

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Alan Doane, on March 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. 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. 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 655, 3/13/2019; SB 74, 3/14/2019; SB 100, 3/14/2019;
SB 132, 3/14/2019; HB 698, 3/19/2019
Executive Action: HB 49, HB 477, HB 492, HB 645

08:01:11 Vice Chair Kelker
08:02:24 Chair Doane

HEARING ON SB 100

Opening Statement by Sponsor:

08:03:00 Sen. Keith Regier (R), SD 3, opened the hearing on SB 100, Requiring the provision of information before the performance of an abortion.

Proponents' Testimony:

08:06:05 Anita Milanovich, Montana Family Foundation
08:09:52 Rep. Dunn entered the meeting.
08:10:26 Dick Pence, Montana Pastors Network

EXHIBIT(juh61a01)

08:11:20 Carolyn Truscott, self
08:14:15 Nancy Pence, self
08:14:51 Donna Elford, self
08:16:16 Rep. Berglee entered the meeting.
08:16:56 Diane Anders, self
08:18:35 Cathy Carlson, self

EXHIBIT(juh61a02)

08:20:15 Ed Halland, self
08:21:09 Tracy Ullrey, Options Clinic
08:22:57 Jill Guthrie, self
08:23:08 Matt Brower, Montana Catholic Conference

EXHIBIT(juh61a03)

08:23:24 Mattea Heffernan, self
08:23:45 Linda Heffernan, self
08:24:05 Harris Himes, Big Sky Christian Center
08:24:20 Steve Bostrom, self
08:24:30 Paul McElroy, self
08:24:44 Bob Leach, self
08:24:55 Leslie Elford, self
08:25:03 Annie Bukacek, self

EXHIBIT(juh61a04)

08:25:17 Rachel Moore, self
08:25:27 Steve Shelley, self
08:25:35 Shirl Shelley, self
08:25:48 Ruth Rater, self
08:25:58 Alison Williams, self
08:26:08 Brett Williams, self
08:26:18 Steven E. Galloway, self

Opponents' Testimony:

08:26:47 SK Rossi, American Civil Liberties Union of Montana (ACLU)
08:31:39 Laura Terrill, Planned Parenthood Advocates of Montana (PPAMT)

08:33:26 Jessica Wilkerson, National Association for the Repeal of Abortion Laws Pro-Choice Montana (NARAL), Montana Reproductive Rights Coalition, Planned Parenthood Advocates of Montana (PPAMT), American Civil Liberties Union (ACLU), Montana Women Vote, Montana Human Rights Network (MHRN), National Association of Social Workers Montana Chapter, Coalition Against Sexual and Domestic Violence, Montana Native Voices, Bridger Care, Blue Mountain Clinic

Informational Testimony:

None

Questions from Committee Members and Responses:

None

Closing by Sponsor:

08:37:20 Sen. K. Regier

HEARING ON SB 132

Opening Statement by Sponsor:

08:39:51 Sen. Keith Regier (R), SD 3, opened the hearing on SB 132, Creating a student safety accountability act.

[EXHIBIT\(juh61a05\)](#)

Proponents' Testimony:

08:46:42 Elsie Arntzen, Superintendent, Office of Public Instruction (OPI)

[EXHIBIT\(juh61a06\)](#)

[EXHIBIT\(juh61a07\)](#)

[EXHIBIT\(juh61a08\)](#)

08:50:10 Amanda Lewis, self

[EXHIBIT\(juh61a09\)](#)

Opponents' Testimony:

None

Informational Testimony:

08:54:00 Kyle Moen, Office of Public Instruction (OPI)

Questions from Committee Members and Responses:

08:54:25 Vice Chair Kelker

08:54:46 Sen. K. Regier

08:54:55 Vice Chair Kelker

08:55:01 Sen. K. Regier

Closing by Sponsor:

08:55:22 Sen. K. Regier

HEARING ON SB 74**Opening Statement by Sponsor:**

08:56:26 Sen. Gene Vuckovich (D), SD 39, opened the hearing on SB 74, Revise authorization language on fingerprinting under certain licensing, UI laws.

Proponents' Testimony:

None

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

08:59:02 Rep. Manzella
08:59:17 Sen. Vuckovich
08:59:24 Rep. Manzella
08:59:29 Sen. Vuckovich

Closing by Sponsor:

09:00:02 Sen. Vuckovich

09:00:14 Recessed
09:08:29 Reconvened

HEARING ON HB 698**Opening Statement by Sponsor:**

09:08:44 Rep. Lola Sheldon-Galloway (R), HD 22, opened the hearing on HB 698, Allow certain trauma surgery workers to use emergency red lights.

