

## MINUTES

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

#### COMMITTEE ON JUDICIARY

**Call to Order:** Chair Alan Doane, on March 15, 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. 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. Casey Knudsen (R)  
Rep. Jasmine Krotkov (D)  
Rep. Theresa Manzella (R)  
Rep. Terry Moore (R)  
Rep. Zac Perry (D)  
Rep. Derek Skees (R)

**Members Excused:**

Rep. Dennis R. Lenz (R)  
Rep. David Dunn (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 222, 2/7/2019; HB 457, 2/28/2019; HB 645, 3/11/2019;  
SB 300, 3/11/2019

08:01:11 Chair Doane  
08:01:16 Rep. Lenz entered the meeting.  
08:01:19 Rep. Dunn entered the meeting.

### **HEARING ON HB 457**

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

08:01:43 Rep. Daniel Zolnikov (R), HD 45, opened the hearing on HB 457, Protect personal information of internet customers, require opt in consent.

[EXHIBIT\(juh53a01\)](#)

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

08:02:33 Rep. Morigeau entered the meeting.  
08:21:07 Wes Krawczyk, self

[EXHIBIT\(juh53a02\)](#)

08:21:22 Rep. C. Knudsen left the meeting.  
08:23:53 Eric Fulton, Treasure State Internet and Telegraph (TSI)  
08:32:45 Patrick Guinard, self  
08:33:58 Rep. Lenz left the meeting.  
08:34:33 Tim Ravndal, Redoubt News  
08:35:21 SK Rossi, American Civil Liberties Union of Montana (ACLU)  
08:35:48 Katie Thurman, self

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

08:36:55 Scott Cowperthwait, Charter Communications

[EXHIBIT\(juh53a03\)](#)

08:43:39 Gerry Keegan, CTIA  
08:45:59 Cary Hegreberg, Montana Chamber of Commerce (MCC), Missoula Chamber of Commerce, Bozeman Chamber of Commerce, Billings Chamber of Commerce

[EXHIBIT\(juh53a04\)](#)

[EXHIBIT\(juh53a05\)](#)

08:50:07 Doug Brake, Information Technology and Innovation Foundation (ITIF)

[EXHIBIT\(juh53a06\)](#)

[EXHIBIT\(juh53a07\)](#)

08:56:42 Brent Mead, Montana Policy Institute (MPI)

[EXHIBIT\(juh53a08\)](#)

08:57:29 Paul Blair, Americans for Tax Reform

08:59:14 Geoff Feiss, Montana Telecommunications Association (MTA)

#### **Informational Testimony:**

None

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

09:00:04 Rep. Krotkov  
09:01:00 Rep. Zolnikov

09:01:41 Vice Chair Kelker  
09:04:57 Rep. Zolnikov

**Closing by Sponsor:**

09:05:19 Rep. Zolnikov

**HEARING ON HB 645**

**Opening Statement by Sponsor:**

09:08:47 Rep. Katie Sullivan (D), HD 89, opened the hearing on HB 645, Establish the Montana Biometric Information Privacy Act.

[EXHIBIT\(juh53a09\)](#)

[EXHIBIT\(juh53a10\)](#)

[EXHIBIT\(juh53a11\)](#)

**Proponents' Testimony:**

09:19:00 Michael Toppen, Montana Public Interest Research Group (MontPIRG)  
09:20:14 Dawn Temple, self  
09:24:35 Eric Fulton, self  
09:29:10 Rep. Zolnikov, HD 45  
09:32:08 SK Rossi, American Civil Liberties Union of Montana (ACLU)  
09:32:44 Patrick Guinard, self  
09:34:11 Wes Krawczyk, self

**Opponents' Testimony:**

09:34:54 Rose Feliciano, Internet Association

[EXHIBIT\(juh53a12\)](#)

[EXHIBIT\(juh53a13\)](#)

09:41:04 Doug Brake, Information Technology and Innovation Foundation (ITIF)

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

09:43:33 Rep. Farris-Olsen  
09:45:08 Rep. Sullivan  
09:45:14 Rep. Krotkov  
09:45:37 Rep. Sullivan  
09:46:20 Rep. T. Moore  
09:46:34 Rep. Sullivan  
09:47:36 Rep. Keogh  
09:48:08 Rep. Sullivan  
09:49:21 Vice Chair Kelker  
09:49:37 Rep. Sullivan  
09:50:40 Chair Doane  
09:52:57 Rep. Sullivan

**Closing by Sponsor:**

09:53:40 Rep. Sullivan

09:55:12 Recessed  
10:06:35 Reconvened

### HEARING ON SB 300

#### Opening Statement by Sponsor:

10:06:47 Sen. Kenneth Bogner (R), SD 19, opened the hearing on SB 300, Generally revise property laws to protect property rights.

