

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

Call to Order: Chair Amy Regier-R, on February 21, 2023 at 8:04 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. Lee Deming (R)
Rep. Neil Duram (R)
Rep. Jodee Etchart (R)
Rep. Tom France (D)
Rep. Donavon Hawk (D)
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. Zooey Zephyr (D)

Members Excused: Rep. Kim Abbott (D)
Rep. Jennifer Carlson (R)
Rep. Caleb Hinkle (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 500 02/14/2023
HB 512 02/14/2023
HB 518 02/16/2023
HB 525 02/16/2023

HB 532 02/16/2023
HB 571 02/16/2023
HB 595 02/16/2023

Executive Action:

HB 373 DO PASS AS AMENDED
HB 426 DO PASS AS AMENDED
HB 452 DO PASS
HB 480 DO PASS
HB 488 DO PASS
HB 500 TO TABLE
HB 532 TO TABLE

HEARING ON HB 571 - Revise statute of limitations laws relating to real property

Opening Statement:

08:05:13 Rep. Kerri Seekins-Crowe (R), HD 43, opened the hearing on HB 571, Revise statute of limitations laws relating to real property.

Proponent Testimony:

08:07:00 Sheridan Johnson, Montana Chamber of Commerce (MCC)

08:09:47 Brian Thompson, Montana Chamber of Commerce (MCC)

08:10:11 Cory Shaw, Montana Building Industry Association

08:10:28 Rep. Jedediah Hinkle left the meeting.

Opponent Testimony:

None

Questions from Committee:

08:11:17 Rep. Tom France

08:11:39 Rep. Kerri Seekins-Crowe-R

08:11:45 Brian Thompson (MCC)

08:12:38 Rep. Laura Smith

08:13:04 Rep. Kerri Seekins-Crowe-R

08:13:17 Brian Thompson (MCC)

08:13:40 Rep. Laura Smith

Closing Statement:

08:14:42 Rep. Kerri Seekins-Crowe (R), HD 43, closed the hearing on HB 571.

HEARING ON HB 500 - Eliminating youth court fees, costs, and certain fines and financial obligations

Opening Statement:

08:15:20 Rep. Kerri Seekins-Crowe (R), HD 43, opened the hearing on HB 500, Eliminating youth court fees, costs, and certain fines and financial obligations.

Proponent Testimony:

08:19:11 Michelle Lyday, Avitium Partners

08:21:36 Nicole Gomez, Montana Women Vote, (MWV)

08:23:26 Maggie Bornstein, American Civil Liberties Union, (ACLU)

Opponent Testimony:

None

Informational Witness Testimony:

08:24:50 Tom Billteen, Judicial Office Court Administration

Questions from Committee:

08:25:13 Rep. Laura Smith

08:25:26 Michelle Lyday

08:26:20 Vice Chair Brandon Ler

08:26:43 Rep. Kerri Seekins-Crowe-R

08:27:44 Rep. Jedediah Hinkle

08:28:24 Michelle Lyday

Closing Statement:

08:29:12 Rep. Kerri Seekins-Crowe (R), HD 43, closed the hearing on HB 500.

HEARING ON HB 518 - Authorize standing for legislature to bring lawsuit

Opening Statement:

08:32:00 Rep. Bill Mercer (R), HD 46, opened the hearing on HB 518, Authorize standing for legislature to bring lawsuit.

Discussion:

[EXHIBIT\(230221JUHa1\)](#)

[EXHIBIT\(230221JUHa2\)](#)

Proponent Testimony:

None

Informational Witness Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

08:40:25	Rep. Tom France
08:41:28	Rep. Bill Mercer-R
08:47:55	Rep. Neil Duram
08:49:13	Rep. Bill Mercer-R
08:51:45	Vice Chair Laurie Bishop
08:55:03	Rep. Bill Mercer-R
08:55:42	Vice Chair Laurie Bishop
08:56:00	Rep. Bill Mercer-R
08:58:02	Rep. Neil Duram
08:58:57	Rep. Bill Mercer-R

Closing Statement:

08:59:13 Rep. Bill Mercer (R), HD 46, closed the hearing on HB 518.

