



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

Allison Dunbar - Secretary

MINUTES LOG

November 14, 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, Presiding Officer (R)
Sen. Barry Usher, Vice Presiding Officer (R)

Sen. Daniel Emrich (R)
Sen. Steve Fitzpatrick (R)
Sen. Chris Friedel (R)
Sen. Carl Glimm (R)
Rep. Lyn Hellegaard (R)
Sen. Steve Hinebauch (R)
Sen. Tom McGillvray (R)
Sen. Wendy McKamey (R)
Rep. Fiona Nave (R)
Sen. Mark Noland (R)
Andrew Billstein, Public Member

MEMBERS EXCUSED:

Joan Mell, Public Member
Rep. Sue Vinton (R)

MEMBERS ABSENT:

Sen. Jen Gross (D)
Sen. Shane Morigeau (D)
Sen. Andrea Olsen (D)
Sen. Mary Ann Dunwell (D)
Sen. Janet Ellis (D)

STAFF PRESENT:

Allison Dunbar, Secretary
Jameson Walker, Legislative Attorney
Julie Johnson, Legislative Attorney
Julianne Burkhardt, Legislative Attorney
Rachel Weiss, Research Director

AGENDA ([Attachment 1](#))

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

CALL TO ORDER / ROLL CALL

13:03:35 Vice Presiding Officer Barry Usher called the meeting to order at 1:03 PM. The committee secretary took roll.

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

Provisional Draft 0052

13:07:43 Sen. Tom McGillvray

[EXHIBIT 1](#)

13:16:45 Rachel Weiss, Research Director, Legislative Services Division (LSD)

[EXHIBIT 2](#)

Committee Questions / Discussion

13:18:46 Presiding Officer Jason Ellsworth

13:19:14 Sen. Tom McGillvray

13:21:33 Rep. Fiona Nave

13:25:37 Vice Presiding Officer Barry Usher

Provisional Draft 0033

13:27:42 Vice Presiding Officer Barry Usher

13:28:37 Rep. Lyn Hellegaard

[EXHIBIT 3](#)

13:29:07 Sen. Daniel Emrich

13:30:33 Sen. Tom McGillvray

Motion

13:31:03 Sen. Daniel Emrich moved that Provisional Draft 0033 do pass.

Discussion on the Motion

13:31:20 James Ramlow
13:32:16 Vice Presiding Officer Barry Usher
13:33:20 Sen. Daniel Emrich

Vote

13:35:29 Carried unanimously by voice vote.

Legislative Council Draft 0614

13:36:28 Jaret Coles, Legislative Attorney, LSD
[EXHIBIT 4](#)

Legislative Council Draft 0612

13:38:29 Jameson Walker, Legislative Attorney, LSD
13:39:40 Sen. Wendy McKamey

Legislative Council Draft 0618 _JJ

13:40:32 Julie Johnson, Legislative Attorney, LSD
[EXHIBIT 5](#)

Legislative Council Draft 0617

13:41:22 Rachel Weiss, LSD
[EXHIBIT 6](#)

Committee Questions / Discussion

13:43:57 Sen. Tom McGillvray
13:44:30 Presiding Officer Jason Ellsworth

Provisional Draft 0616

13:46:35 Jaret Coles, LSD

Provisional Draft 0058, House Bill 355, and Provisional Draft 0063

13:46:54 Rachel Weiss
[EXHIBIT 7](#)
[EXHIBIT 8](#)
[EXHIBIT 9](#)

Committee Questions / Discussion

13:52:24 Rep. Fiona Nave
13:56:29 Vice Presiding Officer Barry Usher
13:57:24 Sen. Carl Glimm
14:00:14 Sen. Daniel Emrich
14:01:14 Rep. Lyn Hellegaard
14:02:46 Sen. Wendy McKamey

14:03:58 Sen. Daniel Emrich
14:07:04 Sen. Chris Friedel
14:09:47 Presiding Officer Jason Ellsworth
14:13:23 Sen. Tom McGillvray
14:15:57 Vice Presiding Officer Barry Usher
14:17:08 Rep. Carl Glimm
14:17:43 Sen. Wendy McKamey
14:18:51 Rachel Weiss

