

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 66th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON JUDICIARY

**Call to Order:** Chair Alan Doane, on February 22, 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. 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. Shane A. Morigeau (D)  
Rep. Zac Perry (D)  
Rep. Derek Skees (R)

**Members Excused:**

Rep. Laurie Bishop (D)  
Rep. Barbara Bessette (D)  
Rep. Dennis R. Lenz (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 465, 2/18/2019; HB 538, 2/18/2019; HB 546, 2/19/2019;  
HB 548, 2/19/2019; HB 549, 2/19/2019; HB 561, 2/20/2019

08:02:39 Chair Doane

### **HEARING ON HB 561**

#### **Opening Statement by Sponsor:**

08:03:10 Rep. Daniel Zolnikov (R), HD 45, opened the hearing on HB 561, Revise child custody laws pertaining to the best interest of a child.

#### **Proponents' Testimony:**

08:06:30 Chris Thompson, self

[EXHIBIT\(juh38a01\)](#)

#### **Opponents' Testimony:**

08:10:05 Gail Goheen, self

08:18:44 Sarah Baxter, self

[EXHIBIT\(juh38a02\)](#)

08:22:04 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence (MCADSV)

#### **Informational Testimony:**

None

#### **Questions from Committee Members and Responses:**

None

#### **Closing by Sponsor:**

08:22:41 Rep. Zolnikov

### **HEARING ON HB 548**

#### **Opening Statement by Sponsor:**

08:25:32 Rep. Kimberly Dudik (D), HD 94, opened the hearing on HB 548, Provide for reporting of abuse at juvenile treatment facilities.

#### **Proponents' Testimony:**

08:28:58 Beth Brenneman, Disability Rights Montana

08:31:08 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence (MCADSV), Montana Association of Christians (MAC)

08:31:35 Ann Truesdell, Montana Chapter of the National Association of Social Workers

#### **Opponents' Testimony:**

None

#### **Informational Testimony:**

08:32:15 Nick Domitrovich, Department of Public Health and Human Services (DPHHS)

#### **Questions from Committee Members and Responses:**

08:32:38 Vice Chair Kelker

08:35:08 Beth Brenneman, Disability Rights Montana

08:35:37 Rep. C. Knudsen  
08:35:54 Beth Brenneman, Disability Rights Montana  
08:36:18 Rep. C. Knudsen  
08:36:36 Beth Brenneman, Disability Rights Montana  
08:37:16 Chair Doane

**Closing by Sponsor:**

08:37:31 Rep. Dudik

**HEARING ON HB 549**

**Opening Statement by Sponsor:**

08:38:08 Rep. Kimberly Dudik (D), HD 94, opened the hearing on HB 549, Generally revise child sex trafficking laws.

**Proponents' Testimony:**

08:39:02 Rep. Bishop entered the meeting.  
08:41:53 Anita Milanovich, Montana Family Foundation  
08:42:23 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence (MCADSV)

**Opponents' Testimony:**

None

**Informational Testimony:**

08:42:51 Marti Vining, Department of Public Health and Human Services (DPHHS)

**Questions from Committee Members and Responses:**

None

**Closing by Sponsor:**

08:43:23 Rep. Dudik

[EXHIBIT\(juh38a03\)](#)

08:44:00 Chair Doane

[EXHIBIT\(juh38a04\)](#)

**HEARING ON HB 538**

**Opening Statement by Sponsor:**

08:45:05 Rep. Gordon Pierson (D), HD 78, opened the hearing on HB 538, Require reports of acts of violence against healthcare workers.

