

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Barry Usher, on February 1, 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. Donavon Hawk (D)
Rep. Jedediah Hinkle (R)
Rep. Brandon Ler (R)
Rep. Bob Phalen (R)
Rep. Ed Stafman (D)
Rep. Mallerie Stromswold (R)
Rep. Danny Tenenbaum (D)

Members Excused:

Rep. Jane Gillette (R)
Rep. Dennis R. Lenz (R)
Rep. Derek Skees (R)

Members Absent: None

Staff Present:

Jordee Bomgardner, 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 237, 1/28/2021; SB 69, 1/28/2021; SB 68, 1/28/2021; SB 67, 1/28/2021

Executive Action: SB 67, SB 68, SB 69

HEARING ON SB 67

Opening Statement by Sponsor:

08:02:54 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 67, Revise laws pertaining to law enforcement.

Proponents' Testimony:

08:05:18 Brian Thompson, Montana Sheriff and Peace Officers Association (MSPOA);
Montana County Attorney Association (MCAA)

08:06:53 Dan Smith, Montana Police Protective Association (MPPA)

08:07:34 Jessie Luther, Association of Montana Troopers (AMT)

08:08:22 Rep. Skees joined the meeting.

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

08:08:41 Sen. Fitzpatrick

HEARING ON SB 68

Opening Statement by Sponsor:

08:09:00 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 68, Provide homestead exemption for a revocable trust.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

08:11:57 Rep. France

08:12:20 Sen. Fitzpatrick

08:13:07 Rep. France

08:13:31 Rep. Bishop

08:16:32 Sen. Fitzpatrick

Closing by Sponsor:

08:17:03 Sen. Fitzpatrick

HEARING ON SB 69

Opening Statement by Sponsor:

08:17:42 Sen. Steve Fitzpatrick (R), SD 10, opened the hearing on SB 69, Revise settlement laws.

EXHIBIT(juh21a01)

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

08:21:43 Rep. Stafman
08:22:38 Sen. Fitzpatrick
08:22:59 Rep. Skees
08:23:46 Sen. Fitzpatrick
08:24:10 Rep. Farris-Olsen
08:25:33 Sen. Fitzpatrick

Closing by Sponsor:

08:26:24 Sen. Fitzpatrick

08:27:21 Chair Usher
08:27:35 Sen. Fitzpatrick
08:27:49 Chair Usher

EXECUTIVE ACTION ON SB 67

08:28:54 Rachel Weiss, Legislative Services Division (LSD)

08:29:10 **Motion:** Rep. A. Regier moved that **SB 67 BE CONCURRED IN.**

Discussion:

08:29:29 Rep. France
08:29:58 Chair Usher

08:30:46 **Vote:** Motion carried 16-3 by voice vote with Rep. Bishop, Rep. France and Rep. Stafman voting no. Rep. Hinkle will carry the bill.

EXECUTIVE ACTION ON SB 68

08:31:50 Rachel Wiess, LSD

08:32:09 **Motion:** Rep. A. Regier moved that **SB 68 BE CONCURRED IN.**

Discussion:

- 08:32:21 Rep. Bishop
- 08:32:55 **Vote:** Motion carried 18-1 by roll call vote with Rep. Bishop voting no. Rep. Gillette and Rep. Lenz voted by proxy. Rep. France will carry the bill.
- 08:34:30 Rep. Lenz and Rep. Gillette joined the meeting.

EXECUTIVE ACTION ON SB 69

- 08:34:39 Rachel Weiss, LSD
- 08:35:01 **Motion/Vote:** Rep. A. Regier moved that **SB 69 BE CONCURRED IN**. Motion carried 14-5 by roll call vote with Rep. Bishop, Rep. Farris-Olsen, Rep. France, Rep. Stafman and Rep. Tenenbaum voting no. Rep. Ler will carry the bill.
- 08:37:23 Recessed
- 09:00:49 Reconvened

HEARING ON HB 237**Opening Statement by Sponsor:**

- 09:01:18 Rep. Denley Loge (R), HD 14, opened the hearing on HB 237, Generally revise cell phone regulations.

Proponents' Testimony:

- 09:06:36 David Smith, Montana Contractor Association (MCA)
[EXHIBIT\(juh21a02\)](#)
- 09:08:09 Gabe Priebe, Montana Department of Transportation (MDT)
- 09:12:00 Aidan Myhre, American Telephone and Telegraph (AT&T)
- 09:13:04 Gene Branscum, Montana Medical Association (MMA)
- 09:14:58 Aimee Grmoljez, Crowley Fleck
- 09:16:36 Duane Williams, Motor Carriers of Montana (MCM)

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

- 09:17:46 Rep. Carlson
- 09:19:15 Rep. Loge
- 09:19:48 Rep. Stafman
- 09:20:54 Gabe Priebe, MDT
- 09:21:33 Rep. Tenenbaum
- 09:22:34 Rep. Loge
- 09:23:29 Rep. J. Hinkle
- 09:25:52 Rep. Loge

09:26:41 Rep. Lenz
09:29:18 Rep. Loge
09:30:06 Chair Usher
09:30:15 Rachel Weiss, Legislative Services Division (LSD)
09:30:34 Chair Usher
09:31:58 Aimee Grmoljez, Helena Sand and Gravel
09:32:34 David Smith, MCA
09:32:41 Vice Chair Kelker
09:32:46 Chair Usher
09:36:51 Rep. Loge
09:36:57 Chair Usher

Closing by Sponsor:

09:37:06 Rep. Loge

09:39:40 Recessed
10:01:02 Reconvened

ADJOURNMENT

Adjournment: 10:01:07

Jordee Bomgardner , Secretary

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Additional Documents:

EXHIBIT([juh21aad.pdf](#))