

MINUTES

MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Keith Regier, on February 22, 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: HB 256, 2/15/2019; SB 253, 2/15/2019; SB 276, 2/15/2019; SB 302, 2/15/2019; SJ 12, 2/15/2019

Executive Action: SB 261 DO PASS; SB 262 DO PASS AS AMENDED; SJ 12 MOTION WITHDRAWN

HEARING ON SJ 12

Opening Statement by Sponsor:

09:02:00 Sen. Mike Cuffe (R), SD 1, opened the hearing on SJ 12, Resolution on Columbia River Treaty.

EXHIBIT(jus38a01)

09:14:28 Sen. Bennett entered the hearing.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

09:15:10 Sen. Cuffe

HEARING ON SB 302

Opening Statement by Sponsor:

09:16:13 Sen. John Esp (R), SD 30, opened the hearing on SB 302, Generally revise laws related to local government budgeting and accounting.

Proponents' Testimony:

09:23:00 Eric Bryson, Montana Association of Counties (MACo)

09:25:57 Kelly Lynch, Montana League of Cities and Towns (MLCT)

09:29:49 Sen. Roger Webb, SD 23

09:30:55 Chet McLean, Local Government Services Division, Department of Administration (DOA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

09:32:59 Sen. Sands

09:33:11 Mr. Bryson, MACo

09:33:21 Sen. Sands

09:33:44 Ms. Lynch, MLCT

09:33:51 Sen. Sands

09:34:18 Ms. Lynch

09:35:38 Sen. Sands

09:36:06 Ms. Lynch

09:36:08 Sen. Sands

09:36:20 Ms. Lynch

09:36:32 Chair Regier

09:36:49 Ms. Lynch

09:37:01 Sen. MacDonald entered the hearing.

Closing by Sponsor:

09:37:25 Sen. Esp

HEARING ON SB 276

Opening Statement by Sponsor:

09:37:51 Sen. Roger Webb (R), SD 23, opened the hearing on SB 276, Revise laws related to condos and townhouses.

Proponents' Testimony:

09:41:00 Robert Sewell, Montana Land Title Association (MLTA)
09:43:02 Sam Sill, Montana Association of Realtors (MAR)
09:43:43 Quinn Donovan, self
09:44:26 Steve Turkiewicz, Montana Bankers Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

09:45:14 Chair Regier
09:45:24 Mr. Sewell, MLTA
09:45:41 Sen. MacDonald
09:46:43 Mr. Sill, MAR
09:47:24 Sen. MacDonald
09:48:15 Mr. Sewell
09:49:41 Sen. MacDonald
09:49:54 Mr. Sewell
09:49:58 Sen. MacDonald
09:50:05 Mr. Sewell
09:50:37 Sen. MacDonald
09:50:49 Mr. Sewell
09:51:58 Sen. MacDonald
09:52:11 Mr. Sewell
09:52:38 Chair Regier
09:52:47 Mr. Sewell
09:53:05 Chair Regier
09:53:15 Mr. Sewell
09:53:32 Chair Regier
09:53:37 Mr. Sewell

Closing by Sponsor:

09:53:48 Sen. Webb

HEARING ON HB 256

Opening Statement by Sponsor:

09:57:56 Rep. Connie Keogh (D), HD 91, opened the hearing on HB 256, Allow time of death transfer of vehicles and vessels.

[EXHIBIT\(jus38a02\)](#)

Proponents' Testimony:

10:02:21 Ross Keogh, self

10:04:20 Kristi Blazer, shareholder, Missouri River Law Office

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

10:05:59 Sen. Sands

10:06:13 Mr. Keogh, self

10:06:21 President Sales entered the hearing.

10:07:07 Chair Regier

10:07:27 Mr. Keogh

10:08:08 Chair Regier

10:08:53 Mr. Keogh

Closing by Sponsor:

10:09:32 Rep. Keogh

HEARING ON SB 253

Opening Statement by Sponsor:

10:11:06 Sen. Cary Smith (R), SD 27, opened the hearing on SB 253, Revise the tax lien and tax deed process.

