

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Alan Doane, on April 10, 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. Bob Brown (R)
Rep. Greg DeVries (R)
Rep. David Dunn (R)
Rep. Connie Keogh (D)
Rep. Casey Knudsen (R)
Rep. Dennis R. Lenz (R)
Rep. Theresa Manzella (R)
Rep. Terry Moore (R)
Rep. Zac Perry (D)
Rep. Derek Skees (R)

Members Excused:

Rep. Seth Berglee (R)
Rep. Laurie Bishop (D)
Rep. Jasmine Krotkov (D)
Rep. Robert Farris-Olsen (D)
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: SB 65, 4/1/2019; SB 173, 4/1/2019; SB 335, 4/1/2019; SB 362,
4/3/2019

08:01:07 Chair Doane
08:01:09 Rep. Berglee entered the meeting.
08:01:12 Rep. Bishop entered the meeting.
08:01:14 Rep. Morigeau entered the meeting.

HEARING ON SB 173

Opening Statement by Sponsor:

08:01:40 Sen. Terry Gauthier (R), SD 40, opened the hearing on SB 173, Revise laws related to electric vehicle charging stations.

[EXHIBIT\(juh75a01\)](#)

Proponents' Testimony:

08:02:46 Rep. Farris-Olsen entered the meeting.
08:03:45 Rep. Krotkov entered the meeting.
08:04:15 Rep. Lenz left the meeting.
08:08:35 Erik Pritchard, self
08:16:56 Julian Adler, Montana Public Interest Research Group (MontPIRG)

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

08:18:19 Rep. C. Knudsen
08:18:39 Sen. Gauthier
08:19:05 Rep. C. Knudsen
08:19:17 Sen. Gauthier
08:19:45 Rep. Manzella
08:20:10 Sen. Gauthier
08:21:00 Rep. Manzella
08:21:32 Sen. Gauthier
08:22:47 Vice Chair Usher
08:25:36 Sen. Gauthier
08:26:16 Rep. C. Knudsen
08:26:31 Sen. Gauthier
08:26:40 Rep. Bishop
08:27:02 Sen. Gauthier

Closing by Sponsor:

08:28:16 Sen. Gauthier

HEARING ON SB 335

Opening Statement by Sponsor:

08:29:32 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 335, Revise insurance laws related to pharmacies & certain health entities.

Proponents' Testimony:

08:32:03 Stacey Anderson, Montana Primary Care Association (MPCA)

[EXHIBIT\(juh75a02\)](#)

[EXHIBIT\(juh75a03\)](#)

[EXHIBIT\(juh75a04\)](#)

08:34:06 Rep. Skees left the meeting.

08:37:16 Tammy Cox, Southwest Montana Community Health Center (SWMTCHC)

08:41:30 Stuart Doggett, Montana Pharmacy Association

08:42:36 Bob Olsen, Montana Hospital Association (MHA)

Opponents' Testimony:

None

Informational Testimony:

08:44:21 Raina White, Partnership Health Center (PHC)

[EXHIBIT\(juh75a05\)](#)

Questions from Committee Members and Responses:

None

Closing by Sponsor:

08:47:41 Sen. Fitzpatrick

08:48:17 Recessed

08:54:50 Reconvened

HEARING ON SB 362

Opening Statement by Sponsor:

08:54:58 Sen. Mike Lang (R), SD 17, opened the hearing on SB 362, Revise 24/7 sobriety program laws.

Proponents' Testimony:

08:57:10 Tom Butler, Chief, Montana Highway Patrol (MHP)

09:06:11 Jessie Luther, Association of Montana Troopers (AMT)

09:07:34 Scott Larson, Department of Justice (DOJ)

09:07:56 Perry Miller, Courts of Limited Jurisdiction, Montana Magistrates Association

Opponents' Testimony:

09:14:07 SK Rossi, American Civil Liberties Union of Montana (ACLU)

09:16:59 Jon Metropoulos, Missoula Correctional Services (MCS)

[EXHIBIT\(juh75a06\)](#)

09:22:09 John Iverson, Alcohol Monitoring Systems

[EXHIBIT\(juh75a07\)](#)

Informational Testimony:

None

Questions from Committee Members and Responses:

09:26:53 Vice Chair Usher
09:27:28 Chief Butler, MHP
09:28:08 Vice Chair Usher
09:28:24 Chief Butler, MHP
09:29:16 Vice Chair Usher
09:29:59 Perry Miller, Courts of Limited Jurisdiction, Montana Magistrates Association
09:33:16 Vice Chair Usher
09:34:10 Chief Butler, MHP
09:35:06 Vice Chair Kelker
09:35:47 Chief Butler, MHP
09:36:55 Vice Chair Kelker
09:37:36 Chief Butler, MHP
09:38:47 Vice Chair Kelker
09:39:34 Perry Miller, Courts of Limited Jurisdiction, Montana Magistrates Association
09:43:11 Rep. Berglee
09:43:37 Chief Butler, MHP
09:44:35 Rep. C. Knudsen
09:46:29 Chief Butler, MHP
09:47:54 Rep. Manzella
09:48:29 Chief Butler, MHP
09:49:25 Rep. Manzella
09:49:34 Chief Butler, MHP
09:49:46 Rep. Krotkov
09:50:03 Chief Butler, MHP
09:50:49 Chair Doane
09:51:07 Chief Butler, MHP

Closing by Sponsor:

09:51:52 Sen. Lang

09:55:36 Recessed
10:03:38 Reconvened with Rep. Lenz present.

