

MINUTES

MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Tom McGillvray, on February 16, 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 203, 2/10/2021; SB 215, 2/10/2021; SB 219, 2/10/2021

Executive Action: SB 185 Do Pass as Amended

HEARING ON SB 219**Opening Statement by Sponsor:**

09:02:04 Sen. David Howard (R), SD 29, opened the hearing on SB219, Providing for release of call location to law enforcement in an emergency.

EXHIBIT(jus32a01)

09:02:38 Sen. Gross entered the meeting.

Proponents' Testimony:

09:06:12 Dan Smith, Montana Police Protective Association

09:07:30 Brian Thompson, Montana Sheriffs and Peace Officers Association (MSPOA)

09:08:15 Sen. Jason Small, SD 21

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

09:10:56 Sen. Brown

09:11:56 Sen. Howard

09:12:26 Mr. Thompson, MSPOA

09:13:58 Sen. Bennett

09:14:27 Mr. Thompson

09:14:46 Sen. Manzella

09:15:43 Mr. Thompson

09:16:06 Sen. Regier entered the meeting.

09:17:11 Sen. Manzella

09:17:46 Mr. Thompson

09:17:56 Sen. Manzella

09:19:21 Sen. Howard

09:20:23 Sen. Gross

09:20:53 Sen. Howard

09:21:19 Sen. Gross

09:21:27 Sen. Howard

09:21:44 Sen. Brown

09:21:56 Sen. Howard

09:22:16 Sen. Webber

09:23:08 Sen. Howard

09:23:15 Sen. Hinebauch entered the meeting.

09:23:17 Sen Webber

09:23:49 Sen. Howard

09:24:13 Sen. Esp

09:25:57 Sen. Howard

Closing by Sponsor:

09:26:10 Sen. Howard

09:26:47 Sen. Regier took over the duties of the Chair.

HEARING ON SB 215**Opening Statement by Sponsor:**

09:27:00 Sen. Carl Glimm (R), SD 2, opened the hearing on SB215, Establish the religious freedom restoration act.

Proponents' Testimony:

09:32:22 Matthew Sharp, Alliance Defending Freedom (ADF)

09:35:26 Jeff Laszloffy, Montana Family Foundation (MFF)

[EXHIBIT\(jus32a02\)](#)

Opponents' Testimony:

09:43:14 Caitlin Borgmann, executive director, American Civil Liberties Union (ACLU) Montana

09:46:33 Sen. Gross

09:46:52 Martha Stahl, president, Planned Parenthood

[EXHIBIT\(jus32a03\)](#)

09:49:05 Susie Reber Orr, Missoula

[EXHIBIT\(jus32a04\)](#)

09:50:37 Lauren Wilson, vice president, Montana Chapter American Academy of Pediatrics

[EXHIBIT\(jus32a05\)](#)

09:52:31 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence (MCDSV)

09:53:21 Sen. Friedel entered the meeting.

09:56:46 Shawn Reagor, Montana Human Rights Network

09:59:31 SJ Howell, Montana Women Vote

10:01:43 Kelly Lynch, deputy director, Montana League of Cities and Towns

[EXHIBIT\(jus32a06\)](#)

10:05:52 Quinn Leighton, Helena

[EXHIBIT\(jus32a07\)](#)

10:09:22 Reverend Sarah Clark, Billings United Methodist Church

10:12:46 Sk Rossi, Cities of Missoula and Bozeman

[EXHIBIT\(jus32a08\)](#)

10:16:32 Laura Terrill, Bozeman

10:20:15 Patricia Decker, Red Lodge

[EXHIBIT\(jus32a09\)](#)

10:22:38 Stephanie Morton, Healthy Mothers Healthy Babies Montana

[EXHIBIT\(jus32a10\)](#)

10:24:30 Jean Branscum, Montana Medical Association

10:25:43 Stephanie McDowell, Bridger Care Bozeman

10:26:33 Adrian Jawort, Montana Native Vote

[EXHIBIT\(jus32a11\)](#)

