

MINUTES

MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Keith Regier, on January 11, 2019 at 9:00 AM, in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Keith Regier, Chair (R)
Sen. Jennifer Fielder, Vice Chair (R)
Sen. Diane Sands, Vice Chair (D)
Sen. Bryce Bennett (D)
Sen. John Esp (R)
Sen. Jen Gross (D)
Sen. Steve Hinebauch (R)
Sen. Margaret (Margie) MacDonald (D)
Sen. Gordon Vance (R)

Members Excused: Sen. Scott Sales (R)

Members Absent: None

Staff Present: Julianne Burkhardt, Legislative Branch
Noah Horan, Committee Secretary

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 26, 1/4/2019; SB 37, 1/4/2019; SB 43, 1/4/2019; SB 62,
1/4/2019

Executive Action: SB 3 - Do Pass
SB 36 - Do Pass
SB 62 - Do Pass

09:01:20 Chair Regier

HEARING ON SB 62

Opening Statement by Sponsor:

09:02:14 Sen. Diane Sands (D), SD 49, opened the hearing on SB 62, Revise inmate welfare fund laws to include Pine Hills.

Proponents' Testimony:

09:03:10 Gayle Butler, Montana Department of Corrections (DOC)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

09:06:06 Sen. Fielder
09:06:45 Ms. Butler, DOC
09:07:00 Cynthia Wolken, deputy director, DOC
09:07:37 Sen. Fielder
09:07:51 Ms. Wolken, DOC

Closing by Sponsor:

09:08:45 Sen. Sands

HEARING ON SB 43

Opening Statement by Sponsor:

09:09:23 Sen. Margaret (Margie) MacDonald (D), SD 26, opened the hearing on SB 43, Allow omnibus hearings to be conducted remotely.

Proponents' Testimony:

09:10:37 Peter Ohman, Office of the Public Defender

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

09:11:58 Sen. MacDonald

HEARING ON SB 37

Opening Statement by Sponsor:

09:12:26 Sen. Margaret (Margie) MacDonald (D), SD 26, opened the hearing on SB 37, Revise laws related to recording of parole board hearings.

Proponents' Testimony:

09:15:08 Annette Carter, chair, Montana Parole Board

Opponents' Testimony:

09:18:19 Rudy Stock, self

[EXHIBIT\(jus05a01\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

09:19:06 Sen. Fielder

09:19:53 Ms. Carter, Parole Board

Closing by Sponsor:

09:20:20 Sen. MacDonald

HEARING ON SB 26**Opening Statement by Sponsor:**

09:20:59 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 26, Remove requirement for state to pay travel costs for prosecution witnesses.

Proponents' Testimony:

09:22:12 Mike McGrath, chief justice, Montana Supreme Court

Opponents' Testimony:

09:27:09 Eric Bryson, Montana Association of Counties (MACo)

[EXHIBIT\(jus05a02\)](#)

Informational Testimony:

09:29:29 Jon Bennion, Department of Justice (DOJ)

09:29:46 Leo Gallagher, county attorney, Lewis and Clark County

Questions from Committee Members and Responses:

09:30:57 Sen. Esp

09:31:13 Mr. McGrath

09:31:27 Sen. Esp

09:31:35 Mr. McGrath

09:31:41 Sen. Sands

09:32:03 Beth McLaughlin, administrator, Montana Supreme Court

09:33:05 Sen. Sands

09:33:19 Mr. Bennion, DOJ

09:33:56 Sen. Fielder

09:34:13 Sen. Esp

09:34:58 Mr. Bryson, MACo

09:35:37 Sen. Sands

09:36:13 Mr. Bryson

09:36:27 Mr. Gallagher, L&C County

09:38:02 Sen. Sands

09:38:14 Mr. Gallagher

09:38:52 Sen. MacDonald
09:40:12 Mr. Gallagher
09:40:48 Chair Regier
09:41:07 Ms. McLaughlin
09:43:17 Chair Regier
09:43:40 Ms. McLaughlin
09:43:48 Chair Regier
09:43:55 Ms. McLaughlin
09:44:04 Sen. Sands
09:44:39 Mr. Ohman, OPD
09:45:25 Sen. Sands
09:45:45 Mr. Ohman
09:45:56 Sen. Sands

Closing by Sponsor:

09:46:11 Sen. Fitzpatrick

09:46:44 Chair Regier

EXECUTIVE ACTION ON SB 3

09:48:26 **Motion:** Sen. Gross moved that **SB 3 DO PASS.**

Discussion:

09:48:45 Chair Regier
09:48:51 Sen. Gross
09:49:30 Chair Regier
09:49:51 Julianne Burkhardt, Legislative Services Division (LSD)
09:50:05 Chair Regier

09:50:12 **Vote:** Motion carried unanimously by voice vote. Sen. S. Sales voted by proxy.

09:50:40 Sen. MacDonald
09:50:46 Chair Regier

EXECUTIVE ACTION ON SB 36

09:51:48 **Motion:** Sen. MacDonald moved that **SB 36 DO PASS.**

Discussion:

09:51:59 Sen. MacDonald
09:52:26 Chair Regier

09:52:54 **Vote:** Motion carried unanimously by voice vote. Sen. S. Sales voted by proxy.

09:53:16 Sen. Esp
09:53:25 Sen. Sands

EXECUTIVE ACTION ON SB 62

09:54:20 **Motion:** Sen. Sands moved that **SB 62 DO PASS.**

Discussion:

09:54:25 Sen. Sands

09:54:47 Chair Regier

09:55:07 **Vote:** Motion carried unanimously by voice vote. Sen. S. Sales voted by proxy.

09:55:27 Chair Regier

09:55:40 Sen. Hinebauch

09:55:54 Chair Regier

09:56:16 Sen. Vance

09:56:20 Chair Regier

ADJOURNMENT

Adjournment: 9:56 AM

Noah Horan, Secretary

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Additional Documents:

EXHIBIT([jus05aad.pdf](#))