

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

Call to Order: Chair Sen. Keith Regier-R, on January 19, 2023 at 9:02 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)
Sen. Susan Webber (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 169 01/16/2023
SB 171 01/16/2023
SB 172 01/16/2023

Executive Action:

SB 159 DO PASS

HEARING ON SB 169 - Generally revise punitive damage laws

Opening Statement:

09:03:16 Sen. Greg Hertz (R), SD 12, opened the hearing on SB 169, Generally revise punitive damage laws.

Discussion:

[EXHIBIT\(230119JUSa1\)](#)

Proponent Testimony:

09:09:07 Steve Wade, Montana Chamber of Commerce

Opponent Testimony:

09:10:33 Al Smith, Montana Trial Lawyers Association

09:20:00 Sean Slanger, Montana Defense Trial Lawyers Association

Informational Witness Testimony:

None

Questions from Committee:

09:21:46 Sen. Keith Regier

09:22:15 Sen. Greg Hertz-R

09:22:42 Sen. Theresa Manzella

09:23:11 Sen. Greg Hertz-R

09:24:25 Al Smith, Montana Trial Lawyers Association

09:25:18 Sen. Andrea Olsen

09:26:13 Sen. Greg Hertz-R

09:27:48 Sen. Andrea Olsen

09:27:51 Al Smith, Montana Trial Lawyers Association

09:31:50 Sen. Kathy Kelker

09:32:49 Al Smith, Montana Trial Lawyers Association

09:35:27 Sen. Daniel Emrich
09:35:58 Al Smith, Montana Trial Lawyers Association
09:37:33 Sen. Daniel Emrich
09:37:35 Sean Slanger, Montana Defense Trial Lawyers Association
09:38:17 Sen. Susan Webber
09:38:28 Al Smith, Montana Trial Lawyers Association

Closing Statement:

09:40:07 Sen. Greg Hertz (R), SD 12, closed the hearing on SB 169.

HEARING ON SB 172 - Generally revise bail bond laws

Opening Statement:

09:43:10 Sen. Chris Friedel (R), SD 26, opened the hearing on SB 172, Generally revise bail bond laws.

Proponent Testimony:

None

Opponent Testimony:

09:45:19 John Looney, National Association of Bail Agents Montana
09:52:55 Kelly Reisbeck, Central Montana Bail Bonds
09:53:23 Jeff Carter, Montana Bondsman
09:53:46 Frank Cote, Commissioner of Securities and Insurance

Informational Witness Testimony:

None

Questions from Committee:

09:59:36 Sen. Kathy Kelker
09:59:37 John Looney, National Association of Bail Agents Montana
10:01:44 Sen. Barry Usher

10:02:13 Frank Cote, Commissioner of Securities and Insurance

Closing Statement:

10:04:35 Sen. Chris Friedel (R), SD 26, closed the hearing on SB 172.

**HEARING ON SB 171 - Provide for distribution of certain property/funds after inmate dies
in custody**

Opening Statement:

10:08:46 Sen. Keith Regier (R), SD 3, opened the hearing on SB 171, Provide for distribution of certain property/funds after inmate dies in custody.

Proponent Testimony:

10:11:20 Jim Anderson, Montana Department of Corrections

10:12:49 Maggie Bornstein, American Civil Liberties Union of Montana

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

10:13:57 Sen. Jen Gross

10:14:43 Jim Anderson, Montana Department of Corrections

10:15:24 Sen. Jen Gross

10:15:27 Sen. Keith Regier-R

10:16:45 Sen. Susan Webber

10:18:09 Sen. Keith Regier-R

10:18:21 Sen. Andrea Olsen

10:19:43 Jim Anderson, Montana Department of Corrections

10:24:17 Sen. Susan Webber

10:25:24 Jim Anderson, Montana Department of Corrections

Closing Statement:

10:25:42 Sen. Keith Regier (R), SD 3, closed the hearing on SB 171.

EXECUTIVE ACTION ON SB 159 - Restrict use of eminent domain

10:49:53 **Motion:** Sen. Barry Usher moved that **SB 159 DO PASS.**

Discussion:

10:50:08 Sen. Andrea Olsen

10:51:12 Sen. Daniel Emrich

10:49:53 **Vote:** Motion carried 7 - 4 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Webber, voting no.
Sen. Webber, By Proxy

ADJOURNMENT

Adjournment: 10:54:32

Grace Gibney, Secretary

Additional Documents: [EXHIBIT\(230119JUSaad\)](#)