

MINUTES

MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Keith Regier, on March 10, 2021 at 9:00 AM, in Room 303 Capitol

ROLL CALL

Members Present in 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. Susan Webber (D)

Members Excused:

Sen. Diane Sands, Vice Chair (D)
Sen. Jen Gross (D)

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 35, 2/19/2021; HB 36, 2/19/2021; HB 98, 2/19/2021

Executive Action: HB 36 Be Concurred In; HB 313 Be Concurred In as Amended

HEARING ON HB 98

Opening Statement by Sponsor:

09:02:20 Rep. Sharon Stewart Peregoy (D), HD 42, opened the hearing on HB98, Extending the Missing Indigenous Persons Task Force and the LINC grant program.

EXHIBIT(jus48a01)

Proponents' Testimony:

09:21:41 Charles Headdress, Fort Peck Tribes

09:22:52 Kaci Walette, board member, Fort Peck Tribes

09:23:33 Patrick Yawakie, Blackfeet Tribe

EXHIBIT(jus48a02)

09:24:23 Misty Kuhl, director, Indian Affairs, Governor's Office

09:25:28 Keaton Sunchild, Western Native Voice

09:25:59 Alan Doane, Department of Justice (DOJ)

09:26:18 Georgette Boggio, Fort Peck Tribes

09:27:55 Stacey Anderson, Montana Primary Care Association (MPCA)

09:28:28 Sam Forstag, American Civil Liberties Union (ACLU)

EXHIBIT(jus48a03)

09:29:20 Ellie Bundy, Confederated Salish and Kootenai Tribes (CSKT)

09:31:15 Margaret Bentwood, Montana League of Women Voters

EXHIBIT(jus48a04)

09:31:41 Sen. Esp entered the meeting.

09:32:27 Katie Firethunder, Belgrade

EXHIBIT(jus48a05)

09:33:37 Preston Parish, Montana Budget & Policy Center

09:34:46 Alex Newby, Bozeman

09:36:14 Edward Barta, Northern Plains Resource Council

09:38:35 Eliza Donahue, Forward Montana

09:39:15 Daliyah Killsback, deputy political director, Western Native Voice

09:40:08 Sydney Barry, Montana Coalition Against Domestic and Sexual Violence (MCADSV)

09:40:49 Cora Neumann, founder, We Are Montana

EXHIBIT(jus48a06)

09:42:14 Loni Taylor, council women, Chippewa Cree Tribe

EXHIBIT(jus48a07)

09:43:27 Andrew Werk, president, Fort Belknap Indian Community Tribal Council

09:44:41 Valerie Falls Down, Crow Tribe

09:47:00 Ruberta Duckhead Kittsonnyomo, citizen

Additional Testimony Received:

EXHIBIT(jus48a08)

Opponents' Testimony: None

Informational Testimony:

09:48:03 Dana Toole, Special Services Bureau chief, Department of Justice (DOJ)

09:48:39 Joan Eliel, director, Office of Consumer Protection Victim Services, DOJ

Questions from Committee Members and Responses:

09:49:20 Chair Regier

09:51:00 Rep. Stewart Peregoy

09:51:28 Chair Regier

09:51:55 Ms. Toole, DOJ

09:52:37 Chair Regier

09:52:48 Sen. Brown

09:54:49 Rep. Stewart Peregoy

09:57:58 Sen. Webber

10:01:22 Ms. Toole

10:03:23 Chair Regier

10:04:47 Ms. Eliel, DOJ

10:05:26 Sen. Webber

Closing by Sponsor:

10:06:32 Rep. Stewart Peregoy

HEARING ON HB 35

Opening Statement by Sponsor:

10:08:26 Rep. Sharon Stewart Peregoy (D), HD 42, opened the hearing on HB35, Establish a missing persons review commission.

Proponents' Testimony:

10:10:39 Alan Doane, Department of Justice (DOJ)

10:11:22 Misty Kuhl, director, Indian Affairs, Governor's Office

10:12:08 Keaton Sunchild, Western Native Voice

10:12:33 Patrick Yawakie, Blackfeet Tribe

EXHIBIT(jus48a09)

10:12:55 Sam Forstag, American Civil Liberties Union (ACLU)

EXHIBIT(jus48a10)

10:13:18 Laurie Little Dog, Bozeman

EXHIBIT(jus48a11)

10:14:43 Ruberta Duckhead Kittsonnyomo, citizen

10:15:23 Ellie Bundy, Confederated Salish and Kootenai Tribes (CSKT)

10:16:54 Margaret Bentwood, Montana League of Women Voters

10:17:13 Iko'tsimiskimaki Beck, Missoula

10:17:38 Preston Parish, Montana Budget & Policy Center

10:17:59 Alex Newby, Bozeman

10:18:48 Edward Barta, Northern Plains Resource Council

10:19:18 Eliza Donahue, Forward Montana

10:19:39 Daliyah Killsback, deputy political director, Western Native Voice
 10:20:30 Sydney Barry, Montana Coalition Against Domestic and Sexual Violence (MCADSV)
 10:21:00 Cora Neumann, founder, We Are Montana
 10:21:44 Loni Taylor, Chippewa Cree Tribe
 10:22:32 Valerie Falls Down, Crow Tribe
 10:23:02 Shawn Reagor, Montana Human Rights Network

Opponents' Testimony: None

Informational Testimony:

10:23:33 Dana Toole, Special Services Bureau chief, Department of Justice (DOJ)
 10:23:51 Joan Eliel, director, Office of Consumer Protection Victim Services, DOJ

Questions from Committee Members and Responses:

10:24:17 Sen. McGillvray
 10:27:15 Rep. Stewart Peregoy
 10:28:12 Sen. McGillvray
 10:28:36 Mr. Doane, DOJ
 10:29:06 Sen. Webber
 10:30:46 Ms. Toole, DOJ
 10:32:08 Sen. Webber

 10:32:12 Sen. Regier left the meeting and gave the duties of the Chair over to Vice Chair McGillvray.

