

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

Call to Order: Chair Rep. Amy Regier-R, on January 20, 2023 at 8:03 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. 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)

Members Excused: Rep. Jedediah Hinkle (R)

Staff Present: Jamie Van Valkenburg, Secretary
Maddie Krezowski, 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 228 01/16/2023

HB 237 01/13/2023

HB 256 01/17/2023

Executive Action:

HB 163 DO PASS

HB 204 TO TABLE
HB 213 DO PASS AS AMENDED
HB 233 TO TABLE
HB 239 DO PASS

HEARING ON HB 228 - Generally revise public investment laws

Opening Statement:

08:05:01 Rep. Terry Moore (R), HD 54, opened the hearing on HB 228, Generally revise public investment laws.

Proponent Testimony:

08:11:40 Glenn Oppel, Governor's Office (GOV)

08:12:47 Peggy Trenk, Treasure State Resource Association

08:13:55 Alan Olson, Montana Petroleum Association

08:14:28 Frank Cote, Commissioner of Security Insurance

[EXHIBIT\(230120JUH1\)](#)

08:16:16 Dan Vella, Montana Board of Investments

08:16:27 Eric Bledsoe, Foundation of Government Accountability

Opponent Testimony:

08:21:09 Derf Johnson, Montana Environmental Information Center

[EXHIBIT\(230120JUH2\)](#)

Questions from Committee:

08:25:58 Rep. Tom France

08:26:39 Rep. Terry Moore-R

08:30:19 Rep. Neil Duram

08:30:58 Glenn Oppel (GOV)

Closing Statement:

08:31:44 Rep. Terry Moore (R), HD 54, closed the hearing on HB 228.

HEARING ON HB 237 - Generally revise dissolution law in cases of adultery and physical abuse

Opening Statement:

08:34:47 Rep. Bob Phalen (R), HD 36, opened the hearing on HB 237, Generally revise dissolution law in cases of adultery and physical abuse.

Proponent Testimony:

08:37:11 Loy Chvilicek, Self

08:38:58 Ty Kuehn, Self

Opponent Testimony:

08:41:58 Ben Halverson, City of Billings

08:47:01 Robin Turner, Montana Coalition Against Domestic and Sexual Violence

08:53:12 Emily Lucas, Ries Law Group

Questions from Committee:

09:00:05 Rep. Neil Duram

09:00:50 Ben Halverson, City of Billings

09:01:54 Rep. Laura Smith

09:02:19 Rep. Bob Phalen-R

09:02:29 Rep. Neil Duram

09:03:05 Robin Turner, MCDSV

09:04:49 Rep. Laurie Bishop

09:05:19 Emily Lucas, Reis Law Group

09:06:52 Rep. SJ Howell

09:08:39 Robin Turner, MCDSV

09:10:21 Rep. Neil Duram

09:10:46 Rep. Bob Phalen-R

09:13:20 Rep. Laurie Bishop

09:14:38 Robin Turner, MCADSV

Closing Statement:

09:16:37 Rep. Bob Phalen (R), HD 36, closed the hearing on HB 237.

HEARING ON HB 256 - Expand when auxiliary officers may carry weapons

Opening Statement:

09:17:54 Rep. Courtenay Sprunger (R), HD 7, opened the hearing on HB 256, Expand when auxiliary officers may carry weapons.

Proponent Testimony:

09:19:03 Brian Heino, Flathead County Sheriff

09:20:08 Greg Murphy, Flathead Sheriffs Posse

09:21:28 Craig Lambrack, Posse

09:22:29 Brian Thompson, Montana Sheriff and Peace Officers Association

Questions from Committee:

09:24:43 Rep. Jennifer Carlson

09:25:32 Brian Thompson

09:27:24 Rep. Casey Knudsen

09:28:40 Brian Thompson

09:29:53 Rep. Braxton Mitchell

09:30:19 Brian Thompson

09:30:30 Brian Heino

09:30:50 Rep. Laura Smith

09:31:17 Brian Thompson

09:32:27 Brian Heino, Sheriff

09:34:08 Rep. Tom France
09:34:51 Brian Thompson
09:36:45 Rep. SJ Howell
09:37:25 Brian Thompson
09:37:38 Sheriff Brian Hayno
09:38:07 Rep. Tom France
09:39:06 Brian Thompson
09:40:25 Rep. Jodee Etchart
09:40:54 Brian Heino, Sheriff

Closing Statement:

09:42:11 Rep. Courtenay Sprunger (R), HD 7, closed the hearing on HB 256.
09:43:15 **Recessed**
10:06:09 **Reconvened**

