

## MINUTES

### MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON JUDICIARY

**Call to Order:** Chair Keith Regier, on February 19, 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 220, 2/15/2019

Executive Action: SB 22 BE TABLED; SR 11 BE ADOPTED; SB 238 BE TABLED;  
SB 155 DO PASS AS AMENDED; SB 225 DO PASS AS  
AMENDED

09:01:22 Sen. Fielder assumed the chair.

### **HEARING ON SB 220**

#### **Opening Statement by Sponsor:**

09:01:38 Sen. Keith Regier (R), SD 3, opened the hearing on SB 220, Generally revise probation laws.

[EXHIBIT\(jus35a01\)](#)

#### **Proponents' Testimony:**

09:05:06 Jon Metropoulos, Missoula Correctional Services (MCS)

[EXHIBIT\(jus35a02\)](#)

09:09:44 Sue Wilkins, Missoula Correctional Services (MCS)

[EXHIBIT\(jus35a03\)](#)

09:15:21 Amanda Green, Alternatives

[EXHIBIT\(jus35a04\)](#)

09:19:41 Erin McGowan, Montana Community Corrections Association (MCCA)

#### **Opponents' Testimony:**

09:20:42 SK Rossi, American Civil Liberties Union of Montana (ACLU)

09:21:13 Sen. Vance left the hearing.

#### **Informational Testimony:**

09:23:02 Greg Mohr, Montana Magistrates Association

#### **Opponents' Testimony:**

09:23:19 Perry Johnson, Public Safety Officer Standards and Training Council (POST)

#### **Questions from Committee Members and Responses:**

09:26:36 Sen. Sands

09:26:59 Sen. Regier

09:27:08 Sen. MacDonald

09:27:40 Ms. Wilkins, MCS

09:27:45 Sen. MacDonald

09:28:11 Ms. Wilkins

09:29:09 Sen. MacDonald

09:29:20 Ms. Wilkins

09:29:42 Sen. Gross

09:30:20 Mr. Metropoulos, MCS

09:31:47 Sen. Gross

09:32:28 Mr. Metropoulos

09:32:49 Sen. Gross

09:33:15 Mr. Johnson, POST

09:33:42 Sen. Gross

09:34:01 Mr. Johnson

09:34:29 Sen. Sands

09:34:40 Mr. Johnson

**Closing by Sponsor:**

09:35:24 Sen. Regier

09:36:11 Sen. Regier resumed the chair.

**EXECUTIVE ACTION ON SB 22**

09:37:26 **Motion:** Sen. Fielder moved that **SB 22 DO PASS.**

**Discussion:**

09:38:04 Sen. Sands

09:38:13 Sen. Gross

09:38:40 Chair Regier

09:38:49 Sen. Sands

09:39:16 **Substitute Motion/Vote:** Sen. Sands made a substitute motion that **SB 22 BE TABLED.** Substitute Motion carried 9-1 by roll call vote with Sen. K. Regier voting no. Sen. S. Sales and Sen. Vance voted by proxy.

**EXECUTIVE ACTION ON SR 11**

09:40:21 **Motion:** Sen. Fielder moved that **SR 11 BE ADOPTED.**

**Discussion:**

09:40:38 Sen. Sands

09:40:52 Sen. Gross

09:41:17 **Vote:** Motion carried unanimously by voice vote. Sen. S. Sales and Sen. Vance voted by proxy.

**EXECUTIVE ACTION ON SB 238**

09:42:29 Julianne Burkhardt, Legislative Services Division (LSD)

09:42:37 Chair Regier

09:43:00 Sen. Sands

09:43:54 **Motion:** Sen. Fielder moved that **SB 238 DO PASS.**

09:43:59 **Substitute Motion/Vote:** Sen. Sands made a substitute motion that **SB 238 BE TABLED.** Substitute Motion carried 7-3 by roll call vote with Sen. Esp, Sen. Hinebauch and Sen. K. Regier voting no. Sen. S. Sales and Sen. Vance voted by proxy.

**EXECUTIVE ACTION ON SB 155**

09:45:30 **Motion:** Sen. Fielder moved that **SB 155 DO PASS.**

**Discussion:**

09:45:36 Ms. Burkhardt, LSD

09:46:18 Chair Regier

09:46:31 Ms. Burkhardt

09:46:52 **Motion:** Sen. Fielder moved that **SB 155 BE AMENDED.****Discussion:**

09:47:08 Sen. Fielder

09:48:03 Chair Regier

09:48:15 Ms. Burkhardt

09:48:52 Sen. Vance returned to the meeting.

09:49:04 Sen. Fielder

09:49:13 Ms. Burkhardt

09:50:20 Sen. Esp

09:50:29 Sen. Fielder

09:50:36 Ms. Burkhardt

09:51:01 Sen. Fielder

09:51:10 Ms. Burkhardt

09:51:16 Sen. Fielder

09:52:20 Sen. Sands

09:53:21 Sen. MacDonald

09:53:52 **Vote:** Motion carried 7-2 by roll call vote with Sen. Bennett and Sen. Sands voting no. Sen. S. Sales was excused.09:54:38 **Motion:** Sen. Fielder moved that **SB 155 DO PASS AS AMENDED.****Discussion:**

09:54:56 Sen. Gross

09:55:45 Sen. Sands

09:56:31 Sen. MacDonald

09:56:53 Ms. Burkhardt

09:57:00 Sen. Bennett

09:58:27 **Vote:** Motion carried unanimously by roll call vote. Sen. S. Sales voted by proxy.**EXECUTIVE ACTION ON SB 225**09:59:32 **Motion:** Sen. Fielder moved that **SB 225 DO PASS.****Discussion:**

09:59:39 Ms. Burkhardt

10:00:12 Chair Regier

10:00:20 Sen. Sands

10:00:58 **Motion:** Sen. Fielder moved that **SB 225 BE AMENDED.****EXHIBIT(jus35a05)**

**Discussion:**

10:01:11 Ms. Burkhardt

10:07:00 Sen. Sands

10:07:57 Ed Eck, Montana State Bar

10:09:09 **Vote:** Motion carried 9-1 by roll call vote with Sen. Bennett voting no. Sen. S. Sales voted by proxy.

10:09:43 **Motion:** Sen. Fielder moved that **SB 225 DO PASS AS AMENDED.**

**Discussion:**

10:09:50 Sen. Gross

10:10:25 **Vote:** Motion carried 8-2 by roll call vote with Sen. Hinebauch and Sen. Vance voting no. Sen. S. Sales voted by proxy.

**ADJOURNMENT**

Adjournment: 10:12 AM

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Noah Horan, Secretary

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**Additional Documents:**

Additional Documents:

**EXHIBIT([jus35aad.pdf](#))**