

MINUTES
MONTANA HOUSE OF REPRESENTATIVES
68th LEGISLATURE - REGULAR SESSION
COMMITTEE ON (H) JUDICIARY

Call to Order: Chair Rep. Amy Regier-R, on January 05, 2023 at 8:00 AM, in 137

ROLL CALL

Members Present: Rep. Amy Regier, Chair (R)
Rep. Laurie Bishop, Vice Chair (D)
Rep. Brandon Ler, Vice Chair (R)
Rep. Jennifer Carlson (R)
Rep. Lee Deming (R)
Rep. Neil Duram (R)
Rep. Jodee Etchart (R)
Rep. Tom France (D)
Rep. Donavon Hawk (D)
Rep. Caleb Hinkle (R)
Rep. Jedediah Hinkle (R)
Rep. SJ Howell (D)
Rep. Greg Kmetz (R)
Rep. Casey Knudsen (R)
Rep. Braxton Mitchell (R)
Rep. Wayne Rusk (R)
Rep. Lola Sheldon-Galloway (R)
Rep. Laura Smith (D)
Rep. Zooley Zephyr (D)

Staff Present: Jamie Van Valkenburg, Secretary
Rachel Weiss, Research Analyst

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 63 12/22/2022
HB 16 12/22/2022
HB 38 12/30/2022
HJ 1 12/22/2022

Executive Action:

HB 18 DO PASS

HB 77 DO PASS AS AMENDED
HB 78 DO PASS AS AMENDED

HEARING ON HB 38 - Generally revise theft laws to enumerate theft of a light vehicle

Opening Statement:

08:02:07 Rep. Greg Oblander (R), HD 40, opened the hearing on HB 38, Generally revise theft laws to enumerate theft of a light vehicle.

Proponent Testimony:

08:03:46 Scott Twito, Criminal Justice Oversight Counsel

08:07:49 Shelby DeMars, Montana Police Protection Association

08:09:39 Mike Linder, Montana Sheriffs and Peace Officers Association

Questions from Committee:

08:13:54 Rep. Neil Duram

08:13:57 Mike Linder, MSPOA

Opponent Testimony:

08:14:52 Keegan Medrano, American Civil Liberties Union of Montana

08:17:04 Jade Bahr, Montana Budget and Policy Center

08:20:05 Benny Lacayo, Self

08:21:56 Nicole Gomez, Montana Women Vote

Informational Witness Testimony:

08:25:43 Brian Smith, Office of the Public Defender

Questions from Committee:

08:26:17 Rep. Tom France

08:26:35 Brian Smith, OPD

08:27:41 Scott Twito, County Attorney

08:32:09 Rep. Lola Sheldon-Galloway

08:32:20 Brian Smith, OPD

08:32:29 Brian Smith, OPD

08:32:42 Rep. Lola Sheldon-Galloway
08:34:10 Rep. Neil Duram
08:35:25 Scott Twito, County Attorney
08:38:24 Rep. Casey Knudsen
08:38:39 Scot Twito, County Attorney
08:40:39 Rep. SJ Howell
08:40:53 Brian Smith, OPD
08:42:20 Rep. Jodee Etchart
08:43:06 Sponsor
08:44:49 Scott Twito, County Attorney

Closing Statement:

08:46:50 Rep. Greg Oblander (R), HD 40, closed the hearing on HB 38.

HEARING ON HB 63 - Generally revise liability laws related to armed forces and national guard

Opening Statement:

08:47:25 Rep. Scot Kerns (R), HD 23, opened the hearing on HB 63, Generally revise liability laws related to armed forces and national guard.

Proponent Testimony:

08:50:26 J. Peter Hronek, National Guard
08:51:19 Roger Hagan, Army National Guard
08:52:42 Kristen Juras, Lieutenant Governor

Opponent Testimony:

08:55:51 Al Smith, Montana Trail Lawyers Association

Informational Witness Testimony:

09:02:53 Todd Wayne, Montana National Guard

Questions from Committee:

09:06:36 Rep. Caleb Hinkle
09:07:06 Major Todd Wayne
09:08:09 Rep. Casey Knudsen
09:09:11 Kristen Juras, Lieutenant Governor

Closing Statement:

09:10:33 Rep. Scot Kerns (R), HD 23, closed the hearing on HB 63.

HEARING ON HJ 1 - Request interim study on missing youth

Opening Statement:

09:11:00 Rep. Lola Sheldon-Galloway (R), HD 22, opened the hearing on HJ 1, Request interim study on missing youth.

Proponent Testimony:

09:14:47 Dana Toole, Department of Justice
09:21:04 Jade Bahr, Montana Budget and Policy Center
09:22:15 Keegan Medrano, American Civil Liberties of Montana
09:23:00 Ellie Bundy, Montana Missing Indigenous Persons Task Force
09:25:12 Nicole Gomez, Montana Women Vote
09:26:02 Lauren Wilson, Montana Chapter American Academy of Pediatrics
09:21:35 Rep. Brandon Ler left the meeting.

