

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Barry Usher, on April 22, 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. 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. Brandon Ler (R)
Rep. Bob Phalen (R)
Rep. Ed Stafman (D)
Rep. Mallerie Stromswold (R)
Rep. Danny Tenenbaum (D)

Members Excused:

Rep. Jennifer Carlson (R)
Rep. Jane Gillette (R)
Rep. Derek Skees (R)

Members Absent: None

Staff Present:

Lydia Balian, Committee Secretary
Joe Carroll, 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: HJ 48, 4/21/2021
Executive Action on: HJ 26; HJ 32; HJ 48; SB 402

HEARING ON HJ 48

Opening Statement by Sponsor:

08:04:14 Rep. Katie Sullivan (D), HD 89, opened the hearing on HJ 48, Interim study of facial recognition technology.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

08:09:08 Rep. Hawk
08:09:42 Vice Chair Kelker
08:11:15 Rep. Sullivan

Closing by Sponsor:

08:12:42 Rep. Sullivan

08:14:08 Recess
08:36:40 Reconvened with Rep. Ler and Rep. Hinkle excused.

EXECUTIVE ACTION ON HJ 26

08:36:49 **Motion:** Rep. A. Regier moved that **HJ 26 DO PASS**.

Discussion:

08:37:13 Vice Chair Kelker

08:39:01 **Vote:** Motion failed 8-11 by roll call vote with Rep. Bishop, Rep. Farris-Olsen, Rep. France, Rep. Hawk, Rep. Kelker, Rep. Stafman, Rep. Stromswold and Rep. Tenenbaum voting aye. Rep. Carlson, Rep. Gillette, Rep. J. Hinkle, Rep. Ler and Rep. Skees voted by proxy.

08:40:05 **Motion/Vote:** Rep. A. Regier moved that **HJ 26 BE TABLED**. Motion carried without objection.

EXECUTIVE ACTION ON HJ 32

08:40:27 **Motion:** Rep. A. Regier moved that **HJ 32 DO PASS**.

Discussion:

08:40:58 Rep. Stafman
08:45:41 Rep. Ler rejoined the meeting.
08:46:24 Rep. Phalen
08:46:44 Rep. Stafman
08:50:04 Rep. Berglee
08:53:17 Rep. Stafman

08:55:59 **Vote:** Motion failed 8-11 by roll call vote with Rep. Bishop, Rep. Farris-Olsen, Rep. Fleming, Rep. France, Rep. Hawk, Rep. Kelker, Rep. Stafman and Rep. Tenenbaum voting aye. Rep. Carlson, Rep. Gillette, Rep. J. Hinkle and Rep. Skees voted by proxy.

08:56:54 **Motion/Vote:** Rep. A. Regier moved that **HJ 32 BE TABLED**. Motion carried unanimously by voice vote.

08:57:15 Rep. Gillette and Rep. J. Hinkle joined the meeting.

EXECUTIVE ACTION ON HJ 48

08:57:23 **Motion:** Rep. A. Regier moved that **HJ 48 DO PASS**.

Discussion:

08:57:29 Chair Usher

08:57:42 Vice Chair Kelker

08:58:30 Rep. J. Hinkle

08:58:59 **Vote:** Motion carried unanimously by roll call vote. Rep. Carlson and Rep. Skees voted by proxy.

EXECUTIVE ACTION ON SB 402

09:00:03 **Motion:** Rep. Regier moved to **RECONSIDER ACTION** on **SB 402**. Motion carried without objection.

09:00:17 **Motion:** Rep. A. Regier moved that **SB 402 BE CONCURRED IN AS AMENDED**.

09:00:42 **Motion:** Rep. A. Regier moved to **RECONSIDER ACTION ON AMENDMENT SB402.1.3**.

Discussion:

09:01:27 Vice Chair Kelker

09:01:46 Rep. Stafman

09:02:18 Vice Chair Kelker

09:02:35 **Vote:** Motion carried 18-1 by voice vote with Rep. Bishop voting no. Rep. Carlson and Rep. Skees voted by proxy.

09:03:19 Rep. Tenenbaum

09:04:09 **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. Carlson and Rep. Skees voted by proxy. Rep. Ler will carry the bill.

09:05:46 Rep. Bishop
09:05:52 Chair Usher
09:06:12 Rep. Hawk

ADJOURNMENT

Adjournment: 09:06:27

Lydia Balian, Secretary

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Additional Documents:

EXHIBIT([juh77aad.pdf](#))