

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

Call to Order: Chair Rep. Amy Regier-R, on January 19, 2023 at 8:33 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. Jedediah Hinkle (R)
Rep. Caleb Hinkle (R)
Rep. SJ Howell (D)
Rep. Casey Knudsen (R)
Rep. Braxton Mitchell (R)
Rep. Wayne Rusk (R)
Rep. Laura Smith (D)
Rep. Zooey Zephyr (D)

Members Excused: Rep. Greg Kmetz (R)
Rep. Lola Sheldon-Galloway (R)

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 239 01/16/2023

HB 234 01/13/2023

HB 236 01/13/2023

Executive Action:

HB 37 DO PASS AS AMENDED

HB 112 DO PASS AS AMENDED
HB 161 DO PASS AS AMENDED

HEARING ON HB 239 - Revise who may serve as a judge pro tempore in justice's courts

Opening Statement:

08:32:17 Rep. Brandon Ler (R), HD 35, opened the hearing on HB 239, Revise who may serve as a judge pro tempore in justice's courts.

Proponent Testimony:

08:34:08 Rebecca Meyers, Montana Magistrates Association

08:34:24 Karen Alley, Montana Association of Counties

08:35:01 Audrey Barger, Montana Magistrates Association (MMA)

Opponent Testimony:

None

Questions from Committee:

08:36:54 Rep. Jennifer Carlson

08:37:47 Rep. Brandon Ler-R

08:37:56 Rep. Laura Smith

08:38:26 Rebecca Meyers, MMA

08:38:38 Audrey Barger, MMA

08:39:50 Rep. Laura Smith

08:40:04 Audrey Barger, MMA

Closing Statement:

08:40:42 Rep. Brandon Ler (R), HD 35, closed the hearing on HB 239.

HEARING ON HB 236 - Generally revise public safety agency and public safety answering point laws

Opening Statement:

08:41:09 Rep. Paul Green (R), HD 41, opened the hearing on HB 236, Generally revise public safety agency and public safety answering point laws.

Proponent Testimony:

08:42:16 Jordan Knudsen, Hardin City Attorney

Opponent Testimony:

08:46:21 Tim Martendale, Gallatin County, Association of Public-Safety
Communications Officials (APCO), National Emergency Number
Association (NENA)

08:48:00 Nanette Gilbertson, Montana Sheriff and Peace Officers Association
(MSPOA)

08:49:50 Karen Alley, Montana Association of Counties

Questions from Committee:

08:51:06 Rep. Donavon Hawk

08:52:02 Jordan Knudsen, HCA

08:52:40 Rep. Laura Smith

08:53:13 Jordan Knudsen, HCA

08:55:29 Rep. Neil Duram

08:56:04 Tim Martindale, APCO, NENA

08:57:52 Rep. Jennifer Carlson

08:58:41 Tim Martindale, APCO, NENA

09:00:41 Rep. Tom France

09:01:18 Tim Martindale, APCO, NENA

09:01:52 Rep. Jennifer Carlson

09:03:22 Nanette Gilbertson, MSPOA

09:03:45 Rep. Tom France

09:03:47 Rep. Laura Smith

09:05:04 Jordan Knudsen, HCA

09:06:47 Rep. Jennifer Carlson

09:07:40 Tim Martindale, HCA
09:08:30 Rep. Neil Duram
09:09:12 Jordan Knudsen, HCA

Closing Statement:

09:09:56 Rep. Paul Green (R), HD 41, closed the hearing on HB 236.

HEARING ON HB 234 - Revise dissemination of obscene material to minors laws

Opening Statement:

09:11:36 Rep. Bob Phalen (R), HD 36, opened the hearing on HB 234, Revise dissemination of obscene material to minors laws.