 10:32:38 Ms. Toole
 10:33:48 Sen. Brown
 10:37:31 Rep. Stewart Peregoy

Closing by Sponsor:

10:39:21 Rep. Stewart Peregoy

HEARING ON HB 36

Opening Statement by Sponsor:

10:39:52 Rep. Sharon Stewart Peregoy (D), HD 42, opened the hearing on HB36, Establish missing persons response team training grant program.

Proponents' Testimony:

10:46:02 Kaci Wallett, Fort Peck Indian Reservation
 10:47:55 Georgette Boggio, Fort Peck legal council
 10:48:47 Patrick Yawakie, Blackfeet Tribe

EXHIBIT(jus48a12)

10:49:19 Ruberta Duckhead Kittsonnyomo, citizen

10:50:55 Laurie Little Dog, Bozeman

EXHIBIT(jus48a13)

10:53:41 Margaret Bentwood, Montana League of Women Voters

[EXHIBIT\(jus48a14\)](#)

10:54:01 Iko'tsimiskimaki Beck, Missoula

10:54:19 Preston Parish, Montana Budget & Policy Center

10:54:38 Alex Newby, Bozeman

[EXHIBIT\(jus48a15\)](#)

10:55:34 Edward Barta, Northern Plains Resource Council

10:55:55 Eliza Donahue, Forward Montana

10:56:18 Daliyah Killsback, deputy political director, Western Native Voice

10:57:27 Sydney Barry, Montana Coalition Against Domestic and Sexual Violence (MCADSV)

10:57:52 Cora Neumann, founder, We Are Montana

[EXHIBIT\(jus48a16\)](#)

10:58:33 Loni Taylor, Chippewa Cree Tribe

10:59:58 Valerie Falls Down, Missing and Murdered Indigenous Peoples task force

11:00:55 Ellie Bundy, Confederated Salish and Kootenai Tribes

Additional Testimony Received:

[EXHIBIT\(jus48a17\)](#)

Opponents' Testimony: None

Informational Testimony:

11:02:34 Dana Toole, Special Services Bureau chief, Department of Justice (DOJ)

Questions from Committee Members and Responses:

11:02:57 Sen. Esp

11:03:25 Sen. Webber

11:05:37 Ms. Toole, DOJ

[EXHIBIT\(jus48a18\)](#)

11:07:57 Sen. Webber

11:08:42 Ms. Toole

Closing by Sponsor:

11:09:39 Rep. Stewart Peregoy

11:10:23 Sen Regier took over the duties of the Chair.

11:10:54 Recess

11:29:19 Reconvened

Committee Business:

11:29:30 Chair Regier

11:29:43 Sen. Esp

EXECUTIVE ACTION ON HB 313

11:30:14 **Motion:** Sen. McGillvray moved that **HB 313 BE CONCURRED IN.**

11:30:33 **Motion:** Sen. McGillvray moved that **HB 313 BE AMENDED.**
EXHIBIT(jus48a19)

Discussion:

11:30:50 Julianne Burkhardt, Legislative Services Division (LSD)

11:31:09 Chair Regier

11:31:30 **Vote:** Motion carried unanimously by voice vote. Sen. Gross and Sen. Sands voted by proxy.

11:31:44 **Motion/Vote:** Sen. McGillvray moved that **HB 313 BE CONCURRED IN AS AMENDED.** Motion carried unanimously by voice vote. Sen. Gross and Sen. Sands voted by proxy. Sen. McGillvray will carry the bill.

EXECUTIVE ACTION ON HB 98

11:33:18 **Motion:** Sen. McGillvray moved that **HB 98 BE CONCURRED IN.**

Discussion:

11:33:35 Julianne Burkhardt, Legislative Services Division (LSD)

11:35:16 Chair Regier

11:35:21 Ms. Burkhardt, LSD

11:35:33 Sen. McGillvray

11:35:50 Ms. Burkhardt

11:36:20 Chair Regier

11:36:31 Ms. Burkhardt

11:36:52 Without objection, Sen. McGillvray withdrew the **BE CONCURRED IN** motion.

Discussion:

11:37:14 Sen. Esp

11:37:22 Sen. Brown

11:37:43 Chair Regier

11:37:47 Ms. Burkhardt

EXECUTIVE ACTION ON HB 36

11:38:04 **Motion:** Sen. McGillvray moved that **HB 36 BE CONCURRED IN.**

Discussion:

11:38:31 Sen. Webber

11:39:48 Sen. Brown

11:40:50 **Vote:** Motion carried 9-2 by roll call vote with Sen. Hinebauch and Sen. Manzella voting no. Sen. Gross and Sen. Sands voted by proxy. Sen. Webber will carry the bill.

Committee Business:

11:41:42 Chair Regier

ADJOURNMENT

Adjournment: 11:42 AM

Jacelyn Sterling, Secretary

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Additional Documents:

EXHIBIT([jus48aad.pdf](#))