

## MINUTES

### MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON JUDICIARY

**Call to Order:** Chair Keith Regier, on February 19, 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:**

Hearing & Date Posted: SB 240, 2/15/2021; SB 242, 2/15/2021; SB 194, 2/15/2021; SJ 8,  
2/15/2021

Executive Action: SB 200 was reported out of committee; SB 219 Do Pass as Amended;  
SB 223 Do Pass

**Committee Business:**

09:01:35 Chair Regier

**HEARING ON SB 240****Opening Statement by Sponsor:**

09:02:28 Sen. Theresa Manzella (R), SD 44, opened the hearing on SB240, Revise crime reporting laws.

**Proponents' Testimony:**

09:06:26 Dan Smith, Montana Police Protective Association

09:08:45 Alan Doane, Department of Justice (DOJ)

09:09:17 Scott Burlingham, detective, Ravalli County

**EXHIBIT(jus35a01)**

09:19:56 Brian Thompson, Montana County Attorneys Association (MCAA); Montana Sheriffs and Peace Officers Association (MSPOA)

**Opponents' Testimony:**

09:21:30 Sam Forstag, American Civil Liberties Union (ACLU)

09:22:54 SJ Howell, Montana Women Vote

09:24:01 Robin Turner, Ries Law Group

09:29:22 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence

09:32:35 Eric Coyle, executive director, Haven

09:35:08 Benjamin Halverson, domestic prosecutor, Billings

**EXHIBIT(jus35a02)**

09:39:58 Ann Truesdell, Montana Chapter National Association of Social Workers

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

09:42:35 Sen. Esp

09:43:53 Sen. Manzella

09:45:22 Sen. Esp

09:45:43 Mr. Thompson, MCAA; MSPOA

09:46:38 Sen. Webber

09:47:09 Mr. Doane, DOJ

09:47:14 Chair Regier

09:47:20 Mr. Doane

09:47:36 Sen. Sands

09:49:25 Mr. Doane

09:49:29 Chair Regier

09:49:49 Sen. Friedel

09:50:38 Mr. Halverson, Billings

09:51:37 Sen. Sands

09:52:13 Mr. Halverson

09:52:49 Sen. Sands

09:53:00 Mr. Halverson

09:53:09 Sen. Brown

09:54:18 Sen. Manzella

**Closing by Sponsor:**

09:54:30 Sen. Manzella

**HEARING ON SB 242**

**Opening Statement by Sponsor:**

09:58:30 Sen. Bryce Bennett (D), SD 50, opened the hearing on SB242, Prohibit transfer or sale of consumer GPS data without permission.

[EXHIBIT\(jus35a03\)](#)

**Proponents' Testimony:**

10:03:02 Laurel Hesse, American Civil Liberties Union (ACLU)

10:04:03 Kim Mangold, Montana Farmers Union

[EXHIBIT\(jus35a04\)](#)

**Opponents' Testimony:**

10:05:01 Bruce Spencer, National Association of Mutual Insurance Companies (NAMIC)

10:10:09 Rose Feliciano, Internet Association

[EXHIBIT\(jus35a05\)](#)

10:12:34 Carl Szabo, NetChoice

[EXHIBIT\(jus35a06\)](#)

10:15:54 John MacDonald, Alliance for Automobile Innovation

[EXHIBIT\(jus35a07\)](#)

10:18:51 Lisa McCabe, CTIA

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

10:21:15 Sen. Friedel

10:22:18 Sen. Bennett

10:22:22 Sen. Friedel

10:23:07 Mr. Szabo, NetChoice

10:25:00 Sen. Sands

10:25:21 Sen. Bennett

10:25:35 Sen. Sands

10:25:50 Sen. Bennett

10:26:07 Sen. Sands

10:26:32 Sen. Bennett

10:27:11 Sen. McGillvray

10:28:58 Mr. Spencer, NAMIC

**Closing by Sponsor:**

10:29:24 Sen. Bennett

10:31:57 Sen. Regier gave the duties of the Chair over to Vice Chair McGillvray.