Proponent Testimony:

09:13:12 Darin Gaub, Restore Liberty
09:14:07 Arntzen Elsie, Self
09:14:49 Jeff Laszloffy, Montana Family Foundation
09:17:04 Heather Higgs, Self
09:19:44 Donna Elford, Self
09:21:41 Ruth Rater, Self
09:23:31 Jessie Browning, Self
09:26:10 Alba Pimentel, Self
09:28:27 Bart Crabtree, Self
09:29:27 Cheryl Tusken, Self
09:31:33 Johanna Kennedy, Self
09:33:59 Jill Guthery, Self

Opponent Testimony:

09:34:16 Sam Forstag, Montana Libraries Association

09:36:20 Robert Filipovoch, Self
09:38:38 Suzie McIntyre, Great Falls Public Library
09:41:05 Sarah Piper, Federation of Public Employees
09:43:01 Keegan Medrano, American Civil Liberties Union (ACLU)
09:45:38 Jenny Murnane- Butcher, Montanans Organized for Education
09:47:04 SK Rossi, City of Bozeman
09:48:53 Pat Mischel, Self
09:51:13 Matt Lautzenheiser, Self
09:53:30 Stephen Underwood, Self
09:55:08 Mitch Grady, Livingston County Public Library
09:57:31 Sheila Elwin, Self
09:59:44 Whitney Olson, Great Falls Public Library
10:00:21 Kelly Reisig, Self
10:02:59 Cherilyn Devries, Self
10:05:35 Amy Zanoni, Self
10:07:20 Jack Longbine, Self
10:13:26 David Ingram, MD, Self

Questions from Committee:

10:13:56 Rep. Donavon Hawk
10:14:01 Rep. Bob Phalen-R
10:14:20 Rep. Jedediah Hinkle
10:16:04 Keegan Medrano (ACLU)
10:17:56 Rep. Jedediah Hinkle
10:19:11 SK Rossi

10:20:26	Rep. Neil Duram
10:20:59	Keegan Medrano (ACLU)
10:23:55	Rep. Neil Duram
10:24:22	SK Rossi
10:24:32	Rep. Jennifer Carlson
10:24:45	Sarah Piper, Livingston City Libraries
10:29:10	Rep. Lola Sheldon-Galloway
10:29:22	Sarah Piper, Livingston City Libraries
10:32:23	Rep. Lola Sheldon-Galloway
10:32:45	Suzie McIntire
10:36:31	Rep. SJ Howell
10:36:54	Suzie McIntire
10:40:32	Rep. Zooey Zephyr
10:40:41	Sam Forstag
10:43:21	Rep. Braxton Mitchell
10:43:48	Suzie McIntire
10:45:43	Rep. Braxton Mitchell
10:45:46	Amy Zaroni, Self
10:47:09	Rep. Neil Duram
10:48:28	Suzie McIntire
10:49:24	Rep. Jedediah Hinkle
10:51:17	Jack Longbine
10:55:02	Rep. Laurie Bishop
10:56:35	Sam Forstag

10:59:14 Rep. Wayne Rusk
11:00:16 Rep. Bob Phalen-R
11:00:34 Rep. Neil Duram
11:02:06 Rep. Bob Phalen-R

Closing Statement:

11:02:27 Rep. Bob Phalen (R), HD 36, closed the hearing on HB 234.
11:04:10 **Recessed**
11:20:17 **Reconvened**

EXECUTIVE ACTION ON HB 37 - Generally revise child abuse and neglect laws

11:20:31 **Motion:** Rep. Brandon Ler moved that **HB 37 DO PASS.**

Discussion:

11:21:18 Rep. Jennifer Carlson
11:21:46 **Motion:** Rep. Jennifer Carlson moved that **HB 37 BE AMENDED.**

Discussion:

11:22:06 Rep. Jennifer Carlson
11:22:14 Rep. Laura Smith
11:22:47 Rep. Caleb Hinkle
Vote: Motion carried unanimously by voice vote.

11:23:14 **Motion:** Rep. Brandon Ler moved that **HB 37 DO PASS AS AMENDED.**

Discussion:

11:23:23 Rep. SJ Howell
11:23:31 **Motion:** Rep. SJ Howell moved that **HB 37 BE AMENDED.**

Discussion:

11:23:42 Rep. SJ Howell
11:24:02 Rep. Neil Duram
11:24:23 Rep. Donavon Hawk

11:24:48 Rep. Caleb Hinkle

11:25:17 Rep. Laura Smith

11:26:07 Rep. Tom France

11:26:52 Rep. Lola Sheldon-Galloway

Vote: Motion carried 15 - 4 by roll call vote with Rep. Carlson, Rep. Hinkle, Rep. Hinkle, Rep. Mitchell, voting no.

