

MINUTES

MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Keith Regier, on March 28, 2019 at 8:30 A.M., 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. Gordon Vance (R)

Members Excused: Sen. Margaret (Margie) MacDonald (D)
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 567, 3/22/2019; HB 590, 3/22/2019; HB 591, 3/22/2019

Executive Action: SB 356 DO PASS AS AMENDED; SB 362 DO PASS AS AMENDED

EXECUTIVE ACTION ON SB 356

08:35:34 **Motion:** Sen. Fielder moved that **SB 356 DO PASS.**

Discussion:

08:35:54 Julianne Burkhardt, Legislative Services Division (LSD)

08:36:30 Sen. Gross entered the meeting.

08:37:56 **Motion:** Sen. Fielder moved that **SB 356 BE AMENDED.**

EXHIBIT(jus64a01)

Discussion:

08:38:10 Sen. Fielder

08:38:58 **Vote:** Motion carried unanimously by roll call vote. Sen. MacDonald and Sen. S. Sales voted by proxy.

08:39:41 **Motion:** Sen. Fielder moved that **SB 356 DO PASS AS AMENDED.**

08:39:50 **Motion:** Sen. Bennett moved that **SB 356 BE AMENDED.**

EXHIBIT(jus64a02)

Discussion:

08:40:06 Ms. Burkhardt, LSD

08:42:00 Sen. Bennett

08:43:21 Chair Regier

08:43:26 Sen. Bennett

08:43:41 Chair Regier

08:43:46 Sen. Bennett

08:44:05 Sen. Fielder

08:44:34 Ms. Burkhardt

08:44:45 Sen. Bennett

08:45:23 Chair Regier

08:45:32 Ms. Burkhardt

08:46:40 Sen. Fielder

08:46:55 Ms. Burkhardt

08:47:11 Sen. Fielder

08:47:19 Sen. Gross

08:47:48 Chair Regier

08:47:56 **Vote:** Motion failed 4-6 by roll call vote with Sen. Bennett, Sen. Gross, Sen. MacDonald and Sen. Sands voting aye. Sen. MacDonald and Sen. S. Sales voted by proxy.

08:47:30 **Motion/Vote:** Sen. Fielder moved that **SB 356 DO PASS AS AMENDED.** Motion carried 9-1 by roll call vote with Sen. Gross voting no. Sen. MacDonald and Sen. S. Sales voted by proxy.

EXECUTIVE ACTION ON SB 362

08:50:36 **Motion:** Sen. Fielder moved that **SB 362 DO PASS.**

Discussion:

08:50:53 Julianne Burkhardt, Legislative Services Division (LSD)
EXHIBIT(jus64a03)

08:52:19 **Motion:** Sen. Fielder moved that **SB 362 BE AMENDED.**
EXHIBIT(jus64a04)

Discussion:

08:53:37 Sen. Sands
08:53:45 Chair Regier
08:53:51 Ms. Burkhardt. LSD
08:58:56 Chair Regier
08:59:05 Ms. Burkhardt
08:59:15 Sen. Sands
08:59:34 Chair Regier
08:59:46 Tom Butler, chief, Montana Highway Patrol (MHP)

09:00:07 **Vote:** Motion carried 9-1 by roll call vote with Sen. Esp voting no. Sen. MacDonald and Sen. S. Sales voted by proxy.

09:00:57 **Motion/Vote:** Sen. Fielder moved that **SB 362 DO PASS AS AMENDED.**
Motion carried 8-2 by roll call vote with Sen. Esp and Sen. Vance voting no. Sen. MacDonald and Sen. S. Sales voted by proxy.

HEARING ON HB 567**Opening Statement by Sponsor:**

09:03:00 Rep. Derek Skees (R), HD 11, opened the hearing on HB 567, Establish Montana school marshal program.

Proponents' Testimony:

09:08:55 Emily Dean, Montana School Boards Association

Opponents' Testimony:

09:10:54 Jerry Williams, Montana Police Protective Association (MPPA)

09:11:25 Sen. MacDonald entered the hearing.

