

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

Call to Order: Chair Amy Regier-R, on March 23, 2023 at 8:02 AM, in 137

ROLL CALL

Members Present: Rep. Amy Regier, Chair (R)
Rep. Brandon Ler, Vice Chair (R)
Rep. Lee Deming (R)
Rep. Tom France (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. Zooey Zephyr (D)

Members Excused: Rep. Kim Abbott (D)
Rep. Laurie Bishop (D)
Rep. Jennifer Carlson (R)
Rep. Neil Duram (R)
Rep. Jodee Etchart (R)
Rep. Donavon Hawk (D)
Rep. Caleb Hinkle (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 19 03/16/2023
SB 38 03/16/2023
SB 89 03/16/2023
SB 94 03/16/2023

SB 95 03/16/2023
SB 96 03/16/2023
SB 182 03/20/2023
SB 294 03/16/2023

Executive Action:

HEARING ON SB 294 - Establish the end of watch trust

Opening Statement:

08:03:07 Sen. Barry Usher (R), SD 40, opened the hearing on SB 294, Establish the end of watch trust.

Proponent Testimony:

08:09:30 Jillien Streit, Self

08:13:39 Lindsey Palmer, Self

08:15:49 Monica Allmendinger, Self

08:17:52 Jodi Moore, Self

08:20:16 Brian Heino, Flathead County Sheriffs Office

08:22:53 Steve Lavin, Department of Justice and Montana Highway Patrol

08:24:07 Leo Dutton, Sheriff of Lewis and Clark County

08:26:18 Tom Butler, Self

08:28:40 Dan Springer, Gallatin County Sheriff

08:30:30 John Colby, Blaine County Sheriff

08:32:24 Brandon Harris, Broadwater County Sheriff's Office

08:33:45 Karen Alley, Montana Association of Counties

08:34:28 Jessie Luther, Association of Montana Troopers

[EXHIBIT\(230323JUH1\)](#)

08:36:33 Nanette Gilbertson, Montana Sheriffs and Peace Officers Association

08:39:09 Shelby DeMars, Montana Police Protective Association

08:41:17 Steve Cape, Coalition of Safety and Justice

08:42:46 Scott Cope, Red Lodge Police Department
08:43:56 Rep. Laura Smith joined the meeting.
08:44:55 Thomas Jodoin, Montana League of Cities and Towns

Informational Witness Testimony:

None

Opponent Testimony:

None

Questions from Committee:

08:46:06 Rep. Jedediah Hinkle
08:49:37 Sen. Barry Usher-R

Closing Statement:

08:49:56 Sen. Barry Usher (R), SD 40, closed the hearing on SB 294.

HEARING ON SB 95 - Generally revise theft laws

Opening Statement:

08:56:21 Sen. Barry Usher (R), SD 40, opened the hearing on SB 95, Generally revise theft laws.

Proponent Testimony:

08:59:03 Scott Twito, Yellowstone County Attorney
09:01:24 Brad Griffin, Montana Retail Association
09:05:16 Ronda Wiggers, National Federation of Independent Businesses
09:06:28 Nanette Gilbertson, Montana Sheriffs and Peace Officers Association
09:07:08 Steven Haddon, Jefferson County Attorney
09:07:46 Alex Sterhan, Department of Justice
09:08:17 Dan Smith, Montana Police Protective Association

09:08:37 Charles Robson, Chamber of Commerce
09:08:54 Dan Brooks, Billings Chamber of Commerce
09:10:02 Pam Purinton, Billings City Council

Opponent Testimony:

09:11:01 Maggie Bornstein, American Civil Liberties Union of Montana and Montana Women Vote

[EXHIBIT\(230323JUH2\)](#)

09:14:23 Jade Bahr, Montana Budget and Policy Center
09:15:23 Hannah Pate, Montana Women Vote
09:17:06 Benjamin Lacayo, Self

Informational Witness Testimony:

09:19:37 Brett Schandelson, Office of the Public Defender

Questions from Committee:

09:20:37 Rep. Laura Smith
09:40:53 Rep. Jennifer Carlson joined the meeting.
09:45:11 Scott Twito

Closing Statement:

09:46:14 Sen. Barry Usher (R), SD 40, closed the hearing on SB 95.

