

MINUTES

MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Keith Regier, on January 29, 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. Diane Sands, Vice Chair (D)
Sen. Jen Gross (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:

Executive Action; HB 28 Be Concurred In; HB 105 Be Concurred In; HB 102 Be Concurred In as Amended; SB 127 Do Pass as Amended; HB 124 Be Tabled

EXECUTIVE ACTION ON HB 28

10:03:45 **Motion/Vote:** Sen. McGillvray moved that **HB 28 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Gross will carry the bill.

EXECUTIVE ACTION ON HB 105

10:05:10 **Motion:** Sen. McGillvray moved that **HB 105 BE CONCURRED IN**.

Discussion:

10:05:20 Sen. Sands
10:06:47 Chair Regier
10:06:58 Sen. Sands
10:07:20 Chair Regier

10:07:48 **Vote:** Motion carried 9-2 by roll call vote with Sen. Sands and Sen. Webber voting no. Sen. Regier will carry the bill.

EXECUTIVE ACTION ON HB 124

10:09:23 **Motion:** Sen. McGillvray moved that **HB 124 BE CONCURRED IN**.

Discussion:

10:09:33 Chair Regier

10:09:47 **Motion/Vote:** Sen. Bennett moved that **HB 124 BE AMENDED**. Motion carried unanimously by voice vote.

[EXHIBIT\(jus20a01\)](#)

10:11:35 **Motion:** Sen. McGillvray moved that **HB 124 BE CONCURRED IN AS AMENDED**.

10:11:46 **Motion:** Sen. Sands moved that **HB 124 BE AMENDED**.

[EXHIBIT\(jus20a02\)](#)

Discussion:

10:12:56 Chair Regier
10:13:14 Sen. Sands

10:13:33 **Vote:** Motion carried unanimously by voice vote.

10:13:58 **Motion:** Sen. McGillvray moved that **HB 124 BE CONCURRED IN AS AMENDED**.

Discussion:

10:14:14 Sen. Sands

10:16:12 **Vote:** Motion failed 3-8 by roll call vote with Sen. Brown, Sen. Hinebauch and Sen. K. Regier voting aye.

10:17:06 **Motion/Vote:** Sen. Sands moved that **HB 124 BE TABLED**. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON SB 127

10:17:44 **Motion:** Sen. Friedel moved that **SB 127 DO PASS**.

Motion: Sen. Friedel moved that **SB 127 BE AMENDED**.

EXHIBIT(jus20a03)

10:19:12 **Vote:** Motion carried unanimously by voice vote.

10:19:29 **Motion:** Sen. Friedel moved that **SB 127 DO PASS AS AMENDED**.

Discussion:

10:20:07 Sen. Sands

10:20:50 **Vote:** Motion carried unanimously by roll call vote.

10:21:44 Recess

10:24:30 Reconvened

EXECUTIVE ACTION ON HB 102

10:24:37 **Motion:** Sen. McGillvray moved that **HB 102 BE CONCURRED IN**.

Discussion:

10:24:45 Chair Regier

10:26:04 **Motion:** Sen. McGillvray moved that **HB 102 BE AMENDED**.

EXHIBIT(jus20a04)

Discussion:

10:26:16 Chair Regier

10:26:48 Julianne Burkhardt Legislative Services Division (LSD)

10:27:00 Chair Regier

10:27:40 Sen. Esp

10:27:53 Chair Regier

10:29:16 Ms. Burkhardt, LSD

10:33:20 Chair Regier

10:33:24 Without objection, Sen. Esp moved to segregate paragraph 9 from Amendment HB102.3.3.

Discussion:

10:34:03 Sen. Gross

10:36:13 **Vote:** Amendment HB102.3.3, as segregated, carried 7-4 by roll call vote with Sen. Bennett, Sen. Gross, Sen. Sands and Sen. Webber voting no.

Discussion:

10:36:52 Chair Regier

10:37:11 **Motion:** Sen. Esp moved that **HB 102 BE AMENDED WITH PARAGRAPH 9 OF AMENDMENT HB102.3.3**

Discussion:

10:38:39 Chair Regier

10:38:59 Sen. Gross

10:40:33 Sen. Esp

10:41:05 Chair Regier

10:41:08 Ms. Burkhardt

10:41:18 **Vote:** Motion carried 6-5 by roll call vote with Sen. Bennett, Sen. Esp, Sen. Gross, Sen. Sands and Sen. Webber voting no.

Discussion:

10:42:07 Chair Regier

10:42:28 Ms. Burkhardt

10:42:37 **Motion:** Sen. McGillvray moved that **HB 102 BE CONCURRED IN AS AMENDED.**

10:42:50 **Motion:** Sen. Esp moved that **HB 102 BE AMENDED.**
[EXHIBIT\(jus20a05\)](#)

Discussion:

10:43:15 Chair Regier

10:43:22 Sen. Esp

10:44:03 Chair Regier

10:44:24 Ms. Burkhardt

10:44:52 Chair Regier

10:45:21 **Vote:** Motion failed 1-10 by roll call vote with Sen. Esp voting aye.

Discussion:

10:46:07 Chair Regier

10:46:28 Sen. Sands

10:47:04 Sen. McGillvray

10:47:56 Sen. Brown

10:48:32 Sen. Hinebauch

10:48:54 **Vote:** Motion carried 6-5 by roll call vote with Sen. Bennett, Sen. Esp, Sen. Gross, Sen. Sands and Sen. Webber voting no. Sen. Manzella will carry the bill.

Committee Business:

10:49:43 Chair Regier

10:49:50 Sen. Esp

ADJOURNMENT

Adjournment: 10:50 AM

Jacelyn Sterling, Secretary

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Additional Documents:

EXHIBIT([jus20aad.pdf](#))