HEARING ON HB 512 - Authorize legislator intervention in lawsuits

Opening Statement:

09:02:24 Rep. Bill Mercer (R), HD 46, opened the hearing on HB 512, Authorize legislator intervention in lawsuits.

Proponent Testimony:

None

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

09:05:50 Rep. Lee Deming
09:06:20 Rep. Bill Mercer-R
09:07:52 Rep. SJ Howell
09:08:16 Rep. Bill Mercer-R
09:08:38 Rep. Laura Smith
09:08:55 Rep. Bill Mercer-R
09:11:44 Rep. Zooey Zephyr
09:14:22 Rep. Bill Mercer-R

Closing Statement:

09:15:36 Rep. Bill Mercer (R), HD 46, closed the hearing on HB 512.

HEARING ON HB 525 - Enhance penalties for certain sexual crimes

Opening Statement:

09:16:11 Chair Amy Regier (R), HD 6, opened the hearing on HB 525, Enhance penalties for certain sexual crimes.

Proponent Testimony:

09:17:47 Mercedes Oxford-Kemp, Self
09:20:36 Alan Doane, Montana Department of Justice
09:20:57 Brian Thompson, Montana Sheriffs and Peace Officers Association (MPPA)
09:21:33 Jennifer Hensley on behalf of Ms. Oxford-Kemp
09:22:19 Dan Smith, Montana Police Protective Association

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

09:23:20 Rep. Laura Smith
09:23:49 Rep. Amy Regier-R
09:24:10 Rep. Jedediah Hinkle
09:24:35 Rep. Amy Regier-R
09:24:50 Jennifer Hensley
09:25:19 Rep. Greg Kmetz
09:26:02 Rep. Amy Regier-R
09:26:22 Brian Thompson (MPPA)

Closing Statement:

09:27:21 Chair Amy Regier (R), HD 6, closed the hearing on HB 525.

HEARING ON HB 595 - Generally revise judicial election laws

Opening Statement:

09:28:27 Rep. Scot Kerns (R), HD 23, opened the hearing on HB 595, Generally revise judicial election laws.

Proponent Testimony:

None

Opponent Testimony:

09:31:24 Sean Slanger, Montana Bar Association (SBMT)
09:33:38 Rebecca Meyers, Montana Magistrate Association
09:35:31 Hanna Pates, Montana Women Vote
09:36:36 Robert Filipovitch, Self
09:37:52 Becky Piske, Self
09:39:05 Robyn Morrison, League of Women Voters
09:40:36 Ta'jin Perez, Western Native Voice
09:41:04 Lauren Caldwell, Montana Federation of Employees
09:43:19 Deborah Hanson, Self

Informational Witness Testimony:

None

Questions from Committee:

09:45:30 Rep. Jedediah Hinkle
09:48:15 Rebecca Myers
09:48:42 Sean Slanger (SBMT)
09:49:43 Rep. Jedediah Hinkle
09:50:04 Sean Slanger (SBMT)
09:50:14 Rep. Lola Sheldon-Galloway

09:51:26 Deborah Hanson

Closing Statement:

09:52:28 Rep. Scot Kerns (R), HD 23, closed the hearing on HB 595.

HEARING ON HB 532 - Provide public participation and comment in AG litigation decisions

Opening Statement:

09:56:06 Rep. Ed Stafman (D), HD 62, opened the hearing on HB 532, Provide public participation and comment in AG litigation decisions.

Proponent Testimony:

10:02:30 Evan Barrett, Self

10:04:25 Rep. Donavon Hawk joined the meeting.

Opponent Testimony:

10:04:48 Brent Mead, Department of Justice (DOJ)

10:07:46 Aislinn Brown, Department of Justice (DOJ)

Informational Witness Testimony:

None

Questions from Committee:

10:10:05 Vice Chair Brandon Ler

10:12:19 Rep. Ed Stafman-D

10:12:46 Rep. Tom France

10:13:17 Rep. Ed Stafman-D

10:14:00 Rep. Tom France

10:17:18 Brent Mead (DOJ)

Closing Statement:

10:18:56 Rep. Ed Stafman (D), HD 62, closed the hearing on HB 532.

