

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

**Call to Order:** Chair Sen. Keith Regier-R, on January 24, 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. Theresa Manzella (R)  
Sen. Andrea Olsen (D)  
Sen. Susan Webber (D)

**Members Excused:** Sen. Kathy Kelker (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 182 01/19/2023

SB 184 01/19/2023

SB 191 01/19/2023

Executive Action:

HB 18

SB 148 DO PASS

SB 94 DO PASS AS AMENDED

**HEARING ON SB 191 - Revise preliminary injunction laws**

**Opening Statement:**

09:03:13 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 191, Revise preliminary injunction laws.

**Proponent Testimony:**

09:07:13 Charles Robison, Montana Chamber of Commerce (MCC)

**Opponent Testimony:**

09:08:24 Derf Johnson, Montana Environmental Information Center (MEIC)

**Informational Witness Testimony:**

09:09:47 Brett Meade, Department of Justice (DOJ)

**Questions from Committee:**

09:10:22 Sen. Keith Regier

09:10:26 Sen. Steve Fitzpatrick-R

09:10:32 Sen. Andrea Olsen

09:11:40 Sen. Steve Fitzpatrick-R

09:12:19 Sen. Barry Usher

09:12:45 Derf Johnson, MEIC

09:14:04 Sen. Barry Usher

09:14:23 Sen. Steve Fitzpatrick-R

09:15:42 Sen. Jen Gross

09:15:53 Brett Meade, DOJ

09:23:30 Sen. Andrea Olsen

09:28:21 Brett Meade, DOJ

09:30:00 Sen. Susan Webber  
09:30:52 Brett Meade, DOJ  
09:33:20 Sen. Andrea Olsen  
09:33:54 Brett Meade, DOJ

**Closing Statement:**

09:34:09 Sen. Steve Fitzpatrick (R), SD 10, closed the hearing on SB 191.

**HEARING ON SB 182 - Create task force on a court system for dependency and neglect cases**

**Opening Statement:**

09:35:04 Sen. Dennis Lenz (R), SD 53, opened the hearing on SB 182, Create task force on a court system for dependency and neglect cases.

**Proponent Testimony:**

09:39:32 Matt Furlong, Montana Child Protection Alliance (MCPA)  
09:40:10 Bruce Spencer, Montana Judges Association (MJA)  
09:41:05 Denise Johnson, Montana Child Protection Alliance (MCPA)  
09:43:42 Amanda O'Shea Tiernan, Montana County Attorneys Office (MCAO)  
09:45:35 David Kesler, self  
09:48:15 Bob Leach, self

**Opponent Testimony:**

09:49:58 April Barnings, Montana Court Appointed Special Advocate, Guardian ad Litem Association (CASA/GAL)

**Informational Witness Testimony:**

09:51:42 Nikki Grossberg, Montana Child and Family Services (MCFS)

**Questions from Committee:**

09:52:05 Sen. Theresa Manzella

09:52:10 Sen. Dennis Lenz-R  
09:53:36 Sen. Theresa Manzella  
09:53:56 Bruce Spencer, MJA  
09:56:38 Sen. Jen Gross  
09:56:58 Bruce Spencer, MJA  
09:58:12 Sen. Jen Gross  
09:58:17 Sen. Dennis Lenz-R  
10:00:08 Sen. Keith Regier  
10:00:25 Sen. Dennis Lenz-R

**Closing Statement:**

10:00:51 Sen. Dennis Lenz (R), SD 53, closed the hearing on SB 182.

**HEARING ON SB 184 - Revise procedural requirements in child abuse and neglect proceedings**

**Opening Statement:**

10:02:00 Sen. Dennis Lenz (R), SD 53, opened the hearing on SB 184, Revise procedural requirements in child abuse and neglect proceedings.

**Proponent Testimony:**

10:06:01 Matt Furlong, Montana Child Protection Alliance (MCPA)  
10:08:42 Denise Johnson, Montana Child Protection Alliance (MCPA)  
10:11:35 David Kesler, self  
10:16:37 Bob Leach, self

**Opponent Testimony:**

10:17:47 Amanda O'Shea Tiernan, Montana County Attorneys Office (MCAo)  
10:29:43 Bruce Spencer, Montana Judges Association (MJA)

**Informational Witness Testimony:**

10:31:27 Nikki Grossberg, Montana Child and Family Services (MCFS)

10:31:42 Brian Smith, Office of Public Defender (OPD)

**Questions from Committee:**

10:32:23 Sen. Chris Friedel

10:32:51 Amanda O'Shea Tiernan, MCAo

10:35:02 Sen. Theresa Manzella

10:35:08 Sen. Dennis Lenz-R

10:38:47 Sen. Andrea Olsen

10:41:38 Sen. Dennis Lenz-R

10:42:47 Sen. Andrea Olsen

10:42:49 Brian Smith, OPD

10:45:30 Sen. Daniel Emrich

10:45:39 Amada O'Shea Tiernan, MCAo

10:52:11 Sen. Theresa Manzella

10:54:04 Amanda O'Shea Tiernan, MCAo

10:54:17 Sen. Keith Regier

10:54:28 Nikki Grossberg, MCFS

10:55:14 Sen. Andrea Olsen

10:55:20 Brian Smith, OPD

11:39:23 Sen. Steve Hinebauch left the meeting.

