

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

Call to Order: Chair Keith Regier-R, on April 13, 2023 at 8:03 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. Chris Friedel (R)
Sen. Steve Hinebauch (R)
Sen. Theresa Manzella (R)
Sen. Andrea Olsen (D)
Sen. Susan Webber (D)

Members Excused: 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:

HB 937 04/06/2023

HB 941 04/07/2023

Executive Action:

HB 193 TO TABLE
HB 359 BE CONCURRED IN AS
AMENDED
HB 479 BE CONCURRED IN
HB 517 BE CONCURRED IN
HB 551 BE CONCURRED IN
HB 741 TO TABLE
HB 886 BE CONCURRED IN
HB 915 BE CONCURRED IN
HB 937 BE CONCURRED IN
HB 941 BE CONCURRED IN

HB 968 BE CONCURRED IN

HEARING ON HB 937 - Provide for licensure of abortion clinics

Opening Statement:

08:04:52 Rep. Lola Sheldon-Galloway (R), HD 22, opened the hearing on HB 937, Provide for licensure of abortion clinics.

Proponent Testimony:

08:08:33 Jeff Laszloffy, Montana Family Foundation

08:10:16 Sharon Nason, self

08:12:52 Cathy Carlson, self

08:15:37 Garrett Bacon, self

Opponent Testimony:

08:16:59 Quinn Leighton, Planned Parenthood Advocates of Montana

08:19:10 Robin Turner, Montana Coalition Against Domestic and Sexual Violence

08:22:21 Robyn Morrison, League of Women Voters of Montana

Informational Witness Testimony:

08:24:20 Michelle Truax, Office of Inspector General, Department of Public Health and Human Services (DPHHS)

08:28:47 Tara Wooten, Office of Inspector General, Department of Public Health and Human Services (DPHHS)

Questions from Committee:

08:25:44 Vice Chair Jen Gross

08:26:41 Michelle Truax, DPHHS

08:27:59 Chair Keith Regier

08:29:47 Sen. Theresa Manzella

08:29:55 Tara Wooten, DPHHS

08:30:15 Sen. Susan Webber

08:31:08 Quinn Leighton, Planned Parenthood Advocates of Montana

08:32:11 Chair Keith Regier
08:32:19 Quinn Leighton, Planned Parenthood Advocates of Montana
08:33:29 Vice Chair Jen Gross
08:34:01 Michelle Truax, DPHHS
08:35:20 Sen. Susan Webber
08:36:36 Michelle Truax, DPHHS
08:37:59 Sen. Andrea Olsen
08:38:22 Chair Keith Regier

Closing Statement:

08:38:37 Rep. Lola Sheldon-Galloway (R), HD 22, closed the hearing on HB 937.

HEARING ON HB 941 - Establish a dog training and socialization program in the state prison

Opening Statement:

08:40:13 Rep. Gregory Frazer (R), HD 78, opened the hearing on HB 941, Establish a dog training and socialization program in the state prison.

Proponent Testimony:

08:47:59 Doctor Marie Suthers, Professor of Anthrozoology, Carroll College
08:59:07 Scott Eychner, Montana Department of Correction (DOC)
08:59:52 Maggie Bornstein, American Civil Liberties Union of Montana (ACLUMT)
09:00:18 Greg Larkins, self
09:02:57 Nicole Gomez, Montana Women Vote

Opponent Testimony:

None

Informational Witness Testimony:

None

Questions from Committee:

09:03:59 Sen. Bob Brown
09:04:35 Rep. Gregory Frazer-R
09:09:08 Chair Keith Regier
09:09:30 Scott Eychner, DOC
09:11:14 Vice Chair Jen Gross
09:11:43 Doctor Marie Suthers, Professor of Anthrozoology, Carroll College
09:17:53 Sen. Bob Brown
09:18:08 Rep. Gregory Frazer-R
09:19:30 Vice Chair Jen Gross
09:21:28 Rep. Gregory Frazer-R

Closing Statement:

09:21:33 Rep. Gregory Frazer (R), HD 78, closed the hearing on HB 941.

