

MINUTES

MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Keith Regier, on February 10, 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: SB 172, 2/4/2021; SB 173, 2/4/2021; SR 49, 2/4/2021; SR 48,
2/4/2021

Executive Action: SB 145 Do Pass as Amended; SR 12 Be Adopted; SR 48 Be Adopted;
SR 49 Be Adopted

Committee Business:

09:02:08 Sen. Sands

09:02:13 Chair Regier gave the duties of the chair over to Vice Chair McGillvray.

HEARING ON SR 49**Opening Statement by Sponsor:**

09:02:51 Sen. Keith Regier (R), SD 3, opened the hearing on SR49, Confirm Governor appointments to POST Council.

[EXHIBIT\(jus28a01\)](#)**Proponents' Testimony:**

09:04:08 Liane Taylor, Governor's Office

09:05:01 Jesse Slaughter, appointee

09:06:49 Conner Smith, appointee

09:08:53 Nanette Gilbertson, Montana County Attorneys' Association (MCAA); Montana Sheriffs and Peace Officers Association

09:12:18 Cory Swanson, MCAA

09:15:40 Bill Smith, appointee

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

09:17:19 Sen. Sands

09:18:34 Mr. Swanson, MCAA

09:21:04 Sen. Sands

09:22:16 Ms. Taylor, Governor's office

09:23:22 Sen. Sands

09:23:47 Sen. Webber

09:27:18 Mr. C. Smith, appointee

09:27:57 Jacelyn Sterling, committee secretary

09:28:22 Sen. Fridel

09:30:33 Mr. C. Smith

09:31:31 Sen. Friedel

09:31:43 Sen. Brown

09:32:29 Mr. Slaughter, appointee

09:34:52 Sen. Gross

09:50:40 Mr. Slaughter

09:51:38 Sen. Webber

09:54:11 Mr. Slaughter

09:54:36 Sen. Bennett

09:55:05 Mr. C. Smith

09:57:42 Ms. Taylor

[EXHIBIT\(jus28a02\)](#)**Closing by Sponsor:**

09:58:21 Sen. Regier

HEARING ON SR 48**Opening Statement by Sponsor:**

09:58:48 Sen. Keith Regier (R), SD 3, opened the hearing on SR48, Confirm Governor appointments to Board of Pardons and Parole.

[EXHIBIT\(jus28a03\)](#)

Proponents' Testimony:

09:59:23 Steven Hurd, appointee
10:00:45 Lieutenant Governor Kristen Juras
10:01:18 Cory Swanson, Montana County Attorneys' Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

10:03:38 Sen. Sands
10:05:03 Mr. Hurd, appointee
10:05:44 Sen. Sands
10:06:35 Mr. Hurd
10:07:24 Sen. Sands
10:08:05 Mr. Hurd
10:08:55 Sen. Webber
10:11:45 Mr. Hurd
10:12:19 Sen. Gross
10:17:21 Mr. Hurd
10:18:19 Sen. Friedel
10:22:46 Mr. Hurd
10:23:32 Sen. Friedel
10:23:55 Sen. Brown
10:24:09 Mr. Hurd
10:24:42 Sen. Brown
10:25:09 Mr. Hurd

Closing by Sponsor:

10:26:32 Sen. Regier

10:27:01 Sen. Regier resumed the duties of the Chair.
10:29:06 Sen. Sands
10:29:23 Chair Regier

HEARING ON SB 173**Opening Statement by Sponsor:**

10:29:46 Sen. David Howard (R), SD 29, opened the hearing on SB173, Eliminate continuing emergency or disaster without legislative involvement.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

10:32:24 Sen. Friedel
10:32:44 Sen. Howard
10:33:51 Sen. Sands
10:34:59 Sen. Howard
10:35:31 Sen. Sands
10:36:31 Sen. Howard
10:37:11 Sen. Sands

Closing by Sponsor:

10:37:22 Sen. Howard

HEARING ON SB 172

Opening Statement by Sponsor:

10:37:47 Sen. David Howard (R), SD 29, opened the hearing on SB172, Provide for the religion is essential act.