**Proponents' Testimony:**

08:46:14 Vicky Byrd, Montana Nurses Association (MNA)  
08:50:55 Brandi Breth, Montana Nurses Association (MNA)  
08:51:27 Sandi Luckey, Montana Nurses Association (MNA)  
08:52:34 Adam Haight, Montana American Federation of Labor and Congress of Industrial Organizations (AFL-CIO)

**Opponents' Testimony:**

08:53:07 Bob Olsen, Montana Hospital Association (MHA)  
08:55:26 Aimee Grmoljez, Billings Clinic  
08:57:40 Rep. Skees  
08:57:46 Aimee Grmoljez, Billings Clinic  
08:57:56 Beth Brenneman, Disability Rights Montana  
08:59:58 SK Rossi, American Civil Liberties Union of Montana (ACLU)

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

09:00:25 Rep. C. Knudsen  
09:01:15 Rep. Pierson  
09:01:29 Rep. Morigeau  
09:02:59 Vicky Byrd, MNA  
09:04:36 Vice Chair Kelker  
09:07:03 Aimee Grmoljez, Billings Clinic  
09:08:19 Rep. Manzella  
09:12:39 Vicky Byrd, MNA  
09:12:50 Rep. Farris-Olsen  
09:13:12 Vicky Byrd, MNA  
09:13:18 Vice Chair Kelker  
09:13:56 Vicky Byrd, MNA  
09:14:33 Vice Chair Kelker  
09:14:50 Vicky Byrd, MNA

**Closing by Sponsor:**

09:15:26 Rep. Pierson  
  
09:17:20 Recessed  
09:29:21 Reconvened  
  
09:29:21 Rep. Bessette entered the meeting.

**HEARING ON HB 546****Opening Statement by Sponsor:**

9:29:37 Rep. Robert Farris-Olsen (D), HD 79, opened the hearing on HB 546, Provide for civil cause of action for victims of gender violence.

**Proponents' Testimony:**

09:31:09 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence (MCADSV)

**Opponents' Testimony:**

None

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

None

**Closing by Sponsor:**

09:32:00 Rep. Farris-Olsen

**HEARING ON HB 465****Opening Statement by Sponsor:**

09:33:24 Rep. Kim Abbott (D), HD 83, opened the hearing on HB 465, Generally revise the Montana human rights act.

**Proponents' Testimony:**

09:37:04 SK Rossi, American Civil Liberties Union of Montana (ACLU)

[EXHIBIT\(juh38a05\)](#)

09:42:37 Kathleen O'Donnell, self

[EXHIBIT\(juh38a06\)](#)

09:44:40 Mary Anne Guggenheim, self

[EXHIBIT\(juh38a07\)](#)

09:47:14 Gregory Smith, Episcopal Diocese of Montana, Montana Interfaith Network (MIN)

[EXHIBIT\(juh38a08\)](#)

09:48:54 Arne Bergland, Montana Association of Christians (MAC)

[EXHIBIT\(juh38a09\)](#)

09:52:10 Cathy White, Montana Chapter of the American Academy of Pediatrics

[EXHIBIT\(juh38a10\)](#)

09:55:15 Jessica Eller, self

[EXHIBIT\(juh38a11\)](#)

09:56:49 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence (MCADSV)

09:58:45 Ken Fichtler, Governor's Office of Economic Development

[EXHIBIT\(juh38a12\)](#)

10:00:37 Chair Doane

10:00:42 Ken Fichtler, Governor's Office of Economic Development

10:01:54 Chair Doane

10:02:09 Shawn Reagor, self

[EXHIBIT\(juh38a13\)](#)[EXHIBIT\(juh38a14\)](#)

10:04:38 Jeff Krauss, self

10:07:12 Chair Doane

10:07:18 Jeff Krauss

10:08:16 Susan Fenner, Montana Native Vote

10:08:56 Laurel Hesse, Planned Parenthood Advocates of Montana

10:09:15 Kim Leighton, Pride Foundation

[EXHIBIT\(juh38a15\)](#)

[EXHIBIT\(juh38a16\)](#)

10:09:45 Sami Pack-Toner, United Methodist Church

10:10:51 Nash Walden, self

10:11:56 Ann Truesdell, Montana Chapter of the National Association of Social Workers

10:13:12 Mark Lauburg, self

10:15:06 Sarah Howell, Montana Women Vote

10:16:10 Adam Haight, Montana American Federation of Labor and Congress of Industrial Organizations (AFL-CIO)

10:16:28 Brenna Love, Associated Students of the University of Montana

10:17:10 Geneva Zoltek, Associated Students at Montana State University (ASMSU)

10:17:39 Julian Adler, Montana Public Interest Research Group (MontPIRG)