[EXHIBIT\(juh61a10\)](#)

[EXHIBIT\(juh61a11\)](#)

Proponents' Testimony:

None

Opponents' Testimony:

09:14:43 Al Smith, Montana Trial Lawyers Association (MTLA)

Informational Testimony:

09:18:51 Dave Galt, Montana Sheriffs and Peace Officers Association (MSPOA)

Questions from Committee Members and Responses:

09:19:10 Rep. Krotkov
09:19:52 Rep. Sheldon-Galloway
09:20:31 Vice Chair Kelker
09:23:46 Rep. Sheldon-Galloway
09:23:59 Rep. C. Knudsen

09:24:43 Dave Galt, MSPOA
09:25:05 Rep. Bishop
09:25:47 Al Smith, MTLA

Closing by Sponsor:

09:26:39 Rep. Sheldon-Galloway

HEARING ON HB 655**Opening Statement by Sponsor:**

09:27:21 Rep. Julie Dooling (R), HD 70, opened the hearing on HB 655, Revise drone laws.

Proponents' Testimony:

09:29:40 Alan Olson, Montana Petroleum Association (MPA)
09:31:02 Rep. Lenz entered the meeting.
09:33:18 Peggy Trenk, Treasure State Resources Association (TSRA), Montana Chamber of Commerce (MCC), American Chemistry Council (ACC)

EXHIBIT(juh61a12)

09:34:43 Chuck Denowh, United Property Owners of Montana (UPOM)
09:35:58 Mark Baker, Charter Communications
09:37:57 Gary Wiens, Montana Electric Cooperatives' Association (MECA)

Opponents' Testimony:

09:38:46 Greg Van Horssen, State Farm Insurance Company, Allstate
09:43:21 Pepper Petersen, Big Sky UAV
09:50:13 SK Rossi, American Civil Liberties Union of Montana (ACLU)
09:52:45 Cody Ferguson, Northern Plains Resource Council (NPRC)

Informational Testimony:

09:54:40 John MacDonald, Montana Newspaper Association (MNA)

EXHIBIT(juh61a13)**Questions from Committee Members and Responses:**

09:56:07 Vice Chair Kelker
09:59:27 Alan Olson, MPA
09:59:41 Chair Doane
09:59:52 Pepper Petersen, Big Sky UAV
10:06:32 Vice Chair Usher
10:07:07 Alan Olson, MPA
10:07:49 Rep. Krotkov
10:08:58 Alan Olson, MPA
10:09:04 Rep. Manzella
10:09:19 Pepper Petersen, Big Sky UAV
10:11:46 Chair Doane
10:11:55 Rep. Manzella
10:12:15 Pepper Petersen, Big Sky UAV
10:12:32 Rep. C. Knudsen
10:13:32 Alan Olson, MPA

10:13:41 Rep. C. Knudsen
10:14:09 Alan Olson, MPA
10:14:17 Vice Chair Kelker
10:14:59 John MacDonald, MNA
10:16:21 Vice Chair Kelker
10:16:47 John MacDonald, MNA

Closing by Sponsor:

10:17:45 Rep. Dooling

10:18:46 Recessed
10:21:30 Reconvened

10:21:31 Chair Doane

10:21:39 Recessed
10:56:46 Reconvened

10:56:46 Rep. Skees entered the meeting.

EXECUTIVE ACTION ON HB 49

10:56:57 **Motion:** Vice Chair Usher moved that **HB 49 DO PASS.**

10:58:21 **Motion:** Rep. Krotkov moved that **HB 49 BE AMENDED.**
EXHIBIT(juh61a14)

Discussion:

10:58:35 Rep. Krotkov
10:59:41 Rep. Skees
11:00:09 Vice Chair Kelker
11:01:03 Chair Doane
11:01:09 Rep. Skees
11:01:36 Rep. Bishop
11:02:02 Rep. Krotkov

11:02:45 **Vote:** Motion failed 8-11 by roll call vote with Rep. Bessette, Rep. Bishop, Rep. Farris-Olsen, Vice Chair Kelker, Rep. Keogh, Rep. Krotkov, Rep. Morigeau and Rep. Perry voting aye. Rep. Morigeau voted by proxy.

11:03:45 Rep. Skees
11:04:21 Rep. Bishop
11:05:59 Rep. C. Knudsen

11:06:34 **Substitute Motion/Vote:** Rep. Skees made a substitute motion that **HB 49 BE TABLED.** Substitute Motion carried 11-8 by roll call vote with Rep. Bessette, Rep. Bishop, Rep. Farris-Olsen, Vice Chair Kelker, Rep. Keogh, Rep. Krotkov, Rep. Morigeau and Rep. Perry voting no. Rep. Morigeau voted by proxy.