Proponents' Testimony:

10:39:21 Jeff Laszloffy, Montana Family Foundation (MFF)

[EXHIBIT\(jus28a04\)](#)

10:44:52 Chad Hesler, pastor, Canyon Ferry Road Baptist Church
10:47:01 Carolyn Truscott, Helena
10:47:43 Donna Elford, Helena
10:50:18 Phil Fingar, citizen
10:51:16 Henry Kriegel, Americans For Prosperity
10:52:40 Bob Leach, citizen
10:55:24 Jon Hoffa, citizen
10:56:46 Gregory Chafuen, Alliance Defending Freedom (ADF)

[EXHIBIT\(jus28a05\)](#)

10:57:07 Sen. Manzella left the meeting.

10:59:22 Matthew Brower, Montana Catholic Conference

[EXHIBIT\(jus28a06\)](#)

Additional Testimony Received:

[EXHIBIT\(jus28a07\)](#)

Opponents' Testimony:

[EXHIBIT\(jus28a08\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

11:01:56 Sen. Bennett
 11:02:36 Mr. Laszloffy, MFF
 11:03:11 Sen. Bennett
 11:03:40 Mr. Laszloffy
 11:04:17 Sen. Gross
 11:05:53 Mr. Laszloffy
 11:06:33 Mr. Chafuen, ADF
 11:08:24 Sen. Gross
 11:08:45 Mr. Chafuen
 11:09:23 Sen. Webber
 11:10:25 Mr. Chafuen
 11:10:48 Sen. Sands
 11:13:00 Mr. Chafuen
 11:13:32 Sen. Sands
 11:13:46 Sen. McGillvray
 11:14:11 Mr. Chafuen

Closing by Sponsor:

11:14:34 Sen. Howard

 11:16:25 Chair Regier

 11:16:44 Recess
 11:26:56 Reconvened

EXECUTIVE ACTION ON SB 145

11:27:06 **Motion:** Sen. McGillvray moved that **SB 145 DO PASS.**

 11:27:34 **Motion:** Sen. McGillvray moved that **SB 145 BE AMENDED.**
[EXHIBIT\(jus28a09\)](#)

Discussion:

11:27:48 Chair Regier

 11:28:13 **Vote:** Motion carried unanimously by voice vote. Sen. Manzella voted by proxy.

 11:28:35 **Motion/Vote:** Sen. McGillvray moved that **SB 145 DO PASS AS AMENDED.**
 Motion carried 10-1 by voice vote with Sen. Gross voting no. Sen. Manzella voted by proxy.

EXECUTIVE ACTION ON SR 12

11:29:35 **Motion:** Sen. McGillvray moved that **SR 12 BE ADOPTED.**

Discussion:

11:29:59 Sen. Brown

 11:30:20 **Vote:** Motion carried unanimously by voice vote. Sen. Manzella voted by proxy.

EXECUTIVE ACTION ON SR 48

11:30:35 **Motion:** Sen. McGillvray moved that **SR 48 BE ADOPTED.**

Discussion:

11:31:04 Sen. Sands
11:31:47 Sen. Friedel
11:32:22 Sen. Hinebauch
11:32:58 Chair Regier
11:33:26 Sen. Hinebauch
11:33:51 Sen. Brown
11:34:52 Sen. Gross

11:36:28 **Vote:** Motion carried 6-5 by roll call vote with Sen. Bennett, Sen. Friedel, Sen. Gross, Sen. Sands and Sen. Webber voting no. Sen. Manzella voted by proxy.

EXECUTIVE ACTION ON SR 49

11:37:04 **Motion:** Sen. McGillvray moved that **SR 49 BE ADOPTED.**

Discussion:

11:37:26 Sen. Gross
11:39:05 Sen. Webber
11:39:42 Chair Regier
11:39:57 Sen. Friedel

11:41:00 **Vote:** Motion carried unanimously by voice vote. Sen. Manzella voted by proxy.

Committee Business:

11:41:16 Chair Regier
11:41:28 Sen. Esp
11:42:04 Chair Regier
11:42:12 Sen. Sands
11:42:45 Chair Regier

ADJOURNMENT

Adjournment: 11:42 AM

Jacelyn Sterling, Secretary

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Additional Documents:

EXHIBIT([jus28aad.pdf](#))