

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Barry Usher, on January 27, 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. Dennis R. Lenz (R)
Rep. Brandon Ler (R)
Rep. Bob Phalen (R)
Rep. Ed Stafman (D)
Rep. Mallerie Stromswold (R)

Members Excused:

Rep. Derek Skees (R)
Rep. Danny Tenenbaum (D)

Members Absent: None

Staff Present:

Lydia Balian, Committee Secretary
Rachel Weiss, 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 223, 1/25/2021; HB 194, 1/25/2021; HB 215, 1/25/2021; HB 218, 1/25/2021

HEARING ON HB 215**Opening Statement by Sponsor:**

08:02:55 Rep. Casey Knudsen (R), HD 33, opened the hearing on HB 215, Revise the definition of permissible fireworks.

08:03:10 Rep. Skees joined the meeting.

Proponents' Testimony:

08:04:20 Janee Weber, self

08:05:25 Michael Maeder, Big Sky Pyrotechnic Association

Opponents' Testimony:

08:07:51 Rich Cowger, Montana Fire Alliance

08:10:30 Rep. Berglee left the meeting.

08:11:33 Dann Babcox, Park County Rural Fire District 1

Informational Testimony:

08:15:19 Michael DeGrosky, Department of Natural Resources and Conservation (DNRC)

Questions from Committee Members and Responses:

08:15:57 Vice Chair Kelker

08:16:38 Michael DeGrosky, DNRC

08:18:20 Rep. Phalen

08:18:49 Rep. Casey Knudsen

08:19:27 Rep. France

08:20:01 Rep. Casey Knudsen

08:22:23 Rep. Skees

08:22:49 Rep. Casey Knudsen

08:23:51 Rep. J. Hinkle

08:25:56 Michael DeGrosky, DNRC

Closing by Sponsor:

08:27:05 Rep. Casey Knudsen

HEARING ON HB 218**Opening Statement by Sponsor:**

08:30:01 Rep. Mike Hopkins (R), HD 92, opened the hearing on HB 218, Revise campus free speech laws.

08:30:33 Chair Usher left the meeting.

08:30:46 Vice Chair Regier assumed the chair.

Proponents' Testimony:

08:36:41 Jeff Laszloffy, Montana Family Foundation (MFF)

08:39:55 Chair Usher rejoined the meeting.

08:40:24 Chris Enget, Concerned Veterans for America (CVA)

08:43:45 Laurel Hesse, American Civil Liberties Union (ACLU)

08:45:28 Dylan Dean, Young Americans for Liberty
 08:47:06 Ronda Wiggers, Montana Broadcasters Association
 08:47:56 Isaac Edikauskas, self
 08:49:45 Wyatt LaPraim, self
 08:53:04 Liam McCollum, self
 08:55:55 Spencer Whitaker, self
 08:57:59 Ethan Holmes, self
 09:01:26 Cody Hubman, self
 09:03:33 Isabelle Brenes, self

Opponents' Testimony: None

Informational Testimony:

09:06:26 Janelle Booth, Montana State University (MSU)
 09:06:52 Dave Kuntz, University of Montana (UM)
 09:07:12 Rachel Schmidt, Associated Students of Montana State University (ASMSU)

Questions from Committee Members and Responses:

09:08:03 Rep. Stafman
 09:08:39 Janelle Booth, MSU
 09:09:40 Rep. Stafman
 09:09:51 Dave Kuntz, UM

EXHIBIT(juh18a01)

09:11:02 Vice Chair Kelker
 09:11:29 Janelle Booth, MSU
 09:12:17 Chair Usher
 09:12:38 Janelle Booth, MSU
 09:13:15 Vice Chair Kelker
 09:14:57 Janelle Booth, MSU
 09:15:20 Rep. J. Hinkle
 09:15:54 Janelle Booth, MSU
 09:16:19 Rep. J. Hinkle
 09:16:28 Dave Kuntz, UM
 09:16:52 Rep. Bishop
 09:17:15 Dave Kuntz, UM
 09:17:47 Rep. France
 09:18:40 Rep. Hopkins
 09:19:41 Rep. Phalen
 09:20:12 Rep. Hopkins
 09:21:55 Rep. Carlson
 09:23:12 Rep. Berglee rejoined the meeting.
 09:24:03 Dave Kuntz, UM
 09:24:54 Rep. Skees
 09:25:44 Jeff Laszloffy, MFF
 09:26:40 Rep. Skees
 09:28:25 Janelle Booth, MSU
 09:29:18 Rep. Stafman
 09:30:03 Janelle Booth, MSU

