

MINUTES

MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Keith Regier, on January 27, 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. Jen Gross (D)
Sen. Steve Hinebauch (R)
Sen. Theresa Manzella (R)

Members Present by Zoom Video Conference:

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: HB 28, 1/22/2021; HB 105, 1/22/2021; HB 124, 1/22/2021

Executive Action: SB 71 Be Tabled; SB 132 Do Pass

HEARING ON HB 28**Opening Statement by Sponsor:**

09:02:36 Rep. Frank Fleming (R), HD 51, opened the hearing on HB28, Revise Board of Crime Control laws to remove duty to hear POST Council appeals.

Proponents' Testimony:

09:04:40 Perry Johnson, executive director, Montana Public Safety Officer Standards & Training (POST)

Sen. Bennett entered the meeting.

09:07:50 Nanette Gilbertson, Montana Sheriffs and Peace Officers Association, Montana County Attorneys Association

09:09:17 Shelby DeMars, Montana Police Protective Association

09:09:52 Alan Doane, Department of Justice (DOJ)

09:10:29 Deb Wakeland, Helena

[EXHIBIT\(jus18a01\)](#)

Opponents' Testimony: None

Informational Testimony:

[EXHIBIT\(jus18a02\)](#)

Questions from Committee Members and Responses:

09:17:34 Chair Regier

09:18:39 Mr. Johnson, POST

09:18:59 Sen. Brown

09:19:43 Mr. Johnson

Closing by Sponsor:

09:21:47 Rep. Flemming

HEARING ON HB 105**Opening Statement by Sponsor:**

09:22:24 Rep. Ron Marshall (R), HD 87, opened the hearing on HB105, Generally revise unlawful transactions with children laws.

Proponents' Testimony:

09:25:43 Tiana Marshall

09:27:56 Greg Dorrington, Montana Medial Association

[EXHIBIT\(jus18a03\)](#)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

09:29:28 Sen. Gross

09:29:57 Rep. Marshall
09:30:30 Sen. Brown
09:32:45 Rep. Marshall
09:32:54 Sen. Sands
09:34:03 Julianne Burkhardt, Legislative Services Division (LSD)
09:34:32 Sen. Sands
09:34:46 Ms. Burkhardt, LSD
09:35:25 Sen. Sands
09:36:11 Rep. Marshall
09:36:44 Sen. Sands
09:38:00 Ms. Burkhardt
09:38:16 Sen. Sands
09:38:22 Chair Regier
09:38:41 Ms. Burkhardt
09:39:05 Sen. Friedel
09:39:24 Ms. Burkhardt
09:39:34 Sen. Friedel
09:40:14 Sen. Sands
09:40:27 Rep. Marshall

Closing by Sponsor:

09:40:36 Rep. Marshall

HEARING ON HB 124

Opening Statement by Sponsor:

09:43:01 Rep. Braxton Mitchell (R), HD 3, opened the hearing on HB124, Suffering wildlife protection act.

Proponents' Testimony: None

Opponents' Testimony:

09:44:18 Shelby DeMars, Montana Police Protective Association

Informational Testimony: None

Questions from Committee Members and Responses:

09:46:31 Chair Regier
09:47:33 Ms. DeMars
09:47:46 Chair Regier
09:48:17 Rep. Mitchell
09:48:59 Sen. McGillvray
09:49:14 Ms. DeMars
09:50:17 Sen. Friedel
09:50:57 Ms. DeMars
09:51:58 Sen. Manzella
09:53:59 Rep. Mitchell
09:54:43 Sen. Manzella
09:54:59 Sen. Sands
09:57:37 Rep. Mitchell

09:57:45 Chair Regier
09:58:58 Rep. Mitchell
09:59:04 Sen. Gross
09:59:50 Ms. DeMars
10:00:23 Sen. Brown
10:01:29 Rep. Mitchell
10:02:28 Sen. Webber
10:03:20 Rep. Mitchell

Closing by Sponsor:

10:03:41 Rep. Mitchell

10:04:36 Recess

10:15:37 Reconvened

10:15:43 Sen. Friedel

EXECUTIVE ACTION ON SB 132

10:16:06 **Motion:** Sen. McGillvray moved that **SB 132 DO PASS.**

Discussion:

10:16:12 Chair Regier

10:17:10 Sen. Sands

10:18:04 **Vote:** Motion carried 7-4 by roll call vote with Sen. Bennett, Sen. Gross, Sen. Sands and Sen. Webber voting no.

EXECUTIVE ACTION ON SB 71

10:18:50 Chair Regier

EXHIBIT(jus18a04)

10:19:21 **Motion/Vote:** Sen. McGillvray moved that **SB 71 BE TABLED.** Motion carried unanimously by voice vote.

Committee Business:

10:19:53 Sen. Sands

10:20:18 Chair Regier

10:20:32 Julianne Burkhardt, Legislative Services Division

10:20:48 Chair Regier

ADJOURNMENT

Adjournment: 10:21 AM

Jacelyn Sterling, Secretary

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Additional Documents:

EXHIBIT([jus18aad.pdf](#))