



## SENATE SELECT COMMITTEE ON JUDICIAL OVERSIGHT AND REFORM

---

### 69th Montana Legislature

#### SENATE MEMBERS

Mary Ann Dunwell  
Janet Ellis  
Jason Ellsworth  
Daniel Emrich  
Steve Fitzpatrick  
Chris Friedel  
Carl Glimm  
Jen Gross  
Steve Hinebauch  
Tom McGillvray  
Wendy McKamey  
Shane Morigeau  
Mark Noland  
Andrea Olsen  
Barry Usher

#### HOUSE MEMBERS

Lyn Hellegaard  
Fiona Nave  
Sue Vinton

#### PUBLIC MEMBERS

Andrew Billstein  
Joan Mell  
Jim Ramlow

#### COMMITTEE STAFF

Maddelyn Black – Secretary  
Jameson Walker - Attorney

## MINUTES LOG

October 25, 2024  
Room 137  
Helena, Montana

Please note: This document is a Minutes Log and provides annotation of the time elapsed between the beginning of the meeting and the time at which the item was presented or discussed, a motion was made, or a vote was taken. The narrative presented here is provided only as a guide to the audio or video recording of the meeting. The official discussion, motion, or vote is available on the audio or video archive of this meeting. The Legislature does not prepare a transcript of the meeting activities. The time designation may be used to locate the referenced discussion on the audio or video recording of this meeting.

Access to an electronic copy of these minutes and the audio or video recording is provided from the Legislative Branch home page at <https://leg.mt.gov>. From the home page, select the "Committees" drop down menu at the top, then select Administrative or Interim, and the appropriate committee. The written minutes log can be located by expanding the accordion menu for the date of the meeting. Links to the audio/video files can be located by selecting the Video/Audio button on the same page, then the "past/current recordings" button. From there, use the calendar to select the date of the meeting you wish to view/listen to. The written Minutes Log, along with links to the audio and video recordings, is listed by meeting date on the interim committee's web page. Each of the Exhibits is linked and can be viewed by clicking on the Exhibit of interest. All Exhibits are public information and may be printed. Please contact the Legislative Services Division at 406-444-3064 for more information.

#### MEMBERS PRESENT:

Sen. Jason Ellsworth, Presiding Officer (R)  
Sen. Barry Usher, Vice Presiding Officer (R)  
Sen. Chris Friedel (R)  
Sen. Carl Glimm (R)  
Rep. Lyn Hellegaard (R)  
Sen. Steve Hinebauch (R)  
Sen. Tom McGillvray (R)  
Rep. Fiona Nave (R)  
Sen. Mark Noland (R)  
Jim Ramlow, Public Member  
Rep. Sue Vinton (R)

#### MEMBERS EXCUSED:

Sen. Daniel Emrich (R)  
Sen. Steve Fitzpatrick (R)  
Joan Mell, Public Member  
Sen. Wendy McKamey (R)  
Sen. Mary Ann Dunwell (D)  
Andrew Billstein, Public Member

**MEMBERS ABSENT:**

Sen. Shane Morigeau (D)  
Sen. Janet Ellis (D)  
Sen. Jen Gross (D)  
Sen. Andrea Olson (D)

**STAFF PRESENT:**

Maddelyn Black, Secretary  
Jameson Walker, Attorney

**AGENDA** ([Attachment 1](#))

**VISITORS' LIST** ([Attachment 2](#))

**CALL TO ORDER / ROLL CALL**

09:01:00 Presiding Officer Jason Ellsworth called the meeting to order at 9:01 AM. The committee secretary took roll.

**DISCUSSION ON THE OFFICE OF DISCIPLINARY COUNSEL**

09:02:50 Pam Bucy, Chief Discipline Counsel, Montana Office of Disciplinary Counsel (ODC)

[EXHIBIT 1](#)

**Committee Questions / Discussion**

09:14:10 Presiding Officer Jason Ellsworth  
09:14:29 Pam Bucy, ODC  
09:35:45 Sen. Steve Hinebauch  
09:36:12 Pam Bucy  
09:39:27 Presiding Officer Jason Ellsworth  
09:39:50 Pam Bucy  
09:41:00 Sen. Tom McGillvray  
09:41:20 Pam Bucy  
09:45:32 Presiding Officer Jason Ellsworth  
09:45:43 Pam Bucy  
09:46:29 Sen. Carl Glimm  
09:46:47 Pam Bucy  
10:04:44 Presiding Officer Jason Ellsworth  
10:05:21 Pam Bucy  
10:09:33 Sen. Tom McGillvray

