

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

Call to Order: Chair Keith Regier-R, on February 14, 2023 at 9:02 AM, in 303

ROLL CALL

Members Present: Sen. Keith Regier, Chair (R)
Sen. Barry Usher, Vice Chair (R)
Sen. Bob Brown (R)
Sen. Daniel Emrich (R)
Sen. Chris Friedel (R)
Sen. Theresa Manzella (R)
Sen. Andrea Olsen (D)
Sen. Susan Webber (D)

Members Excused: Sen. Jen Gross (D)
Sen. Steve Hinebauch (R)
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:

SB 294 02/10/2023

SB 297 02/10/2023

SB 299 02/10/2023

Executive Action:

SB 11 DO PASS AS AMENDED

SB 279 DO PASS

SB 286 DO PASS

09:03:30 Vice Chair Gross has arrived

HEARING ON SB 297 - Allow justice's courts to suspend driver's licenses for nonpayment of fines

Opening Statement:

09:04:22 Sen. Terry Vermeire (R), SD 39, opened the hearing on SB 297, Allow justice's courts to suspend driver's licenses for nonpayment of fines.

Proponent Testimony:

09:06:21 Kelly Mantooh, Justice of the Peace, Fergus County

[EXHIBIT\(230214JUSa1\)](#)

09:11:16 Mike Swingley, Justice of the Peace, Lewis and Clark County

Opponent Testimony:

09:15:23 Henry Krigel, Americans For Prosperity Montana

[EXHIBIT\(230214JUSa2\)](#)

Informational Witness Testimony:

09:18:42 Laurie Bakri, Motor Vehicle Division (MVD)

09:18:57 Beth McLaughlin, Supreme Court Administrator

Questions from Committee:

09:19:29 Vice Chair Barry Usher

09:20:20 Sen. Susan Webber

09:21:30 Kelly Mantooh, Justice of the Peace, Fergus County

09:24:38 Chair Keith Regier

09:25:26 Sen. Chris Friedel

09:25:58 Kelly Mantooh, Justice of the Peace, Fergus County

09:26:52 Sen. Theresa Manzella
09:27:27 Laurie Bakri, MVD
09:28:50 Sen. Andrea Olsen
09:29:03 Kelly Mantooth, Justice of the Peace, Fergus County
09:29:39 Vice Chair Barry Usher
09:29:52 Laurie Bakri, MVD
09:31:39 Kelly Mantooth, Justice of the Peace, Fergus County
09:34:59 Sen. Susan Webber
09:35:15 Beth McLaughlin, Supreme Court Administrator
09:36:09 Vice Chair Barry Usher
09:36:40 Mike Swingley, Justice of the Peace, Lewis and Clark County
09:37:09 Sen. Daniel Emrich
09:37:52 Sen. Terry Vermeire-R

Closing Statement:

09:38:17 Sen. Terry Vermeire (R), SD 39, closed the hearing on SB 297.

HEARING ON SB 294 - Establish the end of watch trust

Opening Statement:

09:40:50 Vice Chair Barry Usher (R), SD 40, opened the hearing on SB 294, Establish the end of watch trust.

Discussion:

[EXHIBIT\(230214JUSa3\)](#)

Proponent Testimony:

09:45:56 Lindsay Palmer, self
09:49:03 Brian Heino, Sherriff, Flathead County

09:53:00 Coronel Steve Lavin, Department of Justice (DOJ), Montana Highway Patrol

09:54:50 Mark Kraft, Chief of Police, Sidney Police Department

09:58:00 Andrew Barton, Montana Police Protective Association (MPPA)

09:58:38 Jacob Scavone, self

09:59:15 Tom Butler, Association of Montana Troopers (AMT)

10:03:50 Alexis Bergar, Montana Police Protective Association, (MPPA) Missoula Police Officers Association

10:04:10 Dan Smith, Montana Police Protective Association, Montana Law Enforcement Museum

