

MINUTES

MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Keith Regier, on March 17, 2021 at 8:00 A.M., 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)
Sen. Susan Webber (D)

Members Present by Zoom Video Conference:

Sen. Diane Sands, Vice Chair (D)
Sen. Jen Gross (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: HB 112, 3/10/2021; HB 218, 3/10/2021; HB 349, 3/10/2021; HB 427, 3/10/2021

HEARING ON HB 112**Opening Statement by Sponsor:**

08:01:47 Rep. John Fuller (R), HD 8, opened the hearing on HB112, Require interscholastic athletes to participate under sex assigned at birth.

08:01:56 Sen. McGillvray entered the meeting.

Proponents' Testimony:

08:08:40 Rep. Barbara Ehardt, Idaho State representative

[EXHIBIT\(jus53a01\)](#)

08:11:15 Jeff Laszloffy, Montana Family Foundation

08:16:01 Cathy Carlson, Helena

08:19:15 Sharon Nason, citizen

08:21:00 Ray Hacke, Pacific Justice Institute Center for Public Policy

[EXHIBIT\(jus53a02\)](#)

08:23:10 Matt Sharp, senior counsel, Alliance Defending Freedom (ADF)

08:25:24 Beth Stelzer, Save Women's Sports

[EXHIBIT\(jus53a03\)](#)

08:27:36 Kristopher Hunt, medical director, USA Powerlifting

Additional Testimony Received:

[EXHIBIT\(jus53a04\)](#)

Opponents' Testimony:

08:29:40 Laurel Hesse, American Civil Liberties Union (ACLU)

08:34:36 SK Rossi, Cities of Missoula and Bozeman

08:37:17 Shawn Reagor, Montana Human Rights Network

08:40:15 SJ Howell, Montana Women Vote

08:42:43 Zooey Zephyr, citizen

[EXHIBIT\(jus53a05\)](#)

08:46:24 Gabriella Weida, Montana Youth Action

08:48:48 Jack Rinck, Associated Students of the University of Montana (ASUM)

08:50:12 Patrick James Flanagan, president, Montana Associated Students (MAS)

08:50:59 Rachel Schmidt, Associated Students of Montana State University (ASMSU)

08:53:05 Mike Vasquez, student body president, Montana State University

[EXHIBIT\(jus53a06\)](#)

08:54:37 Ellie Jackson, ASMSU

08:55:42 Pushya Krishna, ASMSU

08:58:02 Margaret Davies, ASMSU

08:59:24 Amanda Curtis, president, Montana Federation of Public Employees (MFPE)

09:01:42 Keaton Sunchild, Western Native Voice

09:02:43 Allison Reinhardt, MAS

09:04:15 Katjana Stutzer, Montana Public Interest Research Group

09:04:42 Maggie Borstien, ASMSU

09:07:06 Sam Forstag, ACLU

[EXHIBIT\(jus53a07\)](#)

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

09:09:31 Caitlin Wardell, Missoula

09:10:38 Rohanna Erin, Missoula

09:12:27 Dr. Lauren Wilson, Montana Chapter of American Academy of Pediatrics (AAP)

[EXHIBIT\(jus53a08\)](#)

09:14:45 Beatrix Frissell, Polson

[EXHIBIT\(jus53a09\)](#)

09:16:59 Dr. Juanita Hodax, Seattle

09:19:02 Lexi Kyro, Bozeman

09:20:01 Jean Gee, senior associate, Montana University System

[EXHIBIT\(jus53a10\)](#)

09:22:09 Kylee Bodley, executive director, Montana Chapter of AAP

[EXHIBIT\(jus53a11\)](#)

09:23:47 Siena Popiel, Bozeman High School Sexuality and Gender Alliance

[EXHIBIT\(jus53a12\)](#)

09:25:54 Iko'tsimisikimaki Beck, Missoula

09:26:27 Janna Lauver, Three Forks

[EXHIBIT\(jus53a13\)](#)

09:28:14 Danielle Vazquez, Indigenous Organizers Coalition

09:29:46 Alix Irvine, Great Falls

09:31:51 Hannah Kosel, Missoula

[EXHIBIT\(jus53a14\)](#)

09:33:55 Daniel Carlino, Sunrise Movement

[EXHIBIT\(jus53a15\)](#)

09:34:39 Julia Gentry, student, Bozeman

[EXHIBIT\(jus53a16\)](#)

