

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

Call to Order: Chair Sen. Keith Regier-R, on February 08, 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)

Members Excused: Sen. Susan Webber (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 112 02/06/2023
HB 205 02/06/2023
SB 252 02/02/2023
SB 256 02/03/2023

Executive Action:

SB 204 TO TABLE
SB 224 DO PASS AS AMENDED
SB 229 DO PASS AS AMENDED
SB 231 TO TABLE
SB 265 DO PASS AS AMENDED

HEARING ON HB 112 - Generally revise human trafficking laws

Opening Statement:

09:03:07 Rep. Jodee Etchart (R), HD 48, opened the hearing on HB 112, Generally revise human trafficking laws.

Proponent Testimony:

09:06:12 Austin Knudsen, Montana Attorney General

09:08:23 Sen. Andrea Olsen left the meeting.

09:13:25 Dan Guzynski, Montana Prosecution Services Bureau

09:19:35 Steven Crawford, Narcotics Bureau Chief, Montana Division of Criminal Investigation

09:21:49 Andrew Yedinak, Division of Criminal Investigation, Narcotics and Human Trafficking Division, Department of Justice (DOJ)

09:24:30 Aimee Grmoljez, Billings Clinic, City of Billings

09:25:04 Scott Reichner, Montana Lodging and Hospitality Association

09:25:35 Nanette Gilbertson, Montana County Attorneys Association, Montana Peace Officers Association

09:27:11 Dan Smith, Montana Police Protective Association

09:27:45 Duane Williams, Montana Trucking Association

09:28:22 Debra Pitassy, Montana Wine Distributors Association

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

09:31:17 Sen. Kathy Kelker
09:32:57 Andrew Yedinak, DOJ
09:38:19 Sen. Keith Regier
09:38:33 Andrew Yedinak, DOJ
09:39:17 Sen. Keith Regier
09:39:21 Austin Knudsen, Montana Attorney General
09:39:49 Sen. Jen Gross
09:40:38 Austin Knudsen, Montana Attorney Genera
09:42:53 Sen. Jen Gross
09:43:09 Andrew Yedinak, DOJ
09:46:22 Sen. Jen Gross
09:46:24 Dan Guzynski, Montana Prosecution Services Bureau
09:48:39 Andrew Yedinak, DOJ
09:49:56 Sen. Susan Webber joined the meeting.
09:50:01 Sen. Susan Webber
09:50:41 Andrew Yedinak, DOJ
09:50:52 Austin Knudsen, Montana Attorney General
09:51:44 Sen. Kathy Kelker
09:52:20 Austin Knudsen, Montana Attorney General
09:53:26 Sen. Steve Hinebauch
09:53:46 Rep. Jodee Etchart-R
09:54:27 Sen. Barry Usher

Closing Statement:

09:55:14 Rep. Jodee Etchart (R), HD 48, closed the hearing on HB 112.

HEARING ON SB 256 - Prohibit ownership of private property within state by citizens of enemy states

Opening Statement:

09:57:39 Sen. Carl Glimm (R), SD 6, opened the hearing on SB 256, Prohibit ownership of private property within state by citizens of enemy states.

Proponent Testimony:

10:02:30 Cheryl Tusken,, self

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

10:05:15 Sen. Carl Glimm-R

10:09:18 Sen. Keith Regier

10:09:54 Sen. Jen Gross

10:10:58 Sen. Carl Glimm-R

10:13:18 Sen. Andrea Olsen

10:15:02 Sen. Carl Glimm-R

10:15:07 Sen. Chris Friedel

10:15:30 Sen. Carl Glimm-R

10:15:38 Sen. Kathy Kelker

10:15:57 Sen. Carl Glimm-R

Closing Statement:

10:17:05 Sen. Carl Glimm (R), SD 6, closed the hearing on SB 256.

HEARING ON SB 252 - Expand state ethics laws to include the judicial branch and judges

Opening Statement:

10:17:32 Sen. Greg Hertz (R), SD 12, opened the hearing on SB 252, Expand state ethics laws to include the judicial branch and judges.

Proponent Testimony:

10:19:48 Bruce Spencer,, Montana Judges Association

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

10:21:25 Sen. Andrea Olsen

10:22:01 Sen. Greg Hertz-R

10:22:25 Sen. Andrea Olsen

10:22:33

10:23:49 Sen. Jen Gross

10:23:55 Sen. Greg Hertz-R

10:25:05 Sen. Barry Usher

10:25:16 Bruce Spencer, Montana Judges Association

10:27:11 Sen. Jen Gross

10:27:58 Sen. Greg Hertz-R

10:28:22 Sen. Susan Webber

10:29:22 Bruce Spencer, Montana Judges Association

Closing Statement:

10:29:38 Sen. Greg Hertz (R), SD 12, closed the hearing on SB 252.

HEARING ON HB 205 - Revise minimum allowable amounts for automotive liability insurance

Opening Statement:

10:30:06 Rep. Fred Anderson (R), HD 20, opened the hearing on HB 205, Revise minimum allowable amounts for automotive liability insurance.