EXECUTIVE ACTION ON HB 477

11:07:48 **Motion:** Vice Chair Usher moved that **HB 477 DO PASS.**
[EXHIBIT\(juh61a15\)](#)

Discussion:

11:09:24 Rep. Manzella

11:11:20 **Motion:** Vice Chair Kelker moved that **HB 477 BE AMENDED.**
[EXHIBIT\(juh61a16\)](#)

Discussion:

11:11:41 Rep. Berglee

11:12:08 Vice Chair Kelker

11:12:25 Vice Chair Usher

11:13:08 Rep. Bishop

11:14:01 **Vote:** Motion carried 12-7 by roll call vote with Rep. DeVries, Chair Doane, Rep. Farris-Olsen, Rep. C. Knudsen, Rep. Lenz, Rep. Skees and Vice Chair Usher voting no. Rep. Morigeau voted by proxy.

11:15:02 **Motion:** Vice Chair Usher moved that **HB 477 DO PASS AS AMENDED.**

Discussion:

11:15:12 Vice Chair Kelker

11:16:01 Rep. Berglee

11:17:08 Rep. Skees

11:18:14 Vice Chair Kelker

11:20:03 **Vote:** Motion carried 10-9 by roll call vote with Rep. B. Brown, Rep. DeVries, Chair Doane, Rep. Dunn, Rep. C. Knudsen, Rep. Lenz, Rep. Manzella, Rep. Skees and Vice Chair Usher voting no. Rep. Morigeau voted by proxy.

11:21:10 Rep. Bishop

EXECUTIVE ACTION ON HB 492

11:21:40 **Motion:** Vice Chair Usher moved that **HB 492 DO PASS.**

11:22:47 **Motion:** Vice Chair Kelker moved that **HB 492 BE AMENDED.**
[EXHIBIT\(juh61a17\)](#)

Discussion:

11:23:00 Vice Chair Kelker

11:23:51 Chair Doane

11:24:14 **Vote:** Motion carried 12-7 by roll call vote with Rep. Berglee, Rep. B. Brown, Rep. DeVries, Rep. C. Knudsen, Rep. Lenz, Rep. Manzella and Vice Chair Usher voting no. Rep. Morigeau voted by proxy.

11:25:21 **Motion:** Vice Chair Usher moved that **HB 492 DO PASS AS AMENDED.**

Discussion:

11:25:30 Rep. Berglee

11:26:13 Rep. Manzella

11:27:16 **Vote:** Motion failed 6-13 by roll call vote with Rep. Bessette, Rep. Bishop, Vice Chair Kelker, Rep. Keogh, Rep. Krotkov and Rep. Morigeau voting aye. Rep. Morigeau voted by proxy.

11:28:11 **Motion/Vote:** Without objection, Vice Chair Usher moved **TO TABLE HB 492.** Motion passed.

EXECUTIVE ACTION ON HB 645

11:28:30 **Motion:** Vice Chair Usher moved that **HB 645 DO PASS.**

11:29:33 **Motion:** Rep. Keogh moved that **HB 645 BE AMENDED.**
[EXHIBIT\(juh61a18\)](#)

Discussion:

11:30:21 Rachel Weiss, Legislative Services Division (LSD)

11:31:41 Chair Doane

11:31:49 Rachel Weiss, LSD

11:32:09 Vice Chair Kelker

11:33:18 Rachel Weiss, LSD

11:33:28 Chair Doane

11:33:42 Rep. Bishop

11:34:24 Chair Doane

11:34:50 **Vote:** Motion carried 14-5 by roll call vote with Rep. B. Brown, Chair Doane, Rep. C. Knudsen, Rep. Lenz and Vice Chair Usher voting no. Rep. Morigeau voted by proxy.

11:35:45 **Motion:** Vice Chair Usher moved that **HB 645 DO PASS AS AMENDED.**

Discussion:

11:35:52 Rep. C. Knudsen

11:37:06 Chair Doane

11:37:27 **Vote:** Motion carried 13-6 by roll call vote with Rep. Berglee, Rep. B. Brown, Chair Doane, Rep. C. Knudsen, Rep. Lenz and Vice Chair Usher voting no. Rep. Morigeau voted by proxy.

11:38:25 Chair Doane

ADJOURNMENT

Adjournment: 11:38:57

Abigail Konen, Clerk

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Additional Documents:

EXHIBIT([juh61aad.pdf](#))