10:05:08 Dan Kozlowski, Missoula Police Department

10:05:47 Anthony Flor, Missoula Police Department

10:06:28 Joette Woods, Liberty County Commissioner

10:06:56 Thomas Jodin, Deputy Director, Montana League of Cities and Towns

10:07:25 Karen Alley, Montana Association of Counties

10:07:49 Jessie Luther, Association of Montana Troopers (AMT)

10:13:02 Nanette Gilbertson, Montana Sheriffs and Peace Officers Association

10:17:48 Shelby DeMars, Montana Police Protective Association

10:22:45 Corey Bailey, Helena Police Department

10:23:20 Jodi Moore, self

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

10:27:15 Chair Keith Regier

10:27:35 Sen. Barry Usher-R
10:28:18 Chair Keith Regier
10:28:32 Tom Butler, AMT
10:29:58 Vice Chair Jen Gross
10:30:20 Jessie Luther, AMT
10:31:01 Vice Chair Jen Gross
10:31:11 Thomas Jodin, Montana League of Cities and Towns
10:31:50 Sen. Susan Webber
10:32:30 Jessie Luther, AMT
10:32:45 Sen. Susan Webber
10:33:24 Coronel Steve Lavin, DOJ

Closing Statement:

10:34:58 Vice Chair Barry Usher (R), SD 40, closed the hearing on SB 294.

HEARING ON SB 299 - Require an audit of the district courts

Opening Statement:

10:39:51 Vice Chair Barry Usher (R), SD 40, opened the hearing on SB 299, Require an audit of the district courts.

Proponent Testimony:

10:40:50 Brandy Absher, Montana Citizens Council on Judicial Accountability

[EXHIBIT\(230214JUSa4\)](#)

[EXHIBIT\(230214JUSa5\)](#)

10:45:56 Denise Johnson, Montana Child Protection Alliance

Opponent Testimony:

None

Informational Witness Testimony:

10:48:50 Beth McLaughlin, Supreme Court Administrator
10:49:10 Angus Maciever, Legislative Auditor

Questions from Committee:

10:49:58 Vice Chair Jen Gross
10:50:30 Vice Chair Barry Usher
10:52:59 Angus Maciver, Legislative Auditor
10:55:10 Sen. Theresa Manzella
10:55:30 Sen. Barry Usher-R
10:55:59 Sen. Andrea Olsen
10:56:33 Angus Maciver, Legislative Auditor
11:08:10 Will Soller, Deputy Legislative Auditor
11:09:32 Sen. Susan Webber
11:09:42 Will Soller, Deputy Legislative Auditor
11:12:35 Sen. Andrea Olsen
11:13:17 Sen. Barry Usher-R

Closing Statement:

11:13:58 Vice Chair Barry Usher (R), SD 40, closed the hearing on SB 299.

Discussion:

15:50:56 Sen. Steve Hinebauch joined the meeting.

EXECUTIVE ACTION ON SB 11 - Generally revise criminal justice system laws

11:35:17 **Motion:** Vice Chair Barry Usher moved that **SB 11 BE AMENDED.**
14:25:53 **Vote:** Motion carried unanimously by voice vote.
11:37:39 **Motion:** Vice Chair Barry Usher moved that **SB 11 DO PASS.**

Discussion:

11:40:30 Vice Chair Jen Gross

11:42:24 **Motion:** Vice Chair Barry Usher moved that **SB 11 DO PASS AS AMENDED.**

14:25:53 **Vote:** Motion carried 10 - 1 by roll call vote with Sen. Emrich, voting no.

EXECUTIVE ACTION ON SB 279 - Revise offer of settlement law

11:43:44 **Motion:** Vice Chair Barry Usher moved that **SB 279 DO PASS.**

14:25:53 **Vote:** Motion carried 10 - 1 by voice vote with Sen. Olsen, voting no.

EXECUTIVE ACTION ON SB 286 - Revise probate law regarding collection of personal property by affidavit

11:44:42 **Motion:** Vice Chair Barry Usher moved that **SB 286 DO PASS.**

14:25:53 **Vote:** Motion carried unanimously by voice vote.

ADJOURNMENT

Adjournment: 11:46:36

Grace Gibney, Secretary

Additional Documents: [EXHIBIT\(230214JUSaad\)](#)