



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

COMMITTEE STAFF

Allison Dunbar - Secretary

PUBLIC MEMBERS

Andrew Billstein
Joan Mell
Jim Ramlow

MINUTES LOG

September 27, 2024
Capitol Room 137 & Zoom
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.

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MEMBERS PRESENT:

Sen. Jason Ellsworth, Chair (R)
Sen. Barry Usher, Vice Chair (R)
Andrew Billstein, Public Member
Sen. Steve Fitzpatrick (R)
Sen. Chris Friedel (R)
Sen. Carl Glimm (R)
Rep. Lyn Hellegaard (R)
Sen. Steve Hinebauch (R)
Sen. Wendy McKamey (R)
Joan Mell, Public Member
Rep. Fiona Nave (R)
Sen. Mark Noland (R)
Jim Ramlow, Public Member

Rep. Sue Vinton (R)

MEMBERS EXCUSED:

Sen. Tom McGilvray

Sen. Daniel Emrich

MEMBERS ABSENT:

Sen. Jen Gross (D)

Sen. Shane Morigeau (D)

Sen. Andrea Olsen (D)

Sen. Mary Ann Dunwell

Sen. Janet Ellis

STAFF PRESENT:

Allison Dunbar, Secretary

Jameson Walker, Attorney

Legislative Services Division

(LSD)

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

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

COMMITTEE ACTION

CALL TO ORDER/ROLL CALL

09:05:35 Presiding Officer Jason Ellsworth called the meeting to order at 9:05 AM. The committee secretary took roll.

PRESENTATION FROM ROBERT NATELSON

09:06:57 Robert Natelson, Senior Fellow in Constitutional Jurisprudence at the Independence Institute

Committee Questions/Discussion

09:42:52 Sen. Wendy McKamey

09:43:46 Robert Natelson

09:46:04 Sen. Carl Glimm

09:48:03 Robert Natelson

09:52:12 Sen. Carl Glimm

09:53:16 Robert Natelson

09:55:41 Sen. Carl Glimm

09:55:51 Joan Mell, Public Member

09:57:10 Robert Natelson

10:02:23 Joan Mell

10:06:18 Robert Natelson

10:06:38 Joan Mell
10:07:25 Robert Natelson
10:08:02 Joan Mell
10:12:37 Vice Presiding Officer Barry Usher
10:13:13 Robert Natelson
10:21:28 Vice Presiding Officer Barry Usher
10:21:54 Sen. Mark Noland returned to meeting briefly then left.
10:21:54 Vice Presiding Officer Barry Usher left the meeting.
10:22:25 Robert Natelson
10:23:54 James Ramlow, Public Member
10:25:26 Robert Natelson
10:29:04 Rep. Lyn Hellegaard
10:29:53 Robert Natelson
10:30:54 Vice Presiding Officer Barry Usher returned to meeting
10:34:24 Presiding Officer Jason Ellsworth left the meeting. Vice Presiding Officer Barry Usher stepped in as Chair temporarily.
10:34:56 Rep. Lyn Hellegaard
10:35:18 Robert Natelson
10:36:16 Vice Presiding Officer Barry Usher

PUBLIC COMMENT

10:36:31 Gillian Ellison, University of Montana Alexander Blewett III School of Law
10:38:37 Presiding Officer Jason Ellsworth returned to meeting
10:38:40 Presiding Officer Jason Ellsworth
10:39:26 Pamela Poon, Montana Legal Services
10:44:24 Presiding Officer Jason Ellsworth

PRESENTATION FROM JOHN LOONEY DO PROCESS

10:46:01 John Looney, Bad Boy Bail Bonds
10:50:00 Presiding Officer Jason Ellsworth left the meeting and Vice Presiding officer Barry Usher took over
10:50:46 Sen. Mark Noland returned to the meeting

