

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Barry Usher, on February 16, 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. Dennis R. Lenz (R)
Rep. Bob Phalen (R)
Rep. Derek Skees (R)
Rep. Ed Stafman (D)
Rep. Mallerie Stromswold (R)
Rep. Danny Tenenbaum (D)

Members Excused:

Rep. Jane Gillette (R)
Rep. Jedediah Hinkle (R)
Rep. Brandon Ler (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 345, 2/12/2021; HB 354, 2/12/2021; HJ 11, 2/12/2021; HB
342, 2/12/2021

HEARING ON HB 342**Opening Statement by Sponsor:**

08:04:35 Rep. Matt Regier (R), HD 4, opened the hearing on HB 342, Revise judicial election laws.

08:06:27 Rep. Skees left the meeting. Rep. Ler joined the meeting.

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

08:10:00 Bruce Spencer, State Bar of Montana

08:13:23 Rep. Gillette joined the meeting.

08:14:29 Greg Dorrington, Montana Defense Trial Lawyers (MDTL)

08:16:21 Al Smith, Montana Trial Lawyers Association (MTLA)

08:16:57 Judge Mike Salvagni, self

08:21:48 Ed Bartlett, Montana Judges Association; State Bar of Montana

08:25:38 Judge Gregory Todd, Montana Judges Association

Informational Testimony:

08:32:22 Commissioner Jeff Mangan, Commissioner of Political Practices (COPP)

08:32:41 Jamie MacNaughton, Commissioner of Political Practices (COPP)

Questions from Committee Members and Responses:

08:33:12 Vice Chair Kelker

08:34:33 Commissioner Jeff Mangan, COPP

08:35:30 Rep. Fleming

08:35:48 Bruce Spencer, State Bar of Montana

08:36:40 Rep. Phalen

08:36:57 Bruce Spencer, State Bar of Montana

08:37:42 Rep. Phalen

08:38:09 Greg Dorrington, MDTL

08:39:45 Chair Usher

08:40:27 Bruce Spencer, State Bar of Montana

Closing by Sponsor:

08:42:24 Rep. Matt Regier

HEARING ON HB 345**Opening Statement by Sponsor:**

08:44:50 Rep. Katie Sullivan (D), HD 89, opened the hearing on HB 345, Establish Prescription Drug Pay-for-Delay Transparency Act.

Proponents' Testimony:

08:51:10 John Doran, Blue Cross and Blue Shield of Montana (BCBS)

08:55:04 Katjana Stutzer, Montana Public Interest Research Group (MontPIRG)

08:57:54 Bruce Spencer, Mountain Health Co-Op; Cigna Express Group

08:59:26 Chair Usher left the meeting.

08:59:34 Vice Chair Regier assumed the chair.

09:00:53 Jennifer Hensley, PacificSource Health Plans
09:04:12 Greg Dorrington, Montana Medical Association (MMA)
09:04:52 Scott Reichner, American Association of Retired Persons (AARP)
09:05:37 Alanna Wulf, Big Sky 55+
09:06:27 Stacey Anderson, Montana Primary Care Association (MPCA)

Opponents' Testimony:

09:08:16 Shane Scanlon, Pharmaceutical Research and Manufacturers of America (PhRMA)

Informational Testimony: None

Questions from Committee Members and Responses:

09:12:17 Rep. Carlson
09:12:49 Rep. Gillette left the meeting.
09:15:05 John Doran, BCBS
09:16:11 Vice Chair Kelker
09:18:25 Bruce Spencer, Mountain Health Co-Op; Cigna Express Group
09:19:22 Rep. France
09:19:55 John Doran, BCBS
09:21:01 Rep. Bishop
09:21:57 John Doran, BCBS
09:22:18 Rep. Stafman
09:23:01 John Doran BCBS
09:23:37 Rep. J. Hinkle joined the meeting.
09:24:16 Rep. Hawk
09:24:46 Shane Scanlon, PhRMA
09:25:56 Rep. Berglee
09:26:33 Shane Scanlon, PhRMA
09:27:21 Rep. Berglee
09:28:44 John Doran, BCBS
09:29:22 Rep. Farris-Olsen
09:29:46 Rep. Sullivan
09:31:29 Chair Usher
09:32:05 John Doran, BCBS
09:32:45 Chair Usher
09:33:16 Rep. Sullivan
09:34:12 Chair Usher
09:36:06 Shane Scanlon, PhRMA
09:37:39 Vice Chair Kelker
09:38:31 Shane Scanlon, PhRMA
09:38:51 Rep. Bishop
09:39:17 John Doran, BCBS

Closing by Sponsor:

09:40:23 Rep. Sullivan

09:43:26 Brief Recess
09:55:06 Reconvened

HEARING ON HB 354**Opening Statement by Sponsor:**

09:55:18 Rep. Frank Smith (D), HD 31, opened the hearing on HB 354, Revise laws regarding driving while intoxicated costs.

09:57:19 Rep. Berglee left the meeting.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

09:58:00 Larry Flynn, Montana Department of Transportation (MDT)

Questions from Committee Members and Responses:

09:58:34 Rep. Bishop
10:00:03 Larry Flynn, MDT
10:00:53 Rep. Carlson
10:02:09 Larry Flynn, MDT
10:03:14 Rep. Carlson
10:04:08 Rep. Smith
10:04:53 Rep. Carlson
10:05:23 Larry Flynn, MDT
10:05:58 Chair Usher
10:06:24 Larry Flynn, MDT
10:06:56 Rep. Smith

Closing by Sponsor:

10:07:27 Rep. Smith

HEARING ON HJ 11**Opening Statement by Sponsor:**

10:08:04 Rep. Braxton Mitchell (R), HD 3, opened the hearing on HJ 11, Resolution designating ANTIFA as domestic terrorism in Montana.

Proponents' Testimony: None

Opponents' Testimony:

10:11:27 John Driscoll, self
[EXHIBIT\(juh32a01\)](#)

10:15:32 Laurie Little Dog, self
10:16:28 Josh Butterfly, Opening Doors
10:17:56 Clemente Arciga, self

Informational Testimony: None

Questions from Committee Members and Responses:

10:19:25 Vice Chair Kelker
10:21:41 John Driscoll, self
10:22:20 Rep. Stafman
10:24:13 Rep. Carlson
10:24:26 Chair Usher
10:24:46 Rep. Mitchell
10:25:18 Rep. Farris-Olsen
10:27:23 Rep. Mitchell
10:27:53 Chair Usher
10:28:29 Rep. Mitchell
10:29:17 Rep. J. Hinkle
10:30:12 Rep. Mitchell
10:30:35 Rep. Tenenbaum
10:30:50 Rep. Mitchell
10:31:14 Chair Usher
10:31:31 Rep. Stafman

Closing by Sponsor:

10:31:49 Rep. Mitchell

10:32:33 Chair Usher

ADJOURNMENT

Adjournment: 10:34:32

Lydia Balian, Secretary

lb

Additional Documents:

EXHIBIT([juh32aad.pdf](#))