

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

Call to Order: Chair Sen. Keith Regier-R, on January 13, 2023 at 9:01 AM, in 303

ROLL CALL

Members Present: Sen. Keith Regier, Chair (R)
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)
Sen. Susan Webber (D)

Members Excused: Sen. Jen Gross (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 148 01/11/2023

SB 149 01/11/2023

Executive Action:

SB 134 DO PASS

SJ 3 DO PASS AS AMENDED

HEARING ON SB 148 - Revise laws regarding legal representation of children

Opening Statement:

09:04:36 Sen. Dennis Lenz (R), SD 53, opened the hearing on SB 148, Revise laws regarding legal representation of children.

Proponent Testimony:

09:06:10 Denise Johnson, Montana Child Protection Alliance

09:09:48 Matt Furlong, Montana Child Protection Alliance

09:12:31 Maggie Bornstein, American Civil Liberties Union of Montana

09:13:25 Beth Brennenman, Montana Coalition Against Domestic and Sexual Violence

09:14:46 Nikki Grossberg, Child and Family Services, Department of Health and Human Services (DPHHS)

09:15:37 Jacob Handy, Self

Opponent Testimony:

None

Informational Witness Testimony:

09:18:12 Brian Smith, Public Defender Administration

Questions from Committee:

09:18:34 Sen. Chris Friedel

09:20:28 Sen. Dennis Lenz-R

09:21:06 Sen. Kathy Kelker

09:23:39 Sen. Dennis Lenz-R

09:23:51 Sen. Keith Regier

09:24:13 Sen. Kathy Kelker

09:25:21 Nikki Grossberg, DPHHS

09:25:30 Sen. Keith Regier

09:25:47 Sen. Dennis Lenz-R
09:27:47 Sen. Keith Regier
09:27:57 Brian Smith, Public Defender Administration
09:28:50 Sen. Andrea Olsen
09:29:42 Brian Smith, Public Defender Administration
09:30:21 Sen. Theresa Manzella
09:32:04 Sen. Dennis Lenz-R
09:33:53 Sen. Bob Brown
09:35:07 Sen. Dennis Lenz-R
09:39:49 Sen. Daniel Emrich
09:43:26 Brian Smith, Public Defender Administration
09:47:36 Sen. Andrea Olsen
09:48:42 Brian Smith, Public Defender Administration
09:51:46 Sen. Kathy Kelker
09:52:29 Brian Smith, Public Defender Administration
09:53:27 Sen. Daniel Emrich
09:55:00 Brian Smith, Public Defender Administration
09:55:09 Sen. Theresa Manzella
09:56:30 Brian Smith, Public Defender Administration

Closing Statement:

09:56:48 Sen. Dennis Lenz (R), SD 53, closed the hearing on SB 148.

EXECUTIVE ACTION ON SB 134 - Revise injunction laws

10:02:50 **Motion:** Sen. Barry Usher moved that **SB 134 DO PASS.**

10:02:50 **Vote:** Motion carried 7 - 4 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Webber, voting no.
Sen. Gross, By Proxy

HEARING ON SB 149 - Establish penalties for false reporting in child protective services cases

Opening Statement:

09:59:27 Sen. Dennis Lenz (R), SD 53, opened the hearing on SB 149, Establish penalties for false reporting in child protective services cases.

Proponent Testimony:

10:01:20 Matt Furlong, Montana Child Protection Alliance

10:04:46 Nikki Grossberg, Child and Family Services, Department of Health and Human Services (DPHHS)

10:05:38 Brian Thompson, Montana Attorney's Association

10:06:55 Denise Johnson, Montana Child Protection Alliance

10:12:03 Robert Leach, self

10:13:35 Jacob Handy, self

Opponent Testimony:

None

Informational Witness Testimony:

10:14:58 Russel Sias, Self

Questions from Committee:

10:26:13 Sen. Theresa Manzella

10:27:32 Sen. Dennis Lenz-R

10:30:34 Sen. Daniel Emrich

10:31:03 Sen. Dennis Lenz-R

10:31:21 Nikki Grossberg, DPHHS

10:34:03 Sen. Chris Friedel

10:34:49 Nikki Grossberg, DPHHS

Closing Statement:

10:34:58 Sen. Dennis Lenz (R), SD 53, closed the hearing on SB 149.

EXECUTIVE ACTION ON SJ 3 - Joint resolution related to the Justice Counts Initiative

11:05:54 **Motion:** Sen. Barry Usher moved that **SJ 3 DO PASS.**

11:07:03 **Motion:** Sen. Andrea Olsen moved that **SJ 3 BE AMENDED.**

11:07:03 **Vote:** Motion carried unanimously by voice vote.

11:08:25 **Motion:** Sen. Barry Usher moved that **SJ 3 DO PASS AS AMENDED.**

11:08:25 **Vote:** Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 11:09:25

Grace Gibney, Secretary

Additional Documents: [EXHIBIT\(230113JUSaad\)](#)