**HEARING ON SB 194****Opening Statement by Sponsor:**

10:32:16 Sen. Keith Regier (R), SD 3, opened the hearing on SB194, Generally revise criminal procedure laws.

**[EXHIBIT\(jus35a08\)](#)**

**Proponents' Testimony:**

10:35:33 Jon Metropoulos, Missoula Correctional Services, Inc. (MCS)

10:39:16 Alan Doane, Montana Department of Justice

10:39:44 Amanda Green, Alternatives Inc., Billings

10:44:14 Sue Wilkins, MCS

10:48:29 Maria McLean, MCS

**[EXHIBIT\(jus35a09\)](#)**

10:52:03 Dan Cederberg, MCS

**Opponents' Testimony:**

10:55:54 Brian Thompson, Montana Sheriffs and Peace Officers Association (MSPOA)

11:00:07 Sam Forstag, American Civil Liberties Union (ACLU)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

11:01:33 Sen. Esp

11:01:48 Mr. Thompson, MSPOA

11:02:06 Sen. Webber

11:02:33 Sen. Brown

11:04:05 Sen. Regier

11:04:21 Sen. Sands

11:06:23 Mr. Thompson

11:07:08 Sen. Webber

11:09:17 Mr. Cederberg, MCS

11:09:46 Sen. Fridel

11:12:00 Mr. Thompson

**Closing by Sponsor:**

11:12:29 Sen. Regier

**HEARING ON SJ 8****Opening Statement by Sponsor:**

11:13:05 Sen. Keith Regier (R), SD 3, opened the hearing on SJ8, Resolution supporting "Keep Nine Amendment" to US Constitution.

**Proponents' Testimony:**

11:15:50 Alan Olson, Helena

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

11:18:00 Sen. Friedel

11:19:03 Sen. Regier

**Closing by Sponsor:**

11:19:22 Sen. Regier

11:19:38 Sen. Regier resumed the duties of the Chair.

11:20:22 Recess

11:29:37 Reconvened

Sen. Gross was excused.

**EXECUTIVE ACTION ON SB 219**

11:30:05 **Motion:** Sen. McGillvray moved that **SB 219 DO PASS.**

**Discussion:**

11:30:11 Chair Regier

11:30:32 Julianne Burkhardt, Legislative Services Division (LSD)

11:31:33 Chair Regier

11:31:55 **Motion:** Sen. McGillvray moved that **SB 219 BE AMENDED.**  
**EXHIBIT(jus35a10)**

**Discussion:**

11:32:24 Ms. Burkhardt, LSD

11:33:41 Chair Regier

11:33:45 Ms. Burkhardt

11:33:49 Chair Regier

11:33:56 Sen. Bennett

11:34:43 Chair Regier

11:35:09 **Vote:** Motion carried unanimously by voice vote. Sen. Gross voted by proxy.

11:35:15 **Motion:** Sen. McGillvray moved that **SB 219 DO PASS AS AMENDED.**

**Discussion:**

11:35:30 Sen. Bennett

11:36:02 **Vote:** Motion carried unanimously by voice vote. Sen. Gross voted by proxy.

**EXECUTIVE ACTION ON SB 223**

11:36:47 **Motion:** Sen. McGillvray moved that **SB 223 DO PASS.**

**Discussion:**

11:37:00 Sen. Manzella

11:38:00 Chair Regier

11:38:09 Julianne Burkhardt, Legislative Services Division (LSD)

11:38:20 Chair Regier

11:38:33 **Vote:** Motion carried unanimously by voice vote. Sen. Gross voted by proxy.

**Committee Business:**

11:38:48 Chair Regier

**ADJOURNMENT**

Adjournment: 11:39 AM

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Jacelyn Sterling, Secretary

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Additional Documents:

**EXHIBIT**([jus35aad.pdf](#))