

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

Call to Order: Chair Keith Regier-R, on March 15, 2023 at 9:01 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. Steve Hinebauch (R)
Sen. Susan Webber (D)

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

HB 381 03/10/2023
HB 399 03/10/2023
HB 450 03/10/2023
HB 480 03/10/2023

Executive Action:

HB 326
HB 296
HB 176
HB 213

HEARING ON HB 450 - Protect physical self-defense in K-12 schools

Opening Statement:

09:02:59 Rep. Jedediah Hinkle (R), HD 67, opened the hearing on HB 450, Protect physical self-defense in K-12 schools.

Proponent Testimony:

09:06:38 Stacy Roope, self

[EXHIBIT\(230315JUSa1\)](#)

09:12:12 Alba Pimentel, self

09:13:52 Jessie Browning, self

09:15:43 Trina Fortney, self

09:18:10 Ana Shchemelinin, self

Opponent Testimony:

09:20:49 Rob Watson, School Administrators of Montana

09:25:34 Sarah Piper, Montana Federation of Public Employees

Informational Witness Testimony:

None

Questions from Committee:

09:28:48 Sen. Daniel Emrich

09:29:15 Sarah Piper, MFPE

09:32:27 Sen. Daniel Emrich

09:32:52 Rob Watson, SAM

09:36:29 Sen. Daniel Emrich

09:36:40 Sen. Steve Hinebauch left the meeting.

09:37:06 Rep. Jedediah Hinkle-R

09:40:15 Sen. Susan Webber

09:40:41 Rep. Jedediah Hinkle-R

09:42:43 Sen. Susan Webber
09:43:00 Rob Watson, SAM
09:45:25 Vice Chair Barry Usher
09:45:58 Sarah Piper, MFPE
09:46:18 Vice Chair Barry Usher
09:46:41 Rob Watson, SAM
09:53:24 Vice Chair Jen Gross
09:54:49 Stacy Roope, self
09:57:37 Vice Chair Jen Gross
09:57:56 Sen. Susan Webber left the meeting.
09:58:02 Sen. Daniel Emrich left the meeting.
09:58:12 Rob Watson, SAM
10:03:54 Sen. Daniel Emrich joined the meeting.
10:05:23 Sen. Bob Brown
10:06:09 Stacy Roope, self
10:06:47 Sen. Bob Brown

Closing Statement:

10:07:18 Rep. Jedediah Hinkle (R), HD 67, closed the hearing on HB 450.

Discussion:

10:11:50 Sen. Chris Friedel joined the meeting.

HEARING ON HB 381 - Revise laws related to methamphetamine contamination

Opening Statement:

10:13:30 Rep. Larry Brewster (R), HD 44, opened the hearing on HB 381, Revise laws related to methamphetamine contamination.

Discussion:

10:13:45 Vice Chair Barry Usher left the meeting.

10:14:20 Vice Chair Barry Usher joined the meeting.

Proponent Testimony:

None

Opponent Testimony:

10:16:58 Rick Thompson, Waste Management Bureau, Montana Department of Environmental Quality (DEQ)

Informational Witness Testimony:

None

Questions from Committee:

10:20:42 Sen. Chris Friedel

10:23:03 Chair Keith Regier

10:23:14 Rick Thompson, DEQ

10:25:07 Sen. Daniel Emrich

10:25:43 Rick Thompson, DEQ

10:28:27 Vice Chair Jen Gross

10:30:09 Rep. Larry Brewster-R

10:31:32 Sen. Susan Webber

10:31:45 Rep. Larry Brewster-R

10:32:10 Sen. Susan Webber

10:33:14 Rick Thompson, DEQ

10:34:20 Vice Chair Jen Gross

10:35:47 Rep. Larry Brewster-R

Closing Statement:

10:36:00 Rep. Larry Brewster (R), HD 44, closed the hearing on HB 381.

HEARING ON HB 480 - Revise laws relating to State Lottery investigations and enforcement

Opening Statement:

10:36:52 Rep. Neil Duram (R), HD 2, opened the hearing on HB 480, Revise laws relating to State Lottery investigations and enforcement.

Discussion:

10:37:14 Vice Chair Jen Gross left the meeting.

Proponent Testimony:

10:39:02 Bryan Costigan, Montana Lottery

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

10:41:37 Sen. Susan Webber

10:42:14 Bryan Costigan, Montana Lottery

10:42:27 Vice Chair Barry Usher

10:42:54 Rep. Neil Duram-R

10:43:14 Bryan Costigan, Montana Lottery

10:45:22 Sen. Chris Friedel

Closing Statement:

10:46:03 Rep. Neil Duram (R), HD 2, closed the hearing on HB 480.

HEARING ON HB 399 - Revise certain reporting requirements related to child sexual abuse

Opening Statement:

10:47:12 Rep. Bill Mercer (R), HD 46, opened the hearing on HB 399, Revise certain reporting requirements related to child sexual abuse.

