

MINUTES

MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Keith Regier, on March 25, 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: SB 326, 3/22/2019; SB 354, 3/22/2019

Executive Action: HB 21 TABLED; HB 233 BE CONCURRED IN; HB 244 BE CONCURRED IN; HB 245 BE CONCURRED IN; HB 257 BE CONCURRED IN; HB 463 BE CONCURRED IN AS AMENDED; HB 347 BE CONCURRED IN

HEARING ON SB 326

Opening Statement by Sponsor:

09:02:20 Sen. Nate McConnell (D), SD 48, opened the hearing on SB 326, Prohibiting foreign nationals from certain campaign practices.

Proponents' Testimony:

09:12:28 Raph Graybill, chief legal counsel, Governor's Office (GOV)
09:22:05 Jeff Mangan, Commissioner of Political Practices (COPP)

Opponents' Testimony:

09:22:50 Cary Hegreberg, Montana Chamber of Commerce
[EXHIBIT\(jus61a01\)](#)

09:26:33 Tammy Johnson, Montana Mining Association
09:34:58 Bob Leach, self
09:37:45 Spook Stang, Motor Carriers of Montana (MCM)
09:38:30 Ronda Wiggers, self

Informational Testimony: None

Questions from Committee Members and Responses:

09:41:52 Sen. Bennett
09:42:18 Mr. Graybill, GOV
09:43:19 Sen. Bennett
09:44:01 Ms. Wiggers, self
09:45:05 Sen. Bennett
09:45:24 Ms. Wiggers
09:46:08 Sen. MacDonald
09:46:37 Mr. Graybill
09:46:53 Sen. MacDonald
09:47:17 Mr. Graybill
09:47:57 Sen. MacDonald
09:48:34 Mr. Mangan, COPP
09:48:57 Sen. MacDonald
09:49:11 Mr. Mangan
09:49:17 Sen. Gross
09:49:38 Mr. Mangan
09:50:23 Sen. Sands
09:50:39 Sen. McConnell
09:51:52 Sen. Sands
09:52:03 Sen. McConnell
09:52:44 Sen. Sands
09:53:06 Sen. McConnell
09:54:09 Sen. Sands
09:54:33 Sen. McConnell
09:55:48 Sen. Sands
09:56:02 Sen. McConnell
09:56:28 Mr. Graybill
09:57:10 Sen. Sands

09:57:24 Mr. Graybill
09:57:29 Sen. Fielder
09:57:54 Sen. McConnell
09:58:50 Sen. Fielder
09:59:07 Sen. McConnell
09:59:19 Sen. Fielder
09:59:32 Sen. McConnell
10:00:01 Sen. Fielder
10:00:23 Sen. McConnell
10:00:28 Sen. Fielder
10:00:47 Sen. McConnell
10:01:41 Mr. Graybill
10:02:19 Sen. Fielder
10:02:34 Mr. Graybill
10:02:38 Sen. Fielder
10:02:43 Mr. Graybill
10:03:12 Sen. Fielder
10:03:20 Mr. Graybill
10:03:34 Sen. Fielder
10:03:41 Mr. Graybill
10:04:14 Sen. Fielder
10:04:31 Mr. Graybill
10:04:53 Sen. Fielder
10:05:46 Mr. Mangan
10:06:32 Sen. Fielder
10:07:10 Mr. Mangan
10:07:17 Sen. Fielder
10:07:38 Mr. Mangan
10:08:14 Sen. Fielder
10:08:53 Mr. Mangan
10:09:24 Sen. Fielder
10:09:55 Mr. Mangan
10:10:35 Sen. Esp
10:11:10 Mr. Mangan
10:12:38 Sen. Esp
10:13:01 Mr. Mangan
10:14:00 Sen. Esp
10:14:22 Mr. Mangan
10:14:33 Sen. Sands
10:14:56 Sen. McConnell
10:15:20 Sen. Sands
10:15:29 Mr. Graybill
10:16:45 Sen. Sands
10:16:55 Mr. Mangan
10:17:36 Sen. Sands
10:17:50 Mr. Mangan
10:17:54 Sen. Fielder

Closing by Sponsor:

10:18:19 Sen. McConnell

HEARING ON SB 354**Opening Statement by Sponsor:**

10:20:09 Sen. Albert Olszewski (R), SD 6, opened the hearing on SB 354, Adopt the Montana Born-Alive Infant Protection Act.

Proponents' Testimony:

10:21:38 Anita Milanovich, Montana Family Foundation (MFF)

10:25:40 Cathy Carlson, self

10:30:12 Dick Pence, Montana Pastors Network

EXHIBIT(jus61a02)

10:34:12 Sen. Gross left the hearing.

