

## MINUTES

### MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON JUDICIARY

**Call to Order:** Chair Keith Regier, on February 5, 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. Jen Gross (D)  
Sen. John Esp (R)  
Sen. Chris Friedel (R)  
Sen. Steve Hinebauch (R)  
Sen. Theresa Manzella (R)

**Members Present via 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 140, 1/27/2021; HB 167, 1/27/2021

Executive Action: SB 158 Do Pass as Amended; SB 168 Do Pass

**HEARING ON HB 140****Opening Statement by Sponsor:**

09:02:39 Rep. Amy Regier (R), HD 6, opened the hearing on HB140, Requiring the provision of information before the performance of an abortion.

**Proponents' Testimony:**

09:05:11 Ingrid Skop, Charlotte Lozier Institute  
[EXHIBIT\(jus25a01\)](#)

09:09:48 Carolyn Truscott, Pro Life Helena

09:13:15 Sharon Turner, Helena

09:13:43 Sen. McGillvray left the meeting.

09:13:53 Robert Williamson, Townsend

[EXHIBIT\(jus25a02\)](#)

09:14:36 Sharon Nason, president, Pro Life Helena

[EXHIBIT\(jus25a03\)](#)

09:16:24 Cathy Carlson, Helena

[EXHIBIT\(jus25a04\)](#)

09:20:43 Jill Guthrie, Helena

09:21:50 Donna Elford, citizen

09:24:19 Garrett Bacon, East Helena

09:25:29 Joanne Friesen, citizen

09:28:36 Rachel Moore, citizen

09:28:47 Sen. Gross entered the meeting.

09:29:01 Dirk Nelson, citizen

09:31:02 Al Olszewski, citizen

09:32:28 Katilyn Ruch, president, Students for Life, Pro Life Helena

09:34:51 Ashley De La Cruz, citizen

09:36:17 Freeman Marshall, president, Students for Life, Montana State University  
Students for Life

09:37:54 Barbara Williamson, Townsend

[EXHIBIT\(jus25a05\)](#)

09:40:37 Paul McElroy, citizen

09:42:08 Darbi Courtney, Montana Catholic Conference

[EXHIBIT\(jus25a06\)](#)

09:45:20 Steven Aden, chief legal council, Americans United for Life

[EXHIBIT\(jus25a07\)](#)

**Additional Testimony Received:**

[EXHIBIT\(jus25a08\)](#)

**Opponents' Testimony:**

09:50:04 Laurel Hesse, American Civil Liberties Union (ACLU)  
09:53:19 Ann Truesdell, Montana National Association of Social Workers  
09:54:13 Laura Terrill, Planned Parenthood Advocates of Montana  
09:56:11 Kimberly Dudik, Missoula  
09:58:38 SJ Howell, Montana Women Vote; Montana Reproductive Rights Organization  
09:59:58 Sophie Moon, Missoula

**Additional Testimony Received:**

[EXHIBIT\(jus25a09\)](#)

**Informational Testimony:** None**Questions from Committee Members and Responses:**

10:02:37 Sen. Gross  
10:03:14 Ms. Terrill, Planned Parenthood  
10:04:15 Sen. Gross  
10:04:28 Ms. Terrill  
10:04:40 Chair Regier  
10:04:54 Ms. Hesse, ACLU

**Closing by Sponsor:**

10:05:26 Rep. A Regier

**HEARING ON HB 167****Opening Statement by Sponsor:**

10:06:57 Rep. Matt Regier (R), HD 4, opened the hearing on HB167, Referendum to adopt the Montana Born-Alive Infant Protection Act.

**Proponents' Testimony:**

10:10:20 Robin Pierucci, Charlotte Lozier Institute

[EXHIBIT\(jus25a10\)](#)

10:16:02 Ingrid Skop, Charlotte Lozier Institute

[EXHIBIT\(jus25a11\)](#)

10:21:39 Al Olszewski, citizen

10:23:16 Jeff Laszloffy, Montana Family Foundation

10:26:48 Donna Elford, citizen

10:29:26 Sharon Nason

[EXHIBIT\(jus25a12\)](#)

10:31:54 Joanne Friesen, citizen

10:33:16 Garrett Bacon, East Helena

10:34:30 Rachel Moore, citizen

10:37:36 Robert Williamson

[EXHIBIT\(jus25a13\)](#)

10:38:47 Ashley De La Cruz, citizen

10:39:02 Caroline Truscott, Helena Pro Life

10:40:14 Cathy Carlson, Pro Life Helena

[EXHIBIT\(jus25a14\)](#)

10:40:54 Sen. McGillvray entered the meeting.

