

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Alan Doane, on February 4, 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. 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. Theresa Manzella (R)
Rep. Terry Moore (R)
Rep. Zac Perry (D)

Members Excused:

Rep. Seth Berglee (R)
Rep. Dennis R. Lenz (R)
Rep. Derek Skees (R)
Rep. Shane A. Morigeau (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 309, 1/30/2019; HB 335, 1/30/2019; HB 336, 1/30/2019; HB 306, 2/1/2019

08:01:37 Chair Doane

HEARING ON HB 306

Opening Statement by Sponsor:

08:02:19 Rep. Barry Usher (R), HD 40, opened the hearing on HB 306, Revise when a person may be subject to a strip search.

Proponents' Testimony:

08:06:51 Leo Dutton, Sheriff, Lewis and Clark County Sheriff's Office, Montana Sheriffs and Peace Officers Association (MSPOA)
08:11:00 Jason Jarrett, Gallatin County Sheriff's Office
08:15:24 Alan Hughes, Lewis and Clark County Detention Center
08:16:34 Rep. Morigeau entered the meeting.
08:17:45 Eric Bryson, Montana Association of Counties (MACo)
08:20:16 Nanette Gilbertson, Montana Sheriffs and Peace Officers Association (MSPOA)

Opponents' Testimony:

08:21:18 Kelsen Young, American Civil Liberties Union of Montana (ACLU)

Informational Testimony:

None

Questions from Committee Members and Responses:

08:23:01 Rep. Manzella
08:24:04 Sheriff Dutton, Lewis and Clark County Sheriff's Office, MSPOA
08:24:26 Rep. Manzella
08:24:40 Sheriff Dutton, Lewis and Clark County Sheriff's Office, MSPOA
08:24:46 Rep. C. Knudsen
08:25:37 Sheriff Dutton, Lewis and Clark County Sheriff's Office, MSPOA
08:26:00 Rep. Lenz entered the meeting.
08:26:10 Rep. Usher
08:26:37 Vice Chair Kelker
08:26:54 Rep. Berglee entered the meeting.
08:27:20 Sheriff Dutton, Lewis and Clark County Sheriff's Office, MSPOA
08:28:06 Vice Chair Kelker
08:28:19 Sheriff Dutton, Lewis and Clark County Sheriff's Office, MSPOA
08:28:34 Rep. B. Brown
08:29:29 Sheriff Dutton, Lewis and Clark County Sheriff's Office, MSPOA
08:30:31 Jason Jarrett, Gallatin County Sheriff's Office
08:30:43 Rep. Skees entered the meeting.
08:31:01 Rep. Brown
08:31:32 Rep. Usher
08:31:48 Eric Bryson, MACo
08:32:33 Rep. Bishop
08:33:30 Eric Bryson, MACo
08:34:43 Rep. Bishop
08:34:53 Eric Bryson, MACo
08:35:08 Chair Doane
08:35:30 Sheriff Dutton, Lewis and Clark County Sheriff's Office, MSPOA

08:36:39 Chair Doane
08:37:01 Sheriff Dutton, Lewis and Clark County Sheriff's Office, MSPOA
08:37:18 Chair Doane
08:37:42 Eric Bryson, MACo
08:38:09 Chair Doane
08:38:17 Eric Bryson, MACo
08:38:55 Rep. Farris-Olsen
08:39:06 Eric Bryson, MACo
08:39:12 Rep. Farris-Olsen
08:39:20 Eric Bryson, MACo

Closing by Sponsor:

08:39:39 Rep. Usher

[EXHIBIT\(juh22a01\)](#)

HEARING ON HB 309

Opening Statement by Sponsor:

08:42:52 Rep. Kimberly Dudik (D), HD 94, opened the hearing on HB 309, Provide safe harbor for pregnant women seeking assistance for substance abuse.

