

## 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 Headress, Fort Peck Tribes

09:22:52 Kaci Wallette, 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 Geolette 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

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Jacelyn Sterling, Secretary

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Additional Documents:

**EXHIBIT(jus48aad.pdf)**