

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Alan Doane, on February 25, 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. Dennis R. Lenz (R)
Rep. Theresa Manzella (R)
Rep. Terry Moore (R)
Rep. Zac Perry (D)
Rep. Derek Skees (R)

Members Excused:

Rep. Seth Berglee (R)
Rep. Jasmine Krotkov (D)
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 543, 2/19/2019; HB 550, 2/19/2019; HB 564, 2/20/2019;
HB 574, 2/20/2019; HB 575, 2/20/2019; HB 587, 2/20/2019

08:02:02 Chair Doane

HEARING ON HB 550

Opening Statement by Sponsor:

08:02:29 Rep. Alan Redfield (R), HD 59, opened the hearing on HB 550, Revise definition of public road in gas tax laws.

[EXHIBIT\(juh40a01\)](#)

Proponents' Testimony:

08:04:25 Abigail St. Lawrence, Rocky Mountain Stockgrowers Association (RMSGGA)

08:06:51 Chuck Rein, Self

08:07:30 Rep. Krotkov entered the meeting.

08:09:54 Lorents Grosfield, Self

08:10:44 Jay Bodner, Montana Stockgrowers Association (MSGGA)

Opponents' Testimony:

08:12:22 Eric Bryson, Montana Association of Counties (MACo)

08:14:11 Kathryn QannaYahu, Self

08:19:16 Nick Gevock, Montana Wildlife Federation (MWF)

Informational Testimony:

08:20:07 Ed Ereth, Montana Department of Transportation (MDT)

Questions from Committee Members and Responses:

08:20:33 Rep. Farris-Olsen

08:20:55 Ed Ereth, MDT

08:21:43 Rep. Farris-Olsen

08:21:54 Eric Bryson, MACo

08:22:34 Chair Doane

08:22:40 Eric Bryson, MACo

08:22:58 Chair Doane

08:23:03 Eric Bryson, MACo

08:23:08 Rep. Skees

Closing by Sponsor:

08:23:27 Rep. Redfield

HEARING ON HB 543

Opening Statement by Sponsor:

08:24:07 Rep. Zach Brown (D), HD 63, opened the hearing on HB 543, Revise laws related to misdemeanor expungement.

Proponents' Testimony:

08:24:31 Rep. Morigeau entered the meeting.

08:29:42 Chair Doane ceded the gavel to Vice Chair Usher.

08:33:37 Bekki McLean, City of Bozeman

Opponents' Testimony:

None

Informational Testimony:

08:37:18 Jason Bright, Department of Justice (DOJ)

Questions from Committee Members and Responses:

08:37:49 Rep. Skees
08:38:27 Rep. Z. Brown
08:38:55 Rachel Weiss, Legislative Services Division (LSD)
08:39:06 Rep. Skees
08:39:28 Rep. Z. Brown
08:40:14 Rep. Skees
08:40:24 Rep. Z. Brown

Closing by Sponsor:

08:40:57 Rep. Z. Brown

08:41:55 Rep. Doane resumed as the Chair.

HEARING ON HB 564

Opening Statement by Sponsor:

08:42:39 Rep. David Dunn (R), HD 9, opened the hearing on HB 564, Revise medical exemption laws on immunizations.

[EXHIBIT\(juh40a02\)](#)

Proponents' Testimony:

08:43:21 Rep. Krotkov left the meeting.
08:51:09 Maria Wyrock, Montanans for Vaccine Choice (MTVC)
08:56:48 Corrie Meza, Montanans for Vaccine Choice (MTVC)
09:00:09 Vice Chair Usher left the meeting.
09:01:38 Jennifer Carlson, Self

[EXHIBIT\(juh40a03\)](#)

[EXHIBIT\(juh40a04\)](#)

09:07:49 Chellese Stamson, Self

[EXHIBIT\(juh40a05\)](#)

09:11:53 Anna Miller, Self
09:14:38 Kaylie McBride, Montanans for Vaccine Choice (MTVC)
09:17:03 Mark French, Self
09:20:08 Cassandra Aldrich, Self
09:21:59 Lily New, Self

[EXHIBIT\(juh40a06\)](#)

09:22:15 Nicole Giacomini, Self
09:22:30 Jesi Skattum, Self
09:22:46 Lori Gilbert Lee, Self
09:23:02 Lanae Gonzalez, Self

Opponents' Testimony:

09:23:30 Erin McGowan, Association of Montana Public Health Officials (AMPHO),
Montana Public Health Association (MPHA), Montana Environmental Health
Association (MEHA)

09:24:37 Rep. Lenz left the meeting.

