

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Alan Doane, on February 18, 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 454, 2/14/2019; HB 461, 2/14/2019; HB 350, 2/8/2019; HB
442, 2/11/2019

08:01:36 Chair Doane

HEARING ON HB 461

Opening Statement by Sponsor:

08:02:08 Rep. Connie Keogh (D), HD 91, opened the hearing on HB 461, Generally revise the uniform powers of appointment act.

Proponents' Testimony:

08:04:36 Dirk Williams, State Bar of Montana
08:09:19 Rep. Morigeau entered the meeting.
08:15:26 Chair Doane
08:15:48 Keith Tokerud, Self

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

08:19:28 Rep. Manzella
08:21:59 Dirk Williams, State Bar of Montana
08:22:34 Vice Chair Kelker
08:22:57 Dirk Williams, State Bar of Montana
08:24:05 Rep. Krotkov
08:24:30 Dirk Williams, State Bar of Montana

Closing by Sponsor:

08:25:31 Rep. Keogh

08:27:07 Rep. Berglee entered the meeting.
08:27:18 Chair Doane

HEARING ON HB 454

Opening Statement by Sponsor:

08:27:29 Rep. Peggy Webb (R), HD 43, opened the hearing on HB 454, Allow notice of license suspension for failure to pay child support by mail.

Proponents' Testimony:

08:29:01 Leda Korsukewitz, Self
08:34:59 Rep. Skees entered the meeting.

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

08:41:11 Rep. Manzella
08:41:39 Rep. P. Webb
08:42:00 Leda Korsukewitz
08:42:59 Rep. Manzella
08:43:55 Leda Korsukewitz
08:45:01 Vice Chair Kelker
08:46:03 Leda Korsukewitz
08:47:44 Vice Chair Kelker
08:48:08 Leda Korsukewitz
08:49:21 Rep. Krotkov
08:49:50 Leda Korsukewitz
08:50:56 Rep. Krotkov
08:51:41 Leda Korsukewitz
08:53:23 Rep. C. Knudsen
08:53:50 Rep. P. Webb

Closing by Sponsor:

08:54:02 Rep. P. Webb

08:55:24 Recessed
09:01:25 Reconvened

09:01:25 Rep. Skees left the meeting.

HEARING ON HB 350**Opening Statement by Sponsor:**

09:01:57 Rep. Mike Hopkins (R), HD 92, opened the hearing on HB 350, Abolish state death penalty.

Proponents' Testimony:

09:03:50 Susan DeBree, United Methodist Church

[EXHIBIT\(juh34a01\)](#)

[EXHIBIT\(juh34a02\)](#)

09:07:43 David Andersen, Montana Association of Christians (MAC)

[EXHIBIT\(juh34a03\)](#)

[EXHIBIT\(juh34a04\)](#)

[EXHIBIT\(juh34a05\)](#)

09:08:56 Frank Knaack, Montana Innocence Project

[EXHIBIT\(juh34a06\)](#)

09:10:31 Peter Ohman, Office of the State Public Defender (OPD)

09:12:03 Rachel Carroll Rivas, Montana Human Rights Network (MHRN)

09:13:08 Ann Truesdell, National Association of Social Workers-Montana Chapter

09:13:31 SK Rossi, American Civil Liberties Union of Montana (ACLU)

09:14:15 Beth Brenneman, Disability Rights Montana

[EXHIBIT\(juh34a07\)](#)

09:17:09 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence
(MCADSV)

09:17:34 Abigail St. Lawrence, Montana Abolition Coalition

[EXHIBIT\(juh34a08\)](#)

[EXHIBIT\(juh34a09\)](#)

[EXHIBIT\(juh34a10\)](#)

[EXHIBIT\(juh34a11\)](#)

09:19:15 Robert Filipovich, Self

[EXHIBIT\(juh34a12\)](#)

09:29:01 Daniel Viehland, Self

09:31:06 Molly Moody, Big Sky 55+

Opponents' Testimony:

09:33:09 Jeff Laszloffy, Self

09:38:35 Bob Wagner, Self

09:47:52 Gil Mangels, Self

[EXHIBIT\(juh34a13\)](#)

09:54:41 Rep. T. Moore left the meeting.

10:03:15 Marty Lambert, Gallatin County Attorney's Office

10:06:21 Rep. Skees reentered the meeting.

10:08:01 Mark French, Self

Informational Testimony:

10:10:23 Adam Gianforte, Self

Questions from Committee Members and Responses:

10:10:48 Rep. Farris-Olsen

10:10:59 Adam Gianforte

10:11:24 Vice Chair Usher

10:12:17 SK Rossi, ACLU

10:13:45 Vice Chair Usher

10:14:15 SK Rossi, ACLU

Closing by Sponsor:

10:14:50 Rep. Hopkins

10:21:13 Recessed

10:25:22 Reconvened

10:25:22 Rep. T. Moore reentered the meeting.

HEARING ON HB 442

Opening Statement by Sponsor:

10:25:55 Rep. Joe Read (R), HD 93, opened the hearing on HB 442, Generally revise evidence laws.

Proponents' Testimony:

10:27:16 Pascal Redfern, Self

[EXHIBIT\(juh34a14\)](#)

10:48:27 Mark French, Self

[EXHIBIT\(juh34a15\)](#)

10:55:23 Raye Newmeyer, Self

10:55:46 Bob Wagner, Self

10:57:43 Keith Newmeyer, Self

10:57:57 Kathleen French, Self

Opponents' Testimony:

10:58:17 Roy Brown, Attorney General's Office (AGO)

10:58:55 Rep. Morigeau left the meeting.

11:04:18 Brent Brooks, Billings City Attorney's Office

[EXHIBIT\(juh34a16\)](#)

11:07:32 Marty Lambert, Montana County Attorneys Association (MCAA)

11:11:20 Teague Westrope, City of Billings

11:15:45 Mark Murphy, Montana Association of Chiefs of Police (MACOP), Montana Police Protective Association (MPPA)

11:18:05 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence (MCADSV)

11:21:04 John MacDonald, City of Missoula

11:23:02 Bruce Spencer, State Bar of Montana

11:25:38 Nanette Gilbertson, Montana Sheriffs and Peace Officers Association (MSPOA)

11:26:32 Al Smith, Montana Trial Lawyers Association (MTLA)

11:26:44 Greg Dorrington, Montana Defense Trial Lawyers

Informational Testimony:

11:27:09 Greg Mohr, Montana Magistrates Association

Questions from Committee Members and Responses:

11:27:26 Vice Chair Kelker

11:28:21 Greg Mohr, Montana Magistrates Association

11:29:00 Rep. Morigeau reentered the meeting.

11:29:04 Rep. Manzella

11:30:24 Greg Mohr, Montana Magistrates Association

11:31:02 Rep. B. Brown

11:33:00 Greg Mohr, Montana Magistrates Association

11:33:04 Vice Chair Kelker

11:33:28 Rep. Read

11:34:10 Vice Chair Usher

11:34:22 Rep. Read

11:34:57 Vice Chair Usher

11:36:11 Kelsen Young, MCADSV

11:38:57 Rep. Skees

11:39:46 Pascal Redfern

11:41:15 Rep. Skees

11:41:52 Pascal Redfern

Closing by Sponsor:

11:44:09 Rep. Read

11:46:21 Chair Doane

ADJOURNMENT

Adjournment: 11:46:41

Abigail Konen, Clerk

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Additional Documents:

EXHIBIT([juh34aad.pdf](#))