09:17:56 Jean Larson, self
EXHIBIT(jus64a05)

09:22:49 John Mott, self
EXHIBIT(jus64a06)

09:24:22 Tim McMahon, self

09:32:09 Mark Murphy, Montana Association of Chiefs of Police (MACOP), also speaking on behalf of the City of Missoula

09:34:29 John Moffatt, self

09:48:17 Abigail St. Lawrence, Montana Association of Gifted and Talented Education

[EXHIBIT\(jus64a07\)](#)

09:51:03 Marlene Simms, self

[EXHIBIT\(jus64a08\)](#)

Informational Testimony:

09:54:49 Glen Stinar, Montana Law Enforcement Academy, Department of Justice (DOJ)

Questions from Committee Members and Responses:

09:55:07 Sen. Sands

09:55:28 Mr. Stinar, DOJ

09:56:23 Sen. Gross

09:57:00 Mr. Stinar

09:57:37 Sen. Gross

09:58:27 Rep. Skees

09:58:42 Sen. Gross

09:59:00 Rep. Skees

09:59:09 Chair Regier

09:59:27 Ms. Larson, self

09:59:55 Chair Regier

10:00:15 Mr. Murphy, MACOP

10:00:45 Chair Regier

10:00:56 Mr. Murphy

10:01:29 Chair Regier

10:01:45 Mr. Murphy

10:02:51 Sen. Fielder

10:03:15 Rep. Skees

10:03:20 Sen. Fielder

10:03:48 Rep. Skees

10:04:34 Sen. Fielder

10:04:42 Rep. Skees

10:04:50 Sen. Hinebauch

10:06:26 Mr. Murphy

10:08:09 Sen. Hinebauch

10:08:35 Rep. Skees

10:08:43 Sen. MacDonald

10:09:23 Mr. McMahon, self

10:09:38 Sen. MacDonald

10:10:21 Mr. Moffatt, self

10:10:55 Sen. Gross

10:11:25 Rep. Skees

10:12:43 Sen. Gross

10:12:53 Rep. Skees

10:13:04 Sen. Gross

10:13:24 Rep. Skees

10:14:54 Sen. Gross

10:15:03 Rep. Skees
10:15:18 Sen. Sands
10:15:41 Mr. McMahon
10:16:43 Sen. Sands
10:17:16 Mr. McMahon
10:17:21 Sen. Sands
10:17:43 Mr. McMahon
10:17:47 Sen. Sands
10:17:58 Mr. McMahon
10:18:40 Sen. Sands
10:18:57 Mr. McMahon
10:19:36 Sen. Sands
10:19:56 Mr. McMahon
10:20:22 Sen. Sands
10:20:35 Sen. Fielder
10:21:37 Mr. McMahon
10:21:50 Sen. Fielder
10:21:55 Mr. McMahon
10:22:05 Sen. Fielder
10:22:34 Mr. McMahon
10:22:44 Sen. Fielder
10:23:02 Rep. Skees
10:23:07 Sen. Fielder
10:24:10 Rep. Skees
10:25:48 Sen. Hinebauch
10:26:45 Mr. McMahon
10:27:08 Sen. Hinebauch
10:27:17 Sen. Sands
10:27:37 Mr. Steiner
10:28:02 Sen. Sands
10:28:15 Mr. Steiner

Closing by Sponsor:

10:28:49 Rep. Skees

10:35:03 Sen. Gross
10:35:35 Chair Regier

HEARING ON HB 591

Opening Statement by Sponsor:

10:36:21 Rep. Lola Sheldon-Galloway (R), HD 22, opened the hearing on HB 591,
Generally revise laws related to paternity tests.

Proponents' Testimony:

10:42:39 Rep. Dave Fern, HD 5

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

10:43:39 Chair Regier
10:43:52 Rep. Sheldon-Galloway

Closing by Sponsor:

10:44:09 Rep. Sheldon-Galloway

HEARING ON HB 590

Opening Statement by Sponsor:

10:47:32 Rep. Dave Fern (D), HD 5, opened the hearing on HB 590, Revise criminal procedure laws related to sexual offenses.

Proponents' Testimony:

10:51:17 Mayre Flowers, self
10:59:33 Jackie Jones, Montana County Attorneys Association (MCAA)

[EXHIBIT\(jus64a09\)](#)

11:05:01 Ole Olson, Attorney General's Office, Department of Justice
11:06:02 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence
11:07:37 Brian Thompson, Montana Sheriffs and Peace Officers Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

11:09:04 Sen. Sands
11:09:29 Rep. Fern
11:10:32 Sen. Sands
11:10:43 Ms. Jones, MCAA
11:12:04 Chair Regier
11:12:12 Ms. Jones

Closing by Sponsor:

11:12:58 Rep. Fern

11:15:30 Chair Regier

ADJOURNMENT

Adjournment: 11:16 AM

Noah Horan, Secretary

nh

Additional Documents:

Additional Documents:

EXHIBIT([jus64aad.pdf](#))