

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

Call to Order: Chair Sen. Keith Regier-R, on February 17, 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. Steve Hinebauch (R)
Sen. Theresa Manzella (R)
Sen. Susan Webber (D)

Members Excused: Sen. Chris Friedel (R)
Sen. Jen Gross (D)
Sen. Kathy Kelker (D)
Sen. Andrea Olsen (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 307 02/10/2023
SB 313 02/13/2023
SJ 11 02/13/2023

Executive Action:

HB 38
SB 278 DO PASS AS AMENDED
SB 297 TO TABLE
SB 318 DO PASS AS AMENDED

HEARING ON SB 307 - Revise reporting requirements for nonprofits and charitable trusts

Opening Statement:

09:03:43 Sen. Mark Noland (R), SD 10, opened the hearing on SB 307, Revise reporting requirements for nonprofits and charitable trusts.

Proponent Testimony:

09:10:58 Megan Schmidt, Director of Government Affairs, Philanthropy Roundtable

09:12:31 Sen. Chris Friedel joined the meeting.

09:15:07 Jeff Laszloffy, Montana Family Foundation

09:16:24 Henry Krigel, Americans For Prosperity

09:17:38 Sheridan Johnson, Montana Chamber of Commerce

Opponent Testimony:

09:19:47 Sean Conroe, Ability Montana

09:20:38 Liz Moore, Montana Non-Profit Association

Informational Witness Testimony:

None

Questions from Committee:

09:25:21 Sen. Daniel Emrich

09:25:49 Henry Krigel, Americans For Prosperity

09:28:00 Sen. Daniel Emrich

09:28:21 Sen. Mark Noland-R

09:29:28 Sen. Barry Usher

09:30:08 Sen. Mark Noland-R

09:30:16 Sen. Susan Webber

09:32:22 Sen. Mark Noland-R
09:32:42 Sen. Bob Brown
09:33:38 Sen. Mark Noland-R
09:34:27 Sen. Susan Webber
09:35:06 Liz Moore, Montana Non-Profit Association
09:36:44 Senator Pat Flowers, Senate District 32
09:37:26 Sen. Mark Noland-R
09:38:50 Megan Schmidt, Director of Government Affairs, Philanthropy Roundtable

Closing Statement:

09:39:38 Sen. Mark Noland (R), SD 10, closed the hearing on SB 307.

HEARING ON SB 313 - Revise judiciary laws

Opening Statement:

09:41:06 Sen. Keith Regier (R), SD 3, opened the hearing on SB 313, Revise judiciary laws.

Proponent Testimony:

09:44:45 Pascal Redfern, self
09:48:59 Bart Crabtree, Montana Citizens Counsel for Judicial Accountability

Opponent Testimony:

09:52:03 Bruce Spencer, Montana Judges Association

[EXHIBIT\(230217JUSa1\)](#)

10:01:48 Al Smith, Montana Trial Lawyers Association

Informational Witness Testimony:

None

Questions from Committee:

10:05:05 Sen. Daniel Emrich
10:05:52 Sen. Keith Regier-R
10:07:11 Sen. Daniel Emrich
10:09:46 Bruce Spencer, Montana Judges Association
10:12:39 Sen. Theresa Manzella
10:12:44 Bruce Spencer, Montana Judges Association
10:13:35 Sen. Barry Usher
10:14:04 Bruce Spencer, Montana Judges Association
10:15:10 Sen. Susan Webber
10:15:28 Sen. Keith Regier-R
10:16:09 Sen. Bob Brown
10:16:35 Bruce Spencer, Montana Judges Association
10:18:20 Sen. Susan Webber
10:20:31 Pat Flowers, Senate District 32
10:21:16 Sen. Keith Regier-R

Closing Statement:

10:21:54 Sen. Keith Regier (R), SD 3, closed the hearing on SB 313.

HEARING ON SJ 11 - Joint resolution defining law

Opening Statement:

10:37:25 Sen. Keith Regier (R), SD 3, opened the hearing on SJ 11, Joint resolution defining law.

Proponent Testimony:

10:42:33 Pascal Redfern, self
10:47:29 Bart Crabtree, self

Opponent Testimony:

10:49:47 Robyn Morrison, League of Women Voters of Montana
10:51:36 Patti Steinmuller, self
10:53:05 Ta'jin Perez, Western Native Voice

Informational Witness Testimony:

None

Questions from Committee:

10:54:59 Sen. Susan Webber
10:55:24 Sen. Keith Regier-R
10:57:15 Sen. Bob Brown
10:57:53 Pascal Redfern, self
11:01:28 Sen. Daniel Emrich
11:03:18 Sen. Steve Hinebauch left the meeting.
11:04:48 Pascal Redfern, self
11:06:58 Sen. Susan Webber
11:07:52 Sen. Keith Regier-R
11:08:59 Sen. Theresa Manzella
11:11:31 Pascal Redfern, self

Closing Statement:

11:13:13 Sen. Keith Regier (R), SD 3, closed the hearing on SJ 11.

EXECUTIVE ACTION ON HB 38 - Generally revise theft laws to enumerate theft of a light vehicle

11:37:41 **Motion:** Sen. Barry Usher moved that **HB 38 BE CONCURRED IN.**

Discussion:

11:38:01 Sen. Susan Webber
11:38:33 Sen. Keith Regier
11:39:33 Sen. Steve Hinebauch joined the meeting.
11:39:36 Sen. Chris Friedel joined the meeting.
11:37:41 **Vote:** Motion carried unanimously by voice vote.
11:37:41 **Carrier Assigned:** Sen. Chris Friedel

EXECUTIVE ACTION ON SB 278 - Authorize legislative officer intervention in declaratory judgment action

11:39:50 **Motion:** Sen. Barry Usher moved that **SB 278 DO PASS.**
11:40:49 **Motion:** Sen. Barry Usher moved that **SB 278 BE AMENDED.**
11:40:49 **Vote:** Motion carried unanimously by voice vote.
11:41:44 **Motion:** Sen. Barry Usher moved that **SB 278 DO PASS AS AMENDED.**

Discussion:

11:42:07 Sen. Chris Friedel
11:41:44 **Vote:** Motion carried unanimously by voice vote.

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

11:42:58 **Motion:** Sen. Barry Usher moved that **SB 297 TO TABLE.**
11:42:58 **Vote:** Motion carried unanimously by voice vote.

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

11:45:15 **Substitute Motion:** Sen. Barry Usher moved that **SB 318 DO PASS.**
11:46:17 **Motion:** Sen. Barry Usher moved that **SB 318 BE AMENDED.**
11:46:17 **Vote:** Motion carried 9 - 2 by roll call vote with Sen. Manzella, Sen. Usher, voting no.

11:51:32 **Motion:** Sen. Barry Usher moved that **SB 318 DO PASS AS AMENDED.**

Discussion:

11:51:41 Sen. Susan Webber

11:51:32 **Vote:** Motion carried 9 - 2 by roll call vote with Sen. Manzella, Sen. Usher,
voting no.

ADJOURNMENT

Adjournment: 11:57:34

Grace Gibney, Secretary

Additional Documents: [EXHIBIT\(230217JUSaad\)](#)