

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Alan Doane, on February 26, 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. Seth Berglee (R)
Rep. Barbara Bessette (D)
Rep. Laurie Bishop (D)
Rep. Bob Brown (R)
Rep. Greg DeVries (R)
Rep. Robert Farris-Olsen (D)
Rep. Connie Keogh (D)
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. Barry Usher, Vice Chair (R)
Rep. Derek Skees (R)
Rep. David Dunn (R)
Rep. Casey Knudsen (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 590, 2/21/2019; HB 591, 2/21/2019; HB 603, 2/22/2019;
HB 611, 2/22/2019; HB 615, 2/22/2019; HB 619, 2/22/2019
Executive Action: HB 603, HB 498, HB 535, HB 533

08:04:50 Chair Doane

HEARING ON HB 615

Opening Statement by Sponsor:

08:05:20 Rep. Shane Morigeau (D), HD 95, opened the hearing on HB 615, Modernize claim and delivery law.

Proponents' Testimony:

08:05:33 Rep. C. Knudsen entered the meeting.
08:07:20 Aimee Grmoljez, Montana Bankers Association (MBA)
08:07:56 Eli Patten, Crowley Fleck

EXHIBIT(juh41a01)

08:08:09 Rep. Skees entered the meeting.
08:12:03 Dylan Crouse, Crowley Fleck
08:13:06 Jim Brown, Montana Independent Bankers (MIB)

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

08:14:25 Rep. Krotkov
08:14:59 Rep. Morigeau
08:16:22 Rep. Krotkov
08:16:56 Eli Patten, Crowley Fleck
08:22:25 Rep. C. Knudsen
08:22:55 Eli Patten, Crowley Fleck
08:24:00 Rep. B. Brown
08:24:39 Eli Patten, Crowley Fleck
08:26:07 Rep. Dunn entered the meeting.

Closing by Sponsor:

08:26:20 Rep. Morigeau

08:28:09 Rep. Morigeau left the meeting.

HEARING ON HB 619

Opening Statement by Sponsor:

08:28:19 Rep. Daniel Zolnikov (R), HD 45, opened the hearing on HB 619, Revise student data privacy laws.

Proponents' Testimony:

08:30:40 Emily Dean, Montana School Boards Association (MTSBA), Montana Public Education Center, Montana Association of School Business Officials (MASBO), Montana Federation of Public Employees (MFPE), Montana Quality Education

Coalition (MQEC), Montana Rural Education Association (MREA), School Administrators of Montana (SAM)
08:32:18 Jule Walker, Office of Public Instruction (OPI)

Opponents' Testimony:

None

Informational Testimony:

08:33:25 Kyle Moen, Office of Public Instruction (OPI)
08:33:42 Scott Eychner, Department of Labor and Industry (DLI)
08:33:58 Ken Bailey, Office of Public Instruction (OPI)

Questions from Committee Members and Responses:

08:34:21 Vice Chair Kelker
08:34:48 Scott Eychner, DLI
08:35:39 Vice Chair Kelker
08:36:09 Scott Eychner, DLI
08:37:19 Rep. Manzella
08:37:43 Rep. Zolnikov
08:40:32 Rep. Manzella
08:40:51 Ken Bailey, OPI
08:41:22 Rep. Keogh
08:41:49 Ken Bailey, OPI
08:42:28 Rep. Keogh
08:42:40 Ken Bailey, OPI
08:44:19 Rep. Skees
08:45:14 Scott Eychner, DLI
08:46:53 Rep. Skees
08:47:06 Scott Eychner, DLI

Closing by Sponsor:

08:47:41 Rep. Zolnikov

HEARING ON HB 591**Opening Statement by Sponsor:**

08:50:48 Rep. Lola Sheldon-Galloway (R), HD 22, opened the hearing on HB 591,
Generally revise laws related to paternity tests.

