

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

Call to Order: Chair Keith Regier-R, on February 03, 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: 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:

HB 79 02/01/2023
SB 229 01/27/2023
SB 231 01/30/2023
SR 7 01/23/2023

Executive Action:

SR 7 RESOLUTION ADOPTED
SB 201 DO PASS
SB 230 DO PASS

HEARING ON HB 79 - Create sexual assault response network program and committee

Opening Statement:

09:02:51 Rep. Amy Regier (R), HD 6, opened the hearing on HB 79, Create sexual assault response network program and committee.

Proponent Testimony:

09:04:51 Dana Toole, Special Services Bureau Chief, Department of Justice (DOJ)

09:07:54 Dan Smith, Police Protective Association

09:08:29 Aimee Grmoljez, Billings Clinic

09:10:02 Brian Thompson, Montana County Attorneys Association

09:10:34 Duane Pressinger, Montana Hospital Association (MHA)

09:11:22 Robin Turner, Montana Coalition Against Domestic and Sexual Violence

Opponent Testimony:

None

Informational Witness Testimony:

09:15:51 Kayla Bragg, Montana Department of Justice (DOJ)

Questions from Committee:

09:16:26 Sen. Bob Brown

09:16:47 Rep. Amy Regier-R

09:17:17 Dana Toole, DOJ

09:17:45 Sen. Andrea Olsen

09:18:06 Duane Pressinger, MHA

09:19:32 Vice Chair Jen Gross

09:19:53 Kayla Bragg, DOJ

09:22:31 Vice Chair Jen Gross
09:22:45 Aimee Grmoljez, Billings Clinic
09:24:59 Sen. Susan Webber
09:25:02 Dana Toole, DOJ
09:26:00 Chair Keith Regier
09:26:19 Kayla Bragg, DOJ
09:27:38 Vice Chair Barry Usher
09:28:21 Kayla Bragg, DOJ
09:28:40 Sen. Daniel Emrich
09:29:17 Rep. Amy Regier-R
09:29:32 Sen. Daniel Emrich
09:29:34 Dana Toole, DOJ
09:36:23 Sen. Theresa Manzella
09:36:46 Dana Toole, DOJ

Closing Statement:

09:37:32 Rep. Amy Regier (R), HD 6, closed the hearing on HB 79.

HEARING ON SR 7 - Confirm governor's appointee for district court judge - district 20

Opening Statement:

09:38:18 Chair Keith Regier (R), SD 3, opened the hearing on SR 7, Confirm governor's appointee for district court judge - district 20.

Discussion:

[EXHIBIT\(230203JUSa1\)](#)

Proponent Testimony:

09:39:14 Judge Molly Owen, Governor's Appointee District Judge

09:44:57 Kristen Juras, Lieutenant Governor of Montana

[EXHIBIT\(230203JUSa2\)](#)

[EXHIBIT\(230203JUSa3\)](#)

09:47:51 Justice Deborah Kim Christopher, Montana District Judge

[EXHIBIT\(230203JUSa4\)](#)

09:58:48 James Lapotka, Lake County Attorney

10:05:22 Dave Steele, Missoula County Attorney

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

10:07:26 Sen. Susan Webber

10:08:16 Judge Molly Owen

10:10:52 Sen. Theresa Manzella

10:11:50 Judge Molly Owen

10:13:37 Sen. Andrea Olsen

10:16:16 Sen. Chris Friedel

10:27:54 Judge Molly Owen

10:28:03 Vice Chair Jen Gross

10:28:33 Judge Molly Owen

10:29:27 Sen. Daniel Emrich

10:31:59 Judge Molly Owen

10:33:22 Vice Chair Barry Usher

10:33:56 Judge Molly Owen

Closing Statement:

10:35:56 Chair Keith Regier (R), SD 3, closed the hearing on SR 7.

HEARING ON SB 231 - Create task force on establishing a dependent neglect court system

Opening Statement:

10:36:46 Sen. Dennis Lenz (R), SD 53, opened the hearing on SB 231, Create task force on establishing a dependent neglect court system.