PRESENTATION FROM JOHN LOONEY DO PROCESS

10:51:09 John Looney, Bad Boy Bail Bonds
10:54:55 Presiding Officer Jason Ellsworth returned to the meeting

PRESENTATION FROM JOHN LOONEY DO PROCESS

10:55:18 John Looney, Bad Boy Bail Bonds

Committee Questions/Discussion

10:56:30 Sen. Chris Friedel
10:57:31 John Looney
10:57:41 Sen. Chris Friedel
10:58:11 John Looney
10:58:18 Joan Mell
10:58:43 John Looney
11:01:56 Sen. Mark Noland returned to the meeting

PRESENTATION FROM JOHN LOONEY DO PROCESS Continued

11:02:17 John Looney, Bad Boy Bail Bonds
11:02:36 Joan Mell
11:03:42 John Looney
11:03:59 Joan Mell
11:07:33 Matthew Monforton, Attorney retained by John Looney
11:08:29 Joan Mell
11:08:53 Matthew Monforton
11:10:10 Joan Mell
11:12:30 Matthew Monforton
11:13:22 Sen. Mary McKamey
11:14:06 Matthew Monforton
11:15:05 Vice Presiding Officer Barry Usher
11:15:58 John Looney
11:16:15 Matthew Monforton
11:18:37 Vice Presiding Officer Barry Usher
11:19:09 Matthew Monforton
11:21:46 Vice Presiding Officer Barry Usher
11:21:58 Jameson Walker, Attorney, Legislative Services division (LSD)
11:22:11 Sen. Mary McKamey
11:23:16 Sen. Carl Glimm
11:24:14 Matthew Monforton
11:24:54 Sen. Carl Glimm
11:25:15 Matthew Monforton
11:26:01 Sen. Carl Glimm
11:26:52 Joan Mell
11:29:33 Matthew Monforton
11:30:26 Vice Presiding Officer Barry Usher
11:30:47 Matthew Monforton
11:31:12 Presiding Officer Jason Ellsworth

11:32:16 Matthew Monforton
11:33:08 Presiding Officer Jason Ellsworth
11:34:31 Vice Presiding Officer Barry Usher
11:34:51 Matthew Monforton

PUBLIC COMMENT

11:35:13 Michelle M.- President of Bail Bonds Co. State of Montana

Recess

11:41:01

Reconvened

13:29:39

REVIEW DRAFT PROPOSALS AND LANGUAGE

13:29:49 Jaret Coles, Deputy Legal Director, Legislative Services (LSD)
[EXHIBIT 1](#)
[EXHIBIT 2](#)

Committee Questions/Discussion

13:33:40 Presiding Officer Jason Ellsworth
13:34:28 Jaret Coles, LSD
13:38:49 Presiding Officer Jason Ellsworth
13:39:07 Jaret Coles, LSD
13:39:35 Sen. Mary McKamey
13:40:17 Jaret Coles, LSD
13:41:54 Rep. Fiona Nave
13:43:11 Jaret Coles, LSD
13:44:00 Rep. Fiona Nave
13:44:16 Jaret Coles, LSD
13:46:14 Vice Presiding Officer Barry Usher
13:46:55 Jaret Coles, LSD
13:47:41 Vice Presiding Officer Barry Usher
13:48:56 Sen. Mary McKamey
13:49:44 Presiding Officer Jason Ellsworth
13:51:26 Vice Presiding Officer Barry Usher

REVIEW DRAFT PROPOSALS AND LANGUAGE

13:52:38 Julie Johnson, Attorney, Legislative Services Division (LSD)
[EXHIBIT 3](#)
13:54:40 Jaret Coles, LSD

Committee Question/Discussion

14:01:11 None

REVIEW DRAFT PROPOSALS AND LANGUAGE

14:01:30 Jaret Coles, Attorney, Legislative Services Division
[EXHIBIT 4](#)
14:03:11 Vice Presiding Officer Barry Usher
14:04:30 Jaret Coles, LSD
14:04:41 Presiding Officer Jason Ellsworth
14:05:45 Rep. Fiona Nave
14:06:15 Jaret Coles, LSD

