

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

Call to Order: Chair Sen. Keith Regier-R, on January 18, 2023 at 9:00 AM, in 422

ROLL CALL

Members Present: 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)
Sen. Susan Webber (D)

Members Excused: Sen. Keith Regier (R)

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:

HB 77 01/16/2023
HB 78 01/16/2023
SB 159 01/12/2023
SB 160 01/12/2023

Executive Action:

SB 154 DO PASS
HB 77
HB 78

HEARING ON SB 159 - Restrict use of eminent domain

Opening Statement:

09:01:30 Sen. Becky Beard (R), SD 40, opened the hearing on SB 159, Restrict use of eminent domain.

Proponent Testimony:

09:02:43 Chris Castagne, self

[EXHIBIT\(230118JUSa1\)](#)

[EXHIBIT\(230118JUSa2\)](#)

09:06:16 Chuck Denowh, The Montana Group

09:08:54 Betsy Story, Rocky Mountain Stock Growers

Opponent Testimony:

None

Informational Witness Testimony:

09:11:44 Shawn Thomas, Montana Department of Natural Resources and Conservation (DNRC)

Questions from Committee:

09:12:18 Sen. Chris Friedel

09:12:30 Chris Castagne, self

09:15:50 Sen. Kathy Kelker

09:16:34 Chris Castagne, self

09:18:31 Sen. Jen Gross

09:18:36 Shawn Thomas, DNRC

09:20:09 Sen. Steve Hinebauch

09:20:17 Chuck Denowh, The Montana Group

09:21:40 Sen. Chris Friedel

09:21:49 Sen. Becky Beard-R

Closing Statement:

09:24:05 Sen. Becky Beard (R), SD 40, closed the hearing on SB 159.

HEARING ON HB 77 - Revise laws related to public safety officer appointing authorities

Opening Statement:

09:34:55 Rep. Steven Galloway (R), HD 24, opened the hearing on HB 77, Revise laws related to public safety officer appointing authorities.

Proponent Testimony:

09:38:36 Timothy Allred, Montana Department of Justice (DOJ)

09:39:53 Dan Smith, Police Protective Association

09:40:26 Brian Thompson, Montana Sheriffs and Peace Officers Association

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

09:41:32 Sen. Andrea Olsen

09:42:15 Timothy Allred, DOJ

09:42:45 Sen. Jen Gross

09:42:59 Sen. Barry Usher

09:43:12 Timothy Allred, DOJ

Closing Statement:

09:43:57 Rep. Steven Galloway (R), HD 24, closed the hearing on HB 77.

HEARING ON HB 78 - Revise laws related to public safety officer appointing authorities

Opening Statement:

09:44:31 Rep. Steven Galloway (R), HD 24, opened the hearing on HB 78, Revise laws related to public safety officer appointing authorities.

Proponent Testimony:

09:45:40 Timothy Allred, Montana Department of Justice (DOJ)

09:46:40 Dan Smith, Montana Police Protective Association

09:47:22 Brian Thompson, Montana Police and Sheriffs Association

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

09:48:21 Sen. Susan Webber

09:48:29 Timothy Allred, Montana Department of Justice

Closing Statement:

09:49:25 Rep. Steven Galloway (R), HD 24, closed the hearing on HB 78.

HEARING ON SB 160 - Generally revise drug and human trafficking laws

Opening Statement:

10:08:16 Sen. Brad Molnar (R), SD 28, opened the hearing on SB 160, Generally revise drug and human trafficking laws.

Proponent Testimony:

None

Opponent Testimony:

10:14:49 Maggie Bornstein, American Civil Liberties Union of Montana
10:16:50 Alex Struman, Montana Department of Justice
10:17:54 Brian Thompson, Montana County Attorneys Association (MCAA)

Informational Witness Testimony:

None

Questions from Committee:

10:20:34 Sen. Steve Hinebauch
10:21:21 Sen. Brad Molnar-R
10:25:34 Sen. Jen Gross
10:26:24 Sen. Brad Molnar-R
10:26:27 Sen. Kathy Kelker
10:27:08 Sen. Brad Molnar-R
10:28:15 Sen. Daniel Emrich
10:28:29 Brian Thompson, MCAA
10:30:28 Sen. Andrea Olsen
10:32:27 Sen. Brad Molnar-R
10:34:23 Sen. Kathy Kelker
10:34:57 Sen. Brad Molnar-R

Closing Statement:

10:35:08 Sen. Brad Molnar (R), SD 28, closed the hearing on SB 160.

EXECUTIVE ACTION ON SB 154 - Define the right to privacy to clarify no right to abortion

11:01:03 **Motion:** Sen. Barry Usher moved that **SB 154 DO PASS.**

Discussion:

11:02:49 Sen. Andrea Olsen
11:05:36 Sen. Barry Usher
11:06:32 Sen. Steve Hinebauch
11:01:03 **Vote:** Motion carried 7 - 4 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Webber, voting no.

EXECUTIVE ACTION ON HB 77 - Revise laws related to public safety officer appointing authorities

11:08:35 **Motion:** Sen. Barry Usher moved that **HB 77 BE CONCURRED IN.**
11:08:35 **Vote:** Motion carried unanimously by voice vote.
11:08:35 **Carrier Assigned:** Sen. Chris Friedel

EXECUTIVE ACTION ON HB 78 - Revise laws related to public safety officer appointing authorities

11:10:17 **Motion:** Sen. Barry Usher moved that **HB 78 BE CONCURRED IN.**
11:10:17 **Vote:** Motion carried unanimously by voice vote.
11:10:17 **Carrier Assigned:** Sen. Chris Friedel

ADJOURNMENT

Adjournment: 11:14:34

Grace Gibney, Secretary

Additional Documents: [EXHIBIT\(230118JUSaad\)](#)