

## MINUTES

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

#### COMMITTEE ON JUDICIARY

**Call to Order:** Chair Barry Usher, on February 15, 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. 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. Robert Farris-Olsen (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 337, 2/12/2021; HB 349, 2/12/2021; HB 377, 2/12/2021

**HEARING ON HB 337****Opening Statement by Sponsor:**

08:04:17 Rep. Caleb Hinkle (R), HD 68, opened the hearing on HB 337, Constitutional amendment to define person.

**Proponents' Testimony:**

08:07:10 Jeff Laszloffy, Montana Family Foundation (MFF)  
**EXHIBIT(juh31a01)**

08:09:35 Linda Dedrick, self  
08:10:17 Greg Hinkle, self  
08:10:41 Rep. Farris-Olsen joined the meeting. Rep. J. Hinkle left the meeting.  
08:11:35 Dennison Rivera, Lewis & Clark County Young Republicans  
08:15:01 Bill Myers, self  
08:18:44 Donna Elford, self  
08:22:43 Dr. Annie Bukacek, Montana Pro-Life Coalition

**EXHIBIT(juh31a02)**

08:28:39 Annalise Guy, Students for Life at Montana State University  
08:30:57 Freeman Marshall, Students for Life at Montana State University  
08:32:53 Kaitlyn Ruch, self  
08:36:16 Morgan Oie, Students for Life at Montana State University  
08:38:28 Leslie Elford, self  
08:42:09 Jim Weber, self  
08:48:24 Suzanne Weber, self  
08:51:25 Mary McCracken, self  
08:52:35 Rod Sanchez, self  
08:55:56 Jay Rickel, self

**EXHIBIT(juh31a03)**

09:00:14 Tracy Rickel, self  
09:00:46 Carolyn Truscott, Pro-Life Helena  
09:03:50 Joanne Friesen, self  
09:06:20 Jill Guthrie, self  
09:08:48 Cathy Carlson, self

**EXHIBIT(juh31a04)**

09:13:39 Diane Anders, self  
09:17:13 Dirk Nelson, self  
09:18:21 John Pollard, self  
09:19:50 Raye Newmeyer, self  
09:20:11 Wayne Beckman, self  
09:20:23 Ed Halland, self  
09:20:59 Linda Heffernan, self  
09:23:31 Mattea Heffernan, self  
09:24:39 Katie Schnee, self  
09:24:56 Elizabeth James, self  
09:27:42 Rachel Moore, self  
09:29:50 Robert Leach, self

09:31:19 Bonnie Stevens, self  
09:32:52 Cheryl Winkler, self  
09:34:08 Keith Newmeyer, self  
09:35:10 Cindy Roscoe, Pro-Life Helena  
09:35:26 Kaelyn Tappe, self  
09:35:48 Paul McElroy, self  
09:36:57 Remmington Shields, self  
09:37:16 Norman Espenlaup, self  
09:38:03 Melessa Pollard, self

**Opponents' Testimony:**

09:40:12 Kelly Twoteeth, Montana Native Vote (MNV)  
09:41:27 Jennifer Hensley, self  
09:46:09 Barbara Bessette, self  
09:47:51 Laurel Hesse, American Civil Liberties Union of Montana (ACLU)  
09:52:01 Laura Terill, Planned Parenthood Advocates of Montana  
09:54:01 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence (MCADSV)  
09:57:08 Alison James, Montanans for Choice  
10:00:21 SJ Howell, Montana Women Vote (MWV)  
10:02:22 Jan Strout, Montana National Organization for Women (NOW)  
10:05:56 Ann Rupert, Susan Wicklund Fund  
10:08:06 Katie Harnett, self  
10:11:22 Grace Benasutti, Forward Montana  
10:12:13 Joli Mathis, Planned Parenthood of Montana

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

10:15:54 Rep. Gillette  
10:17:29 Laurel Hesse, ACLU  
10:18:22 Rep. Skees  
10:19:08 Dr. Annie Bukacek, Montana Pro-Life Coalition  
10:21:06 Rep. Skees  
10:21:38 Laurel Hesse, ACLU  
10:22:38 Rep. Skees  
10:23:40 Laura Terrill, Planned Parenthood Advocates of Montana

**Closing by Sponsor:**

10:24:16 Rep. C. Hinkle  
  
10:24:55 Rep. J. Hinkle rejoined the meeting.  
  
