana (ACLU)
11:30:20 Kim McKeehan, Little Shell Tribe of Chippewa Indians of Montana
11:31:45 Garrett Lankford, Montana Human Rights Network
11:32:38 Ekoo Beck, Self
11:33:32 Mark Peterson, Commissioner, Hill County Commissioners

EXHIBIT(juh18a06)

11:35:56 Sydney Barry, Montana Coalition Against Domestic and Sexual Violence (MCADSV)
11:36:14 Brenna Love, Associated Students of the University of Montana (ASUM)
11:36:43 Sen. Small
11:37:29 Melissa Schlichting, Attorney General's Office (AGO)
11:37:51 Nanette Gilbertson, Montana Sheriffs and Peace Officers Association (MSPOA)
11:38:29 Conrad Fisher, Self
11:39:44 Rep. C. Knudsen reentered the meeting.
11:41:10 Malinda Harris Limberhand, Self
11:42:52 Rynalea Whiteman Pena, President, Northern Cheyenne Tribe
11:59:02 Eva Foote, Self
12:00:58 Susan Fenner, Western Native Voice

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

None

Closing by Sponsor:

12:02:30 Rep. Peppers

12:04:03 Chair Doane

12:04:22 Vice Chair Usher

ADJOURNMENT

Adjournment: 12:05:05

Abigail Konen, Clerk

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Additional Documents:

EXHIBIT([juh18aad.pdf](#))