REVIEW DRAFT PROPOSALS AND LANGUAGE

14:06:59 Jameson Walker, Attorney, Legislative Services Division (LSD)
[EXHIBIT 5](#)
14:10:01 Sen. Mark Noland left meeting

REVIEW DRAFT PROPOSALS AND LANGUAGE

14:10:14 Jameson Walker, Attorney, Legislative Services Division (LSD)
14:10:45 Sen. Mark Noland returned to meeting

REVIEW DRAFT PROPOSALS AND LANGUAGE

14:11:02 Jameson Walker, Attorney, Legislative Services Division (LSD)

Committee Questions/Discussion

14:15:06 Vice Presiding Officer Sen. Barry Usher

REVIEW DRAFT PROPOSALS AND LANGUAGE Continued

14:16:39 Jameson Walker, Attorney, Legislative Services Division (LSD)

Committee Questions/Discussion

14:18:39 Vice Presiding Officer Barry Usher

REVIEW DRAFT PROPOSALS AND LANGUAGE

14:18:58 Julie Johnson, Deputy Director Legal Services (LSD)
[EXHIBIT 6](#)
[EXHIBIT 7](#)

Committee Questions/Discussion

14:23:14 Rep. Lyn Hellegaard
14:24:30 Sen. Mary McKamey
14:26:23 Presiding Officer Jason Ellsworth
14:27:19 Sen. Mary McKamey
14:28:11 Presiding Officer Jason Ellsworth
14:29:28 Rep. Fiona Nave
14:29:45 Presiding Officer Jason Ellsworth
14:30:20 Julie Johnson, LSD

14:31:26 Vice Presiding Officer Barry Usher
14:33:36 Presiding Officer Jason Ellsworth

PUBLIC COMMENT

14:34:34 Gillian Ellison, University of Montana Alexander Blewett III School of Law

Recess

14:37:52

Reconvened

14:34:34

COMMITTEE WORK SESSION

14:55:11 Rep. Lyn Hellegaard
14:56:02 Rep. Fiona Nave
14:56:28 Presiding Officer Jason Ellsworth
14:57:20 Vice Presiding Barry Usher

Motion

14:57:36 Vice Presiding Officer Barry Usher made a motion to allow Rep. Lyn Hellegaard to move on with her committee bill.

Discussion on the motion

14:57:40 None

Vote

14:57:53 Carried unanimously by voice vote.

COMMITTEE WORK SESSION

14:58:23 Vice Presiding Officer Barry Usher
[EXHIBIT 8](#)
14:58:40 Jameson Walker, LSD
15:00:06 Vice Presiding Officer Barry Usher

Motion

15:00:28 Sen. Carl Glimm made a motion to allow SB366 as a committee bill.

Discussion on the motion

15:00:36 None

Vote

15:00:42 Carried unanimously by voice vote.

COMMITTEE WORK SESSION Continued

15:02:01 Rep. Fiona Nave
15:03:06 Sen. Mary McKamey
15:03:44 Presiding Officer Jason Ellsworth
15:05:43 Sen. Mark Noland
15:06:59 Vice Presiding Officer Barry Usher
15:08:19 Presiding Officer Jason Ellsworth
15:09:32 Vice Presiding Officer Barry Usher
[EXHIBIT 9](#)
[EXHIBIT 10](#)
[EXHIBIT 11](#)
15:11:18 Presiding Officer Jason Ellsworth
15:11:31 Jameson Walker, LSD
15:11:40 Vice Presiding Officer Barry Usher
15:13:18 Presiding Officer Jason Ellsworth
15:13:36 Jaret Coles, LSD

PUBLIC COMMENT

15:14:43 None

ADJOURNMENT

Adjournment: 15:15:26