10:26:41 **Recessed**

11:11:33 **Reconvened**

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

11:11:42 **Motion:** Vice Chair Brandon Ler moved that **HB 373 DO PASS.**

Discussion:

11:12:02 Rachel Weiss

11:13:47 **Motion:** Vice Chair Brandon Ler moved that **HB 373 BE AMENDED.**

Discussion:

11:13:57 Rachel Weiss

11:15:26 Rep. Jennifer Carlson

11:16:38 Rep. SJ Howell

11:17:03 Rep. Jennifer Carlson

11:18:03 Rep. Zooey Zephyr

Vote: Motion carried unanimously by voice vote.

11:18:51 **Motion:** Vice Chair Brandon Ler moved that **HB 373 DO PASS AS AMENDED.**

Discussion:

11:19:01 Rep. Zooey Zephyr

Vote: Motion carried 16 - 3 by roll call vote with Rep. Bishop, Rep. Howell, Rep. Zephyr, voting no.

EXECUTIVE ACTION ON HB 426 - Revising laws relating to inmates approaching parole eligibility or discharge

11:20:54 **Motion:** Vice Chair Brandon Ler moved that **HB 426 DO PASS.**

Discussion:

11:20:59 Rachel Weiss

11:21:39 **Motion:** Vice Chair Brandon Ler moved that **HB 426 BE AMENDED.**

Discussion:

11:21:48 Rachel Weiss

11:23:21 Rep. Lola Sheldon-Galloway

11:23:34 Rachel Weiss

Vote: Motion carried unanimously by voice vote.

11:24:11 **Motion:** Vice Chair Brandon Ler moved that **HB 426 DO PASS AS AMENDED.**

Discussion:

11:24:20 Rep. Donavon Hawk

Vote: Motion carried unanimously by roll call vote.

EXECUTIVE ACTION ON HB 452 - Generally revise uniform trust and probate codes

11:26:06 **Motion:** Vice Chair Brandon Ler moved that **HB 452 DO PASS.**

Vote: Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 480 - Revise laws relating to State Lottery investigations and enforcement

11:26:29 **Motion:** Vice Chair Brandon Ler moved that **HB 480 DO PASS.**

Discussion:

11:26:33 Rachel Weiss

Vote: Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 488 - Revise security deposit law

11:27:20 **Motion:** Vice Chair Brandon Ler moved that **HB 488 DO PASS.**

Discussion:

11:27:25 Rachel Weiss

Vote: Motion carried 14 - 5 by roll call vote with Rep. Bishop, Rep. Hawk, Rep. Howell, Rep. Smith, Rep. Zephyr, voting no.

EXECUTIVE ACTION ON HB 500 - Eliminating youth court fees, costs, and certain fines and financial obligations

11:29:49 **Motion:** Vice Chair Brandon Ler moved that **HB 500 TO TABLE.**

Vote: Motion carried 12 - 7 by roll call vote with Rep. Bishop, Rep. France, Rep. Hawk, Rep. Howell, Rep. Mitchell, Rep. Smith, Rep. Zephyr, voting no.

**EXECUTIVE ACTION ON HB 532 - Provide public participation and comment in AG
litigation decisions**

11:31:53 **Motion:** Vice Chair Brandon Ler moved that **HB 532 TO TABLE.**

Vote: Motion carried 13 - 6 by roll call vote with Rep. Bishop, Rep. France,
Rep. Hawk, Rep. Howell, Rep. Smith, Rep. Zephyr, voting no.

Committee Discussion:

11:35:45 Vice Chair Brandon Ler

11:35:49 Chair Amy Regier

ADJOURNMENT

Adjournment: 11:36:19

Jamie Van Valkenburg, Secretary

Additional Documents: [EXHIBIT\(230221JUHaad\)](#)