10:10:21 Pam Bucy  
10:11:53 Presiding Officer Jason Ellsworth  
10:12:29 Pam Bucy  
10:20:12 Vice Presiding Officer Barry Usher  
[EXHIBIT 2](#)  
[EXHIBIT 3](#)  
[EXHIBIT 4](#)  
10:20:39 Pam Bucy  
10:36:19 Sen. Steve Hinebauch  
10:38:05 Pam Bucy  
10:43:58 Sen. Mark Noland  
10:44:27 Pam Bucy  
10:48:26 Vice Presiding Officer Barry Usher  
10:48:57 Pam Bucy  
10:50:10 Presiding Officer Jason Ellsworth  
10:50:40 Pam Bucy  
10:53:10 Sen. Daniel Emrich  
10:53:34 Pam Bucy  
10:56:01 Presiding Officer Jason Ellsworth  
10:56:32 Rep. Lyn Hellegaard  
10:57:00 Pam Bucy  
10:58:03 Jim Ramlow  
10:59:10 Pam Bucy  
11:07:28 Vice Presiding Officer Barry Usher  
11:08:03 Pam Bucy  
11:08:08 Presiding Officer Jason Ellsworth

**Public Comment**

11:12:57 None

11:13:55 **Recessed**

11:28:38 **Reconvened**

**REVIEW AND DISCUSS LIST OF CURRENT COMMITTEE BILL DRAFT PROPOSALS**

11:28:49 Presiding Officer Jason Ellsworth

11:29:02 Jameson Walker, Legislative Attorney, Legislative Services Division (LSD)

[EXHIBIT 5](#)

[EXHIBIT 6](#)

11:31:49 Vice Presiding Officer Barry Usher

**Committee Questions / Discussion**

11:32:20 Presiding Officer Jason Ellsworth

[EXHIBIT 7](#)  
11:32:43 Sen. Tom McGillvray  
11:35:19 Presiding Officer Jason Ellsworth  
11:35:28 Rep. Lyn Hellegaard  
11:35:42 Sen. Daniel Emrich  
11:36:12 Sen. Tom McGillvray

**Provisional Draft (PD)0107**

11:36:31 Presiding Officer Jason Ellsworth  
[EXHIBIT 8](#)  
11:37:13 Vice Presiding Officer Barry Usher

**PD0036**

11:38:03 Presiding Officer Jason Ellsworth  
[EXHIBIT 9](#)  
11:38:24 Jameson Walker, LSD

**PD0037**

11:39:16 Presiding Officer Jason Ellsworth  
[EXHIBIT 10](#)  
11:39:31 Jameson Walker

**PD0110**

11:40:29 Presiding Officer Jason Ellsworth  
[EXHIBIT 11](#)  
11:41:03 Sen. Wendy McKamey

**PD0031**

11:41:34 Presiding Officer Jason Ellsworth  
[EXHIBIT 12](#)  
11:41:47 Vice Presiding Officer Barry Usher

**PD0036**

11:44:56 Presiding Officer Jason Ellsworth  
(See Exhibit 9)  
11:45:11 Vice Presiding Officer Barry Usher

**Committee Questions / Discussion**

11:45:56 Sen. Daniel Emrich  
11:47:13 Vice Presiding Officer Barry Usher  
11:48:06 Presiding Officer Jason Ellsworth

**PD0057**

11:52:41 Presiding Officer Jason Ellsworth  
[EXHIBIT 13](#)  
11:53:11 Rep. Sue Vinton

**PD0108**

11:54:21 Presiding Officer Jason Ellsworth  
[EXHIBIT 14](#)  
11:55:06 Vice Presiding Officer Barry Usher

**PD0058**

11:55:17 Presiding Officer Jason Ellsworth  
[EXHIBIT 15](#)  
11:55:44 Rep. Lyn Hellegaard  
11:55:59 Sen. Daniel Emrich

**Committee Questions / Discussion**

11:58:05 Presiding Officer Jason Ellsworth  
11:58:31 Sen. Daniel Emrich  
11:59:49 Sen. Tom McGillvray  
12:00:32 Sen. Daniel Emrich  
12:01:15 Presiding Officer Jason Ellsworth  
12:02:26 Rep. Fiona Nave  
12:03:10 Sen. Daniel Emrich  
12:05:57 Rep. Lyn Hellegaard  
12:06:29 Vice Presiding Officer Barry Usher  
12:07:16 Sen. McGillvray  
12:07:48 Presiding Officer Jason Ellsworth

