

MINUTES
MONTANA SENATE
68th LEGISLATURE - REGULAR SESSION
COMMITTEE ON (S) JUDICIARY

Call to Order: Chair Sen. Keith Regier-R, on January 05, 2023 at 9:01 AM, in 303

ROLL CALL

Members Present: Sen. Keith Regier, Chair (R)
Sen. Jen Gross, Vice Chair (D)
Sen. Barry Usher, Vice Chair (R)
Sen. Bob Brown (R)
Sen. Daniel Emrich (R)
Sen. Chris Friedel (R)
Sen. Steve Hinebauch (R)
Sen. Kathy Kelker (D)
Sen. Theresa Manzella (R)
Sen. Susan Webber (D)

Members Excused: Sen. Andrea Olsen (D)

Staff Present: Grace Gibney, Secretary
Madelyn Krezowski, Attorney

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 12 12/12/2022

SB 13 12/12/2022

SB 19 12/12/2022

SB 38 01/02/2023

SB 44 01/02/2023

Executive Action:

HEARING ON SB 44 - Revise laws pertaining to court administration of certain civil cases

Opening Statement:

09:02:40 Sen. Jason Small (R), SD 21, opened the hearing on SB 44, Revise laws pertaining to court administration of certain civil cases.

Proponent Testimony:

09:05:16 Beth Baker, Supreme Court Justice, Montana Access to Justice Commission (ATJC)

09:17:44 Aimee Grmoljez, Partner, Crowley Fleck Law Firm

09:25:19 Sean Slanger, Montana Defense Trial Lawyers Association (MDTL), Montana State Bar Association

09:26:03 Charles Robison, Montana Chamber of Commerce

09:26:33 Rebecca Myers, Montana Magistrates Association

09:26:55 Jessie Luther, Montana Association of Clerks of District Court (MACDC)

09:27:19 Al Smith, Montana Trial Lawyers Association (MTLA)

09:28:08 Alissa Chambers, Montana Justice Foundation (MJF)

09:29:32 Paul Kirgis, self

Opponent Testimony:

09:32:47 John Sinrud, President, Montana Landlords Association (MLA)

[EXHIBIT\(230105JUSa1\)](#)

Informational Witness Testimony:

None

Questions from Committee:

09:44:07 Sen. Kathy Kelker

09:46:22 Justice Beth Baker, ATJC

09:48:57 Sen. Keith Regier

09:53:13 Justice Beth Baker, ATJC

09:53:45 Alison Paul, Executive Director, Montana Legal Services Association
(MLSA)

09:55:16 Sen. Chris Friedel

09:59:49 Justice Beth Baker, ATJC

10:00:35 Sen. Theresa Manzella

10:01:08 Alison Paul, MLSA

10:02:21 Sen. Daniel Emrich

10:05:04 Justice Beth Baker, ATJC

10:06:04 Sen. Jen Gross

10:06:34 Justice Beth Baker, ATJC

10:07:53 Sen. Susan Webber

10:08:20 Justice Beth Baker, ATJC

10:09:48 Sen. Bob Brown

10:10:13 Justice Beth Baker, ATJC

10:11:49 Sen. Chris Friedel

10:12:13 John Sinrud, MLA

10:15:04 Sen. Chris Friedel

10:15:51 Justice Beth Baker, ATJC

10:16:29 Sen. Jen Gross

10:18:05 Sean Slanger, MDTL, Montana State Bar

10:18:48 Sen. Susan Webber

10:19:21 Justice Beth Baker, ATJC

10:19:57 Paul Kirgis, self

10:21:46 Sen. Susan Webber

10:22:00 Paul Kirgis, self

10:22:43 Sen. Barry Usher

10:28:48 Justice Beth Baker, ATJC

Closing Statement:

10:29:03 Sen. Jason Small (R), SD 21, closed the hearing on SB 44.

HEARING ON SB 12 - Revising laws on public defender representation related to local ordinances

Opening Statement:

10:31:08 Sen. Ryan Lynch (D), SD 76, opened the hearing on SB 12, Revising laws on public defender representation related to local ordinances.

Discussion:

10:31:25 Sen. Theresa Manzella left the meeting.

Proponent Testimony:

None

Opponent Testimony:

10:33:24 Ben Halverson, Attorney, City of Billings

[EXHIBIT\(230105JUSa2\)](#)

[EXHIBIT\(230105JUSa3\)](#)

[EXHIBIT\(230105JUSa4\)](#)

10:39:37 Thomas Jodoin, Deputy Director, Montana League of Cities and Towns (MLCT)

Informational Witness Testimony:

10:42:03 Brett Schandelson,, Director, Office of State Public Defender

Questions from Committee:

10:42:30 Sen. Chris Friedel

10:44:43 Ben Halverson, City of Billings

10:45:01 Sen. Kathy Kelker

10:46:52 Sen. Ryan Lynch
10:47:48 Sen. Daniel Emrich
10:48:10 Sen. Ryan Lynch

Closing Statement:

10:48:28 Sen. Ryan Lynch (D), SD 76, closed the hearing on SB 12.