14:22:26 **Recessed**

14:33:56 **Reconvened**

REVIEW AND DISCUSS LIST OF CURRENT COMMITTEE BILL DRAFT PROPOSALS AND DRAFT LANGUAGE - Continued
Provisional Draft 0058

14:34:04 Sen. Daniel Emrich

Committee Questions / Discussion

14:34:53 Sen. Wendy McKamey

Motion

14:35:32 Sen. Daniel Emrich moved that the language from House Bill 355 from last session be amended for language in Provisional Draft 0058.

Discussion on the Motion

14:36:16 Rachel Weiss, Research Director, Legislative Services Division (LSD)

Substitute Motion

14:36:49 Sen. Daniel Emrich made a substitute motion to not amend language in LC0058.

Vote

14:37:10 Carried unanimously by voice vote.

Provisional Draft 0026

14:37:43 Sen. Tom McGillvray

[EXHIBIT 10](#)

14:40:05 Sen. Steve Fitzpatrick joined the meeting.

Committee Questions / Discussion

14:46:57 Sen. Daniel Emrich

14:48:03 Rep. Fiona Nave

14:49:17 Sen. Wendy McKamey

14:49:46 James Ramlow

Motion

14:52:18 Sen. Tom McGillvray moved to pass along Provisional Draft 0026 as a committee bill.

Vote

14:52:42 Carried by voice vote 12 – 1 with Sen. Steve Fitzpatrick voting “no” and Presiding Officer Ellsworth yes by proxy

Legislative Council Draft 0522

14:54:54 Vice Presiding Officer Barry Usher

14:55:31 Julie Johnson, LSD

Legislative Council Draft 0619

14:55:51 Vice Presiding Officer Barry Usher

Provisional Draft 0029

14:56:07 Vice Presiding Officer Barry Usher

Provisional Draft 0621

14:56:38 Vice Presiding Officer Barry Usher

Provisional Draft 0039_JCW

14:56:52 Vice Presiding Officer Barry Usher

[EXHIBIT 11](#)

14:57:04 Rep. Lyn Hellegaard

14:58:28 Jameson Walker, Legislative Attorney, LSD

Motion

15:00:09 Sen. Daniel Emrich moved that Provisional Draft 0039_JCW do pass.

15:00:15 Vice Presiding Officer Barry Usher

Vote

15:00:37 Carried unanimously by voice vote.

Provisional Draft 0109

15:01:17 Sen. Daniel Emrich

Committee Questions / Discussion

15:04:26 Vice Presiding Officer Barry Usher

15:04:40 Sen. Tom McGillvray

Provisional Draft 0039_JJ

15:04:46 Sen. Mark Noland

[EXHIBIT 12](#)

Discussion

15:06:07 Sen. Daniel Emrich

15:07:18 Sen. Carl Glimm

15:08:19 Julie Johnson, Legislative Attorney, LSD
15:11:34 Sen. Daniel Emrich
15:13:02 Sen. Tom McGillvray

Motion

15:15:00 Sen. Mark Noland moved to pass Provisional Draft 0039_JJ.

Vote

15:15:26 Carried unanimously by voice vote.

Provisional Draft 0111_JC

15:16:19 Vice Presiding Officer Barry Usher

Legislative Council Draft 0611

15:16:22 Sen. Carl Glimm

Legislative Council Draft 0620

15:17:04 Vice Presiding Officer Barry Usher

Provisional Draft 0038_JJ

15:17:07 Sen. Daniel Emrich

Motion

15:17:56 Sen. Daniel Emrich moved do pass Provisional Draft 0038_JJ.

Provisional Draft 0038_JJ - Continued

15:18:12 Julie Johnson, LSD

Substitute Motion

15:18:59 Sen. Mark Noland moved do pass Provisional Draft 0038_JJ.

