

MINUTES

MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Keith Regier, on March 26, 2019 at 8:00 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: HB 48, 3/22/2019; HB 549, 3/22/2019; HJ 26, 3/22/2019; SB 347, 3/22/2019

Executive Action: SB 324 TABLED; SJ 19 BE ADOPTED AS AMENDED; HB 413 BE CONCURRED IN AS AMENDED; HB 461 BE CONCURRED IN

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

08:02:53 Sen. Roger Webb (R), SD 23, opened the hearing on SB 347, Revise occupational licensing laws for those with criminal convictions.

Proponents' Testimony:

08:05:28 Glenn Oppel, Opportunity Solutions Project (OSP)
[EXHIBIT\(jus62a01\)](#)

08:10:28 Colleen White, Department of Labor and Industry (DLI)

08:15:33 Patrick Webb, Americans for Prosperity Montana (AFP-MT)

[EXHIBIT\(jus62a02\)](#)

08:17:59 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence (MCADSV)

08:18:43 Zuri Moreno, American Civil Liberties Union of Montana (ACLU)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

08:19:38 Sen. Sands
08:20:02 Ms. White, DLI
08:20:11 Sen. Sands
08:21:18 Sen. Webb
08:21:36 Sen. Sands
08:21:45 Ms. Young, MCADSV
08:22:27 Sen. Gross
08:22:46 Mr. Oppel, OSP
08:23:39 Sen. Gross
08:23:52 Mr. Oppel
08:23:58 Chair Regier
08:24:34 Ms. White
08:25:13 Chair Regier
08:25:38 Mr. Webb, AFP-MT
08:25:55 Sen. MacDonald
08:27:13 Ms. White
08:28:19 Sen. Gross
08:28:41 Ms. White
08:29:23 Sen. Fielder
08:30:21 Ms. White
08:30:35 Sen. Fielder
08:30:58 Mr. Oppel
08:31:47 Sen. Fielder
08:32:52 Mr. Oppel

Closing by Sponsor:

08:33:15 Sen. Webb

EXECUTIVE ACTION ON SB 324

08:40:03 **Motion:** Sen. Fielder moved that **SB 324 DO PASS.**

Discussion:

08:40:14 Chair Regier

[EXHIBIT\(jus62a03\)](#)

08:40:30 Sen. MacDonald

08:41:02 Sen. Sands

08:41:58 **Substitute Motion/Vote:** Sen. Esp made a Substitute Motion that **SB 324 BE TABLED.** Substitute Motion carried 8-2 by roll call vote with Sen. Bennett and Sen. Gross voting no. Sen. S. Sales voted by proxy.

EXECUTIVE ACTION ON SJ 19

08:43:16 **Motion:** Sen. Sands moved that **SJ 19 DO PASS.**

08:44:30 **Motion:** Sen. Fielder moved that **SJ 19 BE AMENDED.**

[EXHIBIT\(jus62a04\)](#)

Discussion:

08:44:45 Chair Regier

08:45:32 Sen. Fielder

08:46:05 Sen. Sands

08:46:41 **Vote:** Motion carried unanimously by voice vote. Sen. S. Sales voted by proxy.

08:46:53 **Motion:** Sen. Sands moved that **SJ 19 DO PASS AS AMENDED.**

Discussion:

08:47:08 Sen. MacDonald

08:48:11 Sen. Sands

08:48:47 Chair Regier

08:49:00 **Vote:** Motion carried 7-3 by roll call vote with Sen. Hinebauch, Sen. S. Sales and Sen. Vance voting no. Sen. S. Sales voted by proxy.

EXECUTIVE ACTION ON HB 413

08:49:59 **Motion:** Sen. Fielder moved that **HB 413 BE CONCURRED IN.**

08:51:19 **Motion/Vote:** Sen. Fielder moved that **HB 413 BE AMENDED.** Motion carried unanimously by roll call vote. Sen. S. Sales voted by proxy.