10:30:26 Kelly Tooteeth, Indigenous Collective

10:33:40 Jack Rinck, Associated Students of University of Montana

Additional Testimony Received:

[EXHIBIT\(jus32a12\)](#)

Additional Proponent's Testimony:

10:35:09 Matthew Brower, Montana Catholic Conference

[EXHIBIT\(jus32a13\)](#)

10:37:40 Ed Halland, Bridger

Informational Testimony: None

Questions from Committee Members and Responses:

10:39:11 Sen. Hinebauch

10:39:44 Sen. Glimm

10:39:50 Chair Regier

10:40:08 Mr. Sharp, ADF

10:41:26 Sen. Bennett

10:42:32 Sen. Glimm

10:43:35 Sen. Webber

10:45:29 Sen. Glimm

10:45:41 Sen. McGillvray

10:46:20 Mr. Sharp

10:48:08 Sen. McGillvray

10:48:23 Mr. Laszloffy, MFF

10:49:30 Sen. Esp

10:51:37 Mr. Sharp

10:51:59 Sen. Gross

10:52:55 Ms. Borgmann, ACLU

10:54:58 Sen. Gross

10:55:35 Ms. Borgmann

Closing by Sponsor:

10:57:08 Sen. Glimm

HEARING ON SB 203**Opening Statement by Sponsor:**

10:58:04 Sen. Kenneth Bogner (R), SD 19, opened the hearing on SB203, Constitutional amendment regarding electronic communications.

Proponents' Testimony:

10:59:56 Kendall Cotton, Frontier Institute
11:02:07 Brian Thompson, Montana County Attorneys Association (MCAA)
11:04:49 Patrick Webb, Americans for Prosperity Montana
11:05:48 Katjana Stutzer, Montana Public Interest Research Group

Opponents' Testimony:

11:07:03 Mark Murphy, Montana Association of Chiefs of Police (MACOP)

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

11:12:53 Sen. Brown

11:13:05 Sen. Gross left the meeting.

11:13:36 Mr. Thompson, MCAA
11:14:41 Sen. Sands
11:15:38 Mr. Murphy, MACOP
11:15:47 Sen. Regier
11:15:53 Mr. Murphy
11:18:27 Sen. Esp
11:19:15 Mr. Thompson
11:20:25 Sen. Hinebauch
11:21:02 Mr. Murphy
11:23:14 Sen. McGillvray
11:23:50 Sen. Bogner
11:24:31 Sen. McGillvray
11:24:39 Sen. Bogner

Closing by Sponsor:

11:24:51 Sen. Bogner

11:25:43 Chair Regier
11:26:05 Recess
11:33:03 Reconvened

EXECUTIVE ACTION ON SB 185

11:33:38 **Motion:** Sen. McGillvray moved that **SB 185 DO PASS.**

11:33:53 **Motion:** Sen. Esp moved that **SB 185 BE AMENDED.**

EXHIBIT(jus32a14)

11:35:55 **Vote:** Motion carried 7-4 by roll call vote with Sen. Bennett, Sen. Gross, Sen. Sands and Sen. Webber voting no.

11:36:21 **Motion:** Sen. McGillvray moved that **SB 185 DO PASS AS AMENDED.**

11:36:29 **Motion/Vote:** Sen. McGillvray moved that **SB 185 BE AMENDED.** Motion carried unanimously by roll call vote. Sen. Gross voted by proxy.

[EXHIBIT\(jus32a15\)](#)

11:37:43 **Motion/Vote:** Sen. McGillvray moved that **SB 185 DO PASS AS AMENDED.** Motion carried 7-4 by roll call vote with Sen. Bennett, Sen. Gross, Sen. Sands and Sen. Webber voting no. Sen. Gross voted by proxy.

Committee Business:

11:38:41 Chair Regier

11:38:53 Sen. Sands

11:39:06 Chair Regier

ADJOURNMENT

Adjournment: 11:39 AM

Jacelyn Sterling, Secretary

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Additional Documents:

EXHIBIT([jus32aad.pdf](#))