

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

Call to Order: Chair Amy Regier-R, on March 29, 2023 at 8:01 AM, in 137

ROLL CALL

Members Present: Rep. Amy Regier, Chair (R)
Rep. Laurie Bishop, Vice Chair (D)
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. 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. Caleb Hinkle (R)
Rep. Jedediah Hinkle (R)
Rep. Brandon Ler (R)

Staff Present: Jamie Van Valkenburg
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 886 03/26/2023
HB 889 03/26/2023
HB 915 03/26/2023
HB 921 03/27/2023

HB 934 03/27/2023
HB 936 03/27/2023
HB 937 03/27/2023

Executive Action:

HB 372 DO PASS AS AMENDED
HB 405 TO TABLE
HB 517 DO PASS AS AMENDED
HB 551 DO PASS
HB 865 DO PASS AS AMENDED
HB 866 TO TABLE

HEARING ON HB 915 - Constitutional amendment to change process to select supreme court justices

Opening Statement:

08:03:33 Rep. Bill Mercer (R), HD 46, opened the hearing on HB 915, Constitutional amendment to change process to select supreme court justices.

[EXHIBIT\(230329JUH1\)](#)

[EXHIBIT\(230329JUH2\)](#)

[EXHIBIT\(230329JUH3\)](#)

Proponent Testimony:

08:18:11 Henry Kriegel, Americans for Prosperity

08:20:39 Cathy Carlson, Self

08:21:32 Sharon Nason, Self

Opponent Testimony:

08:22:37 Al Smith, Montana Lawyers Association

08:24:54 Bruce Spencer, State Bar of Montana

08:26:47 Margret MacDonald, Big Sky 55 Plus

08:29:33 Ta'jin Perez, Western Native Voice

08:31:36 Jon Ellingson, Big Sky 55 Plus

08:33:12 Kris Glenn, Self

08:35:07 Lauren Caldwell, Montana Federation Of Public Employees

08:36:45 Jade Bahr, Montana Budget and Policy Center

08:37:40 Joan Kresich, Self

08:38:35 John Marshall, Self

08:39:37 Elizabeth Marum, Self

08:41:31 Tom Tschida, Self

08:42:10 Robyn Morrison, League of Women Voters
08:44:17 Molly Bell, Montana Conservation Voters
08:46:00 Mark Nicholson, Self
08:46:53 Debrah Hanson, Self

Informational Witness Testimony:

None

Questions from Committee:

09:05:16 Rep. Greg Kmetz
09:13:16 Rep. Bill Mercer-R

Closing Statement:

09:14:35 Rep. Bill Mercer (R), HD 46, closed the hearing on HB 915.

HEARING ON HB 921 - Revise laws related to state settlement money

Opening Statement:

09:21:24 Rep. Bill Mercer (R), HD 46, opened the hearing on HB 921, Revise laws related to state settlement money.

[EXHIBIT\(230329JUH4\)](#)

Proponent Testimony:

None

Opponent Testimony:

09:30:21 Alex Sterhan, Department of Justice
09:31:06 Quinlen O'Connor, Department of Labor and Industry
09:33:30 James Fehr, Department of Environmental Quality
09:35:59 Andres Haliday, Montana Department of Administration

Informational Witness Testimony:

None

Questions from Committee:

09:39:12 Rep. Jodee Etchart

09:45:16 Rep. Bill Mercer-R

Closing Statement:

09:46:37 Rep. Bill Mercer (R), HD 46, closed the hearing on HB 921.

HEARING ON HB 934 - Constitutional amendment relating to structure of redistricting commission

Opening Statement:

09:47:06 Rep. Lola Sheldon-Galloway (R), HD 22, opened the hearing on HB 934, Constitutional amendment relating to structure of redistricting commission.