[EXHIBIT\(jus62a05\)](#)

08:53:16 **Motion:** Sen. Fielder moved that **HB 413 BE CONCURRED IN AS AMENDED.**

Discussion:

08:53:21 Sen. Sands
 08:54:37 Sen. Esp
 08:54:47 Sen. Sands
 08:55:07 Sen. Esp
 08:55:16 Sen. Sands
 08:56:15 Chair Regier
 08:56:25 Sen. Fielder
 08:56:33 Sen. Sands
 08:56:56 Julianne Burkhardt, Legislative Services Division (LSD)
 08:58:28 Sen. Fielder
 08:58:34 Ms. Burkhardt, LSD
 08:58:40 Sen. Fielder

08:59:21 **Vote:** Motion carried 6-4 by roll call vote with Sen. Esp, Sen. Hinebauch, Sen. S. Sales and Sen. Vance voting no. Sen. S. Sales voted by proxy. Sen. Sands will carry the bill.

HEARING ON HJ 26**Opening Statement by Sponsor:**

09:01:17 Rep. Forrest Mandeville (R), HD 57, opened the hearing on HJ 26, Resolution to encourage census citizenship question.

Proponents' Testimony: None**Opponents' Testimony:**

09:03:16 Zuri Moreno, American Civil Liberties Union of Montana (ACLU)
 09:05:04 Garrett Lankford, Montana Human Rights Network (MHRN)

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

09:05:39 Sen. MacDonald
 09:06:15 Ms. Moreno, ACLU
 09:06:34 SK Rossi, American Civil Liberties Union of Montana (ACLU)
 09:06:58 Sen. Gross
 09:07:29 Ms. Rossi, ACLU
 09:07:42 Sen. Gross
 09:08:16 Rep. Mandeville
 09:08:21 Sen. Gross
 09:08:42 Sen. Bennett
 09:09:04 Ms. Rossi
 09:09:50 Sen. Hinebauch
 09:10:13 Rep. Mandeville

Closing by Sponsor:

09:10:35 Rep. Mandeville

HEARING ON HB 549**Opening Statement by Sponsor:**

09:12:06 Rep. Kimberly Dudik (D), HD 94, opened the hearing on HB 549, Generally revise child sex trafficking laws.

Proponents' Testimony:

09:15:03 Sydney Barry, Montana Coalition Against Domestic and Sexual Violence (MCADSV)

09:15:39 Jackie Jones, Montana County Attorneys Association (MCAA)

Opponents' Testimony: None**Informational Testimony:**

09:16:23 Laura Smith, Department of Public Health and Human Services (DPHHS)

Questions from Committee Members and Responses:

09:16:45 Sen. Sands

09:17:30 Ms. Smith, DPHHS

09:17:59 Sen. Sands

09:18:11 Ms. Smith

Closing by Sponsor:

09:18:26 Rep. Dudik

HEARING ON HB 48**Opening Statement by Sponsor:**

09:18:54 Rep. Laurie Bishop (D), HD 60, opened the hearing on HB 48, Provide for stacking of tribal court convictions for partner or family assault.

Proponents' Testimony:

09:22:17 Anna Saverud, Attorney General's Office (AG)

09:28:38 Jackie Jones, Montana County Attorneys Association (MCAA)

Opponents' Testimony:

09:29:50 SK Rossi, American Civil Liberties Union of Montana (ACLU)

Informational Testimony:

09:33:57 Melissa Schlichting, Native American Domestic Violence Fatality Review Team, Office of Victim Services, Department of Justice (DOJ)

Questions from Committee Members and Responses:

09:34:27 Sen. Fielder

09:35:07 Ms. Schlichting, DOJ

09:35:51 Sen. Fielder

09:36:23 Ms. Rossi, ACLU

09:37:00 Sen. Fielder

09:37:10 Ms. Rossi

09:37:15 Chair Regier

09:37:26 Ms. Rossi
09:37:43 Chair Regier
09:37:46 Ms. Rossi
09:37:51 Chair Regier
09:38:12 Ms. Rossi

Closing by Sponsor:

09:38:42 Rep. Bishop

EXECUTIVE ACTION ON HB 461

09:41:47 **Motion/Vote:** Sen. Fielder moved that **HB 461 BE CONCURRED IN**. Motion carried unanimously by roll call vote. Sen. S. Sales voted by proxy. Sen. MacDonald will carry the bill.

ADJOURNMENT

Adjournment: 9:42 AM

Noah Horan, Secretary

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Additional Documents:

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EXHIBIT([jus62aad.pdf](#))