11:29:17 **Motion:** Rep. Brandon Ler moved that **HB 37 DO PASS AS AMENDED.**

11:29:24 **Motion:** Rep. Laurie Bishop moved that **HB 37 BE AMENDED.**

Discussion:

11:29:33 Rep. Laurie Bishop

11:30:40 Rep. Brandon Ler

11:30:56 Rep. Tom France

11:32:57 Rep. Lola Sheldon-Galloway

11:34:00 Rep. Jedediah Hinkle

11:34:10 Rep. Tom France

11:35:14 Rep. Zoey Zephyr

Vote: Motion carried 12-7 by roll call vote with Rep. Carlson, Rep. Duram, Rep. Kmetz, Rep. Knudsen, Rep. Ler, Rep. Mitchell, Rep. Sheldon-Galloway, voting no.

11:37:33 **Motion:** Rep. Brandon Ler moved that **HB 37 DO PASS AS AMENDED.**

11:37:45 **Motion:** Rep. Laurie Bishop moved that **HB 37 BE AMENDED.**

Discussion:

11:37:58 Rep. Laurie Bishop

11:39:15 Rep. Donavon Hawk

Vote: Motion carried 17 - 2 by voice vote with Rep. Duram, Rep. Mitchell, voting no.

11:40:02 **Motion:** Rep. Brandon Ler moved that **HB 37 DO PASS AS AMENDED.**

11:40:15 **Motion:** Rep. Jennifer Carlson moved that **HB 37 BE AMENDED.**

Discussion:

11:40:33 Rep. Jennifer Carlson

11:41:12 Rep. Neil Duram

11:41:55 Rep. Donavon Hawk

Vote: Motion carried unanimously by voice vote.

11:42:27 **Motion:** Rep. Brandon Ler moved that **HB 37 DO PASS AS AMENDED.**

Discussion:

11:42:40 Rep. Jennifer Carlson

11:44:03 Rep. Donavon Hawk

11:44:38 Rep. Laurie Bishop

Vote: Motion carried 18 - 1 by voice vote with Rep. Knudsen, voting no.

EXECUTIVE ACTION ON HB 112 - Generally revise human trafficking laws

11:47:06 **Motion:** Rep. Brandon Ler moved that **HB 112 DO PASS.**

Discussion:

11:47:17 Rachel Weiss

11:47:06 **Motion:** Rep. Casey Knudsen moved that **HB 112 BE AMENDED.**

Discussion:

11:47:18 Rep. Casey Knudsen

11:48:33 Rep. Neil Duram

Vote: Motion carried 18 - 1 by voice vote with Rep. Carlson, voting no.

11:49:18 **Motion:** Rep. Brandon Ler moved that **HB 112 BE AMENDED.**

Discussion:

11:49:43 Rachel Weiss

Vote: Motion carried unanimously by voice vote.

11:51:12 **Motion:** Rep. Brandon Ler moved that **HB 112 DO PASS AS AMENDED.**

Vote: Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 161 - Generally revise computer crime laws

11:52:05 **Motion:** Rep. Brandon Ler moved that **HB 161 DO PASS.**

11:52:22 **Motion:** Rep. Casey Knudsen moved that **HB 161 BE AMENDED.**

Discussion:

11:52:50 Rep. Casey Knudsen

Vote: Motion carried unanimously by voice vote.

11:53:51 **Motion:** Rep. Brandon Ler moved that **HB 161 DO PASS AS AMENDED.**

11:54:31 **Motion:** Rep. Casey Knudsen moved that **HB 161 BE AMENDED.**

Discussion:

11:54:41 Rep. Casey Knudsen

11:55:14 Rep. Donavon Hawk

11:55:16 Rep. Casey Knudsen

11:55:19 Rep. Laura Smith

11:56:26 Rep. Casey Knudsen

Vote: Motion carried 18 - 1 by voice vote with Rep. Smith, voting no.

11:57:02 **Motion:** Rep. Brandon Ler moved that **HB 161 DO PASS AS AMENDED.**

Vote: Motion carried unanimously by roll call vote.

ADJOURNMENT

Adjournment: 11:59:00

Jamie Van Valkenburg, Secretary

Additional Documents: [EXHIBIT\(230119JUHaad\)](#)