[EXHIBIT\(juh22a02\)](#)

Proponents' Testimony:

08:49:38 Mark Murphy, Montana Police Protective Association (MPPA)

08:52:15 Cinda Burd, Silent Warrior Coalition

08:54:02 Jessie Luther, Benefis Health System

[EXHIBIT\(juh22a03\)](#)

08:55:27 Stacey Anderson, Montana Primary Care Association (MPCA)

Opponents' Testimony:

08:57:47 Beth Brenneman, Disability Rights Montana

09:01:07 Abigail St. Lawrence, Montana Association of Christians (MAC)

[EXHIBIT\(juh22a04\)](#)

Informational Testimony:

None

Questions from Committee Members and Responses:

09:02:58 Vice Chair Kelker

09:03:23 Rep. Dudik

09:04:41 Vice Chair Kelker

09:05:00 Rep. Dudik

09:05:19 Rep. B. Brown

09:05:50 Rep. Dudik

09:06:44 Rep. B. Brown

09:06:52 Rep. Dudik

09:07:01 Rep. T. Moore

09:07:42 Stacey Anderson, MPCA

09:09:07 Rep. T. Moore

09:10:13 Rep. Dudik
09:11:30 Rep. T. Moore
09:12:31 Rep. Dudik
09:13:39 Vice Chair Usher
09:15:44 Rep. Dudik
09:16:09 Rep. Bishop
09:16:44 Rep. Dudik
09:17:21 Rep. Manzella
09:17:46 Rep. Dudik
09:18:41 Rep. Skees
09:21:46 Rep. Dudik

Closing by Sponsor:

09:22:49 Rep. Dudik

09:23:20 Recessed
09:32:33 Reconvened

09:32:33 Rep. Lenz left the meeting.

HEARING ON HB 335

Opening Statement by Sponsor:

09:32:41 Rep. Connie Keogh (D), HD 91, opened the hearing on HB 335, Generally revise laws to create and amend parenting plans.

Proponents' Testimony:

09:35:04 Ryan Phelan, Montana State Bar
09:53:09 Simon Fickinger, Self
09:59:50 Mars Scott, Montana State Bar

Opponents' Testimony:

10:02:54 Judge John Larson, Fourth Judicial District

Informational Testimony:

10:10:30 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence (MCADSV)

Questions from Committee Members and Responses:

10:12:12 Vice Chair Kelker
10:13:00 Ryan Phelan, Montana State Bar
10:13:10 Vice Chair Kelker
10:13:31 Ryan Phelan, Montana State Bar
10:13:40 Rep. Skees
10:14:38 Ryan Phelan, Montana State Bar

Closing by Sponsor:

10:16:06 Rep. Keogh

HEARING ON HB 336

Opening Statement by Sponsor:

10:18:11 Rep. Connie Keogh (D), HD 91, opened the hearing on HB 336, Generally revising laws on temporary orders for maintenance or support.

Proponents' Testimony:

10:19:23 Mars Scott, Montana State Bar
[EXHIBIT\(juh22a05\)](#)

10:28:33 Rep. Lenz reentered the meeting.

10:40:18 Debra Steigerwalt, Thomspson and Steigerwalt

Opponents' Testimony:

10:49:27 Judge John Larson, Fourth Judicial District

10:51:45 Rep. C. Knudsen left the meeting.

Informational Testimony:

10:52:02 Amy Pfeifer, Child Support Enforcement Division, Department of Public Health and Human Services (DPHHS)

10:53:32 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence (MCADSV)

Questions from Committee Members and Responses:

10:54:05 Vice Chair Kelker

10:56:54 Mars Scott, Montana State Bar

10:57:21 Rep. Skees

10:57:41 Judge Larson, Fourth Judicial District

Closing by Sponsor:

10:58:40 Rep. Keogh

11:00:19 Chair Doane

11:00:24 Rachel Weiss, Legislative Services Division (LSD)

[EXHIBIT\(juh22a06\)](#)

11:01:26 Recessed

11:03:52 Reconvened

11:03:54 **Motion:** Vice Chair Kelker moved that **THE JUDICIARY COMMITTEE OF THE HOUSE CREATE A COMMITTEE BILL WITH THE GENERAL TITLE OF "GENERALLY REVISE LAWS RELATING TO CHILDHOOD SEXUAL ABUSE."**

Discussion:

11:04:11 Chair Doane

11:05:47 Rep. Morigeau

11:06:23 Vice Chair Kelker

11:06:48 Chair Doane

11:07:41 **Vote:** Motion carried unanimously by roll call vote. Rep. C. Knudsen voted by proxy.

11:08:35 Chair Doane

ADJOURNMENT

Adjournment: 11:09:30

Abigail Konen, Clerk

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Additional Documents:

EXHIBIT([juh22aad.pdf](#))