HEARING ON SB 65**Opening Statement by Sponsor:**

10:04:04 Keith Regier (R), SD 3, opened the hearing on SB 65, Generally revise drug and alcohol laws.

[EXHIBIT\(juh75a08\)](#)

[EXHIBIT\(juh75a09\)](#)

[EXHIBIT\(juh75a10\)](#)

Proponents' Testimony:

10:16:29 Chair Doane
10:16:49 Jon Bennion, Attorney General's Office (AGO)
10:18:44 Tom Butler, Chief, Montana Highway Patrol (MHP)

[EXHIBIT\(juh75a11\)](#)

[EXHIBIT\(juh75a12\)](#)

10:21:41 Kurt Sager, Montana Highway Patrol (MHP)
 10:31:20 Chad Parker, Attorney General's Office (AGO)
 10:38:19 Scott Larson, Department of Justice (DOJ)
 10:38:35 Joseph Cik, Great Falls Attorney's Office
 10:39:49 Ron Yates, self
 10:43:08 Wynn Meehan, Sheriff, Broadwater County, Montana Sheriffs and Peace
 Officers Association (MSPOA), Montana Coroner's Association, Broadwater
 County DUI Task Force
 10:44:42 Jackie Jones, Montana County Attorneys Association (MCAA)
 10:45:18 Derek Gibbs, Warm Springs Addiction Treatment and Change East (WATCh)

Opponents' Testimony:

10:46:30 Jordan Mordhorst, self

[EXHIBIT\(juh75a13\)](#)

[EXHIBIT\(juh75a14\)](#)

10:50:57 John W. Larson, District Judge, Fourth Judicial District
 10:54:26 Mary Jane Knisely, District Court Judge, Yellowstone County
 11:00:16 Kristi Blazer, Montana Beer and Wine Distributors' Association (MBWDA)

[EXHIBIT\(juh75a15\)](#)

[EXHIBIT\(juh75a16\)](#)

[EXHIBIT\(juh75a17\)](#)

11:01:41 Chair Doane
 11:02:23 Kristi Blazer, MBWDA
 11:04:35 Rep. Skees reentered the meeting.
 11:11:35 Perry Miller, Justice of the Peace, Blaine County; City Judge, Harlem, Chinook;
 Montana Magistrates Association; Commission on Courts of Limited Jurisdiction
 11:14:34 Megan Coy, Department of Corrections (COR)
 11:15:46 Greg Mohr, Montana Magistrates Association
 11:16:33 Jon Metropoulos, Missoula Correctional Services (MCS)
 11:16:59 SK Rossi, American Civil Liberties Union of Montana (ACLU)

Informational Testimony:

11:17:23 Jessie Luther, Community Counseling and Correctional Services (CCCS)
 11:18:27 Peter Ohman, Office of the State Public Defender (OPD)
 11:18:42 Chair Doane

Proponents' Testimony:

11:19:15 Donna Benson, Warm Springs Addiction Treatment and Change (WATCh)
 11:19:27 Ed Morris, self
 11:19:40 Albert McFarland, self
 11:19:52 James Hankinson, self
 11:20:02 Dave Clark, self
 11:20:20 Andrew Cosentino, self
 11:20:35 Cliff Richards, self
 11:20:57 Anthony Valderrama, self
 11:21:12 Brandon Dumond, self
 11:21:25 Robert Shelton, self
 11:21:41 Frederick Baker, self

Questions from Committee Members and Responses:

11:22:07 Vice Chair Usher
11:25:27 Mary Jane Knisely, District Court Judge, Yellowstone County
11:25:59 Vice Chair Kelker
11:26:54 Mary Jane Knisely, District Court Judge, Yellowstone County
11:30:12 Rep. Krotkov
11:32:59 Chief Butler, MHP
11:33:36 Rep. Manzella
11:35:11 Chad Parker, AGO
11:36:42 Rep. Manzella
11:36:52 Kurt Sager, MHP
11:39:20 Rep. Manzella
11:39:29 Kurt Sager, MHP
11:39:39 Rep. Perry
11:40:11 Rep. C. Knudsen
11:40:58 Jon Bennion, AGO
11:41:11 Chad Parker, AGO
11:42:28 Rep. C. Knudsen
11:42:56 Chad Parker, AGO
11:43:25 Vice Chair Usher
11:44:09 Chief Butler, MHP
11:45:12 Rep. Farris-Olsen
11:45:38 SK Rossi, ACLU
11:47:08 Rep. C. Knudsen
11:47:42 SK Rossi, ACLU

Closing by Sponsor:

11:48:00 Sen. K. Regier

11:49:20 Recessed
11:50:46 Reconvened

11:50:49 Chair Doane

ADJOURNMENT

Adjournment: 11:51:01

Abigail Konen, Clerk

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Additional Documents:

EXHIBIT([juh75aad.pdf](#))