

MINUTES

MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Keith Regier, on March 15, 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. Jen Gross (D)
Sen. Steve Hinebauch (R)
Sen. Margaret (Margie) MacDonald (D)
Sen. Gordon Vance (R)

Members Excused: Sen. John Esp (R)
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: HB 282, 3/8/2019; HB 296, 3/8/2019; HB 325, 3/8/2019; HB 347, 3/8/2019; HB 357, 3/8/2019

Executive Action: HB 192 BE CONCURRED IN AS AMENDED; HB 238 BE CONCURRED IN

HEARING ON HB 325 AND HB 357**Opening Statement by Sponsor:**

09:03:30 Rep. Matt Regier (R), HD 4, opened the hearing on HB 325, Generally revise firearm laws and on HB 357, Revise concealed carry laws.

Proponents' Testimony:

09:07:10 Gary Marbut, Montana Shooting Sports Association (MSSA)
09:10:54 Garrett Bacon, self

Opponents' Testimony:

09:12:02 Tim Burton, Montana League of Cities and Towns (MLCT)
09:16:54 Julie Merritt, Missoula City Council

[EXHIBIT\(jus53a01\)](#)

09:21:44 John MacDonald, City of Missoula
09:24:56 Dennis Parman, Montana Rural Education Association (MREA)
09:26:57 Eric Feaver, Montana Federation of Public Employees (MFPA)
09:29:34 Rusty Harper, self

[EXHIBIT\(jus53a02\)](#)**[EXHIBIT\(jus53a03\)](#)**

09:31:45 David Rusoff, self
09:33:22 Roxanne Weikel, self

[EXHIBIT\(jus53a04\)](#)

09:37:06 Paulette Kohman, Moms Demand Action (MDA)

[EXHIBIT\(jus53a05\)](#)

09:40:16 Steve Meloy, Montana School Boards Association

Informational Testimony: None

Questions from Committee Members and Responses:

09:41:34 Sen. MacDonald
09:41:47 Sen. Sands
09:42:12 Mr. Burton, MLCT
09:42:45 Sen. MacDonald
09:43:11 Rep. Regier
09:43:47 Sen. MacDonald
09:44:18 Rep. Regier
09:44:49 Sen. Sands
09:45:13 Rep. Regier
09:45:37 Sen. Sands
09:45:57 Rep. Regier
09:46:08 Sen. Hinebauch
09:46:28 Mr. Burton
09:46:31 Sen. Hinebauch
09:46:45 Mr. Burton
09:47:14 Sen. Hinebauch

09:47:33 Mr. Burton
09:47:49 Chair Regier
09:47:55 Mr. Burton
09:48:00 Sen. MacDonald
09:48:24 Ms. Merritt, City of Missoula
09:49:24 Sen. MacDonald
09:49:36 Ms. Merritt

09:49:49 Sen. Vance entered the hearing.

09:50:11 Chair Regier
09:50:31 Mr. Marbut, MSSA
09:51:06 Sen. Gross
09:51:31 Rep. Regier
09:51:39 Sen. Gross
09:52:06 Rep. Regier
09:52:43 Sen. Gross
09:53:21 Rep. Regier
09:54:12 Chair Regier
09:54:20 Mr. Marbut
09:56:05 Sen. MacDonald
09:56:58 Ms. Kohman, MDA

Closing by Sponsor:

09:57:50 Rep. Regier

HEARING ON HB 347**Opening Statement by Sponsor:**

10:01:13 Rep. Sharon Greef (R), HD 88, opened the hearing on HB 347, Revise laws related to grandparents' rights.

Proponents' Testimony:

10:12:15 Ryan Phelan, Montana State Bar
10:12:20 Richard Hennequin, self
10:13:45 Mars Scott, Montana State Bar

Opponents' Testimony:

10:16:51 Mike McMahan, First Judicial District judge, speaking for himself
10:25:20 Kathy Seeley, First Judicial District judge; Montana Judges Association

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

10:27:22 Sen. MacDonald
10:28:03 Mr. Scott, Montana State Bar
10:29:43 Sen. Bennett
10:30:48 Mr. McMahan, self
10:32:14 Sen. Bennett
10:32:55 Mr. McMahan

10:34:07 Chair Regier
10:34:11 Mr. McMahon
10:34:41 Chair Regier
10:34:45 Mr. McMahon

Closing by Sponsor:

10:35:04 Rep. Greef

HEARING ON HB 296

Opening Statement by Sponsor:

10:37:30 Rep. Casey Knudsen (R), HD 33, opened the hearing on HB 296, Revise laws related to permissible fireworks.

