

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Alan Doane, on April 11, 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. Bob Brown (R)
Rep. Greg DeVries (R)
Rep. David Dunn (R)
Rep. Connie Keogh (D)
Rep. Casey Knudsen (R)
Rep. Jasmine Krotkov (D)
Rep. Theresa Manzella (R)
Rep. Zac Perry (D)

Members Excused:

Rep. Terry Moore (R)
Rep. Laurie Bishop (D)
Rep. Robert Farris-Olsen (D)
Rep. Dennis R. Lenz (R)
Rep. Derek Skees (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: SB 324, 4/3/2019; SB 354, 4/3/2019
Executive Action: SB 312, SB 114, SB 173, SB 335, SB 354

08:00:35 Chair Doane

HEARING ON SB 324

Opening Statement by Sponsor:

08:01:05 Sen. Tom Jacobson (D), SD 11, opened the hearing on SB 324, Revise definition of elder abuse.

[EXHIBIT\(juh76a01\)](#)

[EXHIBIT\(juh76a02\)](#)

Proponents' Testimony:

08:01:43 Rep. Farris-Olsen entered the meeting.

08:04:11 Rep. Skees entered the meeting.

08:04:13 Rep. Bishop entered the meeting.

08:04:16 Rep. Morigeau entered the meeting.

08:04:21 Rep. T. Moore entered the meeting.

08:05:34 Rose Hughes, Montana Health Care Association (MHCA)

08:07:30 Beth Brennenman, Disability Rights Montana

08:08:09 Chris McConnell, Attorney General's Office (AGO)

08:09:21 John MacDonald, Montana Newspaper Association (MNA)

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

08:10:37 Rep. C. Knudsen

08:10:59 Sen. Jacobson

08:11:43 Chair Doane

08:12:00 Sen. Jacobson

08:12:17 Chris McConnell, AGO

08:13:00 Chair Doane

08:13:09 Sen. Jacobson

08:13:59 Chair Doane

08:14:01 Sen. Jacobson

08:14:05 Chair Doane

Closing by Sponsor:

08:14:21 Sen. Jacobson

HEARING ON SB 354

Opening Statement by Sponsor:

08:15:34 Sen. Albert Olszewski (R), SD 6, opened the hearing on SB 354, Adopt the Montana Born-Alive Infant Protection Act.

Proponents' Testimony:

08:16:33 Garrett Bacon, self

08:17:53 Anita Milanovich, Montana Family Foundation
08:21:42 Matt Brower, Montana Catholic Conference, Roman Catholic Bishops of
Montana

[EXHIBIT\(juh76a03\)](#)

08:25:07 Rep. Sheldon-Galloway, HD 22
08:27:18 Carol Marie Anderson, American Life League (ALL), Pro-Life Lady of the
Rockies

[EXHIBIT\(juh76a04\)](#)

Opponents' Testimony:

08:33:50 Rep. Farris-Olsen left the meeting.
08:33:56 SK Rossi, American Civil Liberties Union of Montana (ACLU)

[EXHIBIT\(juh76a05\)](#)

Informational Testimony:

None

Questions from Committee Members and Responses:

08:34:31 Rep. Skees
08:34:49 Sen. Olszewski
08:35:18 Chair Doane
08:35:30 Sen. Olszewski
08:36:21 Rep. DeVries
08:36:44 Sen. Olszewski
08:37:35 Rep. DeVries
08:38:03 Sen. Olszewski

Closing by Sponsor:

08:39:59 Sen. Olszewski

08:41:04 Chair Doane

[EXHIBIT\(juh76a06\)](#)

[EXHIBIT\(juh76a07\)](#)

EXECUTIVE ACTION ON SB 312

08:44:43 **Motion/Vote:** Vice Chair Usher moved that **SB 312 BE REMOVED FROM TABLE**. Motion carried 17-0 by voice vote. Rep. Farris-Olsen and Rep. Lenz were excused.

08:45:10 Chair Doane

08:48:18 Recessed

09:33:37 Reconvened with Rep. Lenz and Rep. Farris-Olsen present.

EXECUTIVE ACTION ON SB 114

09:33:45 **Motion:** Vice Chair Usher moved that **SB 114 BE CONCURRED IN**.

09:33:55 **Motion:** Rep. C. Knudsen moved that **SB 114 BE AMENDED.**
[EXHIBIT\(juh76a08\)](#)

Discussion:

09:34:10 Rachel Weiss, Legislative Services Division (LSD)
09:36:26 Rep. C. Knudsen
09:37:07 Chair Doane
09:37:14 Rachel Weiss, LSD

09:38:19 **Vote:** Motion carried unanimously by voice vote.

09:38:38 **Motion:** Vice Chair Usher moved that **SB 114 BE CONCURRED IN AS AMENDED.**

09:38:46 **Motion:** Rep. C. Knudsen moved that **SB 114 BE AMENDED.**
[EXHIBIT\(juh76a09\)](#)

Discussion:

09:38:54 Rep. C. Knudsen
09:39:13 Chair Doane
09:39:22 Rep. Morigeau

09:39:57 **Vote:** Motion carried unanimously by voice vote.

09:40:03 **Motion:** Vice Chair Usher moved that **SB 114 BE CONCURRED IN AS AMENDED.**

Discussion:

09:40:17 Vice Chair Kelker

09:40:47 **Vote:** Motion carried 18-1 by voice vote with Rep. DeVries voting no. Rep. Glimm will carry the bill.

EXECUTIVE ACTION ON SB 173

09:41:21 **Motion:** Vice Chair Usher moved that **SB 173 BE CONCURRED IN.**

Discussion:

09:41:32 Chair Doane
09:41:44 Rep. Skees

09:42:13 **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.

09:43:03 **Motion/Vote:** Without objection, Vice Chair Usher moved **TO TABLE SB 173.** Motion passed.

EXECUTIVE ACTION ON SB 335

09:43:25 **Motion:** Vice Chair Usher moved that **SB 335 BE CONCURRED IN.**

Discussion:

09:43:34 Vice Chair Kelker

09:44:16 Vice Chair Usher

09:44:47 Rep. Morigeau

09:45:04 **Vote:** Motion carried unanimously by voice vote. Rep. Lenz will carry the bill.

EXECUTIVE ACTION ON SB 354

09:45:26 **Motion:** Vice Chair Usher moved that **SB 354 BE CONCURRED IN.**

Discussion:

09:45:39 Vice Chair Kelker

09:46:29 Rep. Krotkov

09:48:59 Chair Doane

09:49:11 Rep. Skees

09:50:31 Rep. Berglee

09:51:24 **Vote:** 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. Vinton will carry the bill.

09:52:25 Chair Doane

DISCUSSION ON LC 3306

09:52:55 Vice Chair Kelker
EXHIBIT(juh76a10)

09:53:05 Chair Doane

09:54:15 Vice Chair Kelker

09:55:13 Rep. C. Knudsen

09:56:40 Rep. Lenz

09:57:06 Rep. C. Knudsen

09:57:38 Vice Chair Kelker

09:59:26 Vice Chair Usher

09:59:48 Vice Chair Kelker

09:59:57 Vice Chair Usher

10:00:48 Rep. B. Brown

10:01:28 Vice Chair Kelker

10:01:50 Chair Doane

10:02:03 Rep. Morigeau

10:03:17 Rep. C. Knudsen

10:04:11 Chair Doane

ADJOURNMENT

Adjournment: 10:05:37

Abigail Konen, Clerk

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Additional Documents:

EXHIBIT([juh76aad.pdf](#))