10:34:15 Mattea Heffernan, self

10:35:06 Linda Heffernan, self

10:38:12 Matt Brower, Montana Catholic Conference

EXHIBIT(jus61a03)

10:41:25 Bob Leach, self

10:43:18 Steve Bostrom, self

10:45:47 Nancy Pence, self

10:46:17 Ed Halland, self

10:47:06 Annie Bukacek, Montana Pro-Life Coalition

EXHIBIT(jus61a04)

10:47:42 Harris Himes, self

Opponents' Testimony:

10:49:02 Sen. Sands

EXHIBIT(jus61a05)

Informational Testimony: None

Questions from Committee Members and Responses:

10:49:16 Chair Regier

10:49:41 Sen. Olszewski

10:49:50 Chair Regier

10:49:52 Sen. Olszewski

10:50:11 Chair Regier

10:50:14 Sen. Olszewski

10:50:19 Sen. Sands

10:50:46 Sen. Olszewski

10:50:53 Sen. Sands

10:51:00 Sen. Olszewski

10:51:05 Sen. Sands

10:51:09 Sen. Olszewski

10:51:34 Sen. Sands

10:51:53 Sen. Olszewski

10:52:06 Sen. Sands

10:52:10 Sen. Olszewski
10:52:22 Sen. Sands
10:52:27 Sen. MacDonald
10:52:51 Ms. Milanovich, MFF
10:52:57 Sen. Fielder
10:53:54 Sen. Olszewski
10:54:41 Sen. Bennett
10:55:06 Sen. Olszewski

Closing by Sponsor:

10:56:14 Sen. Olszewski

10:57:22 Recess

11:09:18 Reconvened

11:09:22 President Sales entered the meeting.

EXECUTIVE ACTION ON HB 21

11:09:57 **Motion:** Sen. Fielder moved that **HB 21 BE CONCURRED IN.**

Discussion:

11:10:13 Sen. Fielder

11:11:25 Sen. Sands

11:13:11 Sen. MacDonald

11:14:17 Chair Regier

11:15:10 **Vote:** Motion failed 5-5 by roll call vote with Sen. Bennett, Sen. Esp, Sen. Gross, Sen. MacDonald and Sen. Sands voting aye. Sen. Gross voted by proxy.

11:15:43 **Motion/Vote:** Sen. Fielder moved that **HB 21 BE TABLED.** Motion carried 9-0 by voice vote. Sen. Gross was excused.

EXECUTIVE ACTION ON HB 233

11:16:01 **Motion:** Sen. Fielder moved that **HB 233 BE CONCURRED IN.**

Discussion:

11:16:09 Chair Regier

11:16:28 Sen. Sands

11:17:11 **Vote:** Motion carried 9-1 by roll call vote with Sen. Bennett voting no. Sen. Gross voted by proxy. Sen. Sands will carry the bill.

EXECUTIVE ACTION ON HB 244

11:18:07 **Motion:** Sen. Fielder moved that **HB 244 BE CONCURRED IN.**

Discussion:

11:18:15 Chair Regier

11:18:51 Sen. Fielder
11:19:29 Sen. Bennett
11:19:56 Sen. Esp
11:20:24 Chair Regier

11:21:10 **Vote:** Motion carried 8-2 by roll call vote with Sen. Esp and Sen. Vance voting no. Sen. Gross voted by proxy. Sen. Bennett will carry the bill.

EXECUTIVE ACTION ON HB 245

11:22:07 **Motion/Vote:** Sen. Fielder moved that **HB 245 BE CONCURRED IN**. Motion carried 8-2 by roll call vote with Sen. Esp and Sen. Vance voting no. Sen. Gross voted by proxy. Sen. Bennett will carry the bill.

EXECUTIVE ACTION ON HB 257

11:23:00 **Motion:** Sen. Fielder moved that **HB 257 BE CONCURRED IN**.

Discussion:

11:23:09 Chair Regier
11:23:13 Sen. Sands
11:23:57 Chair Regier
11:24:02 Sen. Fielder
11:24:32 Chair Regier

11:24:44 **Vote:** Motion carried unanimously by roll call vote. Sen. Gross voted by proxy. Sen. Sales will carry the bill.

EXECUTIVE ACTION ON HB 463

11:25:45 **Motion:** Sen. Fielder moved that **HB 463 BE CONCURRED IN**.

Discussion:

11:25:52 Chair Regier

11:26:45 **Motion:** Sen. Sands moved that **HB 463 BE AMENDED**.
[EXHIBIT\(jus61a06\)](#)

Discussion:

11:27:00 Sen. Sands
11:27:21 Chair Regier

11:27:23 Sen. Gross entered the meeting.

11:27:25 **Vote:** Motion carried unanimously by voice vote.

11:27:38 **Motion:** Sen. Fielder moved that **HB 463 BE CONCURRED IN AS AMENDED**.

Discussion:

11:28:00 Sen. Sands

11:28:33 **Vote:** Motion carried unanimously by voice vote. Sen. Regier will carry the bill.

EXECUTIVE ACTION ON HB 347

11:29:10 **Motion:** Sen. Fielder moved that **HB 347 BE CONCURRED IN.**

Discussion:

11:29:18 Chair Regier

11:29:41 Sen. MacDonald

11:30:31 Sen. Sands

11:31:19 **Vote:** Motion carried 9-1 by roll call vote with Sen. Bennett voting no. Sen. MacDonald will carry the bill.

11:32:13 Chair Regier

ADJOURNMENT

Adjournment: 11:32 AM

Noah Horan, Secretary

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Additional Documents:

EXHIBIT([jus61aad.pdf](#))