

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

Call to Order: Chair Amy Regier-R, on February 07, 2023 at 8:01 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. Kim Abbott (D)
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. Zooey Zephyr (D)

Members Excused: Rep. Laura Smith (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 322 01/27/2023

HB 373 02/03/2023

Executive Action:

HB 296 DO PASS
HB 330 POSTPONED
CONSIDERATION
HB 308 TO TABLE
HB 340 TO TABLE
HB 354 TO TABLE
HB 362 DO PASS

HEARING ON HB 322 - Generally revise laws related to standing masters

Opening Statement:

08:02:46 Rep. Caleb Hinkle (R), HD 68, opened the hearing on HB 322, Generally revise laws related to standing masters.

Proponent Testimony:

08:03:37 Elizabeth Peterson, Self
08:08:22 Michelle Rebecca, Self
08:11:14 Jennifer Brick, Self
08:15:47 Jeffery Hamling, DDS, Self
08:20:52 Hannah Johnson, Self
08:25:19 Bart Crabtree, Montana Citizens Counsel on Judicial Accountability
08:25:58 Paul Johnson, Self
08:29:50 Sam Azizi, Self
08:31:42 Terry Schaplow, Self
08:39:25 Mike Roadarmel, Self
08:43:49 Denise Johnson, Montana Child Protection Alliance
08:45:50 Bob Leach, Self
08:47:42 Wendy Chaussee, Self
08:52:18 Jody Wilson-Palmer, Self

Opponent Testimony:

08:58:31 Bruce Spencer, Montana Judges Association (MJA)
[EXHIBIT\(230207JUHa1\)](#)
09:10:48 Judge John Larson, Judicial District 3
[EXHIBIT\(230207JUHa2\)](#)
09:17:19 Gail Bourguignon, Self

09:25:21 Rod Souza, Self
09:33:24 Jerry O'Neil, Self
09:36:20 Laurie Grygiel, Self

Informational Witness Testimony:

09:42:01 Audrey Walleser-Martin, Self

Questions from Committee:

09:42:50 Rep. Zooey Zephyr
09:43:33 Bruce Spencer (MJA)
09:44:00 Rep. Jedediah Hinkle
09:45:06 Bruce Spencer (MJA)
09:46:30 Rep. Jedediah Hinkle
09:47:25 Judge John Larson
09:49:02 Rep. Jedediah Hinkle
09:49:11 Audrey Walleser-Martin
09:49:41 Rep. Lola Sheldon-Galloway
09:50:41 Bruce Spencer (MJA)
09:52:46 Rep. Tom France
09:53:09 Judge John Larson
09:56:27 Rep. Lola Sheldon-Galloway
09:58:05 Elizabeth Peterson, Self
10:00:51 Rep. Jedediah Hinkle
10:01:57 Terry Schaplow
10:07:54 Rep. Jedediah Hinkle
10:08:41 Terry Schaplow
10:11:22 Vice Chair Laurie Bishop

10:11:59 Rep. Caleb Hinkle-R
10:12:15 Vice Chair Laurie Bishop
10:12:47 Terry Schaplow
10:15:54 Rep. Neil Duram
10:16:09 Judge John Larson

Closing Statement:

10:20:26 Rep. Caleb Hinkle (R), HD 68, closed the hearing on HB 322.

HEARING ON HB 373 - Revise laws relating to unlawful transactions with children

Opening Statement:

10:22:53 Rep. Ron Marshall (R), HD 87, opened the hearing on HB 373, Revise laws relating to unlawful transactions with children.

Proponent Testimony:

10:26:48 Jean Branscum, Montana Medical Association (MMA)
10:27:44 Beth Morrison, Self
10:31:39 Curtis Bailey, Self

Opponent Testimony:

None

Informational Witness Testimony:

10:30:07 Kristen Barbour, Cannabis Control Division (CCD)
10:30:21 Ian Foley, Department of Agriculture (MDA)

Questions from Committee:

10:34:55 Rep. Jennifer Carlson
10:34:58 Kristen Barbour (CCD)
10:35:13 Ian Foley (DOA)

10:36:04 Rep. Jennifer Carlson
10:36:26 Ian Foley (MDA)
10:37:15 Rep. Ron Marshall-R
10:38:35 Rep. Jennifer Carlson
10:38:54 Rep. Ron Marshall-R
10:40:04 Rep. Zooey Zephyr
10:40:36 Rep. Ron Marshall-R
10:41:36 Rep. Zooey Zephyr
10:42:07 Jean Branscum (MMA)
10:42:54 Rep. Greg Kmetz
10:43:17 Rep. Ron Marshall-R
10:44:06 Rep. Greg Kmetz
10:44:09 Rep. Ron Marshall-R

