

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 67th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON JUDICIARY

**Call to Order:** Chair Barry Usher, on January 13, 2021 at 8:00 AM, in Room 137 Capitol

#### ROLL CALL

##### **Members Present:**

Rep. Barry Usher, Chair (R)  
Rep. Kathy Kelker, Vice Chair (D)  
Rep. Amy Regier, Vice Chair (R)  
Rep. Seth Berglee (R)  
Rep. Laurie Bishop (D)  
Rep. Jennifer Carlson (R)  
Rep. Robert Farris-Olsen (D)  
Rep. Frank Fleming (R)  
Rep. Tom France (D)  
Rep. Jane Gillette (R)  
Rep. Donavon Hawk (D)  
Rep. Jedediah Hinkle (R)  
Rep. Brandon Ler (R)  
Rep. Bob Phalen (R)  
Rep. Derek Skees (R)  
Rep. Mallerie Stromswold (R)  
Rep. Danny Tenenbaum (D)

##### **Members Excused:**

Rep. Dennis R. Lenz (R)  
Rep. Ed Stafman (D)

**Members Absent:** None

##### **Staff Present:**

Lydia Balian, Committee Secretary  
Rachel Weiss, Legislative Branch  
Joe Carroll, Legislative Branch  
Hallie Swain, Remote Meeting Coordinator

**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 105, 1/7/2021; HB 110, 1/7/2021

08:01:16 Chair Usher

### **HEARING ON HB 105**

#### **Opening Statement by Sponsor:**

08:01:45 Rep. Ron Marshall (R), HD 87, opened the hearing on HB 105, Generally revise unlawful transactions with children laws.

#### **Proponents' Testimony:**

08:04:42 Keith Bowman, Ecig Vapor Juice, Montana Smoke Free Association (MSFA)  
08:07:54 Jean Branscum, Montana Medical Association (MMA)  
08:09:07 Lucas Anderson, uBlaze Vapor  
08:09:54 Deanna Marshall, Freedom Vapes, Montana Smoke Free Association (MSFA)  
08:13:32 Tommie Dobbs, Liberty Vapor, Montana Smoke Free Association (MSFA)  
08:14:54 Robert Cracraft, Vaperology Vape Shop  
08:15:17 Wesley Carroll, Vaperology Vape Shop

**Opponents' Testimony:** None

**Informational Testimony:** None

#### **Questions from Committee Members and Responses:**

08:16:06 Vice Chair Kelker  
08:17:28 Rep. Marshall  
08:17:41 Rep. Carlson  
08:20:08 Rep. Marshall  
08:20:19 Rep. Skees  
08:20:44 Rep. Marshall  
08:22:05 Rep. Ler  
08:22:33 Rep. Marshall  
08:23:27 Rep. Stafman  
08:23:48 Rep. Carlson  
08:24:19 Rep. Stafman  
08:25:00 Rep. Marshall  
08:27:41 Rep. Bishop  
08:29:32 Rep. Marshall  
08:30:40 Rep. Gillette  
08:31:14 Rep. Marshall

#### **Closing by Sponsor:**

08:32:16 Rep. Marshall

**HEARING ON HB 110****Opening Statement by Sponsor:**

08:34:02 Rep. Danny Tenenbaum (D), HD 95, opened the hearing on HB 110, Revising laws related to obstruction of a peace officer or public servant.

**Proponents' Testimony:**

08:38:41 Sam Forstag, American Civil Liberties Union of Montana (ACLU)  
08:40:03 Henry Kriegel, Americans for Prosperity Montana (AFP)  
08:43:51 Laurie Little Dog, self

**Opponents' Testimony:**

08:44:58 Cory Swanson, Montana County Attorneys' Association (MCAA)  
08:51:51 Alan Doane, Montana Department of Justice (DOJ)  
08:52:09 Nanette Gilbertson, Montana Sheriffs and Peace Officers Association (MSPOA);  
Montana Police Protective Association (MPPA)  
08:53:33 Mark Murphy, Montana Association of Chiefs of Police (MACOP)  
08:55:34 Jessie Luther, Association of Montana Troopers  
08:56:14 Shelby DeMars, Montana Police Protective Association (MPPA)

**Informational Testimony:** None**Questions from Committee Members and Responses:**

08:58:41 Rep. Fleming  
08:59:13 Rep. Tenenbaum  
09:00:08 Chair Usher  
09:00:35 Vice Chair Kelker  
09:01:33 Cory Swanson, MCAA  
09:03:35 Rep. Berglee  
09:06:50 Rep. Tenenbaum  
09:08:40 Rep. Ferris-Olsen  
09:09:21 Rep. Tenenbaum  
09:10:15 Rep. J. Hinkle  
09:10:52 Rep. Tenenbaum  
09:13:09 Rep. J. Hinkle  
09:13:33 Cory Swanson, MCAA  
09:16:02 Rep. Carlson  
09:20:12 Cory Swanson, MCAA  
09:21:04 Rep. Bishop  
09:21:21 Sam Forstag, ACLU  
09:22:27 Vice Chair Kelker  
09:23:34 Rep. Tenenbaum  
09:25:45 Rep. Ferris-Olsen  
09:30:49 Cory Swanson, MCAA  
09:31:03 Chair Usher  
09:31:19 Cory Swanson, MCAA  
09:31:43 Rep. Berglee  
09:34:38 Sam Forstag, ACLU  
09:35:24 Chair Usher  
09:35:55 Sam Forstag, ACLU

**Closing by Sponsor:**

09:36:24 Rep. Tenenbaum

09:38:10 Chair Usher

09:39:04 Rachel Weiss, Legislative Services Division (LSD)

09:39:21 Chair Usher

09:39:59 Rep. Stafman

09:40:18 Chair Usher

09:41:45 Rep. Carlson

09:42:20 Rep. Skees

**ADJOURNMENT**

Adjournment: 09:43:13

---

Lydia Balian, Secretary

lb

Additional Documents:

**EXHIBIT**([juh08aad.pdf](#))