[EXHIBIT\(jus38a03\)](#)

[EXHIBIT\(jus38a04\)](#)

Proponents' Testimony:

10:21:00 Clint Brown, Pacific Legal Foundation (PLF)

10:25:41 David Herbst, Americans for Prosperity

10:29:08 Chuck Denowh, United Property Owners of Montana

Opponents' Testimony:

10:30:33 Terri Kunz, county treasurer, Jefferson County

10:36:26 Rocky Haralson, Montana County Treasurers Association (MCTA)

10:38:37 Sen. Gross entered the hearing.

10:41:47 Eric Bryson, Montana Association of Counties (MACo)

10:43:11 Robert Sewell, Montana Land Title Association (MLTA)

10:45:59 Aimee Grmoljez, partner, Crowley Fleck Law Firm

Informational Testimony: None

Questions from Committee Members and Responses:

10:49:00 Chair Regier
10:49:25 Sen. Smith
10:49:41 Chair Regier
10:49:57 Sen. Smith
10:51:01 Chair Regier
10:51:13 Sen. Smith
10:52:07 Sen. Fielder
10:53:18 Mr. Haralson, MCTA
10:53:35 Mr. Brown, PLF
10:54:43 Sen. Fielder
10:54:59 Mr. Brown
10:55:23 Sen. Fielder
10:55:31 Mr. Brown
10:56:01 Sen. Fielder
10:56:36 Mr. Brown
10:58:00 Sen. Fielder
10:58:08 Mr. Brown
10:58:22 Sen. Fielder
10:59:13 Ms. Grmoljez, Crowley Fleck
11:00:06 Sen. Fielder
11:01:06 Mr. Bryson, MACo
11:01:26 President Sales
11:02:36 Sen. Smith
11:03:10 President Sales
11:03:29 Sen. Smith
11:03:33 President Sales
11:04:37 Sen. Smith

Closing by Sponsor:

11:04:47 Sen. Smith

11:11:18 Julianne Burkhardt, Legislative Services Division (LSD)
11:11:36 Sen. Smith
11:11:54 Sen. Tom Jacobson, SD 11

11:14:20 Recess
11:21:18 Reconvened

Sen. Esp was excused.

EXECUTIVE ACTION ON SB 261

11:21:41 **Motion:** Sen. Sands moved that **SB 261 DO PASS.**

Discussion:

11:21:57 Chair Regier
 11:22:03 Sen. Sands
 11:23:34 President Sales
 11:24:18 Sen. Sands
 11:24:56 Sen. Hinebauch
 11:25:04 Sen. Sands

11:26:01 **Vote:** Motion carried 7-3 by roll call vote with Sen. Hinebauch, Sen. S. Sales and Sen. Vance voting no. Sen. Esp voted by proxy.

President Sales was excused.

EXECUTIVE ACTION ON SB 262

11:27:23 **Motion:** Sen. Fielder moved that **SB 262 DO PASS.**

Discussion:

11:27:31 Ms. Burkhardt, LSD

11:28:35 **Motion:** Sen. Sands moved that **SB 262 BE AMENDED.**
[EXHIBIT\(jus38a05\)](#)

Discussion:

11:29:12 Chair Regier
 11:29:31 Ms. Burkhardt, LSD

11:29:51 **Vote:** Motion carried unanimously by roll call vote. Sen. Esp and Sen. S. Sales voted by proxy.

11:30:37 **Motion/Vote:** Sen. Fielder moved that **SB 262 DO PASS AS AMENDED.**
 Motion carried unanimously by roll call vote. Sen. Esp and Sen. S. Sales voted by proxy.

11:32:07 Sen. Sands
 11:32:44 Chair Regier

EXECUTIVE ACTION ON SJ 12

11:32:53 **Motion:** Sen. Fielder moved that **SJ 12 DO PASS.**

Discussion:

11:33:14 Chair Regier
 11:34:13 Sen. Sands
 11:34:32 Chair Regier

11:34:37 Without objection, Sen. Fielder withdrew the motion.

11:35:03 Chair Regier
 11:35:07 Sen. Sands

11:35:16 Chair Regier
11:35:27 Sen. MacDonald
11:35:47 Chair Regier
11:36:29 Sen. Sands

ADJOURNMENT

Adjournment: 11:37 AM

Noah Horan, Secretary

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Additional Documents:

Additional Documents:

EXHIBIT([jus38aad.pdf](#))