Vote

15:19:12 Carried unanimously by voice vote.

Provisional Draft 0041_JJ

15:20:00 Rep. Lyn Hellegaard

[EXHIBIT 13](#)

15:20:43 Vice Presiding Officer Barry Usher left the meeting and Sen. Mark Noland assumed the position of Presiding Officer.

15:21:00 Sen. Mark Noland

Motion

15:21:08 Rep. Carl Glimm move do pass Provisional Draft 0041_JCW.

Vote

15:21:52 Carried unanimously by voice vote.

Provisional Draft 0031_JB

15:24:24 Juliane Burkhardt, Legislative Attorney, LSD
15:24:19 Sen. Tom McGillvray

Committee Questions / Discussion

15:24:57 Sen. Daniel Emrich
15:26:34 Sen. Steve Fitzpatrick
15:27:12 Sen. Mark Noland
15:28:49 Vice Presiding Officer Barry Usher rejoined the meeting and resumed the position of Presiding Officer.

Provisional Draft 0034_JJ

15:29:09 Vice Presiding Officer Barry Usher
[EXHIBIT 14](#)
15:29:29 Julie Johnson

Committee Questions / Discussion

15:30:27 Sen. Carl Glimm
15:30:50 Vice Presiding Officer Barry Usher
15:31:49 Sen. Daniel Emrich

Motion

15:32:33 Sen. Tom McGillvray moved do pass Provisional Draft 0034_JJ.

Vote

15:32:51 Carried unanimously by voice vote.

Provisional Draft 0042_JJ

15:33:23 Rep. Fiona Nave
[EXHIBIT 15](#)
15:35:59 Vice Presiding Officer Barry Usher

Motion

15:34:37 Sen. Mark Noland moved do pass Provisional Draft 0042_JJ.

Vote

15:34:56 Carried unanimously by voice vote.

Committee Questions / Discussion

15:35:25 Jameson Walker, LSD

Provisional Draft 0040_JJ

15:35:54 Julie Johnson
[EXHIBIT 16](#)
15:36:25 Vice Presiding Officer Barry Usher
15:36:47 Rep. Lyn Hellegaard

15:37:11 Rachel Weiss, LSD
15:37:35 Sen. Steve Fitzpatrick

Motion

15:38:56 Sen. Mark Noland moved do pass Provisional Draft 0040_JJ

Vote

15:39:16 Carried unanimously by voice vote

Provisional Draft 0041_JJ

15:39:38 Sen. Tom McGillvray

[EXHIBIT 17](#)

Committee Questions / Discussion

15:42:47 Sen. Daniel Emrich
15:43:33 Sen. Tom McGillvray
15:46:42 Sen. Steve Fitzpatrick
15:47:43 Sen. Chris Friedel

Motion

15:48:39 Sen. Tom McGillvray moved do pass Provisional Draft 0041_JJ.

Vote

15:48:45 Carried unanimously by voice vote.

Provisional Draft 0052 and Provisional Draft 0031

15:49:47 Vice Presiding Officer Barry Usher
15:50:30 Sen. Steve Fitzpatrick
15:50:43 Sen. Daniel Emrich

COMMITTEE WORK SESSION

15:50:58 Sen. Daniel Emrich

[EXHIBIT 18](#)

Committee Questions / Discussion

15:55:01 Presiding Officer Barry Usher
15:56:43 Sen. Steve Fitzpatrick
15:58:00 Sen. Wendy McKamey
16:01:57 Rep. Fiona Hellegaard
16:02:45 Sen. Carl Glimm

Motion

16:07:07 Sen. Mark Noland asked that LC0048 be looked at again.

COMMITTEE WORK SESSION - Continued

16:10:04 Sen. Steve Fitzpatrick

16:10:53 Vice Presiding Officer Barry Usher

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

16:15:32 Vice Presiding Officer Barry Usher

16:16:04 Rep. Lee Deming

16:17:31 Rep. Tom Millett

ADJOURNMENT

Adjournment: 16:28:14