

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Alan Doane, on April 4, 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. Bob Brown (R)
Rep. Greg DeVries (R)
Rep. David Dunn (R)
Rep. Connie Keogh (D)
Rep. Theresa Manzella (R)
Rep. Zac Perry (D)

Members Excused:

Rep. Terry Moore (R)
Rep. Laurie Bishop (D)
Rep. Jasmine Krotkov (D)
Rep. Barbara Bessette (D)
Rep. Robert Farris-Olsen (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 229, 3/22/2019
Executive Action: SB 229, SB 40, SB 155, SB 213, SB 225, SB 255, SB 286,
SB 304

08:01:40 Chair Doane
08:01:46 Rep. Farris-Olsen entered the meeting.
08:01:50 Rep. Bessette entered the meeting.
08:01:54 Rep. Bishop entered the meeting.
08:02:20 Rep. Krotkov entered the meeting.

HEARING ON SB 229

Opening Statement by Sponsor:

08:02:04 Sen. Brian Hoven (R), SD 13, opened the hearing on SB 229, Limit liability of private educational programs in admitting certain criminals.

Proponents' Testimony:

08:03:29 Rep. T. Moore entered the meeting.
08:05:40 Rep. Skees entered the meeting.
08:06:31 Rep. Morigeau entered the meeting.
08:06:36 Rep. C. Knudsen entered the meeting.
08:06:48 Steve Cape, Montana Coalition for Safety and Justice (MTC4SJ)

Opponents' Testimony:

08:11:22 Al Smith, Montana Trial Lawyers Association (MTLA)

Informational Testimony:

None

Questions from Committee Members and Responses:

08:18:50 Vice Chair Kelker
08:19:14 Sen. Hoven
08:19:23 Steve Cape, MTC4SJ
08:20:58 Chair Doane
08:21:09 Steve Cape, MTC4SJ
08:21:50 Rep. C. Knudsen
08:22:15 Steve Cape, MTC4SJ

Closing by Sponsor:

08:23:08 Sen. Hoven

08:25:25 Chair Doane
08:30:42 Rachel Weiss, Legislative Services Division (LSD)

[EXHIBIT\(juh70a01\)](#)

08:32:55 Chair Doane

08:33:44 Recessed
10:02:05 Reconvened

10:02:05 Rep. Lenz entered the meeting.

EXECUTIVE ACTION ON SB 229

10:02:24 **Motion:** Vice Chair Usher moved that **SB 229 BE CONCURRED IN.**

Discussion:

10:02:51 Vice Chair Kelker

10:03:33 Rep. C. Knudsen

10:04:09 **Vote:** Motion failed 4-15 by roll call vote with Rep. Bessette, Rep. Bishop, Vice Chair Kelker and Rep. Krotkov voting aye.

10:04:58 **Motion/Vote:** Without objection, Vice Chair Usher moved **TO TABLE SB 229.** Motion passed.

EXECUTIVE ACTION ON SB 40

10:05:11 **Motion:** Vice Chair Usher moved that **SB 40 BE CONCURRED IN.**

Discussion:

10:05:18 Vice Chair Kelker

10:05:50 Chair Doane

10:06:25 Rep. Skees

10:06:52 Rep. Morigeau

10:07:19 Vice Chair Usher

10:07:40 Rep. Skees

10:08:16 Chair Doane

10:08:20 Rep. Morigeau

10:08:35 **Vote:** Motion carried 12-7 by roll call vote with Rep. B. Brown, Rep. DeVries, Rep. Dunn, Rep. Lenz, Rep. Manzella, Rep. T. Moore and Rep. Skees voting no. Chair Doane will carry the bill.

EXECUTIVE ACTION ON SB 155

10:09:53 **Motion:** Vice Chair Usher moved that **SB 155 BE CONCURRED IN.**

10:10:09 **Motion:** Rep. Skees moved that **SB 155 BE AMENDED.**

[EXHIBIT\(juh70a02\)](#)

Discussion:

10:10:20 Rep. Skees

10:11:09 Rachel Weiss, Legislative Services Division (LSD)

10:11:28 Rep. Manzella

10:12:02 Rep. Morigeau

10:13:07 Vice Chair Kelker

10:13:41 Rep. Morigeau

10:14:22 Vice Chair Kelker

10:14:24 Rep. Morigeau

10:14:33 Chair Doane

10:15:01 **Vote:** Motion failed 6-13 by roll call vote with Rep. Berglee, Rep. B. Brown, Rep. DeVries, Rep. Manzella, Rep. T. Moore and Rep. Skees voting aye.

