

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Amy Regier, on March 19, 2021 at 8:00 AM, in Room 137 Capitol

ROLL CALL

Members Present:

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. Dennis R. Lenz (R)
Rep. Bob Phalen (R)
Rep. Derek Skees (R)
Rep. Ed Stafman (D)

Members Excused:

Rep. Barry Usher, Chair (R)
Rep. Jane Gillette (R)
Rep. Brandon Ler (R)
Rep. Mallerie Stromswold (R)
Rep. Danny Tenenbaum (D)

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: SB 365, 3/16/2021; SB 354, 3/16/2021; SJ 8, 3/16/2021
Executive Action on: SJ 8, SB 215, SB 261, SB 278

HEARING ON SJ 8**Opening Statement by Sponsor:**

08:01:50 Sen. Keith Regier (R), SD 3, opened the hearing on SJ 8, Resolution supporting "Keep Nine Amendment" to US Constitution.

08:02:19 Rep. Skees left the meeting.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

08:04:34 Vice Chair Kelker

08:05:36 Sen. Regier

Closing by Sponsor:

08:06:01 Sen. Regier

HEARING ON SB 365**Opening Statement by Sponsor:**

08:06:29 Sen. Keith Regier (R), SD 3, opened the hearing on SB 365, Generally revise and reorganize driving under the influence laws.

Proponents' Testimony:

08:08:11 Angela Wetzsteon, Montana County Attorney's Association (MCAA)

08:10:37 Derek Oestreicher, Attorney General's Office (AG)

08:11:10 Nanette Gilbertson, Montana County Attorneys Association (MCAA); Montana Sheriffs and Peace Officers Association (MSPOA)

08:13:47 Jessie Luther, Association of Montana Troopers (AMT)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

08:15:30 Vice Chair Kelker

08:16:33 Sen. Regier

08:16:54 Rep. Stafman

08:17:20 Sen. Regier

08:18:56 Nanette Gilbertson, MCAA; MSPOA

Closing by Sponsor:

08:20:17 Sen. Regier

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

08:21:00 Sen. Steve Hinebauch (R), SD 18, opened the hearing on SB 354, Revise laws related to land servitudes and easements.

Proponents' Testimony:

08:25:29 Jessie Luther, Taylor Luther Group

08:26:27 Rep. Bishop

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

08:26:56 Vice Chair Kelker

08:29:29 Sen. Hinebauch

08:29:58 Rep. Carlson

08:31:21 Rep. Lenz

08:32:18 Jessie Luther, Taylor Luther Group

08:32:55 Rep. France

08:34:10 Sen. Hinebauch

Closing by Sponsor:

08:36:09 Sen. Hinebauch

08:36:54 Recess

09:12:16 Reconvened with Rep. Usher present

EXECUTIVE ACTION ON SJ 8

09:12:31 **Motion:** Rep. A. Regier moved that **SJ 8 BE CONCURRED IN.**

Discussion:

09:13:12 Rep. Hawk

09:13:36 **Vote:** Motion carried 13-6 by roll call vote with Rep. Bishop, Rep. Farris-Olsen, Rep. France, Rep. Kelker, Rep. Stafman and Rep. Tenenbaum voting no. Rep. Gillette and Rep. Stromswold voted by proxy. Rep. Phalen will carry the bill.

09:13:40 Rep. Gillette joined the meeting.

EXECUTIVE ACTION ON SB 215

09:15:04 Rachel Weiss, Legislative Services Division (LSD)

09:15:20 **Motion:** Rep. A. Regier moved that **SB 215 BE CONCURRED IN.**

Discussion:

09:15:26 Rep. Bishop

09:16:11 **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. Stromswold voted by proxy. Rep. Berglee will carry the bill.

EXECUTIVE ACTION ON SB 261

09:17:20 Rachel Weiss, LSD

09:17:36 **Motion:** Rep. A. Regier moved that **SB 261 BE CONCURRED IN.**

Discussion:

09:17:45 Rep. Farris-Olsen

09:18:28 **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. Stromswold voted by proxy. Rep. Stromswold will carry the bill.

EXECUTIVE ACTION ON SB 278

09:20:20 Rachel Weiss, LSD

09:20:29 **Motion/Vote:** Rep. A. Regier moved that **SB 278 BE CONCURRED IN.** 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. Stromswold voted by proxy. Rep. Berglee will carry the bill.

EXECUTIVE ACTION ON SB 365

09:22:23 **Motion:** Rep. A. Regier moved that **SB 365 BE CONCURRED IN.**

Discussion:

09:22:34 Vice Chair Kelker

09:22:55 Without objection, Rep. A. Regier withdrew the BE CONCURRED IN motion.

09:23:11 Rep. J. Hinkle

ADJOURNMENT

Adjournment: 09:24:52

Lydia Balian, Secretary

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Additional Documents:

EXHIBIT([juh55aad.pdf](#))