Proponents' Testimony: None

Opponents' Testimony:

10:39:39 Dick Swingley, State fire marshal
10:43:13 Bruce Suenram, Montana Fire Trustees Association (MFTA)
10:44:26 Richard Hennequin, Central Valley Fire District
10:48:18 Rich Cowger, fire chief, Columbus Rural Fire District; chair, Montana State Fire Chiefs Association (MSFCA)
10:50:23 Jerry Simpson, fire chief, Moore Rural Fire District
10:52:23 Sam Alpert, self
10:55:08 Mike Doto, Montana State Firefighters Association (MSFA)
10:55:41 Bob Drake, Tri-Lakes Fire District

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

10:58:42 Rep. Knudsen

HEARING ON HB 282

Opening Statement by Sponsor:

11:03:48 Rep. Denley Loge (R), HD 14, opened the hearing on HB 282, Protect vulnerable persons from sexual misconduct.

Proponents' Testimony:

11:05:45 Lance Jasper, self
11:09:28 Anita Milanovich, Montana Family Foundation (MFF)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

11:10:23 Rep. Loge
11:12:05 Recess
11:24:53 Reconvened

EXECUTIVE ACTION ON HB 192

11:25:44 **Motion:** Sen. Fielder moved that **HB 192 BE CONCURRED IN.**

Discussion:

11:25:58 Chair Regier
11:26:11 Julianne Burkhardt, Legislative Services Division (LSD)
11:26:35 Sen. MacDonald
11:27:41 Chair Regier

11:27:51 **Motion:** Sen. Sands moved that **HB 192 BE AMENDED.**

[EXHIBIT\(jus53a06\)](#)

Discussion:

11:28:15 Ms. Burkhardt, LSD
11:29:03 Sen. Sands

11:29:24 **Vote:** Motion carried unanimously by voice vote. Sen. Esp and Sen. S. Sales voted by proxy.

11:29:44 **Motion:** Sen. Fielder moved that **HB 192 BE CONCURRED IN AS AMENDED.**

11:29:53 **Motion:** Sen. Bennett moved that **HB 192 BE AMENDED.**

[EXHIBIT\(jus53a07\)](#)

Discussion:

11:30:03 Sen. Bennett
11:30:44 Sen. Sands
11:30:54 Chair Regier
11:31:01 Sen. Bennett
11:31:16 Sen. Fielder

11:31:27 **Vote:** Motion carried unanimously by voice vote. Sen. Esp and Sen. S. Sales voted by proxy.

11:31:43 **Motion:** Sen. Fielder moved that **HB 192 BE CONCURRED IN AS AMENDED.**

Discussion:

11:31:55 Sen. Sands
11:32:58 Chair Regier

11:33:11 **Vote:** Motion carried unanimously by voice vote. Sen. Esp and Sen. S. Sales voted by proxy. Sen. Sands will carry the bill.

EXECUTIVE ACTION ON HB 238

11:34:04 **Motion:** Sen. Fielder moved that **HB 238 BE CONCURRED IN.**

Discussion:

11:34:23 Ms. Burkhardt

11:36:28 Chair Regier

EXHIBIT(jus53a08)

11:37:50 Sen. Sands

11:38:50 **Motion:** Sen. Sands moved that **HB 238 BE AMENDED.**

EXHIBIT(jus53a09)

Discussion:

11:39:11 Ms. Burkhardt

11:40:53 Sen. Sands

11:41:00 Chair Regier

11:41:05 Ms. Burkhardt

11:41:09 Sen. Fielder

11:41:42 Without objection, Sen. Sands withdrew the motion.

11:42:00 Chair Regier

11:42:09 Sen. Bennett

11:43:33 Chair Regier

11:44:00 Sen. Fielder

11:45:27 Sen. MacDonald

11:47:01 Sen. Gross

11:48:56 Chair Regier

11:49:11 **Vote:** Motion carried 6-4 by roll call vote with Sen. Bennett, Sen. Gross, Sen. MacDonald and Sen. Sands voting no. Sen. Esp and Sen. S. Sales voted by proxy. Sen. Fielder will carry the bill.

11:50:08 Chair Regier

11:50:54 Sen. MacDonald

11:50:59 Chair Regier

ADJOURNMENT

Adjournment: 11:51 AM

Noah Horan, Secretary

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Additional Document

Additional Documents:

EXHIBIT([jus53aad.pdf](#))