HEARING ON SB 38 - Generally revise sex offender level designations

Opening Statement:

10:51:10 Sen. Bob Brown (R), SD 13, opened the hearing on SB 38, Generally revise sex offender level designations.

Proponent Testimony:

10:51:50 Alan Doane, Attorney General's Office, Department of Justice (DOJ)
10:53:01 Suzanne Anders, Montana Department of Justice, Division of Criminal Investigation (DOJ)

Opponent Testimony:

10:54:14 Maggie Bornstein, American Civil Liberties Union of Montana (ACLU)

Informational Witness Testimony:

10:58:05 Anne Dormady, Crime Information Bureau Chief, Montana Division of Criminal Investigation, Department of Justice (DOJ)
10:58:28 David Ortle, Deputy Attorney General, Department of Justice (DOJ)
10:58:49 Clemente Arciga, self/proponent

Questions from Committee:

11:00:47 Sen. Jen Gross
11:01:36 Anne Dormady, DOJ
11:05:49 Suzanne Anders, DOJ
11:07:37 Sen. Daniel Emrich

11:08:19 Suzanne Anders, DOJ
11:09:09 Sen. Chris Friedel
11:11:58 Suzanne Anders, DOJ
11:12:28 Sen. Chris Friedel
11:13:58 Sen. Kathy Kelker
11:16:07 Suzanne Anders, DOJ

Closing Statement:

11:16:30 Sen. Bob Brown (R), SD 13, closed the hearing on SB 38.

HEARING ON SB 13 - Revise DUI laws related to admissible tests for presence of drugs

Opening Statement:

11:20:05 Sen. Keith Regier (R), SD 3, opened the hearing on SB 13, Revise DUI laws related to admissible tests for presence of drugs.

Proponent Testimony:

11:21:53 Jessie Luther, Association of Montana Troopers (AMT)
11:23:23 Dan Smith, Montana Police Protective Association (MPPA)

Opponent Testimony:

11:23:54 Kate Cholewa, Montana Cannabis Industry Association

[EXHIBIT\(230105JUSa5\)](#)

11:25:23 Marilee Watne, Welcome Back Committee (WB)

Informational Witness Testimony:

11:27:27 Brett Schandelson,, Director, Office of State Public Defender

Questions from Committee:

11:27:51 Sen. Chris Friedel
11:29:03 Marilee Watne, WB

11:29:28 Sen. Chris Friedel
11:31:44 Dan Smith, MPPA
11:32:05 Sen. Susan Webber
11:34:14 Jessie Luther, AMT
11:34:33 Sen. Daniel Emrich
11:36:10 Jessie Luther, AMT

Closing Statement:

11:37:50 Sen. Keith Regier (R), SD 3, closed the hearing on SB 13.

HEARING ON SB 19 - Generally revise disorderly conduct sentencing laws

Opening Statement:

11:38:15 Sen. Keith Regier (R), SD 3, opened the hearing on SB 19, Generally revise disorderly conduct sentencing laws.

Proponent Testimony:

11:40:51 Dan Smith, Montana Police Protective Association (MPPA)
11:42:29 Scott Twito, Criminal Justice Oversight Council (CJOC)
[EXHIBIT\(230105JUSa6\)](#)
11:48:27 Sheriff Ross Canen, Criminal Justice Oversight Council (CJOC), Montana Sheriffs and Peace Officers Association (MSPOA)

Opponent Testimony:

11:50:06 Maggie Bornstein, American Civil Liberties Union of Montana (ACLU)
11:52:55 Marilee Watne, self
11:55:40 Benny Lacayo, self
11:58:30 Casey Hugs, self
12:06:34 Hannah Pate, Montana Women Vote

Informational Witness Testimony:

12:08:27 Brett Schandelson, Director, Office of State Public Defender

Questions from Committee:

12:08:53 Sen. Kathy Kelker

12:10:32 Scott Twito, CJOC

12:11:51 Sen. Chris Friedel

12:15:39 Scott Twito, CJOC

12:16:31 Sen. Jen Gross

12:17:47 Sen. Keith Regier-R

Closing Statement:

12:18:25 Sen. Keith Regier (R), SD 3, closed the hearing on SB 19.

ADJOURNMENT

Adjournment: 12:19:31

Grace Gibney, Secretary

Additional Documents: [EXHIBIT\(230105JUSaad\)](#)