10:25:23 Recess  
10:37:15 Reconvened

**HEARING ON HB 349****Opening Statement by Sponsor:**

10:37:31 Rep. Mike Hopkins (R), HD 92, opened the hearing on HB 349, Protect freedom of association and speech at public postsecondary campuses.

**Proponents' Testimony:**

10:44:20 Tyson Langhofer, Alliance Defending Freedom Center for Academic Freedom (ADF)  
10:48:43 Jeff Laszloffy, Montana Family Foundation (MFF)  
10:51:41 Dennison Rivera, Lewis & Clark County Young Republicans  
10:54:15 Kaitlyn Ruch, Lewis & Clark County Young Republicans  
10:54:55 Cathy Carlson, self  
10:56:06 Ed Halland, self  
10:58:35 Isaac Edikauskas, Americans for Prosperity (AFP)  
11:01:55 Dillon Dean, Montana Young Americans for Liberty  
11:03:33 David Herbst, Concerned Veterans for America (CVA)

**EXHIBIT(juh31a05)**

11:05:26 Joseph Marugg, self  
11:08:23 Mackenzie Schenk, self  
11:11:19 Kenneth Meyer, self  
11:13:24 Cameron Blegen, self

**Opponents' Testimony:**

11:17:25 Jack Rinck, Associated Students of the University of Montana (ASUM)  
11:22:43 Ethan Hanley, Associated Students of the University of Montana (ASUM)

**EXHIBIT(juh31a06)****Informational Testimony:**

11:24:08 Rachel Schmidt, Associated Students of Montana State University (ASMSU)

**Questions from Committee Members and Responses:**

11:21:27 Vice Chair Kelker  
11:21:45 Rachel Weiss, Legislative Services Division (LSD)  
11:25:20 Rep. Stafman  
11:27:54 Rachel Schmidt, ASMSU  
11:28:23 Rep. Phalen  
11:28:48 Jack Rinck, ASUM  
11:29:51 Rep. Berglee  
11:30:06 Rep. Hopkins  
11:32:52 Rep. Bishop  
11:35:10 Ethan Hanley, ASUM  
11:35:33 Rep. Tenenbaum  
11:38:45 Rep. Hopkins

**Closing by Sponsor:**

11:39:20 Rep. Hopkins

**HEARING ON HB 377****Opening Statement by Sponsor:**

11:42:27 Rep. Wendy McKamey (R), HD 19, opened the hearing on HB 377, Revise criminal penalties for certain threats of violence.

**Proponents' Testimony:**

11:48:50 Shelby DeMars, Montana Police Protective Association (MPPA)  
**EXHIBIT(juh31a07)**

11:55:23 Nanette Gilbertson, Montana County Attorneys Association (MCCA); Montana Sheriffs and Peace Officers Association (MSPOA)

11:55:55 Andrew Barton, self

**Opponents' Testimony:**

11:58:22 Abigail St. Lawrence, Montana Speech Language Hearing Association (MSHA); Montana Association of Gifted and Talented Education (AGATE)

12:00:29 David Herbst, Americans for Prosperity (AFP)

12:02:19 Beth Brennehan, Disability Rights Montana

12:04:26 Sam Forstag, American Civil Liberties Union of Montana (ACLU)

12:05:31 Dylan Dean, self

12:06:53 Janee Weber, self

12:07:47 Raye Newmeyer, self

12:08:34 Laurie Little Dog, self

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

12:10:17 Rep. Berglee

12:10:21 Vice Chair Regier left the meeting.

12:12:32 Nanette Gilbertson, MCCA; MSPOA

12:13:43 Rep. Skees

12:15:58 Nanette Gilbertson, MCCA; MSPOA

**Closing by Sponsor:**

12:16:47 Rep. McKamey

12:22:27 Rep. Skees

12:23:15 Chair Usher

**ADJOURNMENT**

Adjournment: 12:23:54

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Lydia Balian, Secretary

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Additional Documents:

**EXHIBIT**([juh31aad.pdf](#))