**PD0026**

12:12:37 Presiding Officer Jason Ellsworth  
12:12:49 Sen. Tom McGillvray  
12:13:28 Julianne Burkhardt, Attorney, LSD  
12:14:01 Vice Presiding Officer Barry Usher

**PD0037**

12:15:15 Presiding Officer Jason Ellsworth  
(See Exhibit 10)  
12:15:38 Rep. Fiona Nave  
12:16:08 Vice Presiding Officer Barry Usher  
12:17:03 Presiding Officer Jason Ellsworth  
12:17:55 Rep. Fiona Nave  
12:18:36 Presiding Officer Jason Ellsworth  
12:19:32 Sen. Steve Hinebauch  
12:19:58 Presiding Officer Jason Ellsworth  
12:20:35 Vice Presiding Officer Barry Usher

**PD0029**

12:21:39 Presiding Officer Jason Ellsworth  
[EXHIBIT 16](#)  
12:22:01 Vice Presiding Officer Barry Usher  
12:23:37 Julianne Burkhardt, LSD

**PD0028**

12:24:15 Presiding Officer Jason Ellsworth  
[EXHIBIT 17](#)  
12:24:24 Vice Presiding Officer Barry Usher

12:25:48 **Recessed**  
13:31:30 **Reconvened**

**REVIEW AND DISCUSS LIST OF CURRENT COMMITTEE BILL DRAFT PROPOSALS -  
Continued**

13:31:33 Presiding Officer Jason Ellsworth  
(See Exhibit 8)  
13:31:48 Jaret Coles, Deputy Director of Legal Services, LSD

**Committee Questions / Discussion**

13:35:08 Presiding Officer Jason Ellsworth  
13:35:34 Jaret Coles, LSD  
13:36:34 Sen. Carl Glimm  
13:37:13 Jaret Coles  
13:38:20 Sen. Tom McGillvray  
13:38:33 Jaret Coles

**PD0110**

13:40:05 Presiding Officer Jason Ellsworth  
(See Exhibit 11)  
13:40:18 Jaret Coles  
[EXHIBIT 18](#)  
(See Exhibit 11)  
14:44:24 Sen. Carl Glimm  
13:44:51 Jaret Coles  
13:47:21 Sen. Tom McGillvray  
13:49:35 Sen. Daniel Emrich  
13:53:20 Sen. Steve Hinebauch  
13:54:09 Rep. Lyn Hellegaard  
13:54:37 Presiding Officer Jason Ellsworth  
13:54:45 Sen. Steve Hinebauch  
13:55:47 Jaret Coles  
13:57:34 Sen. Tom McGillvray

13:59:08 Vice Presiding Officer Barry Usher  
14:00:36 Jaret Coles  
14:01:56 Sen. Daniel Emrich

**PD0039**

14:06:09 Presiding Officer Jason Ellsworth  
14:06:24 Jameson Walker  
14:07:04 Rep. Lyn Hellegaard

**Committee Questions / Discussion**

14:08:04 None

**PD0109**

14:08:16 Presiding Officer Jason Ellsworth  
14:08:31 Sen. Daniel Emrich

**Committee Questions / Discussion**

14:10:26 None

**PD0039**

14:10:34 Presiding Officer Jason Ellsworth  
14:10:48 Sen. Mark Noland  
14:11:15 Julie Johnson, Deputy Director of Legal Services, LSD

**PD0038**

14:12:05 Presiding Officer Jason Ellsworth  
[EXHIBIT 19](#)  
14:12:15 Sen. Carl Glimm

**Committee Questions / Discussion**

14:12:32 Presiding Officer Jason Ellsworth  
14:12:47 Sen. Daniel Emrich  
14:13:35 Vice Presiding Officer Barry Usher  
14:14:40 Sen. Carl Glimm  
14:15:39 Jameson Walker

**PD0030**

14:17:50 Presiding Officer Jason Ellsworth  
[EXHIBIT 20](#)  
14:18:06 Vice Presiding Officer Barry Usher

**Committee Questions / Discussion**

14:18:31 Sen. Tom McGillvray  
14:19:22 Vice Presiding Officer Barry Usher

14:20:03 Presiding Officer Jason Ellsworth  
14:20:47 Sen. Steve Hinebauch  
14:21:08 Presiding Officer Jason Ellsworth

**PD0038**

14:21:15 Presiding Officer Jason Ellsworth  
(See Exhibit 19)  
14:21:43 Julie Johnson, LSD

**Committee Questions / Discussion**

14:24:10 Sen. Daniel Emrich  
14:25:06 Sen. Carl Glimm  
14:25:34 Julie Johnson  
14:26:35 Sen. Daniel Emrich

**Motion**

14:27:26 Vice Presiding Officer Barry Usher moved to pass PD0038 as a committee bill.