09:35:57 Sam Duncan, Missoula

09:37:56 Laurie Franklin, Anti-Defamation League; Montana Association of Rabbis

[EXHIBIT\(jus53a17\)](#)

09:40:25 Wyatt Clark, Conrad

[EXHIBIT\(jus53a18\)](#)

09:42:20 Robin Turner, Missoula

09:43:11 Lucy Hochschartner, Bozeman

09:45:08 Ariana Paliobagis, Country Bookshelf

[EXHIBIT\(jus53a19\)](#)

09:46:56 Lauren O'Neill, Missoula
09:49:06 Silas Teasdale, Missoula
09:51:26 Paxton McCausland, Montana Gender Alliance
09:53:42 Peter Strom, Bozeman

[EXHIBIT\(jus53a20\)](#)

Additional Testimony Received:

[EXHIBIT\(jus53a21\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

09:56:19 Chair Regier
09:58:56 Ms. Hodax, Seattle
09:59:29 Sen. Hinebauch
09:59:58 Mr. Flanagan, MAS
10:00:14 Sen. Hinebauch
10:01:17 Ms. Schmidt, ASMSU
10:01:26 Sen. Hinebauch
10:01:48 Sen. Manzella
10:02:35 Ms. Ehardt, Idaho
10:04:03 Sen. Manzella
10:04:32 Mr. Sharp, ADF
10:06:30 Sen. Webber
10:07:59 Ms. Curtis, MFPE
10:08:54 Sen. Bennett
10:09:21 Ms. Rossi, Missoula and Bozeman
10:10:37 Sen. Friedel
10:11:45 Chair Regier
10:11:56 Sen. Friedel
10:12:56 Rep. Fuller
10:13:03 Sen. Webber
10:13:39 Ms. Rossi
10:13:55 Ms. Hesse, ACLU

Closing by Sponsor:

10:14:17 Rep. Fuller

HEARING ON HB 427

Opening Statement by Sponsor:

10:17:23 Rep. John Fuller (R), HD 8, opened the hearing on HB427, Provide for youth health protection.

Opponents' Testimony:

10:21:44 Dr. Lauren Wilson, Montana Chapter, American Academy of Pediatrics (AAP)

[EXHIBIT\(jus53a22\)](#)

Proponents' Testimony:

10:24:39 Jeff Laszloffy, Montana Family Foundation

10:29:29 Cathy Carlson, Helena
10:31:51 Sharon Nason, citizen
10:33:07 Dr. Michael Laidlaw, California

Additional Testimony Received:

[EXHIBIT\(jus53a23\)](#)

Additional Opponents' Testimony:

10:35:25 Laurel Hesse, American Civil Liberties Union (ACLU)
10:38:17 Shawn Reagor, Montana Human Rights Network
10:41:39 Abigail St. Lawrence, Montana Academy of Physician Assistants (MTAPA)
10:46:19 SJ Howell, Montana Women Vote
10:48:20 SK Rossi, Cities of Missoula and Bozeman
10:50:02 Eric Anderson, Montana Nurses Association
10:51:21 Keaton Sunchild, political director, Western Native Voice
10:53:03 Stacey Anderson, Montana Primary Care Association
10:54:04 Jean Branscum, Montana Medical Association
10:56:43 Zuri Moreno, citizen
10:57:28 Sydney Barry, Montana Coalition Against Domestic and Sexual Violence
10:58:13 Dr. Juanita Hodax, Seattle
11:01:03 Kylee Bodley, Montana Chapter of AAP

[EXHIBIT\(jus53a24\)](#)

11:02:08 Iko'tsimiskimaki Beck, Missoula
11:02:33 Danielle Vazquez, Indigenous Organizers Coalition
11:04:31 Wyatt Clark, Conrad

[EXHIBIT\(jus53a25\)](#)

11:06:25 Kat Porco, Red Lodge

Additional Testimony Received:

[EXHIBIT\(jus53a26\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

11:08:42 Sen. Webber
11:09:23 Ms. Hesse, ACLU
11:09:36 Ms. St. Lawrence, MTAPA
11:12:06 Sen. Webber
11:12:40 Sen. Manzella
11:13:02 Rep. Fuller
11:13:11 Sen. Manzella
11:13:56 Ms. Hodax, Seattle
11:14:19 Sen. Manzella
11:15:00 Rep. Fuller
11:15:45 Sen. Bennett
11:16:00 Ms. Hodax

Closing by Sponsor:

11:17:03 Rep. Fuller

HEARING ON HB 349**Opening Statement by Sponsor:**

11:21:48 Rep. Mike Hopkins (R), HD 92, opened the hearing on HB349, Protect freedom of association and speech at public postsecondary campuses.