EXECUTIVE ACTION ON HB 193 - Revise law for driving without insurance

10:00:09 **Motion:** Vice Chair Barry Usher moved that **HB 193 BE CONCURRED IN.**

10:00:15 **Motion:** Vice Chair Barry Usher moved that **HB 193 BE AMENDED.**

Discussion:

10:01:34 Vice Chair Jen Gross

10:03:38 Sen. Steve Hinebauch

10:03:46 Sen. Andrea Olsen

10:00:15 **Vote:** Motion carried 7 - 4 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Webber, voting no.
Sen. Kelker, By Proxy

10:05:41 **Motion:** Vice Chair Barry Usher moved that **HB 193 BE CONCURRED IN AS AMENDED.**

Discussion:

10:05:50 Vice Chair Jen Gross

10:07:20 Chair Keith Regier

10:07:48 Vice Chair Barry Usher
10:08:22 Sen. Andrea Olsen
10:10:32 Sen. Susan Webber
10:05:41 **Vote:** Motion failed 8 - 3 by roll call vote with Sen. Manzella, Sen. Regier, Sen. Usher, voting yes.
10:13:12 **Motion:** Vice Chair Barry Usher moved that **HB 193 TO TABLE.**
10:13:12 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 359 - Prohibit minors from attending drag shows

10:14:09 **Motion:** Vice Chair Barry Usher moved that **HB 359 BE CONCURRED IN.**
10:14:53 **Motion:** Vice Chair Barry Usher moved that **HB 359 BE AMENDED.**

Discussion:

10:15:06 Julianne Burkhardt
10:18:29 Chair Keith Regier
10:18:49 Sen. Chris Friedel
10:20:33 Vice Chair Barry Usher
10:21:21 Sen. Chris Friedel
10:21:50 Sen. Susan Webber
10:25:44 Vice Chair Jen Gross
10:14:53 **Vote:** Motion carried 6 - 5 by roll call vote with Sen. Friedel, Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Webber, voting no.
Sen. Friedel, Sen. Kelker, By Proxy
10:25:08 **Motion:** Vice Chair Barry Usher moved that **HB 359 BE CONCURRED IN AS AMENDED.**
10:25:08 **Vote:** Motion carried 7 - 4 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Webber, voting no.
Sen. Kelker, By Proxy
10:25:08 **Carrier Assigned:** Sen. Carl Glimm

EXECUTIVE ACTION ON HB 479 - Provide appropriation for DOJ to assume law enforcement PL-280

10:27:33 **Motion:** Vice Chair Barry Usher moved that **HB 479 BE CONCURRED IN.**

Discussion:

- 10:27:44 Sen. Susan Webber
- 10:29:33 Sen. Bob Brown
- 10:30:38 Chair Keith Regier
- 10:30:45 Vice Chair Barry Usher
- 10:27:33 **Vote:** Motion carried 7 - 4 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Webber, voting no.
Sen. Kelker, By Proxy
- 10:27:33 **Carrier Assigned:** Sen. Greg Hertz

EXECUTIVE ACTION ON HB 517 - Constitutional amendment regarding board of regents

- 10:32:21 **Motion:** Vice Chair Barry Usher moved that **HB 517 BE CONCURRED IN.**

Discussion:

- 10:32:41 Sen. Susan Webber
- 10:34:49 Sen. Theresa Manzella
- 10:35:31 Chair Keith Regier
- 10:35:54 Vice Chair Jen Gross
- 10:37:27 Sen. Daniel Emrich
- 10:39:40 Vice Chair Jen Gross
- 10:32:21 **Vote:** Motion carried 7 - 4 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Webber, voting no.
Sen. Kelker, By Proxy
- 10:32:21 **Carrier Assigned:** Sen. Chris Friedel

EXECUTIVE ACTION ON HB 551 - Implement constitutional carry into the Montana Constitution

- 10:42:05 **Motion:** Vice Chair Barry Usher moved that **HB 551 BE CONCURRED IN.**

Discussion:

- 10:42:26 Vice Chair Jen Gross
- 10:42:46 Chair Keith Regier
- 10:43:29 Sen. Chris Friedel
- 10:43:59 Chair Keith Regier

10:42:05 **Vote:** Motion carried 7 - 4 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Webber, voting no.
Sen. Kelker, By Proxy

10:42:05 **Carrier Assigned:** Sen. Barry Usher

EXECUTIVE ACTION ON HB 741 - Revise the youth court act

10:45:28 **Motion:** Vice Chair Barry Usher moved that **HB 741 BE CONCURRED IN.**

10:45:36 **Motion:** Vice Chair Jen Gross moved that **HB 741 BE AMENDED.**

Discussion:

10:46:46 Sen. Chris Friedel

10:45:36 **Vote:** Motion carried unanimously by voice vote.