Discussion:

[EXHIBIT\(230315JUSa2\)](#)

Proponent Testimony:

11:01:51 Kyla Hailstone, Montana Family Court Awareness Project

Opponent Testimony:

11:05:18 Stephanie Robles, Assistant Attorney General, Department of Justice

Informational Witness Testimony:

11:15:57 Nikki Grossberg, Child and Family Services, (DPHHS)

Questions from Committee:

11:16:35 Sen. Susan Webber

11:23:35 Rep. Bill Mercer-R

11:24:29 Chair Keith Regier

11:24:39 Rep. Bill Mercer-R

11:29:01 Vice Chair Barry Usher

11:29:20 Rep. Bill Mercer-R

11:30:55 Vice Chair Barry Usher

11:31:16 Stephanie Robles, DOJ

Closing Statement:

11:33:13 Rep. Bill Mercer (R), HD 46, closed the hearing on HB 399.

EXECUTIVE ACTION ON HB 326 - Revise laws relating to the appointment of the judicial standards commission

11:51:53 **Motion:** Sen. Barry Usher moved that **HB 326 BE CONCURRED IN.**

11:53:46 **Motion:** Sen. Jen Gross moved that **HB 326 BE AMENDED.**

11:53:46 **Vote:** Motion failed 7 - 4 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Webber, voting yes.
Sen. Gross, Sen. Kelker, Sen. Olsen, By Proxy

11:55:26 **Motion:** Sen. Jen Gross moved that **HB 326 BE AMENDED.**

Discussion:

11:55:56 Sen. Steve Hinebauch left the meeting.

11:56:02 Sen. Chris Friedel left the meeting.

11:56:54 Chair Keith Regier

11:56:57 Vice Chair Jen Gross

11:57:00 Sen. Andrea Olsen joined the meeting.

11:57:33 Sen. Daniel Emrich

11:58:55 Sen. Andrea Olsen

11:59:53 Sen. Daniel Emrich

12:01:13 Sen. Susan Webber

12:02:14 Vice Chair Jen Gross

12:03:16 Chair Keith Regier

12:03:23 Sen. Bob Brown

11:55:26 **Vote:** Motion failed 7 - 4 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Webber, voting yes.
Sen. Kelker, By Proxy

12:05:16 **Motion:** Sen. Barry Usher moved that **HB 326 BE CONCURRED IN.**

12:05:16 **Vote:** Motion carried 7 - 4 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Webber, voting no.
Sen. Kelker, By Proxy

12:05:16 **Carrier Assigned:** Sen. Keith Regier

EXECUTIVE ACTION ON HB 296 - Revising laws relating to real estate transaction disclosures

12:07:44 **Motion:** Sen. Barry Usher moved that **HB 296 BE CONCURRED IN.**

12:07:51 **Motion:** Sen. Andrea Olsen moved that **HB 296 BE AMENDED.**

12:07:51 **Vote:** Motion carried unanimously by voice vote.

12:11:21 **Motion:** Sen. Barry Usher moved that **HB 296 BE CONCURRED IN AS AMENDED.**

12:11:21 **Vote:** Motion carried 7 - 4 by roll call vote with Sen. Emrich, Sen. Manzella, Sen. Olsen, Sen. Regier, voting no.

12:11:21 **Carrier Assigned:** Sen. Chris Friedel

EXECUTIVE ACTION ON HB 176 - Revising county utility permitting laws

- 12:18:10 **Motion:** Sen. Barry Usher moved that **HB 176 BE CONCURRED IN.**
- Discussion:**
- 12:18:39 Julianne Burkhardt
- 12:18:59 Sen. Steve Hinebauch joined the meeting.
- 12:19:15 Sen. Andrea Olsen
- 12:19:18 **Motion:** Sen. Andrea Olsen moved that **HB 176 BE AMENDED.**
- 12:19:18 **Vote:** Motion carried unanimously by voice vote.
- 12:20:02 **Motion:** Sen. Barry Usher moved that **HB 176 BE CONCURRED IN AS AMENDED.**
- 12:20:02 **Vote:** Motion carried unanimously by voice vote.
- 12:20:02 **Carrier Assigned:** Sen. Chris Friedel

EXECUTIVE ACTION ON HB 213 - Provide certificate of nonviable birth

- 12:21:07 **Motion:** Sen. Barry Usher moved that **HB 213 BE CONCURRED IN AS AMENDED.**
- 12:21:36 **Motion:** Sen. Barry Usher moved that **HB 213 BE AMENDED.**
- Discussion:**
- 12:21:50 Chair Keith Regier
- 12:21:36 **Vote:** Motion carried unanimously by voice vote.
- 12:22:13 **Motion:** Sen. Barry Usher moved that **HB 213 BE CONCURRED IN AS AMENDED.**
- Discussion:**
- 12:22:23 Sen. Susan Webber
- 12:23:18 Chair Keith Regier
- 12:23:24 Vice Chair Barry Usher
- 12:24:11 Chair Keith Regier
- 12:24:36 Julianne Burkhardt
- 12:25:31 Vice Chair Jen Gross
- 12:22:13 **Vote:** Motion carried 7 - 4 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Webber, voting no.
Sen. Kelker, By Proxy

12:22:13 **Carrier Assigned:** Sen. Bob Brown

ADJOURNMENT

Adjournment: 12:28:04

Grace Gibney, Secretary

Additional Documents: [EXHIBIT\(230315JUSaad\)](#)