

## MINUTES

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

#### COMMITTEE ON JUDICIARY

**Call to Order:** Chair Amy Regier, on February 10, 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. Jane Gillette (R)  
Rep. Donavon Hawk (D)  
Rep. Jedediah Hinkle (R)  
Rep. Dennis R. Lenz (R)  
Rep. Brandon Ler (R)  
Rep. Derek Skees (R)  
Rep. Ed Stafman (D)  
Rep. Mallerie Stromswold (R)  
Rep. Danny Tenenbaum (D)

**Members Excused:**

Rep. Tom France (D)  
Rep. Bob Phalen (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 293, 2/5/2021; HB 325, 2/5/2021

**HEARING ON HB 325****Opening Statement by Sponsor:**

08:02:33 Rep. Barry Usher (R), HD 40, opened the hearing on HB 325, Elect supreme court justices by districts.

**Proponents' Testimony:** None**Opponents' Testimony:**

08:08:00 Ed Bartlett, State Bar of Montana; Montana Judges Association

08:16:50 Bruce Spencer, State Bar of Montana

**Informational Testimony:**

08:21:46 Dana Corson, Secretary of State's Office (SOS)

**Questions from Committee Members and Responses:**

08:22:04 Vice Chair Kelker

08:25:17 Rep. Usher

08:26:03 Rep. Ler

08:27:37 Rep. Usher

08:27:49 Rep. France

08:29:29 Rep. Usher

08:30:32 Rep. Skees

08:32:39 Rep. Usher

08:33:40 Rep. Skees

08:34:01 Ed Bartlett, State Bar of Montana, Montana Judges Association

08:34:30 Rep. Bishop

08:37:19 Rep. Usher

08:38:02 Rep. Stafman

08:39:40 Bruce Spencer, State Bar of Montana

08:40:10 Rep. Tenenbaum

08:40:33 Rep. Usher

08:41:43 Vice Chair Kelker

08:42:29 Bruce Spencer, State Bar of Montana

08:44:23 Rep. Skees

08:47:54 Bruce Spencer, State Bar of Montana

08:49:02 Rep. Farris-Olsen

08:52:25 Rep. Usher

08:52:44 Rep. Carlson

08:53:33 Ed Bartlett, State Bar of Montana; Montana Judges Association

08:54:30 Rep. Phalen joined the meeting.

08:55:11 Rep. Berglee

08:55:49 Bruce Spencer, State Bar of Montana

08:56:07 Dana Corson, Secretary of State's Office

08:56:25 Rep. Ler

08:56:54 Bruce Spencer, State Bar of Montana

08:58:40 Rep. J. Hinkle

09:00:02 Bruce Spencer, State Bar of Montana

09:03:27 Rep. J. Hinkle

09:03:53 Rep. Stafman

09:04:57 Bruce Spencer, State Bar of Montana  
09:05:07 Rep. Skees  
09:06:00 Bruce Spencer, State Bar of Montana  
09:06:25 Rep. Skees  
09:06:59 Rep. Usher

**Closing by Sponsor:**

09:07:51 Chair Usher  
  
09:13:25 Brief Recess  
09:29:26 Reconvened

**HEARING ON HB 293**

**Opening Statement by Sponsor:**

09:29:47 Rep. Bill Mercer (R), HD 46, opened the hearing on HB 293, Generally revise trust laws.

**Proponents' Testimony:**

09:33:58 Ed Eck, Uniform Law Commission (ULC)  
09:42:13 Keith Tokerud, self

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

09:45:28 Rep. Gillette  
09:45:58 Ed Eck, ULC  
09:46:23 Vice Chair Kelker  
09:47:10 Ed Eck, ULC  
09:48:32 Rep. J. Hinkle  
09:48:59 Ed Eck, ULC  
09:49:35 Rep. France  
09:50:22 Ed Eck, ULC  
09:51:31 Rep. Bishop  
09:52:18 Ed Eck, ULC  
09:53:46 Rep. Stafman  
09:56:23 Ed Eck, ULC  
09:57:20 Rep. Tenenbaum  
10:01:12 Ed Eck, ULC

**Closing by Sponsor:**

10:02:36 Rep. Mercer  
  
10:03:03 Rachel Weiss, Legislative Services Division (LSD)  
10:03:58 Chair Usher

**ADJOURNMENT**

Adjournment: 10:07:09

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Lydia Balian, Secretary

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Additional Documents:

**EXHIBIT**([juh28aad.pdf](#))