[EXHIBIT\(juh41a02\)](#)**Proponents' Testimony:**

None

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

08:56:34 Rep. Manzella
08:57:09 Rep. Sheldon-Galloway
08:57:31 Rep. Manzella
08:57:45 Rep. Sheldon-Galloway
08:58:04 Rep. C. Knudsen
08:58:54 Rep. Sheldon-Galloway
08:59:05 Rep. Keogh
08:59:38 Rep. Sheldon-Galloway

Closing by Sponsor:

09:00:26 Rep. Sheldon-Galloway

HEARING ON HB 590

Opening Statement by Sponsor:

09:03:59 Rep. Dave Fern (D), HD 5, opened the hearing on HB 590, Revise criminal procedure laws related to sexual offenses.

Proponents' Testimony:

09:06:37 Daniel Guzynski, Attorney General's Office (AGO)
[EXHIBIT\(juh41a03\)](#)
09:14:54 Mayre Flowers, Self
09:24:02 Jackie Jones, Montana County Attorneys Association (MCAA)
09:28:32 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence (MCADSV)
09:29:34 Nanette Gilbertson, Montana Sheriffs and Peace Officers Association (MSPOA)

Opponents' Testimony:

09:30:11 SK Rossi, American Civil Liberties Union of Montana (ACLU)

Informational Testimony:

None

Questions from Committee Members and Responses:

09:32:04 Rep. Manzella
09:32:31 Daniel Guzynski, AGO
09:34:19 Vice Chair Kelker
09:34:45 Rep. Fern
09:35:07 Vice Chair Kelker
09:35:20 Rep. Fern
09:37:09 Rep. C. Knudsen
09:38:10 Rep. Fern
09:38:38 Rep. C. Knudsen
09:40:24 Daniel Guzynski, AGO

Closing by Sponsor:

09:41:10 Rep. Fern

09:44:20 Recessed
09:59:23 Reconvened

09:59:23 Rep. Morigeau reentered the meeting.

HEARING ON HB 603

Opening Statement by Sponsor:

09:59:41 Rep. Jessica Karjala (D), HD 48, opened the hearing on HB 603, Revise laws regarding compliance with federal administrative subpoenas.

Proponents' Testimony:

None

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

None

Closing by Sponsor:

10:01:24 Rep. Karjala

HEARING ON HB 611

Opening Statement by Sponsor:

10:01:41 Rep. Dave Fern (D), HD 5, opened the hearing on HB 611, Revise load securing law for non-commercial vehicles hauling trash.

Proponents' Testimony:

None

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

None

Closing by Sponsor:

10:05:01 Rep. Fern

10:05:35 Chair Doane

EXECUTIVE ACTION ON HB 603

10:12:34 **Motion/Vote:** Rep. Berglee moved that **HB 603 BE TABLED**. Motion carried unanimously by voice vote. Vice Chair Usher voted by proxy.

EXECUTIVE ACTION ON HB 498

10:13:04 **Motion:** Rep. Berglee moved that **HB 498 DO PASS**.

Discussion:

10:13:11 Rachel Weiss, Legislative Services Division (LSD)

10:13:35 **Vote:** Motion carried 16-3 by voice vote with Rep. Lenz, Rep. T. Moore and Rep. Skees voting no. Vice Chair Usher voted by proxy.

10:14:15 Vice Chair Usher entered the meeting.

EXECUTIVE ACTION ON HB 535

10:14:40 **Motion:** Rep. Berglee moved that **HB 535 DO PASS**.

Discussion:

10:14:46 Rachel Weiss, LSD

10:15:07 Chair Doane

10:15:22 **Vote:** Motion carried 18-1 by voice vote with Rep. Manzella voting no.

EXECUTIVE ACTION ON HB 533

10:15:57 **Motion:** Rep. Berglee moved that **HB 533 DO PASS**.

Discussion:

10:16:03 Rachel Weiss, LSD

10:16:23 Rep. B. Brown

10:17:22 **Substitute Motion/Vote:** Rep. Skees made a substitute motion that **HB 533 BE TABLED**. Substitute Motion carried unanimously by voice vote.

10:17:45 Rachel Weiss, LSD

10:18:37 Chair Doane

10:18:55 Rep. Morigeau

10:19:15 Chair Doane

ADJOURNMENT

Adjournment: 10:19:34

Abigail Konen, Clerk

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Additional Documents:

EXHIBIT([juh41aad.pdf](#))