

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

Call to Order: Chair Keith Regier-R, on January 11, 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. Andrea Olsen (D)

Members Excused: Sen. Susan Webber (D)

Staff Present: Julianne Burkhardt, Attorney
Grace Gibney, Secretary

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 47 01/06/2023

Executive Action:

SB 12 DO PASS
SB 19 DO PASS
SB 68 DO PASS AS AMENDED
SB 38 DO PASS
SB 79 TO TABLE
SJ 5 DO PASS
SB 106 DO PASS

HEARING ON SB 47 - Revise commercial drivers license laws to comply with federal requirements

Opening Statement:

09:06:18 Sen. Theresa Manzella (R), SD 85, opened the hearing on SB 47, Revise commercial drivers license laws to comply with federal requirements.

Proponent Testimony:

09:13:50 Malcolm Long, Montana Department of Transportation

[EXHIBIT\(230111JUSa1\)](#)

[EXHIBIT\(230111JUSa2\)](#)

[EXHIBIT\(230111JUSa3\)](#)

[EXHIBIT\(230111JUSa4\)](#)

09:16:11 Brad Marten, Motor Carrier Services Division, Department of Transportation (MDT)

09:23:38 David Smith, Montana Contractors Association

09:24:21 Darryl James, Montana Infrastructure Coalition

09:25:29 Duane Williams, Montana Trucking Association

09:30:05 Jason Todhunter, Montana Logging Association

09:32:01 Jim Dusenberry, Montana Tow Truck Association

09:33:30 Brad Longcake, Montana Petroleum Marketers and Convenience Store Association

09:34:33 Bob Gilbert, Montana Tow Truck Association

09:37:05 Kyle Ricketts, self

Opponent Testimony:

09:38:45 Senator Carl Glimm, Senate District 2

Informational Witness Testimony:

09:47:41 Laurie Bakri, Montana Motor Vehicle Division (MVD)

Questions from Committee:

09:48:34 Sen. Kathy Kelker
09:48:56 Brad Marten, MDT
09:52:27 Chair Keith Regier
09:53:35 Brad Marten, MDT
09:56:48 Sen. Bob Brown
09:57:11 Laurie Bakri, MVD
09:58:07 Vice Chair Barry Usher
09:58:36 Brad Marten, MDT
10:00:45 Laurie Bakri, MVD
10:01:00 Chair Keith Regier
10:01:10 Brad Marten, MDT
10:02:01 Chair Keith Regier
10:02:14 Laurie Bakri, MVD
10:02:41 Sen. Steve Hinebauch
10:03:03 Brad Marten, MDT
10:03:58 Sen. Chris Friedel
10:04:16 Brad Marten, MDT
10:07:05 Vice Chair Jen Gross
10:07:14 Brad Marten, MDT
10:08:27 Sen. Daniel Emrich
10:08:46 Brad Marten, MDT

Closing Statement:

10:09:27 Sen. Theresa Manzella (R), SD 85, closed the hearing on SB 47.

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

10:50:05 **Motion:** Sen. Barry Usher moved that **SB 12 DO PASS.**

Discussion:

10:51:26 Sen. Kathy Kelker

10:52:27 Sen. Chris Friedel

10:54:09 Sen. Andrea Olsen

10:54:47 Sen. Kathy Kelker

10:55:14 Sen. Bob Brown

23:56:46 Chair Keith Regier

10:50:05 **Vote:** Motion failed unanimously by voice vote.

10:51:08 **Motion:** Sen. Kathy Kelker moved that **SB 12 BE AMENDED.**

10:51:08 **Vote:** Motion failed 8 - 3 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Regier, voting yes.

10:58:14 **Motion:** Sen. Keith Regier moved that **SB 12 DO PASS.**

10:58:14 **Vote:** Motion carried 8 - 3 by roll call vote with Sen. Gross, Sen. Olsen, Sen. Webber, voting no.
Sen. Webber, By Proxy

EXECUTIVE ACTION ON SB 19 - Generally revise disorderly conduct sentencing laws

11:09:24 **Motion:** Sen. Keith Regier moved that **SB 19 DO PASS.**

Discussion:

11:00:11 Vice Chair Jen Gross

11:01:00 Sen. Andrea Olsen

11:03:02 Chair Keith Regier

11:03:50 Vice Chair Jen Gross

11:04:19 Sen. Daniel Emrich

11:09:24 **Vote:** Motion carried 8 - 3 by voice vote with Sen. Gross, Sen. Olsen, Sen. Webber, voting no.
Sen. Webber, By Proxy

EXECUTIVE ACTION ON SB 68 - Revise laws related to coroner inquests for DOC facilities

11:10:12 **Motion:** Sen. Barry Usher moved that **SB 68 DO PASS.**

Discussion:

11:12:22 Sen. Andrea Olsen

11:10:12 **Vote:** Motion carried 10 - 1 by roll call vote with Sen. Olsen, voting no.

11:10:58 **Motion:** Sen. Barry Usher moved that **SB 68 BE AMENDED.**

11:10:58 **Vote:** Motion carried unanimously by voice vote.

11:11:46 **Motion:** Sen. Barry Usher moved that **SB 68 DO PASS AS AMENDED.**

11:11:46 **Vote:** Motion carried 10 - 1 by roll call vote with Sen. Olsen, voting no.

EXECUTIVE ACTION ON SB 38 - Generally revise sex offender level designations

11:11:39 **Motion:** Sen. Bob Brown moved that **SB 38 DO PASS.**

11:11:39 **Vote:** Motion carried 7 - 4 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Webber, voting no.
Sen. Webber, By Proxy

EXECUTIVE ACTION ON SB 79 - Revise laws relating to peace officer status

11:14:36 **Motion:** Sen. Barry Usher moved that **SB 79 DO PASS.**

Discussion:

11:14:50 Vice Chair Jen Gross

11:14:36 **Vote:** Motion failed 7 - 4 by voice vote with Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Webber, voting yes.
Sen. Webber, By Proxy

11:15:12 **Motion:** Sen. Barry Usher moved that **SB 79 TO TABLE.**

11:15:12 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SJ 5 - Resolution urging Congress to fully fund law enforcement in Indian Country

11:20:00 **Motion:** Sen. Bob Brown moved that **SJ 5 DO PASS.**

Discussion:

11:20:19 Sen. Bob Brown

11:20:00 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 106 - Revise vehicle and vessel title laws relating to transfer

11:22:07 **Motion:** Sen. Barry Usher moved that **SB 106 DO PASS.**

11:22:07 **Vote:** Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 11:25:10

Grace Gibney, Secretary

Additional Documents: [EXHIBIT\(230111JUSaad\)](#)