

MINUTES

MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Keith Regier, on February 20, 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. Scott Sales (R)
Sen. Gordon Vance (R)

Members Excused: None

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: SR 29, 2/15/2019; HB 54, 2/15/2019; SB 255, 2/15/2019; SB 254, 2/15/2019

Executive Action: SB 213 DO PASS; SJ 11 TABLED; SB 202 MOTION WITHDRAWN; SB 220 DO PASS AS AMENDED; SB 283 BE CONCURRED IN

HEARING ON SR 29

Opening Statement by Sponsor:

09:02:01 Sen. Diane Sands (D), SD 49, opened the hearing on SR 29, Confirm Governor's appointee to the 4th Judicial District.

Proponents' Testimony:

09:04:34 Shane Vannatta, appointee
09:07:54 Beth McLaughlin, speaking on behalf of Montana Judges Association
09:08:49 Pat Fox, Montana Trial Lawyers Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

09:09:38 Sen. Fielder
09:10:38 Mr. Vannatta, appointee
09:11:10 Sen. Fielder

09:11:21 President Sales entered the hearing.

09:11:31 Mr. Vannatta
09:12:33 Sen. Gross
09:13:10 Mr. Vannatta
09:14:20 Chair Regier
09:14:28 Mr. Vannatta
09:15:30 Chair Regier

Closing by Sponsor:

09:15:42 Sen. Gross

HEARING ON HB 54

Opening Statement by Sponsor:

09:16:59 Rep. Rae Peppers (D), HD 41, opened the hearing on HB 54, Revising laws related to missing persons reports.

Proponents' Testimony:

09:19:44 Gary Seder, Bureau of Criminal Investigation, Department of Justice (DOJ)
09:21:50 Jason Smith, director, Indian Affairs, Governor's Office
09:22:34 Dave Galt, Montana Sheriffs and Peace Officers Association (MSPOA)
09:22:52 Jackie Jones, Montana County Attorneys Association (MCAA)
09:23:30 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence (MCADSV)
09:23:54 Sarah Howell, Montana Women Vote
09:24:11 SK Rossi, American Civil Liberties Union of Montana (ACLU)
09:24:25 Beth Breneman, Disability Rights Montana (DRM)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

09:24:44 Sen. Fielder
09:25:43 Rep. Peppers
09:25:52 Sen. Fielder
09:26:38 Chair Regier
09:27:16 Rep. Peppers
09:28:09 President Sales
09:28:38 Rep. Peppers
09:29:16 President Sales
09:29:52 Rep. Peppers
09:30:03 Sen. Gross
09:31:29 Rep. Peppers
09:32:06 Sen. Gross
09:32:38 Rep. Peppers
09:32:46 Sen. Fielder
09:33:27 Rep. Peppers
09:33:50 Sen. Fielder
09:34:27 Rep. Peppers
09:35:05 Sen. Fielder
09:35:11 Rep. Peppers
09:35:26 Sen. Fielder
09:36:03 Rep. Peppers
09:36:21 Sen. MacDonald
09:36:43 Rep. Peppers
09:38:01 Sen. Gross

Closing by Sponsor:

09:39:48 Rep. Peppers

HEARING ON SB 255

Opening Statement by Sponsor:

09:40:17 Sen. Edith (Edie) McClafferty (D), SD 38, opened the hearing on SB 255, Revise laws related to declaration of marriage.

[EXHIBIT\(jus36a01\)](#)

Proponents' Testimony:

09:42:55 Bo Stuart, self

09:44:40 President Sales left the hearing.

09:50:05 Scott Boulanger, speaking on behalf of the Montana Association of Clerks of District Court

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

09:51:06 Sen. Sands
09:51:40 Sen. McClafferty
09:51:45 Chair Regier
09:52:03 Sen. McClafferty
09:52:05 Chair Regier
09:52:18 Sen. McClafferty
09:52:44 Sen. Fielder
09:53:25 Sen. McClafferty
09:53:40 Sen. Fielder

Closing by Sponsor:

09:54:01 Sen. McClafferty

HEARING ON SB 254**Opening Statement by Sponsor:**

09:54:34 Sen. Diane Sands (D), SD 49, opened the hearing on SB 254, Revise laws regarding chief municipal judges.