10:18:25 Sam Forstag, self

10:19:12 Garrett Lankford, Montana Human Rights Network (MHRN)

[EXHIBIT\(juh38a17\)](#)

10:19:44 Colleen Campbell, Western Native Voice (WNV)

10:20:28 Kelli Twoteeth, Indigenous Coalition of Organizers

10:21:00 Kathryn Hartfield, self

10:21:20 Ella Smith, self

10:22:02 Roberta Duckhead, self

10:23:07 Chair Doane

**Opponents' Testimony:**

10:26:30 Raye Newmeyer, self

10:27:32 Anita Milanovich, Montana Family Foundation

[EXHIBIT\(juh38a18\)](#)

10:38:39 Nicole Giacomini, self

[EXHIBIT\(juh38a19\)](#)

10:45:46 Harris Himes, Big Sky Christian Center

10:48:45 Chair Doane

10:48:50 Harris Himes, Big Sky Christian Center

10:56:24 Donna Elford, self

11:00:56 Doug Chapman, self

[EXHIBIT\(juh38a20\)](#)

11:03:43 Rebecca Burchell, self

11:06:19 Rick Vaught, Christian Education Association of Montana

11:11:39 Eileen Guthrie, self

11:11:53 Steve Shelley, self

11:12:00 Rep. B. Brown

11:12:12 Chair Doane

11:12:17 Brett Norling, self

11:12:24 Paul McElroy, self

11:12:37 Cynthia Hoskins, Pure Image Ministries International

11:12:50 Shirl Shelley, self  
11:13:04 Mike Raczkowski, self  
11:13:18 Dick Pence, Montana Pastors Network

**EXHIBIT(juh38a21)**

11:13:36 Nancy Pence, self  
11:13:47 Robert Quinton, self

**EXHIBIT(juh38a22)**

11:13:59 Leslie Elford, self  
11:14:14 Jimmer Manolovits, self  
11:14:30 Karen Webb, self  
11:14:40 Phyllis Lamping, self  
11:14:46 Gina Satterfield, self

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

11:15:12 Rep. Morigeau  
11:15:46 Ken Fichtler, Governor's Office of Economic Development  
11:16:14 Rep. Morigeau  
11:16:42 SK Rossi, ACLU  
11:17:15 Vice Chair Kelker  
11:18:06 Rep. Abbott  
11:18:25 SK Rossi, ACLU  
11:19:27 Vice Chair Kelker  
11:19:57 SK Rossi, ACLU  
11:20:54 Rep. Manzella  
11:21:19 Rep. Morigeau  
11:21:51 SK Rossi, ACLU  
11:22:17 Rep. Manzella  
11:22:24 SK Rossi, ACLU  
11:22:28 Rep. Manzella  
11:22:39 SK Rossi, ACLU  
11:23:05 Chair Doane  
11:23:20 Rep. Manzella  
11:24:23 SK Rossi, ACLU  
11:24:47 Rep. Keogh  
11:25:19 Ken Fichtler, Governor's Office of Economic Development  
11:26:11 Rep. Skees  
11:26:29 Ken Fichtler, Governor's Office of Economic Development  
11:26:33 Rep. Skees  
11:26:39 Ken Fichtler, Governor's Office of Economic Development  
11:26:51 Rep. Skees  
11:27:35 Anita Milanovich, Montana Family Foundation  
11:27:51 Rep. Skees  
11:28:22 Jessica Eller  
11:28:47 Rep. Skees  
11:29:20 Adam Haight, AFL-CIO

11:29:30 Rep. Farris-Olsen  
11:29:56 Rachel Weiss, Legislative Services Division (LSD)

**Closing by Sponsor:**

11:30:11 Rep. Abbott  
  
11:34:07 Chair Doane  
11:35:51 Vice Chair Usher  
11:36:18 Chair Doane  
11:36:30 Rep. Farris-Olsen  
11:36:42 Chair Doane

**ADJOURNMENT**

Adjournment: 11:37:32

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Abigail Konen, Clerk

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Additional Documents:

**EXHIBIT**([juh38aad.pdf](#))