

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

Call to Order: Chair Amy Regier-R, on February 22, 2023 at 7:01 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. Laura Smith (D)
Rep. Zooney Zephyr (D)

Staff Present: Brigitte Bellefleur, 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 516 02/21/2023
HB 519 02/20/2023
HB 541 02/20/2023
HB 544 02/20/2023
HB 552 02/20/2023
HB 555 02/20/2023

HB 565 02/20/2023
HB 570 02/20/2023
HB 624 02/20/2023
HB 639 02/20/2023
HB 640 02/20/2023

Executive Action:

HB 453 TO TABLE
HB 512 DO PASS
HB 519 DO PASS AS AMENDED
HB 525 DO PASS
HB 555 DO PASS
HB 571 DO PASS
HB 595 TO TABLE
HB 624 DO PASS
HB 640 DO PASS

Committee Discussion:

07:02:28 Rachel Weiss
07:03:14 Rep. Casey Knudsen
07:03:33 Rachel Weiss
07:04:14 Rep. Donavon Hawk
07:04:26 Chair Amy Regier

HEARING ON HB 544 - Provide requirements for coverage of abortion under Medicaid and CHIP

Opening Statement:

07:04:49 Rep. Jane Gillette (R), HD 64, opened the hearing on HB 544, Provide requirements for coverage of abortion under Medicaid and CHIP.

Proponent Testimony:

None

Opponent Testimony:

07:08:25 Robin Turner, American Civil Liberties Union, Montana (ACLUM)
07:10:44 Quinn Leighton, Planned Parenthood Advocates
07:12:51 Hannah Pate, Montana Women Vote
07:13:41 Aileen Gleizer, Blue Mountain Clinic (BMC)
07:15:58 Shawn Reagor, Montana Human Rights Network (MHRN)
07:16:37 Leah Miller, American College of Obstetricians and Gynecologists , (ACOG)
07:19:27 Timothy Mitchell, MD, American College OG
07:21:44 Leah Shea, Susan Wicklund Fund, (SWF)
07:23:22 Hillary-Anne Crosby, Self
07:24:34 Sue Kirchmyer, Self

Informational Witness Testimony:

07:27:13 Paula Stannard, Department of Health and Human Services (DPHHS)

Questions from Committee:

07:27:55 Rep. Jedediah Hinkle
07:29:29 Rep. Jane Gillette-R
07:29:55 Rep. Jodee Etchart
07:30:16 Rep. Jane Gillette-R
07:31:25 Rep. Lola Sheldon-Galloway
07:32:05 Robin Turner (ACLU)
07:33:19 Rep. Lola Sheldon-Galloway
07:33:42 Leah Miller (ACOG)
07:34:11 Vice Chair Laurie Bishop
07:38:55 Paula Stannard (DPHHS)
07:39:34 Rep. SJ Howell
07:40:21 Timothy Mitchell, Self
07:41:21 Rep. Tom France
07:44:21 Paula Stannard (DPHHS)

Closing Statement:

07:44:34 Rep. Jane Gillette (R), HD 64, closed the hearing on HB 544.

HEARING ON HB 555 - Revise laws related to counsel for children in abuse and neglect cases

Opening Statement:

07:48:54 Rep. Jennifer Carlson (R), HD 69, opened the hearing on HB 555, Revise laws related to counsel for children in abuse and neglect cases.

Proponent Testimony:

07:52:39 Beth Brenneman, Coalition Against Domestic and Sexual Violence

Opponent Testimony:

None

Informational Witness Testimony:

07:54:05 Ericka Johnston, DPHHS

07:54:19 Brian Smith, Office of the State Public Defender (OPD)

Questions from Committee:

07:54:58 Rep. Lola Sheldon-Galloway

07:55:05 Brian Smith (OPD)

07:56:45 Rep. Laura Smith

07:57:26 Brian Smith (OPD)

07:58:19 Rep. Laura Smith

07:59:20 Rep. Jennifer Carlson-R

Closing Statement:

08:01:26 Rep. Jennifer Carlson (R), HD 69, closed the hearing on HB 555.

HEARING ON HB 516 - Generally revise criminal laws related to hazing

Opening Statement:

08:04:08 Rep. Alice Buckley (D), HD 63, opened the hearing on HB 516, Generally revise criminal laws related to hazing.