Proponent Testimony:

10:40:19 Brian Thompson, Montana County Attorneys Association

Opponent Testimony:

None

Informational Witness Testimony:

10:42:44 Nikki Grossberg, Division Administrator Child and Family Services

Questions from Committee:

10:43:21 Vice Chair Jen Gross
10:44:14 Sen. Dennis Lenz-R
10:45:51 Sen. Theresa Manzella
10:45:57 Sen. Dennis Lenz-R
10:48:22 Sen. Bob Brown
10:49:01 Sen. Dennis Lenz-R
10:51:08 Sen. Daniel Emrich
10:52:54 Sen. Dennis Lenz-R

Closing Statement:

10:53:12 Sen. Dennis Lenz (R), SD 53, closed the hearing on SB 231.

HEARING ON SB 229 - Reimburse counties for actual witness costs

Opening Statement:

10:54:56 Vice Chair Barry Usher (R), SD 40, opened the hearing on SB 229, Reimburse counties for actual witness costs.

Proponent Testimony:

10:57:05 Karen Alley, Montana Association of Counties

11:02:36 Dan Guzynski, Lewis and Clark County Attorney

11:06:32 Brian Thompson, Montana County Attorneys Association

11:08:13 Zach Brown, Gallatin County Commissioner

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

11:10:45 Sen. Daniel Emrich

11:11:20 Sen. Barry Usher-R

11:13:04 Sen. Theresa Manzella

11:13:33 Sen. Barry Usher-R

Closing Statement:

11:13:45 Vice Chair Barry Usher (R), SD 40, closed the hearing on SB 229.

**EXECUTIVE ACTION ON SR 7 - Confirm governor's appointee for district court judge -
district 20**

11:15:53 **Motion:** Vice Chair Barry Usher moved that **SR 7 RESOLUTION ADOPTED.**

Discussion:

11:16:25 Sen. Chris Friedel

11:17:57 Sen. Theresa Manzella

11:18:24 Sen. Susan Webber
11:18:43 Sen. Bob Brown
11:19:20 Vice Chair Jen Gross
11:20:07 Sen. Steve Hinebauch
11:20:26 Vice Chair Barry Usher
11:21:03 Sen. Daniel Emrich
11:21:24 Chair Keith Regier
14:32:33 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 201 - Revise judicial recusal laws when parties made campaign contributions

11:37:15 **Motion:** Vice Chair Barry Usher moved that **SB 201 DO PASS.**
14:32:33 **Vote:** Motion failed unanimously by voice vote.
11:39:01 **Motion:** Sen. Andrea Olsen moved that **SB 201 BE AMENDED.**
14:32:33 **Vote:** Motion failed 7 - 4 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Webber, voting yes.
Sen. Kelker, By Proxy
11:42:09 **Motion:** Vice Chair Barry Usher moved that **SB 201 BE AMENDED.**
14:32:33 **Vote:** Motion failed 6 - 5 by roll call vote with Sen. Brown, Sen. Emrich, Sen. Hinebauch, Sen. Regier, Sen. Usher, voting yes.
11:50:10 **Motion:** Vice Chair Barry Usher moved that **SB 201 DO PASS.**
14:32:33 **Vote:** Motion carried 7 - 4 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Webber, voting no.
Sen. Kelker, By Proxy

EXECUTIVE ACTION ON SB 230 - Provide that office of court administrator is under clerk of the supreme court

11:51:59 **Motion:** Vice Chair Barry Usher moved that **SB 230 DO PASS.**
14:32:33 **Vote:** Motion carried 6 - 5 by roll call vote with Sen. Friedel, Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Webber, voting no.
Sen. Kelker, By Proxy

ADJOURNMENT

Adjournment: 11:59:18

Grace Gibney, Secretary

Additional Documents: [EXHIBIT\(230203JUSaad\)](#)