

MINUTES

MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Keith Regier, on April 3, 2019 at 9:00 AM, in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Keith Regier, Chair (R)
Sen. Diane Sands, Vice Chair (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. Jennifer Fielder, Vice Chair (R)
Sen. Bryce Bennett (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 111, 3/29/2019; HB 477, 3/29/2019

Executive Action: HB 302 BE CONCURRED IN; HB 111 BE CONCURRED IN; HB 173 BE CONCURRED IN AS AMENDED

HEARING ON HB 477**Opening Statement by Sponsor:**

09:04:51 Rep. Moffie Funk (D), HD 82, opened the hearing on HB 477, Enact firearm education laws for children.

[EXHIBIT\(jus69a01\)](#)

[EXHIBIT\(jus69a02\)](#)

[EXHIBIT\(jus69a03\)](#)

Proponents' Testimony:

09:07:54 Amanda Penley, student, Capital High School; member, Helena Youth Against Gun Violence (HYAGV)

[EXHIBIT\(jus69a04\)](#)

09:11:17 Clara McRae, student, Capital High School; co-founder, HYAGV
09:13:53 Hannah Muszkiewicz, student, Helena High School; HYAGV
09:15:55 Camille Wood-Foucar, student, Project for Alternative Learning; HYAGV
09:16:50 Jacob Torgerson, HYAGV
09:18:42 Hannah Simonson, HYAGV
09:19:41 Austin Giarde, HYAGV
09:20:10 Rachel Jakovac, student, Helena High School; HYAGV
09:21:01 Eddy Manning, student, Capital High School; HYAGV
09:21:34 Isaac Nehring, student, Helena High School; HYAGV
09:23:11 Francie Tupper, student, Carroll College; HYAGV
09:23:59 Jennifer Buscher, Shodair Children's Hospital
09:24:47 Kirk Miller, School Administrators of Montana (SAM)

Opponents' Testimony:

09:26:44 Tim Ravndal, self
09:29:03 Garrett Bacon, self

Informational Testimony:

09:30:48 Ken Bailey, Office of Public Instruction (OPI)

Questions from Committee Members and Responses:

09:31:09 Sen. Sands
09:31:33 Rep. Funk
09:32:18 Sen. Sands
09:32:44 Mr. Miller, SAM
09:33:44 Sen. Sands
09:34:01 Mr. Miller
09:34:37 Sen. Gross
09:34:56 Rep. Funk
09:35:40 Sen. Gross
09:35:51 Rep. Funk
09:36:20 Sen. Gross
09:36:36 Rep. Funk
09:37:31 Sen. Gross
09:37:52 Mr. Miller
09:38:27 Sen. Gross

09:38:39 Mr. Miller
09:39:21 Sen. Gross
09:39:30 Mr. Bailey, OPI
09:39:36 Sen. Gross
09:39:57 Mr. Bailey
09:40:07 Sen. Esp
09:40:24 Mr. Miller
09:40:44 Sen. Esp
09:40:54 Mr. Miller
09:41:11 Sen. Sands
09:41:35 Ms. Simonson, HYAGV
09:41:54 Ms. McRae, HYAGV
09:42:31 Sen. Sands
09:42:38 Ms. McRae
09:43:10 Sen. Sands
09:43:20 Chair Regier
09:43:42 Rep. Funk
09:44:11 Chair Regier
09:44:22 Mr. Bailey
09:44:29 Chair Regier
09:44:32 Mr. Bailey
09:44:51 Chair Regier
09:45:01 Mr. Bailey
09:45:04 Chair Regier
09:45:15 Mr. Miller
09:45:19 Chair Regier
09:45:21 Mr. Miller
09:45:31 Chair Regier
09:45:53 Mr. Miller
09:46:22 Sen. Gross
09:46:47 Mr. Bailey
09:47:13 Sen. Gross
09:48:07 Rep. Funk

Closing by Sponsor:

09:48:13 Rep. Funk

HEARING ON HB 111

Opening Statement by Sponsor:

09:50:44 Rep. Frank Fleming (R), HD 51, opened the hearing on HB 111, Transfer parole supervision of certain youth to youth court.