Proponent Testimony:

08:06:05 Maggie Bell, Montana Associated Students

08:06:21 Ethan Hanley, Associated Students of the University of Montana

08:07:24 Paytyn Wilson, Self

Opponent Testimony:

None

Questions from Committee:

08:08:55 Rep. Lola Sheldon-Galloway
08:10:32 Rep. Alice Buckley-D
08:11:39 Paytyn Wilson, Self
08:12:05 Rep. Jennifer Carlson
08:16:10 Rep. Alice Buckley-D
08:16:51 Rep. Wayne Rusk
08:17:06 Rep. Alice Buckley-D
08:17:32 Rep. Laura Smith
08:18:18 Rep. Alice Buckley-D
08:19:16 Rep. Tom France
08:19:36 Rep. Alice Buckley-D
08:19:53 Rep. Lola Sheldon-Galloway
08:20:29 Rep. Alice Buckley-D

Closing Statement:

08:20:59 Rep. Alice Buckley (D), HD 63, closed the hearing on HB 516.

HEARING ON HB 639 - Establish reduction of recidivism as purpose of department of corrections

Opening Statement:

08:22:09 Rep. Bill Mercer (R), HD 46, opened the hearing on HB 639, Establish reduction of recidivism as purpose of department of corrections.

Proponent Testimony:

08:22:43 Maggie Bornstien, American Civil Liberties Union Of Montana, (ACLU)

08:23:11 Nicole Gomez, Montana Women Vote, (MWV)

Opponent Testimony:

None

Closing Statement:

08:23:47 Rep. Bill Mercer (R), HD 46, closed the hearing on HB 639.

HEARING ON HB 552 - Prohibit panic defense in criminal proceedings

Opening Statement:

08:24:19 Rep. Zoey Zephyr (D), HD 100, opened the hearing on HB 552, Prohibit panic defense in criminal proceedings.

Proponent Testimony:

08:26:47 Maggie Bornstein, American Civil Liberties Union of Montana (ACLUM)

08:27:11 Rep. Braxton Mitchell left the meeting.

08:27:46 Hannah Pates, Montana Women Vote (MWV)

08:28:54 Rep. Braxton Mitchell joined the meeting.

08:29:11 Rep. Casey Knudsen left the meeting.

08:29:30 Ethan Hanley, Associated Students of University of Montana (ASUM)

08:30:15 Robin Turner, Montana Coalition Against Domestic and Sexual Violence (MCADSV)

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

None

Closing Statement:

08:32:13 Rep. Zoey Zephyr (D), HD 100, closed the hearing on HB 552.

HEARING ON HB 519 - Authorize digital drivers licenses through a mobile application

Opening Statement:

08:32:59 Rep. Braxton Mitchell (R), HD 3, opened the hearing on HB 519,
Authorize digital drivers licenses through a mobile application.

Proponent Testimony:

08:34:19 Laurie Bakri, Motor Vehicle Division (MDV)

Opponent Testimony:

None

Informational Witness Testimony:

08:35:52 Matt Zeltwanger, FAST Enterprises (FAST)

Questions from Committee:

08:36:28 Rep. Lola Sheldon-Galloway

08:36:45 Laurie Bakri (MVD)

08:37:04 Vice Chair Laurie Bishop

08:37:18 Laurie Bakri (MVD)

08:37:50 Rep. Jennifer Carlson

08:38:12 Laurie Bakri (MVD)

08:39:07 Rep. Jennifer Carlson

08:39:21 Matt Zeltwanger (FAST)

08:39:36 Rep. Laura Smith

08:40:10 Laurie Bakri (MVD)

Closing Statement:

08:40:28 Rep. Braxton Mitchell (R), HD 3, closed the hearing on HB 519.

HEARING ON HB 640 - Generally revise laws related to sexual assault evidence kits

Opening Statement:

08:41:22 Rep. Naarah Hastings (R), HD 50, opened the hearing on HB 640, Generally revise laws related to sexual assault evidence kits.

Proponent Testimony:

08:43:35 Alan Doane, Department of Justice, (DOJ)

[EXHIBIT\(230222JUH1\)](#)

08:44:33 Dana Toole, Department of Justice, (DOJ)

08:45:18 Robin Turner, Montana Coalition Against Domestic and Sexual Violence (MCADSV)

08:46:09 Dan Smith, Montana Police Protective Association

08:46:30 Nanette Gilbertson, Montana Sheriffs and Peace Officers Association (MSPOA)

Opponent Testimony:

None

Informational Witness Testimony:

08:47:09 Kayla Bragg, Montana Department of Justice (DOJ)

Questions from Committee:

08:47:36 Rep. Jennifer Carlson

08:47:40 Rachel Weiss

08:49:02 Rep. Jennifer Carlson

Closing Statement:

08:49:17 Rep. Naarah Hastings (R), HD 50, closed the hearing on HB 640.

HEARING ON HB 624 - Revise laws related to officers of court

Opening Statement:

08:50:29 Rep. Mike Hopkins (R), HD 92, opened the hearing on HB 624, Revise laws related to officers of court.