10:16:15 **Vote:** Motion carried 11-8 by roll call vote with Rep. Besette, Rep. Bishop, Chair Doane, Rep. Farris-Olsen, Rep. C. Knudsen, Rep. Krotkov, Rep. T. Moore and Rep. Skees voting no. Rep. Manzella will carry the bill.

EXECUTIVE ACTION ON SB 213

10:17:40 **Motion:** Vice Chair Usher moved that **SB 213 BE CONCURRED IN.**

Discussion:

10:17:52 Vice Chair Kelker

10:18:30 Rep. Berglee

10:18:51 **Vote:** Motion carried 18-1 by voice vote with Chair Doane voting no. Rep. Besette will carry the bill.

EXECUTIVE ACTION ON SB 225

10:19:43 **Motion:** Vice Chair Usher moved that **SB 225 BE CONCURRED IN.**

Discussion:

10:19:50 Vice Chair Kelker

10:20:50 Rep. Skees

10:21:14 **Motion:** Rep. Farris-Olsen moved that **SB 225 BE AMENDED.**
[EXHIBIT\(juh70a03\)](#)

Discussion:

10:21:28 Rachel Weiss, LSD

10:23:25 Vice Chair Kelker

10:24:15 **Vote:** Motion carried 18-1 by voice vote with Rep. Skees voting no.

10:24:27 **Motion/Vote:** Vice Chair Usher moved that **SB 225 BE CONCURRED IN AS AMENDED.** Motion carried 16-3 by roll call vote with Rep. DeVries, Rep. Lenz and Rep. Skees voting no. Rep. Mercer will carry the bill.

EXECUTIVE ACTION ON SB 255

10:26:09 **Motion:** Vice Chair Usher moved that **SB 255 BE CONCURRED IN.**

Discussion:

10:26:19 Vice Chair Kelker

10:27:13 **Vote:** Motion carried unanimously by voice vote. Rep. Krotkov will carry the bill.

EXECUTIVE ACTION ON SB 286

10:28:02 **Motion:** Vice Chair Usher moved that **SB 286 BE CONCURRED IN.**

10:28:09 **Motion:** Rep. C. Knudsen moved that **SB 286 BE AMENDED.**
[EXHIBIT\(juh70a04\)](#)

Discussion:

10:28:25 Rep. C. Knudsen

10:28:47 Rep. Morigeau

10:29:02 Rep. Krotkov

10:29:07 Rep. C. Knudsen

10:29:21 **Vote:** Motion carried unanimously by voice vote.

10:29:39 **Motion/Vote:** Vice Chair Usher moved that **SB 286 BE CONCURRED IN AS AMENDED.** Motion carried 16-3 by roll call vote with Rep. B. Brown, Rep. DeVries and Rep. Lenz voting no. Rep. Perry will carry the bill.

EXECUTIVE ACTION ON SB 304

10:31:15 **Motion:** Vice Chair Usher moved that **SB 304 BE CONCURRED IN.**

Discussion:

10:31:29 Vice Chair Kelker

10:31:45 Rep. Skees left the meeting.

10:32:03 **Vote:** Motion carried 10-9 by roll call vote with Rep. Bessette, Rep. Bishop, Chair Doane, Rep. Farris-Olsen, Vice Chair Kelker, Rep. Keogh, Rep. Krotkov, Rep. Morigeau and Rep. Perry voting no. Rep. Skees voted by proxy. Rep. Berglee will carry the bill.

10:33:22 Chair Doane

10:33:33 Vice Chair Usher

10:33:58 Chair Doane

10:34:21 Vice Chair Kelker

10:34:30 Chair Doane

ADJOURNMENT

Adjournment: 10:34:49

Abigail Konen, Clerk

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Additional Documents:

EXHIBIT([juh70aad.pdf](#))