

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Alan Doane, on April 3, 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. Greg DeVries (R)
Rep. David Dunn (R)
Rep. Robert Farris-Olsen (D)
Rep. Connie Keogh (D)
Rep. Jasmine Krotkov (D)
Rep. Theresa Manzella (R)
Rep. Terry Moore (R)
Rep. Zac Perry (D)

Members Excused:

Rep. Bob Brown (R)
Rep. Laurie Bishop (D)
Rep. Dennis R. Lenz (R)
Rep. Derek Skees (R)
Rep. Shane A. Morigeau (D)
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: SB 155, 3/21/2019; SB 304, 3/21/2019; SB 225, 3/22/2019;
SB 147, 3/28/2019
Executive Action: SB 132

08:01:28 Chair Doane

HEARING ON SB 225

Opening Statement by Sponsor:

08:01:59 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 225, Generally revise probate laws.

Proponents' Testimony:

08:02:06 Rep. Bishop entered the meeting.
08:02:13 Rep. Morigeau entered the meeting.
08:05:38 Ed Eck, State Bar, Uniform Law Commission (ULC)
08:13:04 Jacqueline Lenmark, Uniform Law Commission (ULC)
08:22:08 Dirk Williams, State Bar
08:27:45 John Van Atta, State Bar
08:29:38 Rep. B. Brown entered the meeting.

[EXHIBIT\(juh69a01\)](#)

[EXHIBIT\(juh69a02\)](#)

08:33:32 Rep. T. Moore left the meeting.
08:33:37 Aimee Grmoljez, Montana Bankers Association (MBA)
08:34:23 Anita Milanovich, Montana Family Foundation
08:35:46 Karen Smith, Montana's Credit Unions

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

08:36:40 Vice Chair Kelker
08:37:08 Ed Eck, State Bar, ULC
08:37:49 Vice Chair Kelker
08:38:06 Ed Eck, State Bar, ULC
08:38:38 Rep. Bishop
08:39:28 Jacqueline Lenmark, ULC
08:39:42 Ed Eck, State Bar, ULC
08:40:11 Vice Chair Kelker
08:40:46 John Van Atta, State Bar
08:41:05 Rep. Manzella
08:41:58 Anita Milanovich, Montana Family Foundation
08:42:44 Dirk Williams, State Bar
08:43:17 Rep. DeVries
08:43:53 Ed Eck, State Bar, ULC
08:45:16 Rep. Skees entered the meeting.
08:45:36 Rep. DeVries
08:46:04 Ed Eck, State Bar, ULC

Closing by Sponsor:

08:47:38 Sen. Fitzpatrick

HEARING ON SB 304**Opening Statement by Sponsor:**

08:49:53 Sen. Roger Webb (R), SD 23, opened the hearing on SB 304, Authorize concealed carry for legislators, & sergeants-at-arms & their deputies.

[EXHIBIT\(juh69a03\)](#)**Proponents' Testimony:**

None

Opponents' Testimony:

08:52:46 Paulette Kohman, self

[EXHIBIT\(juh69a04\)](#)

08:57:42 Eric Feaver, Montana Federation of Public Employees (MFPE)

09:01:39 Andrea Pipp, self

[EXHIBIT\(juh69a05\)](#)

09:03:30 Mary Linn Crouse, self

[EXHIBIT\(juh69a06\)](#)

09:05:29 David Nielsen, self

Informational Testimony:

None

Questions from Committee Members and Responses:

09:10:57 Vice Chair Kelker

09:13:34 Sen. R. Webb

09:13:41 Rep. Farris-Olsen

09:15:05 Sen. R. Webb

09:15:21 Vice Chair Kelker

09:15:56 Sen. R. Webb

09:16:51 Vice Chair Kelker

09:17:28 Sen. R. Webb

09:18:01 Rep. Manzella

09:18:45 Sen. R. Webb

09:18:49 Rep. Skees

09:19:12 Sen. R. Webb

09:19:35 Rep. Skees

09:19:45 Sen. R. Webb

Closing by Sponsor:

09:20:01 Sen. R. Webb

09:21:38 Vice Chair Kelker

09:21:40 Rachel Weiss, Legislative Services Division (LSD)

09:21:53 Recessed
09:39:18 Reconvened

HEARING ON SB 147

Opening Statement by Sponsor:

09:39:46 Sen. Margaret (Margie) MacDonald (D), SD 26, opened the hearing on SB 147, Revising laws concerning human trafficking and sex crimes to protect victims.