Proponent Testimony:

08:51:41 Jim Veltkamp, City of Bozeman

Opponent Testimony:

None

Questions from Committee:

08:53:59 Rep. Zooey Zephyr

08:54:28 Rep. Mike Hopkins-R

08:55:59 Jim Veltkamp, City of Bozeman

08:56:42 Rep. Jennifer Carlson

09:00:13 Rep. Laura Smith

09:00:27 Jim Veltkamp, City of Bozeman

Closing Statement:

09:01:34 Rep. Mike Hopkins (R), HD 92, closed the hearing on HB 624.

HEARING ON HB 541 - Require interest on criminal restitution and fines

Opening Statement:

09:02:22 Vice Chair Brandon Ler (R), HD 35, opened the hearing on HB 541, Require interest on criminal restitution and fines.

Proponent Testimony:

None

Opponent Testimony:

09:12:10 Maggie Bornstein, American Civil Liberties Union of Montana, (ACLU)

09:14:33 Hannah Pate, Montana Women Vote, (MWV)

Questions from Committee:

09:16:37 Rep. Jennifer Carlson
09:16:49 Brian Thompson (MPPA)
09:17:43 Rep. Laura Smith
09:19:33 Maggie Bornstein (ACLU)
09:20:01 Rep. SJ Howell
09:22:28 Maggie Bornstein (ACLU)

Closing Statement:

09:23:17 Vice Chair Brandon Ler (R), HD 35, closed the hearing on HB 541.

HEARING ON HB 565 - Creating the offense of dissemination of false election information

Opening Statement:

09:24:14 Rep. Ed Stafman (D), HD 62, opened the hearing on HB 565, Creating the offense of dissemination of false election information.

Discussion:

[EXHIBIT\(230222JUH2\)](#)

Proponent Testimony:

None

Opponent Testimony:

09:28:04 Maggie Bornstein, American Civil Liberties Union, Montana, (ACLU)

Questions from Committee:

09:29:01 Rep. Tom France
09:29:42 Maggie Bornstein (ACLU)

Closing Statement:

09:30:10 Rep. Ed Stafman (D), HD 62, closed the hearing on HB 565.

HEARING ON HB 570 - Provide civil penalty for interfering with abortion access

Opening Statement:

09:32:47 Rep. Marilyn Marler (D), HD 90, opened the hearing on HB 570, Provide civil penalty for interfering with abortion access.

Proponent Testimony:

09:38:15 Robin Turner, Montana Coalition Against Domestic and Sexual Violence

09:39:16 Hannah Pate, Montana Women Vote (MWV)

09:40:10 Ailine Glizer, Blue Mountain Clinic

09:41:50 Quinn Leighton, Planned Parenthood Advocates of Montana

09:43:06 Shawn Reagor, Montana Human Rights Network (MHRN)

09:44:42 Rabbi Laurie Franklin, Montana Association of Rabbis (MAOR)

09:46:26 Rep. Jennifer Carlson joined the meeting.

09:46:48 Catherine Parke, Montana Democratic Socialists of America

09:48:01 Patrick Lowney, Self

Opponent Testimony:

09:50:49 Jeff Laszloffy, Montana Family Foundation (MFF)

[EXHIBIT\(230222JUH3\)](#)

09:53:45 Gail Asbury, Self

09:55:31 Anna Shchemelinin, Self

09:57:12 Jessie Browning, Self

09:59:15 Elke West, Self

Questions from Committee:

10:01:02 Rep. Lola Sheldon-Galloway

10:01:43 Rep. Marilyn Marler-D

10:02:10 Vice Chair Laurie Bishop

10:02:49 Shawn Reagor (MHRN)
10:04:26 Rep. SJ Howell
10:07:33 Rep. Marilyn Marler-D
10:08:07 Rep. Tom France
10:09:52 Rep. Marilyn Marler-D
10:10:26 Rep. Lola Sheldon-Galloway
10:11:39 Rep. Marilyn Marler-D
10:12:56 Rep. Jedediah Hinkle
10:13:22 Rep. Marilyn Marler-D
10:13:39 Rep. Jedediah Hinkle
10:13:59 Jeff Laszloffy (MFF)

Closing Statement:

10:15:52 Rep. Marilyn Marler (D), HD 90, closed the hearing on HB 570.
10:22:03 **Recessed**
11:11:00 **Reconvened**

EXECUTIVE ACTION ON HB 453 - Clarifying the authority of the human rights bureau and appeals process

11:11:51 **Motion:** Vice Chair Brandon Ler moved that **HB 453 TO TABLE.**
Vote: Motion carried 11 - 8 by roll call vote with Rep. Deming, Rep. Etchart, Rep. Kmetz, Rep. Knudsen, Rep. Ler, Rep. Mitchell, Rep. Regier, Rep. Sheldon-Galloway, voting no.