10:44:37 Dirk Nelson, citizen

10:46:56 Paul McElroy

10:47:21 Kaitlin Ruch, president, Students for Life, Pro Life Helena

10:49:06 Freeman Marshall, president, Montana State University Students for Life

10:51:00 Barbara Williamson, Townsend

[EXHIBIT\(jus25a15\)](#)

10:51:42 Jill Guthrie, citizen

10:52:30 Sen. Bennett

10:52:46 Chair Regier

10:52:51 Sen. Bennett

10:53:23 Matthew Brower, Montana Catholic Conference

[EXHIBIT\(jus25a16\)](#)

10:54:57 Steven Aden, chief legal council, Americans United for Life

[EXHIBIT\(jus25a17\)](#)

Additional Testimony Received:

[EXHIBIT\(jus25a18\)](#)

**Opponents' Testimony:**

11:00:21 Ann Truesdell, Montana National Association of Social Workers

11:01:18 Kimberly Dudik, Missoula

11:04:03 Sophie Moon, Missoula

11:04:40 Sen. Hinebauch objection.

11:04:50 Ms. Moon

11:06:16 Sk Rossi, Montana Reproductive Rights Coalition

[EXHIBIT\(jus25a19\)](#)

Additional Testimony Received:

[EXHIBIT\(jus25a20\)](#)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

11:06:45 Sen Esp

11:08:27 Rep. M. Regier

11:08:42 Sen. Brown

11:09:13 Rep. M. Regier

**Closing by Sponsor:**

11:10:08 Rep. M. Regier

**Committee Business:**

11:10:37 Chair Regier

11:10:39 Sen. Gross

11:11:37 Sen. Friedel

11:11:50 Chair Regier

11:12:13 Recess

11:20:01 Reconvened

**EXECUTIVE ACTION ON SB 158**11:20:09 **Motion:** Sen. Hinebauch moved that **SB 158 DO PASS.****Discussion:**

11:20:30 Sen. Hinebauch

11:20:57 Julianne Burkhardt, Legislative Services Division (LSD)

11:22:11 Chair Regier

11:22:24 Ms. Burkhardt, LSD

11:22:29 Sen. Gross

11:22:47 **Motion:** Sen. Hinebauch moved that **SB 158 BE AMENDED.****[EXHIBIT\(jus25a21\)](#)****Discussion:**

11:23:16 Sen. Esp

11:23:43 Chair Regier

11:23:50 Sen. Hinebauch

11:23:57 Sen. Sands

11:24:28 **Vote:** Motion carried 7-4 by roll call vote with Sen. Bennett, Sen. Gross, Sen. Sands and Sen. Webber voting no.11:25:03 **Motion:** Sen. Hinebauch moved that **SB 158 DO PASS AS AMENDED.****Discussion:**

11:25:22 Sen. Esp

11:27:04 Sen. Hinebauch

11:29:42 Sen. Manzella

11:30:35 Sen. Brown

11:31:08 Sen. Esp

11:31:49 Sen. Hinebauch

11:32:14 Chair Regier

11:32:32 Sen. Gross

11:34:24 **Vote:** Motion carried 6-5 by roll call vote with Sen. Bennett, Sen. Esp, Sen. Gross, Sen. Sands and Sen. Webber voting no.

**EXECUTIVE ACTION ON SB 168**

11:35:19 **Motion/Vote:** Sen. McGillvray moved that **SB 168 DO PASS**. Motion carried unanimously by voice vote.

**ADJOURNMENT**

Adjournment: 11:35 AM

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Jacelyn Sterling, Secretary

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Additional Documents:

**EXHIBIT**([jus25aad.pdf](#))