Discussion:

[EXHIBIT\(230323JUH4\)](#)

[EXHIBIT\(230323JUH5\)](#)

HEARING ON SB 96 - Create separate definition for persistent felony offender under supervision

Opening Statement:

09:52:51 Sen. Barry Usher (R), SD 40, opened the hearing on SB 96, Create separate definition for persistent felony offender under supervision.

Proponent Testimony:

09:54:19 Scott Twito, Yellowstone County Attorney Office

[EXHIBIT\(230323JUH3\)](#)

09:57:48 Dan Smith, Montana Police Protective Association

09:58:31 Nanette Gilbertson, Montana Sheriffs and Peace Officers Association

09:59:21 Steven Haddon, Montana County Attorney's Association

10:00:21 Steve Cape, Coalition of Safety and Justice

10:02:02 Pam Purinton, Billing City Council

Opponent Testimony:

10:03:05 Maggie Bornstein, American Civil Liberties Union of Montana, and Montana Women Vote

10:04:25 Benjamin Lacayo, Self

Informational Witness Testimony:

10:06:33 Brett Schandelson, Office of the Public Defender

Questions from Committee:

10:07:08 Rep. Laura Smith

10:11:26 Sen. Barry Usher-R

Closing Statement:

10:11:55 Sen. Barry Usher (R), SD 40, closed the hearing on SB 96.

HEARING ON SB 94 - Generally revise laws related to recovery residences

Opening Statement:

10:12:39 Sen. Barry Usher (R), SD 40, opened the hearing on SB 94, Generally revise laws related to recovery residences.

Proponent Testimony:

10:15:55 Scott Twito, Yellowstone County Attorney Office
10:17:22 Rebecca deCamera, Department of Health and Human Services
10:18:17 Steven Haddon, Montana County Attorney Association
10:19:52 Scot Eichner, Department of Labor and Industry
10:20:15 Steven Ferguson, Cross Winds Recovery
10:21:56 Dan Brooks, Billings Chamber of Commerce
10:23:24 Pam Purinton, Billings City Council
10:25:39 Terri Todd, Ignatia's House

Opponent Testimony:

10:28:54 Steve Cape, Coalition of Safety and Justice
10:31:53 Paul McElroy, Mountain Family Fellowship Church
10:33:55 Steve Allen, Mountain Family Fellowship Church
10:37:12 Carolyn Belling, Hope Center Ministries
10:39:46 Tiffany Stone, Hope Center Ministries
10:41:44 Robin Homan, Hope Center Ministries
10:44:30 Lauren Montoya, Hope Center Ministries
10:47:41 Taylor Seal, Hope Center Ministries
10:49:36 Sharon Nason, Hope Center Ministries
10:52:34 Shirely Felsman, Self
10:54:27 Faith Kuahiwiniui, Self
10:55:55 Angel Small, Self
10:58:00 Pam Forsman, Self
10:58:28 Jolene Kuser, Self
11:00:54 Joan Rada, Elkhorn Treatment Center, Hope Center Ministries

11:03:45 Brooke Pickett, Self
11:06:49 Matt Elsaesser, Self
11:07:02 Tom Rassmasan, Self
11:10:00 Donna Elford, Self
11:11:48 Dave Clark, Different Choices
11:15:16 Seneca Wiley, Self
11:16:33 Michael Drewry, Sober Beginnings
11:17:41 Kacey Keith, Self
11:20:15 Josh Butterfly, Prayer Warriors Tribal Council
11:22:44 Lance FourStar, American Indian Caucus
11:24:49 Chelsey Culpon, Self

Informational Witness Testimony:

None

Questions from Committee:

11:27:41 Rep. Laura Smith
11:44:48 Sen. Barry Usher-R

Closing Statement:

11:45:07 Sen. Barry Usher (R), SD 40, closed the hearing on SB 94.