Proponent Testimony:

None

Opponent Testimony:

09:48:41 Noreen Appling-Freistadt, Self

09:50:45 Ta'jin Perez, Western Native Voice

09:52:55 Jade Bahr, Montana Budget and Policy Center

09:54:31 John Marshall, Self

09:55:08 Rosanne Nash, League of Women Voters

Informational Witness Testimony:

None

Questions from Committee:

None

Closing Statement:

09:57:42 Rep. Lola Sheldon-Galloway (R), HD 22, closed the hearing on HB 934.

HEARING ON HB 936 - Fund father-education programs in state prisons

Opening Statement:

10:01:16 Rep. Lola Sheldon-Galloway (R), HD 22, opened the hearing on HB 936, Fund father-education programs in state prisons.

Proponent Testimony:

10:03:42 Donna Elford, Self

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

10:05:00 Rep. Laura Smith

10:05:03 Rep. Lola Sheldon-Galloway-R

Closing Statement:

10:05:52 Rep. Lola Sheldon-Galloway (R), HD 22, closed the hearing on HB 936.

HEARING ON HB 937 - Provide for licensure of abortion clinics

Opening Statement:

10:06:28 Rep. Lola Sheldon-Galloway (R), HD 22, opened the hearing on HB 937, Provide for licensure of abortion clinics.

Proponent Testimony:

10:09:05 Sheron Nason, Self

10:11:38 Jeff Laszloffy, Montana Family Foundation

10:13:37 Cathy Carlson, Self

10:15:27 Donna Elford, Self

10:16:22 Ronda Burnett, Self

Opponent Testimony:

10:18:04 Robin Turner, American Civil Liberties Union of Montana
10:20:31 Ella Smith, Planned Parenthood Advocates of Montana
10:22:08 Nicole Smith, Blue Mountain Clinic
10:24:08 Caitlin Blau, Self

Informational Witness Testimony:

10:25:54 Michelle Truax, Office of the Inspector General (OIG)

Questions from Committee:

10:26:20 Rep. Lee Deming
10:27:00 Michelle Truax, OIG
10:28:00 Rep. SJ Howell
10:29:42 Nicole Smith

Closing Statement:

10:29:57 Rep. Lola Sheldon-Galloway (R), HD 22, closed the hearing on HB 937.

HEARING ON HB 886 - Revise laws related to access to sealed youth court records

Opening Statement:

10:31:34 Rep. Ross Fitzgerald (R), HD 17, opened the hearing on HB 886, Revise laws related to access to sealed youth court records.

Proponent Testimony:

None

Opponent Testimony:

10:35:54 Maggie Bornstein, American Civil Liberties Union of Montana (ACLUM)

Informational Witness Testimony:

None

Questions from Committee:

10:38:42 Rep. SJ Howell
10:40:13 Rep. Ross Fitzgerald-R
10:42:46 Rep. Laura Smith
10:44:24 Maggie Bornstein, ACLUM
10:45:51 Rep. Laura Smith

Closing Statement:

10:46:24 Rep. Ross Fitzgerald (R), HD 17, closed the hearing on HB 886.

HEARING ON HB 889 - Revise the Residential Mobile Home Lot Rental Act

Opening Statement:

10:48:48 Rep. Jonathan Karlen (D), HD 96, opened the hearing on HB 889, Revise the Residential Mobile Home Lot Rental Act.

Proponent Testimony:

10:53:17 Cindy Newman, Self
10:56:29 Janice Bailey, Self
10:58:48 Vivian Rambo, Self
11:00:01 Jake Brown, Shelter Whitefish
11:01:05 Margaret MacDonald, Big Sky 55 Plus
11:02:37 Sen. Pat Flowers, SD 32

Opponent Testimony:

11:04:56 John Sinrud, Montana Landlord's Association
11:07:06 Steve Skinner, Self
11:09:47 Peter McHugh, McHugh Mobile Home Park
11:12:24 Madison Grady, Montana Association of Landlords

11:12:54 Charles Denowh, Self
11:14:25 Robert Smaus, Montana Landlords Association
11:17:07 Dylan Osterhout, Self

Informational Witness Testimony:

11:19:33 Cheryl Cohen, Montana Board of Housing

Questions from Committee:

11:19:59 Rep. Jennifer Carlson
11:34:12 Rep. Jonathan Karlen-D

Closing Statement:

11:35:13 Rep. Jonathan Karlen (D), HD 96, closed the hearing on HB 889.
11:38:14 **Recessed**
12:08:10 **Reconvened**

EXECUTIVE ACTION ON HB 372 - Establish right to hunt in Constitution

12:08:19 **Motion:** Vice Chair Brandon Ler moved that **HB 372 DO PASS.**
12:08:28 **Motion:** Vice Chair Brandon Ler moved that **HB 372 BE AMENDED.**
Vote: Motion carried 13 - 6 by roll call vote with Rep. Bishop, Rep. France, Rep. Hawk, Rep. Howell, Rep. Smith, Rep. Zephyr, voting no.
12:09:37 **Motion:** Vice Chair Brandon Ler moved that **HB 372 DO PASS AS AMENDED.**

Discussion:

12:10:41 Rep. SJ Howell
12:11:44 Rep. Jedediah Hinkle
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 405 - Constitutional amendment related to grand juries

12:13:11 **Motion:** Vice Chair Brandon Ler moved that **HB 405 BE TABLED.**

Vote: Motion carried 16 - 3 by roll call vote with Rep. Hinkle, Rep. Hinkle, Rep. Sheldon-Galloway, voting no.
Rep. Hinkle, Rep. Hinkle, Rep. Sheldon-Galloway, By Proxy

EXECUTIVE ACTION ON HB 517 - Constitutional amendment regarding board of regents

12:15:02 **Motion:** Vice Chair Brandon Ler moved that **HB 517 DO PASS.**

12:15:47 **Motion:** Vice Chair Brandon Ler moved that **HB 517 BE AMENDED.**

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

12:17:43 **Motion:** Vice Chair Brandon Ler moved that **HB 517 DO PASS AS AMENDED.**

Discussion:

12:17:53 Rep. Jennifer Carlson

12:18:25 Rep. Braxton Mitchell

12:18:51 Vice Chair Laurie Bishop

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

EXECUTIVE ACTION ON HB 551 - Implement constitutional carry into the Montana Constitution

12:20:51 **Motion:** Vice Chair Brandon Ler moved that **HB 551 DO PASS.**

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

EXECUTIVE ACTION ON HB 865 - Provide for a local government expenditure limitation & penalties

12:22:28 **Motion:** Vice Chair Brandon Ler moved that **HB 865 DO PASS.**

12:22:39 **Motion:** Vice Chair Brandon Ler moved that **HB 865 BE AMENDED.**

Discussion:

12:25:27 Rep. Jedediah Hinkle

12:25:46 Rep. Tom France

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

12:28:14 **Motion:** Vice Chair Brandon Ler moved that **HB 865 DO PASS AS AMENDED.**

Discussion:

12:28:25 Rep. Neil Duram

12:28:54 Vice Chair Laurie Bishop

12:30:14 Rep. Jennifer Carlson

12:31:28 Rep. Jedediah Hinkle

12:33:16 Rep. Wayne Rusk

Vote: Motion carried 11 - 8 by roll call vote with Rep. Bishop, Rep. France, Rep. Hawk, Rep. Howell, Rep. Kmetz, Rep. Rusk, Rep. Smith, Rep. Zephyr, voting no.
Rep. Hawk, By Proxy

EXECUTIVE ACTION ON HB 866 - Constitutional amendment related to redistricting

12:34:42 **Motion:** Vice Chair Brandon Ler moved that **HB 866 DO PASS.**

Vote: Motion failed 13 - 6 by roll call vote with Rep. Carlson, Rep. Deming, Rep. Duram, Rep. Kmetz, Rep. Ler, Rep. Mitchell, voting yes.

12:36:26 **Motion:** Vice Chair Brandon Ler moved that **HB 866 BE TABLED.**

Vote: Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 12:38:44

Brigitte Bellefleur, Secretary