Closing Statement:

10:44:21 Rep. Ron Marshall (R), HD 87, closed the hearing on HB 373.
10:44:56 **Recessed**
11:21:13 **Reconvened**

EXECUTIVE ACTION ON HB 296 - Revising laws relating to real estate transaction disclosures

11:21:18 **Motion:** Vice Chair Brandon Ler moved that **HB 296 DO PASS.**

Discussion:

11:21:26 Rachel Weiss
11:21:52 Rep. Neil Duram
11:22:20 Rep. Lola Sheldon-Galloway
11:23:03 Rep. Casey Knudsen

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

EXECUTIVE ACTION ON HB 330 - Revise laws related to tribal DUI task forces

11:27:12 **Motion:** Vice Chair Brandon Ler moved that **HB 330 DO PASS.**

11:27:23 **Motion:** Vice Chair Brandon Ler moved that **HB 330 BE AMENDED.**

Discussion:

11:27:29 Rachel Weiss

11:28:23 Rep. Neil Duram

11:29:57 Rachel Weiss

11:30:27 Rep. Jennifer Carlson

11:30:49 Rep. Casey Knudsen

11:31:08 Rep. Jedediah Hinkle

11:31:25 Rachel Weiss

11:31:40 Rep. Tom France

11:32:24 Vice Chair Laurie Bishop

11:33:59 Rep. Casey Knudsen

11:34:33 Rep. Neil Duram

Vote: Motion carried unanimously by voice vote.

11:35:32 **Motion:** Vice Chair Brandon Ler moved that **HB 330 POSTPONED CONSIDERATION.**

EXECUTIVE ACTION ON HB 308 - Establish registry of forensic state hospital patients for limited purposes

11:27:32 **Motion:** Vice Chair Brandon Ler moved that **HB 308 TO TABLE.**

Vote: Motion carried 17 - 2 by roll call vote with Rep. Duram, Rep. Hinkle, voting no.

EXECUTIVE ACTION ON HB 340 - Require child support cooperation for food stamp eligibility

11:35:58 **Motion:** Vice Chair Brandon Ler moved that **HB 340 DO PASS.**

Discussion:

11:36:06 Rachel Weiss

11:36:13 **Motion:** Vice Chair Brandon Ler moved that **HB 340 BE AMENDED.**

Vote: Motion carried unanimously by voice vote.

11:37:22 **Motion:** Vice Chair Brandon Ler moved that **HB 340 DO PASS AS AMENDED.**

Discussion:

11:37:36 Rep. SJ Howell

11:40:31 Rep. Jennifer Carlson

11:42:25 Rep. Tom France

Vote: Motion failed 11 - 8 by roll call vote with Rep. Carlson, Rep. Deming, Rep. Hinkle, Rep. Hinkle, Rep. Kmetz, Rep. Ler, Rep. Mitchell, Rep. Regier, voting yes.

11:45:12 **Motion:** Vice Chair Brandon Ler moved that **HB 340 TO TABLE.**

Vote: Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 354 - Revise exemption from prohibition on discrimination based on vaccine status

11:45:30 **Motion:** Vice Chair Brandon Ler moved that **HB 354 DO PASS.**

Discussion:

11:45:36 Rachel Weiss

11:45:58 Vice Chair Laurie Bishop

11:47:39 Rep. Zooey Zephyr

11:48:27 Rep. Donavon Hawk

11:48:49 Rep. Jennifer Carlson

11:50:40 Rep. Jedediah Hinkle

11:52:32 Rep. Zooey Zephyr

Vote: Motion failed 13 - 6 by roll call vote with Rep. Bishop, Rep. France, Rep. Hawk, Rep. Howell, Rep. Smith, Rep. Zephyr, voting yes.

11:55:08 **Motion:** Vice Chair Brandon Ler moved that **HB 354 TO TABLE.**

Vote: Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 362 - Revise laws related to the crisis intervention team training program

11:55:43 **Motion:** Vice Chair Brandon Ler moved that **HB 362 DO PASS.**

Discussion:

11:55:54 Rachel Weiss

11:55:57 Rep. Laura Smith

11:56:00 Rep. Neil Duram

11:56:19 Rep. Zooley Zephyr

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

ADJOURNMENT

Adjournment: 11:57:37

Jamie Van Valkenburg, Secretary

Additional Documents: [EXHIBIT\(230207JUHaad\)](#)