EXECUTIVE ACTION ON HB 512 - Authorize legislator intervention in lawsuits

11:13:24 **Motion:** Vice Chair Brandon Ler moved that **HB 512 DO PASS.**

Discussion:

11:13:31 Rachel Weiss

11:13:48 Rep. Tom France

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

EXECUTIVE ACTION ON HB 519 - Authorize digital drivers licenses through a mobile application

11:15:35 **Motion:** Vice Chair Brandon Ler moved that **HB 519 DO PASS.**

Discussion:

11:15:52 Rachel Weiss

Vote: Motion carried unanimously by voice vote.

11:16:48 **Motion:** Vice Chair Brandon Ler moved that **HB 519 BE AMENDED.**

Discussion:

11:16:59 Rachel Weiss

11:17:19 Rep. Neil Duram

11:17:33 Rep. Braxton Mitchell

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

11:18:49 **Motion:** Vice Chair Brandon Ler moved that **HB 519 DO PASS AS AMENDED.**

Discussion:

11:18:58 Rep. Neil Duram

11:19:20 Rep. Jennifer Carlson

11:19:30 Rep. Braxton Mitchell

11:19:56 Rep. Jennifer Carlson

11:20:33 Rep. Braxton Mitchell

11:20:58 Rep. Jennifer Carlson

11:21:24 Rep. Braxton Mitchell

11:21:38 Rep. Jennifer Carlson

11:21:50 Rep. Braxton Mitchell

11:22:19 Rep. Donavon Hawk

11:22:32 Rep. Neil Duram

11:22:52 Rep. Laura Smith

11:23:20 Rep. Neil Duram

11:24:26 Vice Chair Laurie Bishop

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

EXECUTIVE ACTION ON HB 525 - Enhance penalties for certain sexual crimes

11:27:52 **Motion:** Vice Chair Brandon Ler moved that **HB 525 DO PASS.**

Discussion:

11:27:59 Rachel Weiss

11:27:59 Vice Chair Laurie Bishop

Vote: Motion carried 15 - 4 by roll call vote with Rep. Bishop, Rep. France, Rep. Howell, Rep. Zephyr, voting no.

EXECUTIVE ACTION ON HB 555 - Revise laws related to counsel for children in abuse and neglect cases

11:30:04 **Motion:** Vice Chair Brandon Ler moved that **HB 555 DO PASS.**

Discussion:

11:30:10 Rachel Weiss

Vote: Motion carried unanimously by voice vote.

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

11:30:48 **Motion:** Vice Chair Brandon Ler moved that **HB 571 DO PASS.**

Discussion:

11:30:53 Rachel Weiss

11:31:08 Rep. Jennifer Carlson

11:31:45 Rep. Laura Smith

11:32:29 Rep. Casey Knudsen

11:32:55 Rep. Laura Smith

Vote: Motion carried 10 - 9 by roll call vote with Rep. Bishop, Rep. Carlson, Rep. Duram, Rep. Etchart, Rep. France, Rep. Hawk, Rep. Howell, Rep. Smith, Rep. Zephyr, voting no.

EXECUTIVE ACTION ON HB 595 - Generally revise judicial election laws

11:34:12 **Motion:** Vice Chair Brandon Ler moved that **HB 595 DO PASS.**

Discussion:

11:34:20 Rachel Weiss

11:34:47 **Motion:** Vice Chair Brandon Ler moved that **HB 595 BE AMENDED.**

Discussion:

11:35:25 Rachel Weiss

11:36:06 Rep. SJ Howell

11:36:48 Rachel Weiss

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

11:39:04 **Motion:** Vice Chair Brandon Ler moved that **HB 595 DO PASS AS AMENDED.**

Vote: Motion failed 10 - 9 by roll call vote with Rep. Deming, Rep. Duram, Rep. Hinkle, Rep. Hinkle, Rep. Kmetz, Rep. Ler, Rep. Mitchell, Rep. Regier, Rep. Sheldon-Galloway, voting yes.

11:40:16 **Motion:** Vice Chair Brandon Ler moved that **HB 595 TO TABLE.**

Vote: Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 624 - Revise laws related to officers of court

11:40:55 **Motion:** Vice Chair Brandon Ler moved that **HB 624 DO PASS.**

Discussion:

11:41:04 Rachel Weiss

11:41:06 Rep. Zoey Zephyr

Vote: Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 640 - Generally revise laws related to sexual assault evidence kits

11:41:51 **Motion:** Vice Chair Brandon Ler moved that **HB 640 DO PASS.**

Discussion:

11:41:58 Rachel Weiss

11:42:09 Rep. Lola Sheldon-Galloway

Vote: Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 11:44:44

Brigitte Bellefleur, Secretary

Additional Documents: [EXHIBIT\(230222JUHaad\)](#)