

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Barry Usher, on January 29, 2021 at 8:00 AM, in Room 137 Capitol

ROLL CALL

Members Present:

Rep. Barry Usher, Chair (R)
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. Ed Stafman (D)
Rep. Danny Tenenbaum (D)

Members Excused:

Rep. Kathy Kelker, Vice Chair (D)
Rep. Dennis R. Lenz (R)
Rep. Mallerie Stromswold (R)

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 211, 1/25/2021; HB 229, 1/25/2021
Executive Action on: HB 35; HB 98; HB 116; HB 164; HB 183; HB 194; HB 200;
HB 211; HB 215; HB 229; HB 230; HB 234; HB 236; SB 4

HEARING ON HB 211**Opening Statement by Sponsor:**

08:09:54 Rep. Gregory Frazer (R), HD 78, opened the hearing on HB 211, Provide compensation and assistance for secondary victims.

Proponents' Testimony:

08:13:20 Beth Brenneman, Disability Rights Montana
08:15:20 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence (MCADSV)
08:17:37 Rep. Stromswold joined the meeting.
08:19:34 Ambrel McKetchnie, Powell County Crime Victim Compensation

Opponents' Testimony: None**Informational Testimony:**

08:23:20 Holley Johnson, Attorney General's Office (AG)

Questions from Committee Members and Responses:

08:24:25 Rep. Stafman
08:25:03 Holley Johnson, Powell County Crime Victim Compensation
08:25:44 Chair Usher
08:25:52 Holley Johnson, Powell County Crime Victim Compensation

Closing by Sponsor:

08:26:13 Rep. Frazer

08:26:58 Rep. Fleming left the meeting.

HEARING ON HB 229**Opening Statement by Sponsor:**

08:27:21 Rep. Jane Gillette (R), HD 64 , opened the hearing on HB 229, Generally revise insurance laws.

[EXHIBIT\(juh20a01\)](#)**Proponents' Testimony:**

08:31:18 Jeff Laszloffy, Montana Family Foundation (MFF)
08:32:37 Matthew Brower, Montana Catholic Conference

Opponents' Testimony:

08:33:56 SJ Howell, Montana Women Vote
08:34:56 Tom Roberts, Blue Mountain Clinic; Montana Reproductive Rights Coalition
08:38:39 Laurel Hesse, Americans Civil Liberties Union of Montana (ACLU)

Informational Testimony:

08:41:20 Jackie Jones, Commissioner of Securities and Insurance, Office of the Montana State Auditor (CSI)

Questions from Committee Members and Responses:

08:42:04 Rep. Hawk
08:42:25 Jackie Jones, CSI
08:43:11 Rep. Hawk
08:43:29 Rep. Gillette
08:44:24 Rep. Farris-Olsen
08:46:44 Rep. Gillette
08:47:07 Rep. Stafman
08:50:42 Rep. Gillette
08:51:07 Rep. Lenz joined the meeting
08:51:14 Rep. Skees
08:53:14 Tom Roberts, Blue Mountain Clinic; Montana Reproductive Rights Coalition
08:54:42 Rep. Skees
08:55:06 Laurel Hesse, ACLU
08:55:38 Chair Usher
08:56:07 Rep. Skees
08:56:40 Rep. Farris-Olsen
08:58:14 Rep. Gillette
08:58:50 Rep. Fleming rejoined the meeting.

Closing by Sponsor:

08:58:50 Rep. Gillette

09:02:26 Recess
09:52:48 Reconvened

EXECUTIVE ACTION ON HB 35

09:54:02 **Motion:** Rep. A. Regier moved that **HB 35 DO PASS.**

09:54:20 **Motion:** Rep. Skees moved that **HB 35 BE AMENDED.**
EXHIBIT(juh20a02)

Discussion:

09:56:12 Rep. Farris- Olsen
09:56:24 Rep. Skees
09:57:31 Rep. Carlson
09:58:21 Rep. Gillette
09:58:44 Chair Usher

09:59:27 **Vote:** Motion carried 12-7 by roll call vote with Rep. Bishop, Rep. Farris-Olsen, Rep. France, Rep. Hawk, Rep. Kelker, Rep. Stafman and Rep. Tenenbaum voting no. Rep. Kelker voted by proxy.

10:01:20 **Motion/Vote:** Rep. A. Regier moved that **HB 35 DO PASS AS AMENDED.**
Motion carried unanimously by voice vote. Rep. Kelker voted by proxy.