[EXHIBIT\(juh53a14\)](#)

[EXHIBIT\(juh53a15\)](#)

[EXHIBIT\(juh53a16\)](#)

#### Proponents' Testimony:

10:13:03 Robin Hogan, self  
10:17:51 Bill Myers, self  
10:22:35 Kim Ewing, self  
10:26:23 Rep. Custer, HD 39  
10:28:35 Don Lepinsky, self  
10:31:57 Rebecca Donnelly, self  
10:33:45 Chuck Denowh, United Property Owners of Montana (UPOM)  
10:35:47 Stephanie Baucus, Moulton Bellingham, PC  
10:36:21 Afton Ball, self

#### Opponents' Testimony:

10:36:42 Bill Whitsitt, self  
10:41:36 Karley Connolly, self  
10:48:48 Lois Evans, Montana Community Management (MCM)  
10:58:50 Kelly Lynch, Montana League of Cities and Towns (MLCT)

[EXHIBIT\(juh53a17\)](#)

10:59:06 Dawn Bauman, Community Associations Institute

[EXHIBIT\(juh53a18\)](#)

[EXHIBIT\(juh53a19\)](#)

[EXHIBIT\(juh53a20\)](#)

10:59:39 Aimee Grmoljez, Montana Bankers Association (MBA)  
11:00:01 Alanah Griffith, Griffith and Cummings, PLLC  
11:00:25 Stuart Doggett, Montana Land Title Association (MLTA)  
11:00:38 Sam Sill, Montana Association of Realtors (MAR), Montana Building Industry Association (MBIA)

[EXHIBIT\(juh53a21\)](#)

11:01:06 Jeff Barber, Montana Association of Planners (MAP), Montana Smart Growth Coalition (MSGC)

#### Informational Testimony:

11:01:29 Tim Davis, Department of Environmental Quality (DEQ)

**Questions from Committee Members and Responses:**

11:01:58 Rep. Morigeau  
11:02:36 Stephanie Baucus, Moulton Bellingham, PC  
11:04:15 Rep. Berglee  
11:06:41 Lois Evans, MCM  
11:06:47 Chair Doane  
11:06:54 Lois Evans, MCM  
11:07:32 Rep. Berglee  
11:07:57 Rep. Bishop  
11:08:37 Stephanie Baucus, Moulton Bellingham, PC  
11:10:00 Rep. Manzella  
11:11:07 Stephanie Baucus, Moulton Bellingham, PC

**Closing by Sponsor:**

11:11:53 Sen. Bogner

**HEARING ON HB 222****Opening Statement by Sponsor:**

11:14:57 Rep. Zac Perry (D), HD 3, opened the hearing on HB 222, Revise laws related to adolescent treatment facilities.

[EXHIBIT\(juh53a22\)](#)

**Proponents' Testimony:**

11:15:03 Rep. Skees left the meeting.  
11:15:49 Rep. C. Knudsen reentered the meeting.  
11:19:19 Jen Shaw, self  
11:29:02 Emily Carter, self  
11:34:52 Karen Carter, self  
11:41:01 Beth Breneman, Disability Rights Montana

[EXHIBIT\(juh53a23\)](#)

**Opponents' Testimony:**

11:41:38 Jeff Laszloffy, Montana Family Foundation

[EXHIBIT\(juh53a24\)](#)

11:49:45 Robert Larsson, Pinehaven Christian Children's Ranch  
11:51:54 John Wood, self  
11:53:40 Chelsie Schnetter, self  
11:56:16 Charles Houk, Crossroads Christian Church

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

11:57:40 Rep. Morigeau  
12:00:27 Rep. Perry  
12:01:41 Vice Chair Kelker  
12:02:03 Karen Carter, self  
12:04:54 Rep. Bishop

12:08:31 Beth Brenneman, Disability Rights Montana  
12:08:51 Rep. Bessette  
12:09:20 Rep. Perry  
12:09:52 Chair Doane  
12:13:18 Karen Carter, self

**Closing by Sponsor:**

12:13:33 Rep. Perry

**ADJOURNMENT**

Adjournment: 12:15:54

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Abigail Konen, Clerk

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Additional Documents:

**EXHIBIT**([juh53aad.pdf](#))