Proponent Testimony:

10:31:55 Frank Cote, Montana Commissioner of Securities and Insurance

10:32:47 Duane Williams, Montana Trucking Association

Opponent Testimony:

10:33:36 Aimee Grmoljez, American Property and Casualty Insurance Association (APCIA)

10:35:58 Greg VanHorssen, State Farm Insurance Company

[EXHIBIT\(230208JUSa1\)](#)

10:42:43 Bruce Spencer, National Association of Mutual Insurance Carriers

Informational Witness Testimony:

None

Questions from Committee:

10:44:38 Sen. Susan Webber

10:45:06 Greg VanHorssen, State Farm Insurance Company

10:45:55 Sen. Keith Regier

10:46:03 Greg VanHorssen, State Farm Insurance Company

10:46:09 Sen. Chris Friedel

10:47:05 Greg VanHorssen, State Farm Insurance Company

10:47:27 Sen. Andrea Olsen

10:47:54 Frank Cote, Montana Commissioner of Securities and Insurance

10:51:28 Sen. Andrea Olsen

10:53:09 Rep. Fred Anderson-R

10:54:29 Sen. Barry Usher

10:54:49 Aimee Grmoljez, APCIA

Closing Statement:

10:55:44 Rep. Fred Anderson (R), HD 20, closed the hearing on HB 205.

EXECUTIVE ACTION ON SB 204 - Generally revise DUI laws

11:19:08 **Motion:** Sen. Barry Usher moved that **SB 204 DO PASS.**

Discussion:

11:19:41 Sen. Chris Friedel

11:20:11 Sen. Kathy Kelker

11:20:17 Sen. Barry Usher

11:19:08 **Vote:** Motion failed unanimously by voice vote.

11:20:39 **Motion:** Sen. Bob Brown moved that **SB 204 TO TABLE.**

11:20:39 **Vote:** Motion carried 9 - 2 by voice vote with Sen. Emrich, Sen. Hinebauch, voting no.

EXECUTIVE ACTION ON SB 224 - Require court report on district court case numbers and substitutions

11:24:11 **Motion:** Sen. Barry Usher moved that **SB 224 DO PASS.**

11:24:11 **Vote:** Motion failed unanimously by voice vote.

11:24:20 **Motion:** Sen. Barry Usher moved that **SB 224 BE AMENDED.**

11:24:20 **Vote:** Motion carried unanimously by voice vote.

11:25:29 **Motion:** Sen. Theresa Manzella moved that **SB 224 BE AMENDED.**

11:25:29 **Vote:** Motion carried unanimously by voice vote.

11:28:54 **Motion:** Sen. Barry Usher moved that **SB 224 BE AMENDED.**

11:28:54 **Vote:** Motion carried 10 - 1 by voice vote with Sen. Olsen, voting no.
Sen. Olsen, By Proxy

- 11:32:44 **Motion:** Sen. Barry Usher moved that **SB 224 BE AMENDED.**
- 11:32:44 **Vote:** Motion carried 7 - 4 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Webber, voting no.
Sen. Olsen, By Proxy
- 11:37:50 **Motion:** Sen. Barry Usher moved that **SB 224 DO PASS AS AMENDED.**
- 11:37:50 **Vote:** Motion carried 7 - 4 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Webber, voting no.
Sen. Olsen, By Proxy

EXECUTIVE ACTION ON SB 229 - Reimburse counties for actual witness costs

- 11:40:37 **Motion:** Sen. Barry Usher moved that **SB 229 DO PASS.**
- 11:40:37 **Vote:** Motion failed unanimously by voice vote.
- 11:41:26 **Motion:** Sen. Barry Usher moved that **SB 229 BE AMENDED.**
- 11:41:26 **Vote:** Motion carried unanimously by voice vote.
- 11:44:02 **Motion:** Sen. Barry Usher moved that **SB 229 DO PASS AS AMENDED.**
- 11:44:02 **Vote:** Motion carried unanimously by roll call vote.

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

- 11:46:59 **Motion:** Sen. Barry Usher moved that **SB 231 TO TABLE.**
- 11:46:59 **Vote:** Motion carried 7 - 4 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Webber, voting no.
Sen. Webber, By Proxy

EXECUTIVE ACTION ON SB 265 - Increase penalty for conviction of criminal activity of human trafficking

- 11:48:03 **Motion:** Sen. Barry Usher moved that **SB 265 DO PASS.**
- 11:48:03 **Vote:** Motion failed unanimously by voice vote.
- 11:48:58 **Motion:** Sen. Barry Usher moved that **SB 265 BE AMENDED.**
- 11:48:58 **Vote:** Motion carried unanimously by voice vote.

11:49:56 **Motion:** Sen. Barry Usher moved that **SB 265 DO PASS AS AMENDED.**

11:49:56 **Vote:** Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 11:52:42

Grace Gibney, Secretary

Additional Documents: [EXHIBIT\(230208JUSaad\)](#)