**Closing Statement:**

10:56:24 Sen. Dennis Lenz (R), SD 53, closed the hearing on SB 184.

**EXECUTIVE ACTION ON HB 18 - Establish missing persons response team training grant program**

- 11:27:52        **Motion:** Sen. Barry Usher moved that **HB 18 BE CONCURRED IN.**
- 11:27:52        **Vote:** Motion failed unanimously by voice vote.
- 11:27:52        **Carrier Assigned:** Sen. Susan Webber
- 11:28:29        **Motion:** Sen. Barry Usher moved that **HB 18 BE AMENDED.**
- 11:28:29        **Vote:** Motion carried unanimously by voice vote.
- 11:29:25        **Motion:** Sen. Barry Usher moved that **HB 18 BE CONCURRED IN AS AMENDED.**
- 11:29:25        **Vote:** Motion carried unanimously by voice vote.
- 11:29:25        **Carrier Assigned:** Sen. Susan Webber

**EXECUTIVE ACTION ON SB 148 - Revise laws regarding legal representation of children**

- 11:33:56        **Motion:** Sen. Barry Usher moved that **SB 148 DO PASS.**
- 11:33:56        **Vote:** Motion carried 9 - 2 by roll call vote with Sen. Emrich, Sen. Friedel, voting no.

**EXECUTIVE ACTION ON SB 94 - Generally revise laws related to recovery residences**

- 11:43:52        **Motion:** Sen. Barry Usher moved that **SB 94 DO PASS.**
- 11:43:52        **Vote:** Motion failed unanimously by voice vote.
- 11:44:28        **Motion:** Sen. Barry Usher moved that **SB 94 BE AMENDED.**

**Discussion:**

- 11:44:42        Sen. Steve Hinebauch joined the meeting.
- 11:45:03        Sen. Chris Friedel
- 11:45:38        Sen. Keith Regier
- 11:45:53        Sen. Jen Gross
- 11:45:59        Sen. Barry Usher
- 11:44:28        **Vote:** Motion carried unanimously by voice vote.
- 11:47:14        **Motion:** Sen. Daniel Emrich moved that **SB 94 BE AMENDED.**

- 11:47:14 **Vote:** Motion carried unanimously by voice vote.
- 11:52:54 **Motion:** Sen. Jen Gross moved that **SB 94 OTHER.**
- 11:52:54 **Vote:** Motion carried 6 - 5 by roll call vote with Sen. Brown, Sen. Emrich, Sen. Friedel, Sen. Hinebauch, Sen. Manzella, voting no.
- 11:55:52 **Motion:** Sen. Daniel Emrich moved that **SB 94 BE AMENDED.**

**Discussion:**

- 10:22:58 Sen. Chris Friedel
- 11:55:55 Sen. Keith Regier
- 11:56:18 Sen. Susan Webber
- 11:56:54 Sen. Barry Usher
- 11:57:11 Sen. Susan Webber
- 11:57:33 Sen. Keith Regier
- 11:57:34 Sen. Barry Usher
- 11:58:07 Sen. Chris Friedel
- 11:58:33 Sen. Jen Gross
- 11:59:24 Sen. Chris Friedel
- 11:59:50 Sen. Keith Regier
- 12:00:20 Sen. Chris Friedel
- 12:00:35 Sen. Keith Regier
- 12:01:04 Sen. Barry Usher
- 12:02:14 Sen. Keith Regier
- 12:02:39 Sen. Barry Usher
- 12:03:17 Sen. Andrea Olsen
- 11:55:52 **Vote:** Motion carried unanimously by roll call vote.
- 12:04:26 **Motion:** Sen. Barry Usher moved that **SB 94 DO PASS AS AMENDED.**
- 12:04:26 **Vote:** Motion carried 9 - 2 by roll call vote with Sen. Emrich, Sen. Friedel, voting no.

**ADJOURNMENT**

Adjournment: 12:08:03

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Grace Gibney, Secretary

Additional Documents: [EXHIBIT\(230124JUSaad\)](#)