Proponents' Testimony:

09:57:30 John MacDonald, City of Missoula
10:00:16 Greg Dorrington, City of Billings

Opponents' Testimony: None**Informational Testimony:** None**Questions from Committee Members and Responses:**

10:01:21 Sen. Fielder
10:01:51 Sen. Sands
10:02:06 Julianne Burkhardt, Legislative Services Division (LSD)
10:02:30 Sen. Fielder
10:02:53 Sen. Sands
10:03:23 Sen. Fielder
10:03:50 Sen. Sands
10:04:12 Sen. Fielder
10:04:29 Sen. Sands
10:04:39 Ms. Burkhardt, LSD
10:05:14 Chair Regier
10:05:25 Sen. Sands

Closing by Sponsor:

10:05:37 Sen. Sands

10:06:11 Recess
10:15:47 Reconvened

EXECUTIVE ACTION ON SB 213

10:16:27 **Motion/Vote:** Sen. Fielder moved that **SB 213 DO PASS**. Motion carried unanimously by voice vote. Sen. S. Sales voted by proxy.

EXECUTIVE ACTION ON SJ 11

10:17:33 **Motion:** Sen. Sands moved that **SJ 11 DO PASS**.

Discussion:

10:19:40 Sen. Gross

10:20:21 Julianne Burkhardt, Legislative Services Division (LSD)

10:21:14 Chair Regier

10:21:38 Sen. Bennett

10:22:24 Sen. Sands

10:23:16 **Vote:** Motion failed 4-6 by roll call vote with Sen. Bennett, Sen. Gross, Sen. MacDonald and Sen. Sands voting aye. Sen. S. Sales voted by proxy.

10:23:53 **Motion/Vote:** Sen. Sands moved that **SJ 11 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote. Sen. S. Sales voted by proxy.

Committee Business:

10:24:47 Sen. Esp

10:24:55 Chair Regier

10:25:08 Sen. Esp

10:25:53 Chair Regier

10:26:06 Sen. Gross

10:26:16 Chair Regier

10:26:23 Sen. Esp

10:27:13 Sen. Sands

10:27:34 Sen. Esp

10:28:00 Sen. Bennett

10:28:27 Ms. Burkhardt, LSD

10:28:52 Chair Regier

10:29:04 Sen. Sands

EXECUTIVE ACTION ON SB 202

10:29:41 **Motion:** Sen. Fielder moved that **SB 202 DO PASS**.

10:30:12 **Motion:** Sen. Sands moved that **SB 202 BE AMENDED**.
[EXHIBIT\(jus36a02\)](#)

Discussion:

10:32:14 Ms. Burkhardt

10:35:08 Chair Regier

10:35:37 Ms. Burkhardt

10:36:01 Beth Breneman, Disability Rights Montana (DRM)

10:37:04 Chair Regier
 10:37:10 Ms. Burkhardt
 10:37:33 Sen. Fielder
 10:38:47 Sen. Sands

 10:39:13 Without objection, Sen. Sands withdrew her motion.
 10:39:22 Without objection, Sen. Fielder withdrew her motion.

EXECUTIVE ACTION ON SB 220

10:39:56 **Motion:** Sen. Fielder moved that **SB 220 DO PASS**.
 10:40:05 **Motion:** Sen. Fielder moved that **SB 220 BE AMENDED**.
[EXHIBIT\(jus36a03\)](#)

Discussion:

10:40:43 Sen. MacDonald
 10:41:10 **Vote:** Motion carried unanimously by voice vote. Sen. S. Sales voted by proxy.
 10:41:25 **Motion:** Sen. Fielder moved that **SB 220 DO PASS AS AMENDED**.

Discussion:

10:41:38 Sen. Gross
 10:42:03 **Vote:** Motion carried 9-1 by voice vote with Sen. Bennett voting no. Sen. S. Sales voted by proxy.

EXECUTIVE ACTION ON HB 283

10:42:38 **Motion/Vote:** Sen. Fielder moved that **HB 283 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. S. Sales voted by proxy. Sen. Esp will carry the bill.
 10:43:45 Chair Regier
 10:44:13 Sen. Esp

ADJOURNMENT

Adjournment: 10:45 AM

Noah Horan, Secretary

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Additional Documents:

Additional Documents:

EXHIBIT([jus36aad.pdf](#))