Proponents' Testimony:

09:47:37 Chair Doane
09:47:58 Stephanie Baucus, Moulton Bellingham, Yellowstone County Area Human Trafficking Task Force
09:56:33 Molly Rose Fehringer, Yellowstone County Attorney's Office
10:03:51 Guy Baker, City of Missoula
10:08:15 Dana Toole, Montana Department of Justice (DOJ)
10:08:49 Abigail St. Lawrence, Montana Association of Christians (MAC), Young Women's Christian Association of Helena (YWCA)
10:10:31 Anita Milanovich, Montana Family Foundation
10:11:00 Aimee Grmoljez, City of Billings
10:12:29 Diane Yarus, Flathead County Human Trafficking Task Force
10:13:34 Ed Bartlett, Bozeman Area Chamber of Commerce, Billings Area Chamber of Commerce
10:13:59 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence (MCADSV), Disability Rights Montana
10:15:27 Stuart Doggett, Montana Lodging and Hospitality Association (MLHA)
10:16:14 Jackie Jones, Montana County Attorneys Association (MCAA)

Opponents' Testimony:

None

Informational Testimony:

10:16:49 Peter Ohman, Office of the State Public Defender (OPD)

Questions from Committee Members and Responses:

10:17:04 Chair Doane
10:17:24 Sen. MacDonald
10:17:44 Chair Doane
10:17:48 Stephanie Baucus, Moulton Bellingham, Yellowstone County Area Human Trafficking Task Force

Closing by Sponsor:

10:19:09 Sen. MacDonald

HEARING ON SB 155

Opening Statement by Sponsor:

10:22:30 Sen. Roger Webb (R), SD 23, opened the hearing on SB 155, Revising mandatory minimums for certain sexual offenses.

Proponents' Testimony:

10:24:28 Bill Fulbright, County Attorney, Ravalli County
10:32:47 Daniel Guzynski, Attorney General's Office (AGO)
10:47:42 Mayre Flowers, self

EXHIBIT(juh69a07)

10:52:19 Jackie Jones, Montana County Attorneys Association (MCAA)
10:56:35 Nanette Gilbertson, Montana Sheriffs and Peace Officers Association (MSPOA)

Opponents' Testimony:

10:57:11 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence (MCADSV)
11:03:15 SK Rossi, American Civil Liberties Union of Montana (ACLU)
11:04:44 William Managhan, self

Informational Testimony:

11:13:55 Dana Toole, Montana Department of Justice (DOJ)
11:14:18 Peter Ohman, Office of the State Public Defender (OPD)

Questions from Committee Members and Responses:

11:16:00 Chair Doane
11:16:58 William Managhan, self
11:17:58 Rep. Krotkov left the meeting.
11:20:25 Chair Doane
11:20:40 Daniel Guzynski, AGO
11:23:43 Vice Chair Kelker
11:24:28 County Attorney Fulbright, Ravalli County
11:25:32 Vice Chair Kelker
11:25:49 County Attorney Fulbright, Ravalli County
11:27:01 Vice Chair Kelker
11:27:21 Vice Chair Kelker left the meeting.

Closing by Sponsor:

11:27:22 Sen. R. Webb

11:29:28 Chair Doane

11:29:46 Recessed
11:46:13 Reconvened with Rep. Lenz and Rep. C. Knudsen present.

EXECUTIVE ACTION ON SB 132

11:46:36 **Motion:** Vice Chair Usher moved that **SB 132 BE CONCURRED IN.**

Discussion:

11:46:46 Rep. Morigeau

EXHIBIT(juh69a08)**EXHIBIT(juh69a09)**

11:48:31 **Motion:** Rep. Morigeau moved that **SB 132 BE AMENDED.**
[EXHIBIT\(juh69a10\)](#)

Discussion:

11:48:59 Rachel Weiss, Legislative Services Division (LSD)

11:51:18 Rep. Morigeau

11:54:51 **Vote:** Motion carried unanimously by voice vote. Vice Chair Kelker, Rep. Krotkov and Rep. T. Moore voted by proxy.

11:55:07 **Motion:** Vice Chair Usher moved that **SB 132 BE CONCURRED IN AS AMENDED.**

Discussion:

11:55:19 Rep. Morigeau

11:55:34 **Motion:** Rep. Morigeau moved that **SB 132 BE AMENDED.**
[EXHIBIT\(juh69a11\)](#)

Discussion:

11:55:48 Rachel Weiss, LSD

11:56:48 Chair Doane

11:56:53 Rachel Weiss, LSD

11:56:56 Vice Chair Kelker reentered the meeting.

11:57:12 Rep. Morigeau

11:57:50 **Vote:** Motion carried unanimously by voice vote. Rep. Krotkov and Rep. T. Moore voted by proxy.

11:58:17 **Motion/Vote:** Vice Chair Usher moved that **SB 132 BE CONCURRED IN AS AMENDED.** Motion carried 18-1 by voice vote with Rep. DeVries voting no. Rep. Krotkov and Rep. T. Moore voted by proxy. Rep. Morigeau will carry the bill.

11:59:02 Chair Doane

ADJOURNMENT

Adjournment: 11:59:41

Abigail Konen, Clerk

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Additional Documents:

EXHIBIT([juh69aad.pdf](#))