09:25:20 Greg Dorrington, Montana Medical Association (MMA)

EXHIBIT(juh40a07)

09:25:57 Chair Doane

Informational Testimony:

09:26:25 Jim Murphy, Department of Public Health and Human Services (DPHHS)

Questions from Committee Members and Responses:

09:29:14 Vice Chair Kelker

09:29:49 Jim Murphy, DPHHS

09:30:13 Vice Chair Kelker

09:30:34 Jim Murphy, DPHHS

09:31:37 Rep. C. Knudsen

09:32:29 Jim Murphy, DPHHS

09:33:49 Chair Doane

09:34:04 Jim Murphy, DPHHS

09:34:22 Rep. T. Moore

09:35:14 Jennifer Carlson

09:36:55 Rep. Krotkov reentered the meeting.

09:39:02 Rep. Skees

09:41:12 Jim Murphy, DPHHS

09:41:19 Rep. Skees

09:41:27 Rep. Manzella

09:41:59 Maria Wyrock, MTVC

09:45:28 Rep. Bishop

09:46:08 Jim Murphy, DPHHS

09:47:02 Rep. Bishop

09:47:32 Jim Murphy, DPHHS

09:47:38 Rep. DeVries

09:48:01 Chellese Stamson

09:51:19 Rep. DeVries

09:51:36 Chellese Stamson

09:53:02 Vice Chair Kelker

09:54:18 Greg Dorrington, MMA

09:54:23 Vice Chair Kelker

09:55:26 Greg Dorrington, MMA

09:55:40 Vice Chair Kelker

Closing by Sponsor:

09:55:52 Rep. Dunn

09:58:18 Recessed

10:06:07 Reconvened

HEARING ON HB 587**Opening Statement by Sponsor:**

10:06:21 Rep. Mary Caferro (D), HD 81, opened the hearing on HB 587, Generally revise laws related to the insanity plea.

Proponents' Testimony:

10:07:36 Matt Kuntz, National Alliance on Mental Illness Montana (NAMI)
[EXHIBIT\(juh40a08\)](#)

10:11:23 Rep. Skees
10:11:28 Matt Kuntz, NAMI Montana
10:11:52 Bowman Smelko, Self
[EXHIBIT\(juh40a09\)](#)

10:16:48 Beth Brenneman, Disability Rights Montana

Opponents' Testimony:

10:20:25 Gina Satterfield, Self
10:22:27 Michael R. Bütz, Montana Psychological Association
[EXHIBIT\(juh40a10\)](#)
[EXHIBIT\(juh40a11\)](#)
[EXHIBIT\(juh40a12\)](#)

10:28:36 Rep. Lenz reentered the meeting.
10:34:08 Kory Larsen, Cascade County Attorney's Office, Montana County Attorneys Association (MCAA)

Informational Testimony:

10:36:12 Jorge Quintana, Department of Public Health and Human Services (DPHHS)

Questions from Committee Members and Responses:

10:36:39 Rep. Farris-Olsen
10:36:57 Bowman Smelko
10:41:11 Rep. Bishop
10:41:35 Matt Kuntz, NAMI Montana
10:44:22 Rep. Krotkov
10:45:21 Jorge Quintana, DPHHS
10:46:20 Rep. B. Brown
10:47:48 Beth Brenneman, Disability Rights Montana

Closing by Sponsor:

10:48:40 Rep. Caferro

HEARING ON HB 574**Opening Statement by Sponsor:**

10:50:54 Rep. Theresa Manzella (R), HD 85, opened the hearing on HB 574, Prohibit implementation/enforcement of immunization not approved by legislature.

[EXHIBIT\(juh40a13\)](#)

Proponents' Testimony:

10:54:57 Rebecca Schwartz, Self

[EXHIBIT\(juh40a14\)](#)

10:58:37 Lanae Gonzalez, Self

[EXHIBIT\(juh40a15\)](#)

11:01:55 Corrie Meza, Montanans for Vaccine Choice (MTVC)

[EXHIBIT\(juh40a16\)](#)

11:02:14 Maria Wyrock, Montanans for Vaccine Choice (MTVC)

11:07:47 Lily New, Self

[EXHIBIT\(juh40a17\)](#)

11:10:45 Chellese Stamson, Self

11:12:54 Vice Chair Usher reentered the meeting.

11:13:21 Jesi Skattum, Self

11:14:16 Jami Kidd, Self

11:18:06 Jennifer Carlson, Self

11:18:15 Nicole Giacomini, Self

11:18:26 Cassandra Aldrich, Self

11:18:35 Kaylie McBride, Self

11:18:45 Lori Gilbert Lee, Self

11:19:12 Anna Miller, Self

11:19:22 Gina Satterfield, Self

11:19:34 Chair Doane

Opponents' Testimony:

11:19:55 Jim Murphy, Department of Public Health and Human Services (DPHHS)

[EXHIBIT\(juh40a18\)](#)

11:22:27 Erin McGowan, Association of Montana Public Health Officials (AMPHO),
Montana Public Health Association (MPHA), Montana Environmental Health
Association (MEHA)

11:23:37 Aidan Myhre, Montana Bioscience Alliance

11:26:30 Brad Griffin, Montana Retail Association (MRA)

11:27:21 Morgan Smith, Montana Federation of Public Employees (MFPE)

11:27:51 Stacey Anderson, Montana Primary Care Association (MPCA)

11:28:16 Jean Branscum, Montana Medical Association (MMA), Montana Academy of
Pediatricians

Informational Testimony:

None

Questions from Committee Members and Responses:

11:29:51 Rep. Skees

11:30:12 Aidan Myhre, Montana Bioscience Alliance

11:30:25 Rep. Lenz left the meeting.

