

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Alan Doane, on February 1, 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. 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)

Members Excused:

Rep. Seth Berglee (R)
Rep. Laurie Bishop (D)
Rep. Derek Skees (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 146, 1/29/2019; HB 147, 1/29/2019; HB 238, 1/29/2019; HB 325, 1/29/2019; HB 357, 1/31/2019

08:01:31 Chair Doane
08:01:45 Rep. B. Brown, Rep. C. Knudsen, Rep. Farris-Olsen, Rep. Lenz, and Rep. Morigeau left the meeting.

HEARING ON HB 325

Opening Statement by Sponsor:

08:02:52 Rep. Matt Regier (R), HD 4, opened the hearing on HB 325, Generally revise firearm laws.

Proponents' Testimony:

08:07:32 Gary Marbut, Montana Shooting Sports Association
08:12:57 Ed Halland, Self
08:13:48 Pat Plowman, Self

EXHIBIT(juh20a01)

08:14:39 Linda Heffernan, Self
08:15:23 Ann Bukacek, Self
08:15:43 Mattea Heffernan, Self
08:16:48 Kirk Hinebauch, Self
08:17:54 Garrett Bacon, Self
08:18:47 Vicki Sallee, Self
08:19:05 Ron Staley, Self

Opponents' Testimony:

08:20:49 Kelly Lynch, Montana League of Cities and Towns
08:25:28 John MacDonald, City of Missoula
08:27:14 Greg Dorrington, City of Billings
08:27:43 Paulette Kohman, Moms Demand Action
08:29:20 Andrea Pipp, Self
08:31:39 Heidi Kendall, Self
08:34:27 Mary Linn Crouse, Self
08:35:20 Lynne Dickman, Self
08:37:34 Roxane Weikel, Self
08:40:14 Eric Bryson, Montana Association of Counties (MACo)
08:42:23 Victoria LaMaur, Self
08:44:32 Garrett Lankford, Montana Human Rights Network
08:45:10 Lance Melton, Montana School Boards Association (MTSBA), Montana Public Education Center (MT-PEC), Montana Association of School Business Officials, (MASBO), Montana Federation of Public Employees (MFPE), Montana Rural Education Association (MREA), Montana Quality Education Coalition (MQEC), School Administrators of Montana (SAM)

Informational Testimony:

None

Questions from Committee Members and Responses:

08:46:43 Vice Chair Kelker
08:46:52 Rachel Weiss, Legislative Services Division (LSD)
08:47:05 Vice Chair Kelker

08:47:16 Rep. Manzella
08:47:40 Gary Marbut, Montana Shooting Sports Association
08:50:10 Rep. Manzella
08:50:23 Gary Marbut, Montana Shooting Sports Association
08:51:22 Chair Doane
08:51:29 Vice Chair Kelker
08:54:15 Kelly Lynch, Montana League of Cities and Towns
08:54:28 Rep. Keogh
08:54:58 Rep. M. Regier
08:55:15 Vice Chair Usher
08:57:01 Rep. M. Regier
08:57:09 Vice Chair Usher
08:57:43 Gary Marbut, Montana Shooting Sports Association
08:58:32 Chair Doane
08:58:38 Vice Chair Usher
08:58:58 Rep. Krotkov
09:00:42 Gary Marbut, Montana Shooting Sports Association
09:03:07 Rep. Krotkov
09:03:27 Gary Marbut, Montana Shooting Sports Association
09:04:02 Vice Chair Kelker
09:04:44 Rep. M. Regier
09:05:34 Vice Chair Kelker
09:06:43 Rep. M. Regier

Closing by Sponsor:

09:07:42 Rep. M. Regier

HEARING ON HB 357

Opening Statement by Sponsor:

09:08:56 Rep. Matt Regier (R), HD 4, opened the hearing on HB 357, Revise concealed carry laws.