Proponents' Testimony:

09:52:01 Cynthia Wolken, Department of Corrections (DOC)
09:53:59 Beth McLaughlin, Montana Supreme Court

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

09:55:10 Chair Regier
 09:55:29 Ms. Wolken, DOC
 09:55:35 Sen. Sands
 09:56:14 Ms. Wolken
 09:56:49 Sen. Sands
 09:57:23 Ms. Wolken
 09:58:50 Sen. Sands
 09:59:03 Ms. Wolken
 09:59:17 Ms. McLaughlin, Supreme Court
 09:59:37 Sen. Sands
 10:00:04 Ms. Wolken
 10:01:11 Chair Regier
 10:01:22 Ms. McLaughlin
 10:03:21 Chair Regier
 10:03:31 Ms. McLaughlin
 10:04:15 Chair Regier
 10:04:34 Rep. Fleming
 10:04:38 Sen. Esp
 10:05:01 Ms. Wolken

Closing by Sponsor:

10:05:45 Rep. Fleming

 10:10:06 Chair Regier
 10:10:16 Julianne Burkhardt, Legislative Services Division
 10:10:24 Chair Regier
 10:11:34 Sen. Sands
 10:11:46 Chair Regier
 10:11:52 Sen. Sands
 10:12:00 Chair Regier

 10:12:57 Recess
 10:29:39 Reconvened

 10:30:01 Sen. MacDonald entered the meeting.

Sen. Hinebauch did not return to the meeting.

EXECUTIVE ACTION ON HB 302

10:30:04 **Motion/Vote:** Sen. Sands moved that **HB 302 BE CONCURRED IN**. Motion carried 6-4 by roll call vote with Sen. Bennett, Sen. Gross, Sen. MacDonald and Sen. Sands voting no. Sen. Bennett, Sen. Fielder, Sen. Hinebauch and Sen. S. Sales voted by proxy. Sen. Regier will carry the bill.

EXECUTIVE ACTION ON HB 111

10:31:44 **Motion:** Sen. Sands moved that **HB 111 BE CONCURRED IN**.

Discussion:

10:31:51 Sen. Sands
10:32:19 Chair Regier

10:32:29 **Vote:** Motion carried unanimously by roll call vote. Sen. Bennett, Sen. Fielder, Sen. Hinebauch and Sen. S. Sales voted by proxy. Sen. Sands will carry the bill.

EXECUTIVE ACTION ON HB 173

10:33:24 **Motion:** Sen. Sands moved that **HB 173 BE CONCURRED IN.**

Discussion:

10:33:30 Chair Regier
10:33:57 Julianne Burkhardt, Legislative Services Division (LSD)
10:34:28 Chair Regier
10:34:42 Ms. Burkhardt, LSD
10:37:59 Chair Regier
10:38:11 Ms. Burkhardt
10:38:45 Sen. Sands
10:38:59 Chair Regier
10:39:12 Ms. Burkhardt
10:39:32 Chair Regier

10:40:14 **Motion/Vote:** Sen. Sands moved that **HB 173 BE AMENDED.** Motion carried unanimously by voice vote. Sen. Bennett, Sen. Fielder, Sen. Hinebauch and Sen. S. Sales voted by proxy.

EXHIBIT(jus69a05)

10:40:40 **Motion/Vote:** Sen. Sands moved that **HB 173 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Sen. Bennett, Sen. Fielder, Sen. Hinebauch and Sen. S. Sales voted by proxy. Sen. Regier will carry the bill. (After the meeting, it was decided that Sen. Bogner would carry the bill)

ADJOURNMENT

Adjournment: 10:41 AM

Noah Horan, Secretary

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Additional Documents:

EXHIBIT([jus69aad.pdf](#))