

MINUTES

MONTANA SENATE 66th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Keith Regier, on April 25, 2019 at 9:40 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)

Members Excused: Sen. Scott Sales (R)
Sen. Gordon Vance (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: HJ 52, 4/24/2019; HJ 56, 4/24/2019; HJ 57, 4/24/2019; HJ 61, 4/24/2019; HJ 62, 4/24/2019

Executive Action: HJ 52 TABLED; HJ 56 BE CONCURRED IN; HJ 57 BE CONCURRED IN; HJ 61 BE CONCURRED IN; HJ 62 BE CONCURRED IN

HEARING ON HJ 57**Opening Statement by Sponsor:**

09:41:11 Rep. Kathy Kelker (D), HD 47, opened the hearing on HJ 57, Interim study of homelessness, behavioral health disorders, and public safety.

[EXHIBIT\(jus85a01\)](#)

Proponents' Testimony:

09:47:12 Abigail St. Lawrence, Montana Association of Marriage and Family Therapists;
Montana Association of Christians

09:49:08 Mark Murphy, Montana Association of Chiefs of Police; Montana Police
Protective Association

09:50:57 Sydney Barry, Montana Coalition Against Domestic and Sexual Violence

09:51:23 John MacDonald, City of Missoula

09:53:42 Dave Galt, Montana Sheriffs and Peace Officers Association

09:54:33 Jean Branscum, Montana Medical Association (MMA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

09:57:14 Sen. Sands

09:57:24 Rep. Kelker

09:57:34 Sen. Sands

09:58:04 Rep. Kelker

09:58:45 Sen. Fielder

09:58:57 Sen. MacDonald entered the hearing.

09:59:09 Ms. Branscum, MMA

09:59:36 Sen. Fielder

09:59:44 Ms. Branscum

09:59:57 Sen. Fielder

Closing by Sponsor:

10:00:13 Rep. Kelker

10:00:42 Sen. Gross entered the hearing.

HEARING ON HJ 61**Opening Statement by Sponsor:**

10:02:35 Rep. Seth Berglee (R), HD 58, opened the hearing on HJ 61, Interim study of common interest associations.

Proponents' Testimony:

10:03:24 Abigail St. Lawrence, Montana Building Industry Association

[EXHIBIT\(jus85a02\)](#)

10:05:02 Rep. Kathy Kelker, HD 47
10:06:17 Steve Turkiewicz, Montana Bankers Association
10:07:22 Aimee Grmoljez, Crowley Fleck

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

10:08:28 Sen. Fielder
10:08:46 Rep. Berglee

Closing by Sponsor:

10:09:01 Rep. Berglee

HEARING ON HJ 62

Opening Statement by Sponsor:

10:09:48 Rep. Lola Sheldon-Galloway (R), HD 22, opened the hearing on HJ 62, Interim study of visitation rights of noncustodial parents.

Proponents' Testimony:

10:13:08 Raye Newmeyer, self

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

10:14:34 Sen. Sands
10:15:30 Rep. Sheldon-Galloway

Closing by Sponsor:

10:16:21 Rep. Sheldon-Galloway

HEARING ON HJ 52

Opening Statement by Sponsor:

10:17:47 Rep. Barry Usher (R), HD 40, opened the hearing on HJ 52, Study of sheriff qualifications.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

10:20:00 Sen. MacDonald
10:20:20 Rep. Usher

10:20:26 Sen. MacDonald
10:20:30 Rep. Usher
10:20:42 Sen. MacDonald
10:20:50 Rep. Usher
10:20:54 Sen. MacDonald
10:21:11 Rep. Usher
10:21:54 Sen. Gross
10:22:07 Rep. Usher
10:23:07 Sen. Gross
10:23:14 Rep. Usher

Closing by Sponsor:

10:23:27 Rep. Usher

HEARING ON HJ 56

Opening Statement by Sponsor:

10:24:24 Rep. Barry Usher (R), HD 40, opened the hearing on HJ 56, Request interim study on bullying.

Proponents' Testimony:

10:26:19 Mark Murphy, Montana Association of Chiefs of Police; Montana Police Protective Association
10:28:28 Abigail St. Lawrence, Montana Association for Gifted and Talented
10:30:22 Jean Branscum, Montana Medical Association
10:31:27 Dave Galt, Montana Sheriffs and Peace Officers Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

10:32:21 Sen. Sands
10:33:02 Rep. Usher
10:33:20 Sen. Sands
10:33:55 Rep. Usher
10:35:11 Sen. Sands
10:35:41 Rep. Usher

Closing by Sponsor:

10:36:29 Rep. Usher

EXECUTIVE ACTION ON HJ 57

10:38:02 **Motion:** Sen. Fielder moved that **HJ 57 BE CONCURRED IN.**

Discussion:

10:38:29 Sen. MacDonald

10:39:26 **Vote:** Motion carried 6-4 by roll call vote with Sen. Fielder, Sen. Hinebauch, Sen. S. Sales and Sen. Vance voting no. Sen. S. Sales and Sen. Vance voted by proxy. Sen. Gross will carry the bill.

EXECUTIVE ACTION ON HJ 61

10:40:27 **Motion:** Sen. Fielder moved that **HJ 61 BE CONCURRED IN.**

Discussion:

10:40:53 Sen. MacDonald

10:41:21 Chair Regier

10:41:29 Sen. Fielder

10:42:22 **Vote:** Motion carried 6-4 by roll call vote with Sen. Hinebauch, Sen. K. Regier, Sen. S. Sales and Sen. Vance voting no. Sen. S. Sales and Sen. Vance voted by proxy. Sen. Fielder will carry the bill.

EXECUTIVE ACTION ON HJ 62

10:43:15 **Motion:** Sen. Fielder moved that **HJ 62 BE CONCURRED IN.**

Discussion:

10:43:34 Sen. Fielder

10:43:54 Chair Regier

10:44:15 Sen. Sands

10:44:22 **Vote:** Motion carried 7-3 by roll call vote with Sen. Hinebauch, Sen. S. Sales and Sen. Vance voting no. Sen. S. Sales and Sen. Vance voted by proxy. Sen. Esp will carry the bill.

EXECUTIVE ACTION ON HJ 52

10:45:09 **Motion:** Sen. Fielder moved that **HJ 52 BE CONCURRED IN.**

Discussion:

10:45:32 Sen. Fielder

10:46:17 Sen. Sands

10:46:54 **Vote:** Motion failed 5-5 by roll call vote with Sen. Bennett, Sen. Esp, Sen. Gross, Sen. MacDonald and Sen. Sands voting aye. Sen. S. Sales and Sen. Vance voted by proxy.

10:47:26 **Motion/Vote:** Sen. Fielder moved that **HJ 52 BE TABLED.** Motion carried unanimously by voice vote. Sen. S. Sales and Sen. Vance voted by proxy.

EXECUTIVE ACTION ON HJ 56

10:47:54 **Motion:** Sen. Fielder moved that **HJ 56 BE CONCURRED IN.**

Discussion:

10:48:08 Sen. Bennett

10:48:53 Chair Regier

10:49:44 Sen. MacDonald

10:50:20 Sen. Fielder

10:50:31 Sen. Sands

10:51:00 **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 and Sen. Vance voted by proxy. Sen. Bennett will carry the bill.

ADJOURNMENT

Adjournment: 10:51 AM

Noah Horan, Secretary

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Additional Documents:

EXHIBIT([jus85aad.pdf](#))