Proponents' Testimony:

09:09:45 Chair Doane
09:09:56 Garrett Bacon, Self
09:10:21 John Rogers, Self

Opponents' Testimony:

09:11:30 Kelly Lynch, Montana League of Cities and Towns

EXHIBIT(juh20a02)

09:11:58 Lance Melton, Montana School Boards Association (MTSBA), Montana Public Education Center (MT-PEC)
09:12:46 John MacDonald, City of Missoula
09:13:04 Lynne Dickman, Self
09:13:19 Greg Dorrington, City of Billings
09:13:39 Eric Bryson, Montana Association of Counties (MACo)
09:14:01 Roxane Weikel, Self
09:14:20 Andrea Pipp, Self

Informational Testimony:

None

Questions from Committee Members and Responses:

09:14:58 Vice Chair Usher
09:15:43 Greg Dorrington, City of Billings
09:15:54 Vice Chair Usher
09:16:54 Greg Dorrington, City of Billings

Closing by Sponsor:

09:17:12 Rep. M. Regier

09:17:31 Recessed

09:26:06 Reconvened

HEARING ON HB 238**Opening Statement by Sponsor:**

09:26:47 Rep. Theresa Manzella (R), HD 85, opened the hearing on HB 238, Revise penalties for false reporting of crimes.

[EXHIBIT\(juh20a03\)](#)**Proponents' Testimony:**

09:34:43 Scott Burlingham, Ravalli County Sheriff's Office

[EXHIBIT\(juh20a04\)](#)

09:42:33 Rep. Garner, HD 7
09:43:55 Rep. Berglee entered the meeting.
09:45:18 Rep. B. Brown reentered the meeting.
09:46:14 Jackie Jones, Montana County Attorney Association (MCAA)
09:47:41 Nanette Gilbertson, Montana Sheriffs and Peace Officers Association (MSPOA)
09:48:35 Perry Johnson, Self
09:49:48 Rep. Farris-Olsen reentered the meeting.
09:52:02 Rep. Morigeau reentered the meeting.
09:52:04 Ron Staley, Self

Opponents' Testimony:

09:53:16 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence (MCADSV), American Civil Liberties Union of Montana (ACLU)
09:55:25 Sam Forstag, Montana Associated Students (MAS)

Informational Testimony:

09:57:33 Rhonda Schaffer, Office of Public Defender (OPD)

Questions from Committee Members and Responses:

09:57:54 Vice Chair Kelker
09:58:54 Rep. C. Knudsen reentered the meeting.
09:58:57 Rep. Garner
09:59:55 Vice Chair Kelker
10:00:01 Chair Doane

10:00:03 Rep. Manzella
10:01:00 Chair Doane
10:01:11 Rep. Manzella
10:01:23 Vice Chair Kelker
10:01:49 Chair Doane
10:02:24 Rep. Manzella
10:02:33 Rep. Krotkov
10:03:15 Rep. Manzella
10:03:33 Rep. Garner
10:05:13 Jackie Jones, MCAA
10:05:34 Rep. Krotkov
10:06:23 Jackie Jones, MCAA
10:10:37 Rep. Bessette
10:11:07 Kelsen Young, MCADSV, ACLU
10:11:32 Vice Chair Usher
10:13:02 Sam Forstag, MAS
10:13:48 Vice Chair Usher
10:14:26 Sam Forstag, MAS

Closing by Sponsor:

10:14:57 Rep. Manzella

10:16:28 Recessed
10:19:51 Reconvened

HEARING ON HB 146

Opening Statement by Sponsor:

10:20:19 Rep. Kenneth Holmlund (R), HD 38, opened the hearing on HB 146, Establish laws regarding sanctuary cities in Montana.

10:23:36 Rep. Skees entered the meeting.