EXECUTIVE ACTION ON HB 98

10:03:07 **Motion:** Rep. A. Regier moved that **HB 98 DO PASS.**

10:03:45 **Motion:** Rep. Gillette moved that **HB 98 BE AMENDED.**
[EXHIBIT\(juh20a03\)](#)

Discussion:

10:04:20 Rep. Bishop
10:06:07 Rep. Gillette
10:07:07 Rep. Farris-Olsen
10:07:33 Rep. Gillette
10:08:10 Rep. Farris-Olsen

10:08:30 **Vote:** Motion carried 12-7 by roll call vote with Rep. Farris-Olsen, Rep. France, Rep. Hawk, Rep. Kelker, Rep. Skees, Rep. Stafman and Rep. Tenenbaum voting no. Rep. Kelker voted by proxy.

10:09:36 **Motion:** Rep. A. Regier moved that **HB 98 DO PASS AS AMENDED.**

10:09:45 **Motion:** Rep. Gillette moved that **HB 98 BE AMENDED.**
[EXHIBIT\(juh20a04\)](#)

Discussion:

10:10:42 Rep. Farris-Olsen
10:10:53 Rep. Gillette
10:11:24 Rep. Farris-Olsen
10:11:54 Rep. Lenz
10:12:25 Chair Usher

10:13:05 **Vote:** Motion carried 18-1 by roll call vote with Rep. Hawk voting no. Rep. Kelker voted by proxy.

10:14:23 **Motion:** Rep. A. Regier moved that **HB 98 DO PASS AS AMENDED.**

10:14:34 **Motion:** Rep. Farris-Olsen moved that **HB 98 BE AMENDED.**
[EXHIBIT\(juh20a05\)](#)

Discussion:

10:15:09 Rachel Weiss, Legislative Services Division (LSD)
10:16:12 Rep. Skees
10:16:27 Rep. Farris-Olsen
10:16:48 Rep. Lenz
10:17:40 Chair Usher

10:18:25 **Vote:** Motion failed 7-12 by roll call vote with Rep. Bishop, Rep. Farris-Olsen, Rep. France, Rep. Hawk, Rep. Kelker, Rep. Stafman and Rep. Tenenbaum voting aye. Rep. Kelker voted by proxy.

10:19:29 **Vote:** Motion carried unanimously by roll call vote. Rep. Kelker voted by proxy.

EXECUTIVE ACTION ON HB 116

10:20:46 **Motion:** Rep. A. Regier moved that **HB 116 DO PASS.**

10:21:01 **Motion/Vote:** Rep. Carlson moved that **HB 116 BE AMENDED.** Motion carried unanimously by voice vote.

[EXHIBIT\(juh20a06\)](#)

10:23:13 **Motion/Vote:** Rep. A. Regier moved that **HB 116 DO PASS AS AMENDED.** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 164

10:25:07 **Motion:** Rep. A. Regier moved that **HB 164 DO PASS.**

10:25:15 **Motion/Vote:** Rep. Berglee moved that **HB 164 BE AMENDED.** Motion carried unanimously by voice vote.

[EXHIBIT\(juh20a07\)](#)

10:26:27 **Motion:** Rep. A. Regier moved that **HB 164 DO PASS AS AMENDED.**

Discussion:

10:26:46 Rep. Gillette

10:28:18 **Vote:** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 183

10:29:07 **Motion:** Rep. A. Regier moved that **HB 183 DO PASS.**

Discussion:

10:29:18 Rep. Tenenbaum

10:29:54 Rep. Farris-Olsen

10:31:01 **Vote:** Motion failed 7-12 by roll call vote with Rep. Bishop, Rep. Farris-Olsen, Rep. France, Rep. Hawk, Rep. Kelker, Rep. Stafman and Rep. Tenenbaum voting aye. Rep. Kelker voted by proxy.

10:31:58 **Motion/Vote:** Rep. A. Regier moved that **HB 183 BE TABLED.** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 194

10:32:54 **Motion:** Rep. A. Regier moved that **HB 194 DO PASS.**

Discussion:

10:33:05 Rep. J. Hinkle

10:33:41 Rep. Hawk

10:34:20 **Substitute Motion/Vote:** Rep. Lenz made a substitute motion that **HB 194 BE TABLED.** Substitute Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 200

10:35:13 **Motion:** Rep. A. Regier moved that **HB 200 DO PASS.**

Discussion:

10:35:30 Rep. Stafman

10:39:58 Chair Usher

10:40:41 Rep. Carlson

10:42:03 Rep. Skees

10:43:38 **Vote:** Motion carried 12-7 by roll call vote with Rep. Bishop, Rep. Farris-Olsen, Rep. France, Rep. Hawk, Rep. Kelker, Rep. Stafman and Rep. Tenenbaum voting no. Rep. Kelker voted by proxy.