EXHIBIT(juh18a02)

09:30:42 Rep. France
09:31:13 Rachel Weiss, Legislative Services Division (LSD)
09:31:57 Rep. Skees
09:32:12 Rep. Hopkins
09:34:18 Vice Chair Kelker
09:36:18 Rep. Hopkins
09:37:12 Rep. Carlson
09:38:07 Janelle Booth, MSU
09:38:53 Rep Carlson
09:39:52 Dave Kuntz, UM
09:40:33 Chair Usher
09:42:01 Rep. Hopkins

Closing by Sponsor:

09:42:08 Rep. Hopkins

09:45:06 Recess
10:00:47 Reconvened

10:00:50 Rep. Skees left the meeting.

HEARING ON HB 194**Opening Statement by Sponsor:**

10:01:03 Rep. Fred Anderson (R), HD 20, opened the hearing on HB 194, Generally revise vehicle liability insurance parameters.

[EXHIBIT\(juh18a03\)](#)**Proponents' Testimony:** None**Opponents' Testimony:**

10:06:22 Zuri Moreno, Montana Budget and Policy Center (MBPC)
10:07:42 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence (MCADSV)
10:09:40 David Herbst, Americans for Prosperity Montana (AFP)
10:13:54 Sam Forstag, American Civil Liberties Union of Montana (ACLU)
10:14:46 SJ Howell, Montana Women Vote (MWV)
10:16:45 Keaton Sunchild, Montana Native Vote (MNV)
10:19:00 Daliyah Killsback, Western Native Voice (WNV)

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

10:20:41 Rep. Carlson
10:21:23 Sam Forstag, ACLU
10:22:00 Rep. Carlson
10:22:41 David Herbst, AFP
10:24:17 Rep. Carlson
10:24:52 Vice Chair Kelker

10:29:09 Rep. Anderson
10:29:56 Rep. Ler
10:31:27 David Herbst, AFP
10:32:36 Rep. Ler
10:32:56 Rep. Anderson
10:33:07 Rep. Gillette
10:36:39 Rep. Anderson
10:37:13 Rep. Tenenbaum
10:38:00 Rep. Anderson
10:39:15 Chair Usher
10:40:05 Rep. Anderson
10:41:19 Chair Usher
10:43:27 David Herbst, AFP
10:43:55 Rep. France
10:44:57 David Herbst, AFP
10:45:42 Rep. Carlson
10:46:22 Rep. Anderson

Closing by Sponsor:

10:47:10 Rep. Anderson

10:50:17 Chair Usher

HEARING ON HB 223

Opening Statement by Sponsor:

10:51:32 Rep. Bill Mercer (R), HD 46, opened the hearing on HB 223, Create statutory authority for sworn law enforcement officers to hold aliens.

10:58:36 Chair Usher left the meeting.
10:58:46 Vice Chair Regier assumed the chair.

Opponents' Testimony:

10:59:41 Sam Forstag, American Civil Liberties Union of Montana (ACLU)
[EXHIBIT\(juh18a04\)](#)

11:03:40 SJ Howell, Montana Women Vote (MWV)
11:04:50 Kelly Lynch, Montana League of Cities and Towns (MLCT)
11:07:34 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence

Proponents' Testimony:

11:11:04 Paul Nachman, self
11:11:42 Rep. Usher rejoined the meeting.
11:12:51 Rep. Usher

Informational Testimony: None

Questions from Committee Members and Responses:

11:14:31 Vice Chair Kelker

11:17:39 Rep. Mercer
11:18:22 Rep. Stafman
11:26:23 Rep. Mercer
11:28:26 Rep. Usher
11:29:50 Rep. Mercer
11:30:32 Rep. Tenenbaum
11:36:57 Rep. Mercer
11:38:35 Rep. France
11:39:24 Rep. Mercer
11:42:36 Rep. Bishop
11:43:37 Kelly Lynch, MLCT
11:44:16 Rep. J. Hinkle left the meeting.
11:47:09 Rep. Bishop
11:48:53 Rep. Mercer
11:49:05 Rep. Stromswold left the meeting.
11:50:56 Rep. Farris-Olsen
11:51:36 Sam Forstag, ACLU
11:53:02 Rep. Usher
11:55:07 Kelly Lynch, MLCT
11:55:36 Rep. Berglee
11:56:02 Sam Forstag, ACLU

Closing by Sponsor:

11:56:20 Rep. Mercer

ADJOURNMENT

Adjournment: 11:59:00

Lydia Balian, Secretary

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Additional Documents:

EXHIBIT([juh18aad.pdf](#))