Proponents' Testimony:

10:26:46 Paul Nachman, Self
[EXHIBIT\(juh20a05\)](#)

10:36:15 Shari Rendall, Federation for American Immigration Reform (FAIR)
10:44:48 Rep. Skees left the meeting.
10:46:32 Mark Limesand, Self
10:50:32 Rep. Berglee left the meeting.
10:51:08 John Rogers, Self
10:53:20 Rudolph Tankink, Self

Opponents' Testimony:

10:54:56 SK Rossi, American Civil Liberties Union of Montana (ACLU)
11:01:19 Kelly Lynch, Montana League of Cities and Towns
11:04:25 Ed Stafman, Montana Association of Rabbis, Montana Interfaith Network
11:11:07 Abigail St. Lawrence, Montana Association of Christians (MAC)
[EXHIBIT\(juh20a06\)](#)

11:12:27 Andres Haladay, Helena City Commission
11:16:21 Candida Quinn, Montana Association of Christians (MAC)
11:22:24 Jordon Dyr Dahl-Roberts, Self
11:23:15 Maren Haynes Marchesini, United Methodist Church, Montana Interfaith Network
11:24:36 Randall Caudle, River Mountain Immigration
11:26:33 Matt Brower, Montana Catholic Conference

EXHIBIT(juh20a07)

11:26:49 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence (MCADSV)
11:27:08 Garrett Lankford, Montana Human Rights Network
11:27:18 Sarah Howell, Montana Women Vote

Informational Testimony:

11:27:38 Alex Street, Self

Questions from Committee Members and Responses:

11:32:08 Rep. B. Brown
11:32:59 Rep. Holmlund
11:33:26 Rep. B. Brown
11:33:57 Rep. Holmlund
11:34:35 SK Rossi, ACLU
11:36:00 Rep. B. Brown
11:36:07 SK Ross, ACLU
11:36:38 Rep. C. Knudsen
11:37:10 Rep. Holmlund
11:38:01 Vice Chair Kelker
11:38:10 Rachel Weiss, Legislative Services Division (LSD)
11:38:28 Rep. Farris-Olsen
11:39:02 Kelly Lynch, Montana League of Cities and Towns
11:39:15 Vice Chair Usher
11:39:55 Rep. Holmlund
11:40:40 Vice Chair Usher
11:41:30 Paul Nachman
11:41:52 Vice Chair Usher
11:42:08 Paul Nachman
11:43:18 Rep. Farris-Olsen
11:43:35 Randall Caudle, River Mountain Immigration

Closing by Sponsor:

11:44:22 Rep. Holmlund

11:47:53 Chair Doane

HEARING ON HB 147

Opening Statement by Sponsor:

11:48:14 Rep. Kenneth Holmlund (R), HD 38, opened the hearing on HB 147, Referendum to establish sanctuary city laws in Montana.

Proponents' Testimony:

11:49:47 Paul Nachman, Self
11:51:18 Shari Rendall, Federation for American Immigration Reform (FAIR)
11:52:59 John Rogers, Self
11:53:22 Mark Limesand, Self
11:53:31 Annie Bukacek, Self

Opponents' Testimony:

11:53:46 SK Rossi, American Civil Liberties Union of Montana (ACLU)
11:54:20 Kelly Lynch, Montana League of Cities and Towns

EXHIBIT(juh20a08)

11:54:34 Ed Stafman, Montana Association of Rabbis, Montana Interfaith Network
11:55:15 Sarah Howell, Montana Women Vote
11:56:12 Garrett Lankford, Montana Human Rights Network
11:56:38 Jordon Dyrdaahl-Roberts, Self
11:57:08 David Andersen, Montana Association of Churches (MAC)
11:57:19 Matt Brower, Montana Catholic Conference
11:57:28 Andres Haladay, Commissioner, Helena City Commission
11:57:38 Randall Caudle, Self

Informational Testimony:

None

Questions from Committee Members and Responses:

None

Closing by Sponsor:

11:58:03 Rep. Holmlund

11:59:06 Rep. Farris-Olsen
11:59:19 Chair Doane

ADJOURNMENT

Adjournment: 12:00:00

Abigail Konen, Clerk

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Additional Documents:

EXHIBIT([juh20aad.pdf](#))