Proponents' Testimony:

11:28:11 Lance Kinzer, First Amendment Partnership
11:29:16 Thor Larson, Turning Point Chapter at Montana Tech
11:30:22 Dylan Dean, Young Americans for Liberty
11:31:17 Zack Pruitt, Alliance Defending Freedom (ADF)
11:32:22 Jeff Laszloffy, Montana Family Foundation
11:33:16 Isaac Edikauskas, Americans for Prosperity

[EXHIBIT\(jus53a27\)](#)

11:34:21 Cheryl Tusken, citizen
11:35:37 Lieutenant Governor Kristen Juras (GOV)

[EXHIBIT\(jus53a28\)](#)**Opponents' Testimony:**

11:37:23 Jack Rinck, Associated Students of the University of Montana (ASUM)
11:38:12 Rachel Schmidt, Associated Students of Montana State University (ASMSU)
11:39:24 Mike Vasquez, student body president, Montana State University (MSU)

[EXHIBIT\(jus53a29\)](#)

11:40:30 Maggie Bornstein, ASUM
11:41:44 Pushya Krishna, MSU
11:42:53 Ellie Jackson, ASMSU
11:43:59 Margaret Davies, ASMSU
11:45:07 Noah Durnell, ASUM
11:46:15 Valeria Miranda, ASUM
11:47:23 Patrick James Flanagan, president, Montana Associated Students (MAS)
11:48:19 Allison Reinhardt, MAS
11:49:08 Laurel Hesse, American Civil Liberties Union
11:50:03 Keaton Sunchild, political director, Western Native Voice
11:51:13 Travis McAdam, Montana Human Rights Network

[EXHIBIT\(jus53a30\)](#)

11:52:09 Christian Pfeifer, ASUM

[EXHIBIT\(jus53a31\)](#)**Additional Testimony Received:****[EXHIBIT\(jus53a32\)](#)****Informational Testimony:**

11:53:28 Ethan Hanley, business manager, ASUM

[EXHIBIT\(jus53a33\)](#)

11:54:01 Dave Kuntz, University of Montana
11:54:12 Janelle Booth, government affairs director, MSU

Questions from Committee Members and Responses:

11:54:35 Sen. Manzella
11:55:04 Rep. Hopkins
11:56:56 Chair Regier
11:57:19 Mr. Pruitt, ADF
11:57:53 Chair Regier
11:58:06 Ms. Juras, GOV
11:59:08 Sen. Bennett
12:03:52 Rep. Hopkins

Closing by Sponsor:

12:05:06 Rep. Hopkins

HEARING ON HB 218

Opening Statement by Sponsor:

12:06:29 Rep. Mike Hopkins (R), HD 92, opened the hearing on HB218, Revise campus free speech laws.

Proponents' Testimony:

12:08:22 Jeff Laszloffy, Montana Family Foundation
12:10:33 Dylan Dean, Young Americans for Liberty
12:11:57 Zack Pruitt, Alliance Defending Freedom
12:14:04 Chris Enget, Concerned Veterans for America

[EXHIBIT\(jus53a34\)](#)

12:15:50 Cheryl Tusken, citizen
12:16:40 Laurel Hesse, American Civil Liberties Union
12:17:27 Isaac Edikauskas, citizen
12:19:23 Ronda Wiggers, Montana Broadcasters Association
12:20:33 Tyler Coward, Foundation for Individual Rights in Education

Additional Testimony Received:

[EXHIBIT\(jus53a35\)](#)

Opponents' Testimony:

[EXHIBIT\(jus53a36\)](#)

Informational Testimony:

12:23:00 Ethan Hanley, Associated Students of the University of Montana
12:23:14 Dave Kuntz, University of Montana (UM)
12:23:25 Janelle Booth, government affairs director, Montana State University (MSU)

Questions from Committee Members and Responses:

12:23:41 Chair Regier
12:24:31 Mr. Kuntz, UM

12:24:47 Chair Regier
12:24:49 Ms. Booth, MSU

Closing by Sponsor:

12:25:06 Rep. Hopkins

ADJOURNMENT

Adjournment: 12:26 PM

Jacelyn Sterling, Secretary

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Additional Documents:

EXHIBIT([jus53aad.pdf](#))