Opponent Testimony:

None

Informational Witness Testimony:

02:26:18 Brian Frost, Department of Justice

Questions from Committee:

09:27:51 Rep. Jennifer Carlson

09:27:55 Brian Frost, DOJ
09:28:25 Rep. Laurie Bishop
09:28:29 Dana Toole, DOJ
09:30:05 Rep. Neil Duram
09:30:08 Dana Toole, DOJ
09:31:36 Rep. Jennifer Carlson
09:32:44 Dana Toole - Exhibit
09:32:50 Rep. Jedediah Hinkle
09:32:53 Dana Toole, DOJ
[EXHIBIT\(230105JUH1\)](#)
09:34:55 Rep. Laura Smith
09:35:00 Dana Toole, DOJ
09:36:11 Brian Frost, DOJ
09:36:37 Rep. Zooey Zephyr
09:36:43 Brian Frost, DOJ
09:38:19 Rep. Greg Kmetz
09:38:27 Brian Frost, DOJ
09:39:05 Rep. Lola Sheldon-Galloway
09:39:27 Rep. Greg Kmetz
09:39:34 Dana Toole, DOJ
09:40:59 Brian Frost, DOJ
09:41:27 Rep. Lee Deming
09:41:42 Dana Toole, DOJ
09:43:20 Rep. Tom France

09:44:10 Rachel Weiss

Closing Statement:

09:45:34 Rep. Lola Sheldon-Galloway (R), HD 22, closed the hearing on HJ 1.

HEARING ON HB 16 - Revise laws relating to child abuse and neglect proceedings

Opening Statement:

09:49:56 Rep. Jennifer Carlson (R), HD 69, opened the hearing on HB 16, Revise laws relating to child abuse and neglect proceedings.

Proponent Testimony:

09:56:58 Dennis Lenz, SD 53

10:00:30 John Larson, District 4th Judge

10:03:47 Nikki Grossberg, Public Defender Office

10:04:19 Heather Webster, Yellowstone County Attorney

10:13:37 Matt Furlong, President of the Montana Child Protection Alliance

10:15:19 Denise Johnson, Communications Director Montana Child Protection Alliance

10:18:38 Kelsie Harwood, Blaine County Attorney

Opponent Testimony:

10:22:29 Bruce Spencer, Montana Judges Association

Informational Witness Testimony:

10:26:25 Kelly Driscoll, Family Defense Attorney

10:28:03 Brian Smith, Office of Public Defender

Questions from Committee:

10:28:53 Rep. Laura Smith

10:28:56 Brian Smith, OPD

10:30:59 Rep. Lola Sheldon-Galloway

10:31:44 Brian Smith, OPD
10:32:39 Rep. Laurie Bishop
10:33:48 Heather Webster, YCA
10:42:30 Rep. Casey Knudsen
10:42:51 Rep. Jennifer Carlson-R
10:43:26 Rep. Jedediah Hinkle
10:44:03 Rep. Jennifer Carlson-R
10:45:29 Rep. Laura Smith
10:45:36 Heather Webster, YCA

Closing Statement:

10:49:12 Rep. Jennifer Carlson (R), HD 69, closed the hearing on HB 16.
10:57:15 **Recessed**
11:15:30 **Reconvened**

EXECUTIVE ACTION ON HB 18 - Establish missing persons response team training grant program

11:15:37 **Motion:** Rep. Laurie Bishop moved that **HB 18 DO PASS.**

Discussion:

11:16:18 Rep. Brandon Ler
11:16:26 Rachel Weiss
11:16:30 Rep. Neil Duram
11:16:53 Rep. Lola Sheldon-Galloway
11:17:35 Rep. Jennifer Carlson
11:18:29 Rep. Laura Smith
11:19:02 Rep. Donavon Hawk

Vote: Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 77 - Revise laws related to public safety officer appointing authorities

11:19:36 **Motion:** Rep. Laurie Bishop moved that **HB 77 DO PASS.**

Discussion:

11:19:51 Rep. Brandon Ler

11:19:52 Rachel Weiss

11:20:22 Rep. Zooley Zephyr

Vote: Motion carried unanimously by voice vote.

11:20:37 **Motion:** Rep. Laurie Bishop moved that **HB 77 BE AMENDED.**

Discussion:

11:21:37 Rachel Weiss

11:21:49 Rep. Zooley Zephyr

11:23:05 Rep. Neil Duram

11:23:43 Rep. Jedediah Hinkle

Vote: Motion failed 12 - 7 by voice vote with Rep. Bishop, Rep. Carlson, Rep. Duram, Rep. Hawk, Rep. Howell, Rep. Smith, Rep. Zephyr, voting yes.

11:25:08 **Motion:** Rep. Laurie Bishop moved that **HB 77 BE AMENDED.**

Discussion:

11:28:13 Rep. Lola Sheldon-Galloway

11:28:44 Rep. Neil Duram

11:29:32 Rep. Lola Sheldon-Galloway

Vote: Motion carried unanimously by roll call vote.

11:30:08 **Motion:** Rep. Laurie Bishop moved that **HB 77 DO PASS AS AMENDED.**

Vote: Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 78 - Revise laws related to public safety officer appointing authorities

11:30:42 **Motion:** Rep. Laurie Bishop moved that **HB 78 DO PASS.**

Discussion:

11:31:03 Rachel Weiss

11:31:39 Rep. Casey Knudsen

11:32:10 **Motion:** Rep. Laurie Bishop moved that **HB 78 BE AMENDED.**

Discussion:

11:32:23 Rep. Casey Knudsen

11:32:39 Rep. Jennifer Carlson

11:33:16 Rep. Laura Smith

Vote: Motion carried unanimously by voice vote.

11:34:56 **Motion:** Rep. Laurie Bishop moved that **HB 78 BE AMENDED.**

Discussion:

11:35:09 Rep. Lola Sheldon-Galloway

Vote: Motion carried unanimously by voice vote.

11:35:58 **Motion:** Rep. Laurie Bishop moved that **HB 78 DO PASS AS AMENDED.**

Vote: Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 11:40:46

Jamie Van Valkenburg, Secretary

Additional Documents: [EXHIBIT\(230105JUHaad\)](#)