

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

Call to Order: Chair Keith Regier-R, on March 14, 2023 at 8:59 AM, in 303

ROLL CALL

Members Present: Sen. Keith Regier, Chair (R)
Sen. Jen Gross, Vice Chair (D)
Sen. Bob Brown (R)
Sen. Daniel Emrich (R)
Sen. Steve Hinebauch (R)
Sen. Andrea Olsen (D)
Sen. Susan Webber (D)

Members Excused: Sen. Chris Friedel (R)
Sen. Kathy Kelker (D)
Sen. Theresa Manzella (R)
Sen. Barry Usher (R)

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 125 03/01/2023
HB 161 03/01/2023
HB 176 03/01/2023
HB 213 03/01/2023

Executive Action:

HB 236
HB 239
HB 266

HEARING ON HB 176 - Revising county utility permitting laws

Opening Statement:

09:00:10 Rep. Steven Galloway (R), HD 24, opened the hearing on HB 176, Revising county utility permitting laws.

Proponent Testimony:

09:01:46 Joe Briggs, Cascade County Commission
09:04:28 Eric Bryson, Montana Association of Counties
09:05:03 Jeff Feiss, Broadband Montana
09:05:21 Vice Chair Barry Usher joined the meeting.
09:05:25 Sen. Theresa Manzella joined the meeting.
09:05:28 Sen. Chris Friedel joined the meeting.

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

09:06:13 Chair Keith Regier
09:06:32 Eric Bryson, Montana Association of Counties
09:07:13 Sen. Andrea Olsen
09:08:13 Julianne Burkhardt
09:08:27 Sen. Andrea Olsen
09:09:00 Eric Bryson, Montana Association of Counties

Closing Statement:

09:09:41 Rep. Steven Galloway (R), HD 24, closed the hearing on HB 176.

HEARING ON HB 161 - Generally revise computer crime laws

Opening Statement:

09:10:32 Rep. Fiona Nave (R), HD 57, opened the hearing on HB 161, Generally revise computer crime laws.

Proponent Testimony:

09:13:21 Bryan Gortmaker, Division of Criminal Investigation, Department of Justice (DOJ)

09:16:20 Anne Dormady, Division of Criminal Investigation, Department of Justice (DOJ)

09:18:41 Jake Griffith, Consumer Protection, Division of Criminal Investigation, Department of Justice (DOJ)

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

09:21:06 Sen. Theresa Manzella

09:21:56 Anne Dormady, (DOJ)

09:22:32 Sen. Andrea Olsen

09:23:53 Jake Griffith, (DOJ)

09:26:18 Sen. Andrea Olsen

09:27:15 Bryan Gortmaker, (DOJ)

09:29:10 Chair Keith Regier

09:29:38 Bryan Gortmaker, (DOJ)

09:30:00 Sen. Daniel Emrich

09:30:28 Bryan Gortmaker, (DOJ)
09:32:58 Sen. Susan Webber
09:34:16 Bryan Gortmaker, (DOJ)
09:34:27 Vice Chair Jen Gross
09:34:47 Rep. Fiona Nave-R
09:36:54 Sen. Andrea Olsen
09:38:28 Rep. Fiona Nave-R

Closing Statement:

09:38:34 Rep. Fiona Nave (R), HD 57, closed the hearing on HB 161.

HEARING ON HB 125 - Revise public hearing process for Montana facility finance authority

Opening Statement:

09:39:09 Rep. Fred Anderson (R), HD 20, opened the hearing on HB 125, Revise public hearing process for Montana facility finance authority.

Proponent Testimony:

09:40:41 Adam Gill, Montana Facility Finance Authority
09:43:05 Eric Bryson, Montana Association of Counties

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

09:43:56 Sen. Theresa Manzella
09:44:25 Eric Bryson, MAC
09:44:56 Sen. Theresa Manzella

09:45:19 Adam Gill, MFFA

Closing Statement:

09:46:13 Rep. Fred Anderson (R), HD 20, closed the hearing on HB 125.

HEARING ON HB 213 - Provide certificate of nonviable birth

Opening Statement:

09:46:40 Rep. Braxton Mitchell (R), HD 3, opened the hearing on HB 213, Provide certificate of nonviable birth.

Discussion:

[EXHIBIT\(230314JUSa1\)](#)

Proponent Testimony:

09:48:48 Representative Zack Wirth, self

09:50:48 Donna Murphy, self

[EXHIBIT\(230314JUSa2\)](#)

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

None

Closing Statement:

09:54:23 Rep. Braxton Mitchell (R), HD 3, closed the hearing on HB 213.

EXECUTIVE ACTION ON HB 236 - Generally revise public safety agency and public safety answering point laws

10:22:58 **Motion:** Sen. Barry Usher moved that **HB 236 BE CONCURRED IN.**

Discussion:

10:30:54 Julianne Burkhardt
10:22:58 **Vote:** Motion carried unanimously by voice vote.
10:22:58 **Carrier Assigned:** Sen. Jen Gross

EXECUTIVE ACTION ON HB 239 - Revise who may serve as a judge pro tempore in justice's courts

10:24:03 **Motion:** Sen. Barry Usher moved that **HB 239 BE CONCURRED IN.**
10:24:03 **Vote:** Motion carried unanimously by voice vote.
10:24:03 **Carrier Assigned:** Sen. Chris Friedel

EXECUTIVE ACTION ON HB 266 - Eliminate the advisory council on concealed weapon permits

10:24:56 **Motion:** Sen. Barry Usher moved that **HB 266 BE CONCURRED IN.**

Discussion:

10:24:59 Vice Chair Barry Usher joined the meeting.
10:25:01 Sen. Theresa Manzella joined the meeting.
10:25:03 Sen. Chris Friedel joined the meeting.
10:25:18 Sen. Andrea Olsen
10:24:56 **Vote:** Motion carried 7 - 4 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Webber, voting no.
Sen. Kelker, By Proxy
10:24:56 **Carrier Assigned:** Sen. Keith Regier

ADJOURNMENT

Adjournment: 10:31:21

Grace Gibney, Secretary

Additional Documents: [EXHIBIT\(230314JUSaad\)](#)