HEARING ON SB 38 - Generally revise sex offender level designations

Opening Statement:

11:48:00 Sen. Bob Brown (R), SD 7, opened the hearing on SB 38, Generally revise sex offender level designations.

Proponent Testimony:

11:49:08 Dan Smith, Montana Police Protective Association

11:49:31 Alan Doane, Montana Department of Justice
11:49:49 Suzanne Anders, Montana Sex and Violence Registry
11:50:55 Nanette Gilbertson, Montana Sheriffs and Peace Officers Association
11:51:16 Ann Dormady, Montana Department of Justice

Opponent Testimony:

11:51:56 Maggie Bornstein, American Civil Liberties Union of Montana

Informational Witness Testimony:

11:53:54 Brett Schandelson, Office of the Public Defender

Questions from Committee:

11:54:18 Rep. Tom France
12:00:39 Sen. Bob Brown-R

Closing Statement:

12:01:47 Sen. Bob Brown (R), SD 7, closed the hearing on SB 38.

HEARING ON SB 89 - Create pretrial diversion pilot program

Opening Statement:

12:03:53 Sen. Ryan Lynch (D), SD 76, opened the hearing on SB 89, Create pretrial diversion pilot program.

Proponent Testimony:

12:05:16 Scott Twito, Yellowstone County Attorney's Office
12:06:39 Steven Haddon, Jefferson County Attorney
12:07:49 Nanette Gilbertson, Montana County Attorney Association
12:09:05 Henry Kiegel, Americans For Prosperity

Opponent Testimony:

None

Informational Witness Testimony:

12:10:22 Brett Schandelson, Office of the Public Defender

Closing Statement:

12:10:39 Sen. Ryan Lynch (D), SD 76, closed the hearing on SB 89.

HEARING ON SB 182 - Create task force on a court system for dependency and neglect cases

Opening Statement:

12:11:07 Sen. Dennis Lenz (R), SD 53, opened the hearing on SB 182, Create task force on a court system for dependency and neglect cases.

Proponent Testimony:

12:13:34 Nanette Gilbertson, Montana County Attorney's Association

12:15:21 April Barnings, Montana Casa

12:16:02 Pam Purinton, Self

Opponent Testimony:

None

Informational Witness Testimony:

12:18:50 Nikki Grossberg, Child and Family Services

Questions from Committee:

12:19:19 Vice Chair Laurie Bishop

12:20:44 Nanette Gilbertson

Closing Statement:

12:21:08 Sen. Dennis Lenz (R), SD 53, closed the hearing on SB 182.

HEARING ON SB 19 - Generally revise disorderly conduct sentencing laws

Opening Statement:

12:25:04 Sen. Keith Regier (R), SD 3, opened the hearing on SB 19, Generally revise disorderly conduct sentencing laws.

Proponent Testimony:

12:25:08 Scott Twito, Montana County Attorney Association

12:26:27 Dan Smith, Montana Police Protective Association

12:27:18 Nanette Gilbertson, Montana Sheriffs and Peace Officers Association

12:29:02 Josh Butterfly, Self

Opponent Testimony:

12:30:51 Maggie Bornstein, American Civil Liberties Union Of Montana

12:32:04 Nicole Gomez, Montana Women Vote

12:34:09 Jade Bahr, Montana Budget and Policy Center

12:35:59 Benjamin Lacayo, Self

Informational Witness Testimony:

12:38:06 Brett Schandelson, Office of the Public Defender

Questions from Committee:

12:38:35 Rep. Donavon Hawk

12:46:42 Scott Twito

Closing Statement:

12:51:04 Sen. Keith Regier (R), SD 3, closed the hearing on SB 19.

ADJOURNMENT

Adjournment: 12:52:07

Jamie Van Valkenburg, Secretary

Additional Documents: [EXHIBIT\(230323JUHaad\)](#)