EXECUTIVE ACTION ON HB 163 - Revise and extend Missing Indigenous Persons Task Force

10:06:18 **Motion:** Rep. Brandon Ler moved that **HB 163 DO PASS.**

Discussion:

10:06:30 Maddie Krezowski
10:06:54 Rep. Lola Sheldon-Galloway

Vote: Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 204 - Providing for a cause of action for alienation of affection

10:07:43 **Motion:** Rep. Brandon Ler moved that **HB 204 DO PASS.**

Discussion:

10:08:13 Maddie Krezowski

10:08:46 **Motion:** Rep. Brandon Ler moved that **HB 204 BE AMENDED.**

Discussion:

10:08:53 Maddie Krezowski

10:09:06 Rep. Laurie Bishop

Vote: Motion failed 11 - 8 by voice vote with Rep. Etchart, Rep. Hinkle, Rep. Hinkle, Rep. Kmetz, Rep. Ler, Rep. Mitchell, Rep. Regier, Rep. Sheldon-Galloway, voting yes.
Rep. Hinkle, By Proxy

10:10:59 **Motion:** Rep. Brandon Ler moved that **HB 204 DO PASS.**

Vote: Motion failed 12 - 7 by roll call vote with Rep. Duram, Rep. Hinkle, Rep. Hinkle, Rep. Kmetz, Rep. Ler, Rep. Mitchell, Rep. Sheldon-Galloway, voting yes.
Rep. Hinkle, By Proxy

10:12:31 **Motion:** Rep. Brandon Ler moved that **HB 204 TO TABLE.**

Vote: Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 213 - Provide certificate of nonviable birth

10:12:47 **Motion:** Rep. Brandon Ler moved that **HB 213 DO PASS.**

Discussion:

10:12:54 Maddie Krezowski

10:13:13 **Motion:** Rep. Braxton Mitchell moved that **HB 213 BE AMENDED.**

Discussion:

10:14:11 Rep. Braxton Mitchell

Vote: Motion carried unanimously by voice vote.

10:14:50 **Motion:** Rep. Laura Smith moved that **HB 213 BE AMENDED.**

Discussion:

10:15:41 Maddie Krezowski

10:15:55 Rep. Laura Smith

Vote: Motion failed 11 - 8 by roll call vote with Rep. Bishop, Rep. France, Rep. Hawk, Rep. Howell, Rep. Knudsen, Rep. Rusk, Rep. Smith, Rep.

Zephyr, voting yes.
Rep. France, By Proxy

10:18:15 **Motion:** Rep. Laura Smith moved that **HB 213 BE AMENDED.**

Discussion:

10:19:08 Maddie Krezowski

10:19:22 Rep. Laura Smith

10:19:23 Rep. Braxton Mitchell

Vote: Motion carried unanimously by voice vote.

10:19:49 **Motion:** Rep. Brandon Ler moved that **HB 213 DO PASS AS AMENDED.**

Discussion:

10:20:12 Rep. Neil Duram

10:20:33 Rep. Amy Regier

Vote: Motion carried 12 - 7 by roll call vote with Rep. Carlson, Rep. Duram, Rep. France, Rep. Howell, Rep. Rusk, Rep. Smith, Rep. Zephyr, voting no.

EXECUTIVE ACTION ON HB 233 - Require the refund of residential lease application fees

10:21:54 **Motion:** Rep. Brandon Ler moved that **HB 233 DO PASS.**

Discussion:

10:22:14 Rep. Lola Sheldon-Galloway

10:23:58 Rep. Donavon Hawk

10:24:51 Rep. Casey Knudsen

10:25:35 Rep. SJ Howell

10:27:34 Rep. Jennifer Carlson

10:29:36 Rep. Neil Duram

10:30:17 Rep. Zoey Zephyr

Vote: Motion failed 11 - 8 by roll call vote with Rep. Bishop, Rep. Duram, Rep. France, Rep. Hawk, Rep. Howell, Rep. Kmetz, Rep. Smith, Rep. Zephyr, voting yes.

10:48:30 **Motion:** Rep. Brandon Ler moved that **HB 233 BE TABLED.**

Vote: Motion carried unanimously by voice vote.

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

10:35:54 **Motion:** Rep. Brandon Ler moved that **HB 239 DO PASS.**

Discussion:

Rep. Brandon Ler

Rep. Laura Smith

Vote: Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 10:38:22

Jamie Van Valkenburg, Secretary

Additional Documents: [EXHIBIT\(230120JUHaad\)](#)