**Discussion on the Motion**

14:27:46 Presiding Officer Jason Ellsworth  
14:28:22 Sen. Carl Glimm left the meeting.  
14:28:45 Sen. Daniel Emrich  
14:29:37 Julie Johnson  
14:30:36 Presiding Officer Jason Ellsworth

**Call the Question**

14:31:00 Sen. Mark Noland

**Vote**

14:31:15 Carried unanimously by voice vote.

**Discussion on the Vote**

14:31:33 Sen. Carl Glimm joined the meeting.  
14:31:30 Presiding Officer Jason Ellsworth  
14:31:48 **Carrier Assigned for PD0038:** Sen Daniel Emrich  
14:32:09 Vice Presiding Officer Barry Usher  
14:32:21 Presiding Officer Jason Ellsworth

**PD0041**

14:32:33 Presiding Officer Jason Ellsworth  
(See Exhibit 6)  
14:33:07 Rep. Lyn Hellegaard  
14:33:42 Jameson Walker  
14:38:05 Sen. Wendy McKamey joined the meeting



**Motion**

14:38:53 Vice Presiding Officer Barry Usher moved to pass PD0041 as a committee bill.

**Discussion on the Motion**

14:39:01 Presiding Officer Jason Ellsworth

**Call the Question**

14:39:18 Vice Presiding Officer Barry Usher

**Discussion on the Motion**

14:39:27 Rep. Lyn. Hellegaard

14:39:45 Vice Presiding Officer Barry Usher withdrew his motion.

**PD0031**

14:39:49 Presiding Officer Jason Ellsworth  
(See Exhibit 12)

14:39:57 Sen. Tom McGillvray

14:40:13 Rep. Lyn Hellegaard

14:40:25 Jameson Walker

**Committee Questions / Discussion**

14:41:33 None

**General Discussion**

14:41:39 Presiding Officer Jason Ellsworth

14:41:49 Sen. Tom McGillvray

14:42:42 Sen. Daniel Emrich

14:43:06 Sen. Tom McGillvray

14:43:36 Presiding Officer Jason Ellsworth

**PUBLIC COMMENT ON ANY TOPIC UNDER THE COMMITTEE'S JURISDICTION BUT NOT ON THIS AGENDA**

14:44:30 None

**COMMITTEE WORK SESSION**

14:45:19 Vice Presiding Officer Barry Usher

14:45:46 Presiding Officer Jason Ellsworth

14:46:26 Rep. Lyn Hellegaard

(See Exhibit 6)

14:46:54 Jameson Walker, Attorney, Legislative Services Division (LSD)

**Motion**

14:47:15 Vice Presiding Officer Barry Usher moved to pass PD0041 as a committee bill.

**Call the Question**

14:47:27 Presiding Officer Jason Ellsworth

**Vote**

14:47:30 Carried 10 – 1 by voice vote with Sen. Chris Friedel voting 'no'.

**COMMITTEE WORK SESSION - Continued**

14:47:51 Presiding Officer Jason Ellsworth  
14:47:57 Vice Presiding Officer Barry Usher  
14:48:48 Sen. Tom McGillvray  
14:49:24 Sen. Daniel Emrich  
14:49:32 Sen. Chris Friedel  
14:49:46 Rep. Sue Vinton  
14:53:21 Rep. Lyn Hellegaard  
14:54:03 Sen. Tom McGillvray  
14:54:23 Jaret Coles, Deputy Director of Legal Services, LSD  
14:54:57 Julie Johnson, Deputy Director of Legal Services, LSD

**PUBLIC COMMENT ON ANY TOPIC UNDER THE COMMITTEE'S JURISDICTION BUT NOT ON THIS AGENDA - Continued**

14:56:57 None

**COMMITTEE WORK SESSION - Continued**

14:56:18 Presiding Officer Jason Ellsworth  
14:56:32 Sen. Steve Hinebauch  
14:57:12 Vice Presiding Officer Barry Usher

**ADJOURNMENT**

Adjournment: 14:57:49