

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

**Call to Order:** Chair Sen. Keith Regier-R, on February 16, 2023 at 9:03 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. Steve Hinebauch (R)  
Sen. Theresa Manzella (R)  
Sen. Susan Webber (D)

**Members Excused:** Sen. Jen Gross (D)  
Sen. Kathy Kelker (D)  
Sen. Andrea Olsen (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 127 02/10/2023

SB 318 02/14/2023

SB 320 02/14/2023

Executive Action:

SB 311 DO PASS

SB 127 DO PASS

**HEARING ON SB 127 - Require Montana to provide funding for enforcement of PL280**

**Opening Statement:**

09:04:10 Sen. Greg Hertz (R), SD 12, opened the hearing on SB 127, Require Montana to provide funding for enforcement of PL280.

**Proponent Testimony:**

09:08:41 William Barron, Lake County Commissioner

09:12:12 Gale Decker, Lake County Commissioner

09:12:59 Representative Read, House District 93

09:13:37 Don Bell, Lake County Sheriff Coroner

09:15:00 Robert Bell, Lake County Attorney

09:16:15 Senator Salomon, Senate District 47

09:17:00 James Lapotka, Lake County Attorney

**Opponent Testimony:**

None

**Informational Witness Testimony:**

None

**Questions from Committee:**

09:20:37 Sen. Susan Webber

09:20:59 Sen. Greg Hertz-R

09:21:37 Sen. Susan Webber

09:21:48 William Barron, Lake County Commissioner

09:22:47 Gale Decker, Lake County Commissioner

09:23:38 Sen. Keith Regier

09:23:48 Gale Decker, Lake County Commissioner  
09:25:20 Sen. Barry Usher  
09:25:44 Representative Joe Read, House District 93  
09:27:07 Sen. Bob Brown  
09:27:16 Gale Decker, Lake County Commissioner  
09:28:43 Sen. Bob Brown  
09:29:11 Don Bell, Lake County Sheriff Coroner  
09:30:45 Sen. Theresa Manzella  
09:31:21 William Barron, Lake County Commissioner  
09:32:26 Sen. Susan Webber  
09:32:57 Don Bell, Lake County Sheriff Coroner  
09:33:22 Sen. Susan Webber  
09:34:27 Representative Joe Read, House District 93  
09:36:35 Sen. Barry Usher  
09:36:59 Don Bell, Lake County Sheriff Coroner  
09:39:54 Sen. Barry Usher  
09:40:10 Sen. Greg Hertz-R  
09:40:28 Sen. Keith Regier  
09:40:33 Sen. Greg Hertz-R  
09:40:38 Sen. Susan Webber  
09:41:10 Robert Bell, Lake County Attorney

**Closing Statement:**

09:42:38 Sen. Greg Hertz (R), SD 12, closed the hearing on SB 127.

**EXECUTIVE ACTION ON SB 311 - Reduce the number of associate judges on the Supreme Court**

09:57:26 **Motion:** Sen. Barry Usher moved that **SB 311 DO PASS.**

**Discussion:**

09:57:51 Sen. Daniel Emrich

10:00:17 Sen. Susan Webber

10:01:20 Sen. Steve Hinebauch

09:57:26 **Vote:** Motion carried 7 - 4 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Webber, voting no.  
Sen. Gross, Sen. Kelker, Sen. Olsen, By Proxy

**EXECUTIVE ACTION ON SB 127 - Require Montana to provide funding for enforcement of PL280**

10:02:51 **Motion:** Sen. Barry Usher moved that **SB 127 DO PASS.**

**Discussion:**

10:02:57 Sen. Susan Webber

10:05:30 Sen. Bob Brown

10:06:43 Sen. Theresa Manzella

10:07:40 Sen. Keith Regier

10:07:56 Sen. Barry Usher

10:08:56 Sen. Chris Friedel

10:02:51 **Vote:** Motion carried 7 - 4 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Webber, voting no.  
Sen. Gross, Sen. Kelker, Sen. Olsen, By Proxy

**HEARING ON SB 320 - Require the refund of residential lease application fees**

**Opening Statement:**

10:10:45 Sen. Ellie Boldman (D), SD 45, opened the hearing on SB 320, Require the refund of residential lease application fees.

**Proponent Testimony:**

10:20:12 Jim Brown, Shelter Whitefish

10:21:48 Ethan Hanley, University of Montana Student Government

**Opponent Testimony:**

10:23:33 John Sinrud, Montana Landlords Association

**Informational Witness Testimony:**

None

**Questions from Committee:**

10:26:51 Sen. Daniel Emrich

10:27:28 John Sinrud, Montana Landlords Association

10:29:00 Sen. Daniel Emrich

10:29:31 Sen. Ellie Boldman-D

10:32:59 Sen. Keith Regier

10:33:44 Sen. Ellie Boldman-D

10:33:57 Sen. Chris Friedel

10:35:06 John Sinrud, Montana Landlords Association

10:38:16 Sen. Daniel Emrich

10:40:12 John Sinrud, Montana Landlords Association

10:49:34 Sen. Daniel Emrich

10:50:04 Sen. Ellie Boldman-D

10:52:17 Sen. Barry Usher

10:52:46 Ethan Hanley, University of Montana Student Government

10:53:17 Sen. Barry Usher

10:54:13 Sen. Ellie Boldman-D

10:55:34 Sen. Chris Friedel

10:55:57 Madelyn Krezowski

10:56:06 Sen. Susan Webber  
10:56:54 John Sinrud, Montana Landlords Association  
10:58:07 Sen. Susan Webber  
10:59:20 Sen. Ellie Boldman-D

**Closing Statement:**

10:59:41 Sen. Ellie Boldman (D), SD 45, closed the hearing on SB 320.

**HEARING ON SB 318 - Revise laws for appointment of a guardian ad litem in youth in need of care case**

**Opening Statement:**

11:01:08 Sen. Ellie Boldman (D), SD 45, opened the hearing on SB 318, Revise laws for appointment of a guardian ad litem in youth in need of care case.

**Proponent Testimony:**

None

**Opponent Testimony:**

11:18:39 Beth McLaughlin, Montana Supreme Court Administrator  
11:24:02 Sen. Bob Brown left the meeting.  
11:24:08 Sen. Steve Hinebauch left the meeting.  
11:24:14 Sen. Chris Friedel left the meeting.

**Informational Witness Testimony:**

11:24:51 Brian Smith, Public Defender Division  
11:25:13 April Barnings, Court Appointed Special Advocate (CASA)

**Questions from Committee:**

11:25:33 Sen. Keith Regier  
11:25:48 Beth McLaughlin, Montana Supreme Court Administrator  
11:28:25 Sen. Daniel Emrich

11:29:18 Beth McLaughlin, Montana Supreme Court Administrator  
11:34:14 Sen. Daniel Emrich  
11:34:59 Sen. Ellie Boldman-D  
11:37:39 Sen. Keith Regier  
11:38:06 April Barnings, Montana CASA

**Closing Statement:**

11:41:52 Sen. Ellie Boldman (D), SD 45, closed the hearing on SB 318.

**ADJOURNMENT**

Adjournment: 11:46:08

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Grace Gibney, Secretary

Additional Documents: [EXHIBIT\(230216JUSaad\)](#)