

MINUTES

MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Keith Regier, on January 8, 2021 at 9:00 AM, in Room 303 Capitol

ROLL CALL

Members Present in the Committee Room:

Sen. Keith Regier, Chair (R)
Sen. Tom McGillvray, Vice Chair (R)
Sen. Bryce Bennett (D)
Sen. Bob Brown (R)
Sen. John Esp (R)
Sen. Chris Friedel (R)
Sen. Steve Hinebauch (R)
Sen. Theresa Manzella (R)

Members Present by Zoom Video Conference:

Sen. Jen Gross (D)
Sen. Diane Sands, Vice Chair (D)
Sen. Susan Webber (D)

Members Excused: None

Members Absent: None

Staff Present: Julianne Burkhardt, Legislative Branch
Taylor Tyson, Remote Meeting Coordinator
Jacelyn Sterling, Committee Secretary

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 31, 12/31/2020; SB 39, 12/31/2020

Executive Action: SB 19, Do Pass as Amended
SB 50, Do Pass as Amended

Sen. Sands entered the meeting via Zoom video conference after roll call.

09:02:29 Chair Regier gave the duties of the chair to Vice Chair McGillvray.

HEARING ON SB 39

Opening Statement by Sponsor:

09:02:57 Sen. Keith Regier (R), SD 3, opened the hearing on SB39, Generally revise laws related to sexual offender evaluations and treatment.

Proponents' Testimony:

09:07:14 Chris Quigley, president, Montana Sex Offender Treatment Association, (MSOTA)
09:07:37 Sen. Bennett
09:07:56 Mr. Quigley, MSOTA
09:14:52 Shelby DeMars, Montana Police Protective Association

Additional testimony received:

[EXHIBIT\(jus05a01\)](#)

Opponents' Testimony:

09:18:00 Annie DeWolf, self
[EXHIBIT\(jus05a02\)](#)

09:20:43 Brendan McQuillan, self
[EXHIBIT\(jus05a03\)](#)

Additional testimony received:

[EXHIBIT\(jus05a04\)](#)

Informational Testimony:

09:25:06 Andy Hudak III, MSOTA
[EXHIBIT\(jus05a05\)](#)

09:26:52 Steffani Turner, bureau chief, Montana Department of Corrections
[EXHIBIT\(jus05a06\)](#)

Additional testimony received:

[EXHIBIT\(jus05a07\)](#)

Questions from Committee Members and Responses:

09:27:31 Sen. Bennett
09:27:52 Sen. Regier
09:28:14 Mr. Quigley
09:30:18 Sen. Bennett
09:30:48 Sen. Regier

Closing by Sponsor:

09:31:16 Sen. Regier

09:32:56 Sen. Regier resumed the duties of the chair.

HEARING ON SB 31

Opening Statement by Sponsor:

09:33:19 Sen. Mary McNally (D), SD 24, opened the hearing on SB31, Require consideration of less restrictive options in guardianship proceedings.

Proponents' Testimony:

09:36:51 Scott Reichner, AARP

09:39:49 Adrienne Cotton, Montana Area Agencies on Aging Association, M4A

09:42:50 Beth Brennehan, Disabilities Rights Montana

[EXHIBIT\(jus05a08\)](#)

09:45:20 Denise Armstrong, executive director, Big Sky Senior Services

[EXHIBIT\(jus05a09\)](#)

09:49:46 Dan Wilson, Working Interdisciplinary Network Guardianship, WINGS

[EXHIBIT\(jus05a10\)](#)

09:56:36 Shyla Patera, North Central Independent Living Services

[EXHIBIT\(jus05a11\)](#)

10:00:10 Theresa Baldry

[EXHIBIT\(jus05a12\)](#)

10:03:37 Travis Hoffman, Summit Independent Living

[EXHIBIT\(jus05a13\)](#)

10:05:40 Issac Baldry

[EXHIBIT\(jus05a14\)](#)

Additional testimony received:

[EXHIBIT\(jus05a15\)](#)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

10:07:41 Sen. McGillvray

10:08:20 Mr. Wilson, WINGS

10:09:39 Sen. McGillvray

10:09:55 Mr. Wilson

10:11:30 Chair Regier

10:12:22 Mr. Wilson

10:13:07 Chair Regier

10:14:35 Sen. McNally

10:15:10 Mr. Wilson

10:15:42 Chair Regier

10:15:48 Mr. Wilson
 10:16:36 Sen. McGillvray
 10:17:04 Mr. Wilson

Closing by Sponsor:

10:18:03 Sen. McNally

 10:20:19 Julianne Burkhardt, Legislative Services Division, LSD
 10:20:29 Chair Regier

 10:20:40 Brief Recess
 10:29:39 Reconvened

EXECUTIVE ACTION ON SB 19

10:30:02 **Motion:** Sen. McGillvray moved that **SB 19 DO PASS.**

 10:30:25 **Motion:** Sen. McGillvray moved that **SB 19 BE AMENDED.**
EXHIBIT(jus05a16)

Discussion:

10:30:55 Chair Regier
 10:31:07 Sen. Sands
 10:31:47 Chair Regier

 10:31:55 **Vote:** Motion carried unanimously by voice vote.

 10:32:09 **Motion/Vote:** Sen. McGillvray moved that **SB 19 DO PASS AS AMENDED.**
 Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 47

10:32:51 **Motion:** Sen. McGillvray moved that **SB 47 DO PASS.**

Discussion:

10:33:06 Chair Regier
 10:33:21 Sen. Sands
 10:33:27 Sen. Webber
 10:33:49 Without objection, Sen. McGillvray withdrew the DO PASS motion.

EXECUTIVE ACTION ON SB 50

10:34:13 **Motion:** Sen. Sands moved that **SB 50 DO PASS.**

Discussion:

10:34:27 Chair Regier
 10:34:46 Sen. Manzella
 10:35:12 Ms. Burkhardt, LSD

10:35:37 **Motion:** Sen. Manzella moved that **SB 50 BE AMENDED.**
EXHIBIT(jus05a17)

Discussion:

10:36:45 Chair Regier

10:36:49 Sen. Gross

10:37:59 Sen. Sands

10:39:21 Chair Regier

10:39:45 **Vote:** Motion carried 7-4 by roll call vote with Sen. Bennett, Sen. Gross, Sen. Sands and Sen. Webber voting no.

10:40:31 **Motion/Vote:** Sen. Sands moved that **SB 50 DO PASS AS AMENDED.** Motion carried 8-3 by roll call vote with Sen. Brown, Sen. Hinebauch and Sen. McGillvray voting no.

Committee Business:

10:41:35 Chair Regier

10:42:12 Sen. Brown

10:42:28 Jacelyn Sterling, committee secretary

10:42:35 Sen. Brown

10:43:04 Sen. Sands

10:43:44 Chair Regier

10:43:56 Julianne Burkhardt, Legislative Services Division (LSD)

10:44:28 Chair Regier

10:44:32 Sen. Esp

10:44:55 Chair Regier

10:45:02 Sen. Sands

10:45:36 Chair Regier

10:45:49 Sen. Brown

10:46:00 Taylor Tyson, remote meeting coordinator (RMC)

10:46:30 Chair Regier

10:46:36 Ms. Burkhardt, LSD

10:47:25 Ms. Tyson, RMC

10:47:52 Chair Regier

10:48:13 Sen. Esp

10:48:23 Sen. Sands

ADJOURNMENT

Adjournment: 10:48 AM

Jacelyn Sterling, Secretary

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Additional Documents:

EXHIBIT([jus05aad.pdf](#))