

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

Call to Order: Chair Amy Regier-R, on March 17, 2023 at 8:02 AM, in 137

ROLL CALL

Members Present: Rep. Amy Regier, Chair (R)
Rep. Lee Deming (R)
Rep. Neil Duram (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. Wayne Rusk (R)
Rep. Lola Sheldon-Galloway (R)
Rep. Zooey Zephyr (D)

Members Excused: Rep. Kim Abbott (D)
Rep. Laurie Bishop (D)
Rep. Jennifer Carlson (R)
Rep. Jodee Etchart (R)
Rep. Caleb Hinkle (R)
Rep. Brandon Ler (R)
Rep. Braxton Mitchell (R)
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:

SB 105 03/13/2023
SB 138 03/13/2023
SB 159 03/13/2023
SB 201 03/13/2023

SB 229 03/15/2023
Executive Action:

SB 148
SB 187 TO TABLE

HEARING ON SB 229 - Reimburse counties for actual witness costs

Opening Statement:

08:03:41 Sen. Barry Usher (R), SD 40, opened the hearing on SB 229, Reimburse counties for actual witness costs.

Proponent Testimony:

08:05:23 Karen Alley, Montana Association of Counties

08:10:29 Dan Guzynski, Lewis and Clark County Attorney

08:15:28 Brain Thompson, Montana County Attorney Association

08:21:49 Mark Morse, Yellowstone County Commissioner

Opponent Testimony:

None

Questions from Committee:

08:16:57 Rep. SJ Howell

08:21:11 Sen. Barry Usher-R

Closing Statement:

08:23:27 Sen. Barry Usher (R), SD 40, closed the hearing on SB 229.

HEARING ON SB 159 - Restrict use of eminent domain

Opening Statement:

08:24:53 Sen. Becky Beard (R), SD 40, opened the hearing on SB 159, Restrict use of eminent domain.

Proponent Testimony:

08:25:58 Chris Castagne, Self

[EXHIBIT\(230317JUH1\)](#)

08:29:12 Lisa Bennett, Self
08:31:10 Betsy Story, Rocky Mountain Stock Growers
08:34:55 Charles Denowh, United Property Owners of Montana
08:36:50 Rachel Cone, Montana Farm Bureau Federation
08:37:41 Peggy Trenk, Treasure State Resource Association

Informational Witness Testimony:

08:39:20 Ryan Wiess

Questions from Committee:

08:40:10 Rep. Tom France
08:55:31 Chris Castagne
08:59:57 Rep. Lee Deming

Closing Statement:

09:02:03 Sen. Becky Beard (R), SD 40, closed the hearing on SB 159.

HEARING ON SB 105 - Prohibit rent control of private property

Opening Statement:

09:06:21 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 105, Prohibit rent control of private property.

Proponent Testimony:

09:07:41 Charles Denowh, United Property Owners of Montana
09:09:58 John Sinrud, Montana Landlords Association
09:12:05 Wyatt Laprim, Americans for Prosperity

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

08:24:02 Clarification Discussion
09:13:38 Rep. Greg Kmetz
09:14:50 Sen. Steve Fitzpatrick-R

Closing Statement:

09:15:54 Sen. Steve Fitzpatrick (R), SD 10, closed the hearing on SB 105.

**HEARING ON SB 138 - Provide for preservation of prescriptive easements on land
acquired by state**

Opening Statement:

09:16:07 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 138,
Provide for preservation of prescriptive easements on land acquired by
state.

Proponent Testimony:

None

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

09:18:44 Rep. Tom France
09:19:02 Sen. Steve Fitzpatrick-R
09:19:43 Rep. Neil Duram
09:20:10 Sen. Steve Fitzpatrick-R

Closing Statement:

09:20:26 Sen. Steve Fitzpatrick (R), SD 10, closed the hearing on SB 138.

09:21:06 **Recessed**

09:56:39 **Reconvened**

EXECUTIVE ACTION ON SB 148 - Revise laws regarding legal representation of children

09:59:59 **Motion:** Rep. Brandon Ler moved that **SB 148 BE CONCURRED IN.**

Discussion:

10:00:35 Rep. Casey Knudsen

10:00:46 Rep. Jennifer Carlson

09:59:59 **Vote:** Motion carried unanimously by roll call vote.

09:59:59 **Carrier Assigned:** Rep. Jennifer Carlson

HEARING ON SB 201 - Revise judicial recusal laws when parties made campaign contributions

Opening Statement:

10:15:06 Sen. Greg Hertz (R), SD 12, opened the hearing on SB 201, Revise judicial recusal laws when parties made campaign contributions.

Discussion:

[EXHIBIT\(230317JUH2\)](#)

Proponent Testimony:

None

Opponent Testimony:

10:21:58 Al Smith, Montana Trial Lawyers

[EXHIBIT\(230317JUH3\)](#)

Informational Witness Testimony:

None

Questions from Committee:

None

Closing Statement:

10:33:03 Sen. Greg Hertz (R), SD 12, closed the hearing on SB 201.

Discussion:

[EXHIBIT\(230317JUH4\)](#)

EXECUTIVE ACTION ON SB 187 - Allow remote appearances by counsel in criminal and certain civil hearings

10:36:25 **Motion:** Rep. Brandon Ler moved that **SB 187 BE CONCURRED IN.**

Discussion:

10:36:37 Rachel Weiss

10:47:31 Vice Chair Laurie Bishop

10:36:25 **Vote:** Motion failed 10 - 9 by roll call vote with Rep. Bishop, Rep. Carlson, Rep. France, Rep. Hawk, Rep. Hinkle, Rep. Howell, Rep. Knudsen, Rep. Smith, Rep. Zephyr, voting yes.

10:49:36 **Motion:** Rep. Brandon Ler moved that **SB 187 TO TABLE.**

10:49:36 **Vote:** Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 10:49:53

Jamie Van Valkenburg, Secretary

Additional Documents: [EXHIBIT\(230317JUH4\)](#)