10:48:12 **Motion:** Sen. Chris Friedel moved that **HB 741 TO TABLE.**

10:48:12 **Vote:** Motion carried 6 - 5 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Usher, Sen. Webber, voting no.
Sen. Kelker, By Proxy

EXECUTIVE ACTION ON HB 886 - Revise laws related to access to sealed youth court records

10:49:44 **Motion:** Vice Chair Barry Usher moved that **HB 886 BE CONCURRED IN.**

Discussion:

10:50:24 Sen. Theresa Manzella

10:50:58 Sen. Susan Webber

10:49:44 **Vote:** Motion carried 7 - 4 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Webber, voting no.
Sen. Kelker, By Proxy

10:49:44 **Carrier Assigned:** Sen. Bob Brown

EXECUTIVE ACTION ON HB 915 - Constitutional amendment to change process to select supreme court justices

10:52:45 **Motion:** Vice Chair Barry Usher moved that **HB 915 BE CONCURRED IN.**

Discussion:

10:52:56 Sen. Theresa Manzella

10:53:51 Sen. Chris Friedel

10:55:07 Vice Chair Jen Gross
10:55:44 Sen. Susan Webber
10:57:20 Chair Keith Regier
10:52:45 **Vote:** Motion carried 7 - 4 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Webber, voting no.
Sen. Kelker, By Proxy
10:52:45 **Carrier Assigned:** Sen. Steve Hinebauch

EXECUTIVE ACTION ON HB 937 - Provide for licensure of abortion clinics

10:58:36 **Motion:** Vice Chair Barry Usher moved that **HB 937 BE CONCURRED IN.**
Discussion:
10:58:48 Sen. Susan Webber
11:00:23 Chair Keith Regier
11:00:40 Vice Chair Jen Gross
11:02:40 Sen. Theresa Manzella
11:04:25 Sen. Susan Webber
11:05:20 Sen. Theresa Manzella
11:05:58 Vice Chair Jen Gross
11:07:13 Sen. Bob Brown
10:58:36 **Vote:** Motion carried 7 - 4 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Webber, voting no.
Sen. Kelker, By Proxy
10:58:36 **Carrier Assigned:** Sen. Theresa Manzella

EXECUTIVE ACTION ON HB 941 - Establish a dog training and socialization program in the state prison

11:09:27 **Motion:** Vice Chair Barry Usher moved that **HB 941 BE CONCURRED IN.**
Discussion:
11:09:37 Vice Chair Jen Gross
11:10:15 Chair Keith Regier
11:10:32 Julianne Burkhardt
11:10:42 Vice Chair Barry Usher

11:11:27 Sen. Bob Brown
11:12:10 Sen. Theresa Manzella
11:12:37 Vice Chair Jen Gross
11:13:27 Sen. Steve Hinebauch
11:20:32 **Motion:** Vice Chair Jen Gross moved that **HB 941 BE AMENDED.**
11:20:32 **Vote:** Motion carried unanimously by voice vote.
11:22:03 **Motion:** Vice Chair Barry Usher moved that **HB 941 BE CONCURRED IN AS AMENDED.**
11:22:03 **Vote:** Motion carried 10 - 1 by roll call vote with Sen. Regier, voting no.
11:22:03 **Carrier Assigned:** Sen. Jen Gross

EXECUTIVE ACTION ON HB 968 - Revise abortion laws concerning parental consultation

11:24:11 **Motion:** Vice Chair Barry Usher moved that **HB 968 BE CONCURRED IN.**
11:24:11 **Vote:** Motion carried 7 - 4 by roll call vote with Sen. Gross, Sen. Kelker, Sen. Olsen, Sen. Webber, voting no.
Sen. Kelker, By Proxy
11:24:11 **Carrier Assigned:** Sen. Keith Regier

ADJOURNMENT

Adjournment: 11:25:20

Grace Gibney, Secretary

Additional Documents: [EXHIBIT\(230413JUSaad\)](#)