EXECUTIVE ACTION ON HB 211

10:45:01 **Motion/Vote:** Rep. A. Regier moved that **HB 211 DO PASS.** Motion carried unanimously by voice vote. Rep. Kelker voted by proxy.

EXECUTIVE ACTION ON HB 215

10:45:49 **Motion:** Rep. A. Regier moved that **HB 215 DO PASS.**

Discussion:

10:45:59 Rep. Hawk

10:46:08 Rep. Bishop

10:46:29 **Vote:** Motion carried 15-4 by roll call vote with Rep. Bishop, Rep. Farris-Olsen, Rep. Kelker and Rep. Stafman voting no. Rep. Kelker voted by proxy.

EXECUTIVE ACTION ON HB 229

10:47:53 **Motion:** Rep. A. Regier moved that **HB 229 DO PASS**.

Discussion:

10:48:04 Rep. Farris-Olsen

10:49:08 Rep. Skees

10:49:16 Rep. J. Hinkle

10:49:39 Rep. Carlson

10:49:57 Rep. Berglee

10:50:22 **Vote:** Motion carried 12-7 by roll call vote with Rep. Bishop, Rep. Farris-Olsen, Rep. France, Rep. Hawk, Rep. Kelker, Rep. Stafman and Rep. Tenenbaum voting no. Rep. Kelker voted by proxy.

EXECUTIVE ACTION ON HB 230

10:51:57 **Motion:** Rep. A. Regier moved that **HB 230 DO PASS**.

Discussion:

10:52:12 Rep. France

10:55:58 Rep. Stafman

10:58:11 Rep. Skees

11:00:38 Rep. J. Hinkle

11:01:46 **Vote:** Motion carried 12-7 by roll call vote with Rep. Bishop, Rep. Farris-Olsen, Rep. France, Rep. Hawk, Rep. Kelker, Rep. Stafman and Rep. Tenenbaum voting no. Rep. Kelker voted by proxy.

EXECUTIVE ACTION ON HB 234

11:03:30 **Motion:** Rep. A. Regier moved that **HB 234 DO PASS**.

Discussion:

11:03:39 Rep. Hawk

11:03:58 **Motion/Vote:** Rep. Stromswold moved that **HB 234 BE AMENDED**. Motion carried unanimously by voice vote. Rep. Kelker voted by proxy.

EXHIBIT(juh20a08)

11:04:48 **Motion/Vote:** Rep. A. Regier moved that **HB 234 DO PASS AS AMENDED**. Motion carried unanimously by voice vote. Rep. Kelker voted by proxy.

EXECUTIVE ACTION ON HB 236

11:05:57 Rachel Weiss, LSD

11:06:07 **Motion:** Rep. A. Regier moved that **HB 236 DO PASS.**

Discussion:

11:06:19 Rep. Tenenbaum

11:07:32 Rep. Bishop

11:08:36 Rep. Stafman

11:09:59 Rep. Carlson

11:12:40 Rep. J. Hinkle

11:13:28 Rep. France

11:15:05 Rep. Gillette

11:16:21 Chair Usher

11:16:58 **Vote:** Motion carried 12-7 by roll call vote with Rep. Bishop, Rep. Farris-Olsen, Rep. France, Rep. Hawk, Rep. Kelker, Rep. Stafman and Rep. Tenenbaum voting no. Rep. Kelker voted by proxy.

EXECUTIVE ACTION ON SB 4

11:18:13 **Motion/Vote:** Rep. A. Regier moved that **SB 4 BE CONCURRED IN.** Motion carried unanimously by voice vote. Rep. Kelker voted by proxy. Rep. Lenz will carry the bill.

11:19:24 Chair Usher

11:19:40 Rep. Skees

11:20:12 Chair Usher

11:21:01 Rep. Skees

11:22:23 Rep. Carlson

11:23:06 Chair Usher

ADJOURNMENT

Adjournment: 11:23:32

Lydia Balian, Secretary

lb

Additional Documents:

EXHIBIT([juh20aad.pdf](#))