11:30:43 Rep. Skees

11:31:01 Jim Murphy, DPHHS

11:31:27 Rep. Skees
11:31:34 Jim Murphy, DPHHS
11:32:06 Rep. Dunn
11:32:24 Jim Murphy, DPHHS
11:32:47 Rep. Dunn
11:33:03 Jim Murphy, DPHHS
11:33:18 Rep. B. Brown
11:34:00 Jim Murphy, DPHHS
11:34:16 Rep. B. Brown
11:34:34 Jim Murphy, DPHHS
11:35:42 Aidan Myhre, Montana Bioscience Alliance
11:36:08 Chair Doane
11:36:19 Aidan Myhre, Montana Bioscience Alliance

Closing by Sponsor:

11:36:35 Rep. Manzella

HEARING ON HB 575

Opening Statement by Sponsor:

11:38:48 Rep. Theresa Manzella (R), HD 85, opened the hearing on HB 575, Revise laws related to immunizations in daycare facilities.

Proponents' Testimony:

11:42:16 Corrie Meza, Montanans for Vaccine Choice (MTVC)
11:47:21 Robyn Mohs, Self
11:48:22 Nicole Giacomini, Self
11:50:16 Maria Wyrock, Montanans for Vaccine Choice (MTVC)

[EXHIBIT\(juh40a19\)](#)

[EXHIBIT\(juh40a20\)](#)

12:01:25 Lori Gilbert Lee, Self
12:04:19 Gina Satterfield, Self
12:07:09 Rep. Morigeau left the meeting.
12:08:08 Cassandra Aldrich, Self
12:08:56 Chellese Stamson, Self

[EXHIBIT\(juh40a21\)](#)

12:10:02 Lanae Gonzalez, Self

[EXHIBIT\(juh40a22\)](#)

[EXHIBIT\(juh40a23\)](#)

12:11:13 Kaylie McBride, Self
12:11:25 Lily New, Self
12:11:33 Jesi Skattum, Self
12:11:44 Anna Miller, Self
12:11:56 Danita Light, Self
12:12:15 Jarrod Gilbert, Self

12:12:20 Rep. Krotkov left the meeting.
12:12:24 Jennifer Carlson, Self
12:12:34 Jami Kidd, Self

Opponents' Testimony:

12:12:58 Kelly Rosenleaf, Child Care Resources
12:16:21 Rep. T. Moore left the meeting.
12:19:41 Jane Arntzen Schumacher, Montana Child Care Resource and Referral Network
12:22:30 Erin Ducharme, Self
12:26:57 Ashley Callison, Child Care Connections, STARS to Quality
12:29:33 Hannah Danzer, Self
12:33:27 Brandi Thomas, Child Care Connections
12:35:25 Nanette Gilbertson, Montana Advocates for Children; Montana Child Care Association; Montana Association for the Education of Young Children; Montana Child Care Resource and Referral Network; Montana Head Start; Healthy Mothers, Healthy Babies (HMHB)
12:36:10 Jim Murphy, Department of Public Health and Human Services (DPHHS)

EXHIBIT(juh40a24)

12:40:32 Erin McGowan, Association of Montana Public Health Officials (AMPHO), Montana Public Health Association (MPHA), Montana Environmental Health Association (MEHA)
12:41:21 Ann Lynch, Self
12:41:40 Kyrie Cicero, Self
12:41:54 Jean Branscum, Montana Medical Association (MMA), American Academy of Pediatricians
12:42:17 Stacey Anderson, Montana Primary Care Association (MPCA)
12:42:30 Morgan Smith, Montana Federation of Public Employees (MFPE)
12:42:40 Connie Reighard, Self
12:42:56 Valerie Reighard, Self

Informational Testimony:

12:43:18 Laurie Bakri, Secretary of State's Office (SOS)

Questions from Committee Members and Responses:

None

Closing by Sponsor:

12:43:55 Rep. Manzella
12:46:17 Chair Doane

ADJOURNMENT

Adjournment: 12:46:37

Abigail Konen, Clerk

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Additional Documents:

EXHIBIT([juh40aad.pdf](#))