

## MINUTES

### MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON JUDICIARY

**Call to Order:** Chair Keith Regier, on March 22, 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. Jen Gross (D)  
Sen. Steve Hinebauch (R)  
Sen. Theresa Manzella (R)  
Sen. Susan Webber (D)

**Members Present by Zoom Video Conference:**

Sen. Diane Sands, Vice Chair (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Julianne Burkhardt, Legislative Branch  
Jacelyn Sterling, Committee Secretary  
Taylor Tyson, Remote Meeting Coordinator

**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 257, 3/15/2021; HB 499, 3/15/2021; HB 501, 3/15/2021; HB 555, 3/15/2021  
Executive Action on: HB 211 - Be Concurred in; HB 230 - Be Concurred in; HB 541 - Be Concurred in as Amended

**HEARING ON HB 555****Opening Statement by Sponsor:**

08:01:02 Rep. Matt Regier (R), HD 4, opened the hearing on HB555, Revise civil liability laws on personal property exempt from execution.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

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

**Closing by Sponsor:**

08:02:00 Rep. Regier

**EXECUTIVE ACTION ON HB 211**

08:03:53 **Motion/Vote:** Sen. McGillvray moved that **HB 211 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Sands voted by proxy. Sen. Esp will carry the bill.

**EXECUTIVE ACTION ON HB 230**

08:05:49 **Motion:** Sen. McGillvray moved that **HB 230 BE CONCURRED IN**.

**Discussion:**

08:06:17 Sen. Webber

08:06:41 Chair Regier

08:06:54 Sen. Gross

08:07:19 Sen. Manzella

08:07:56 Sen. Brown

08:08:39 Chair Regier

08:08:56 **Vote:** Motion carried 7-4 by roll call vote with Sen. Bennett, Sen. Gross, Sen. Sands and Sen. Webber voting no. Sen. Sands voted by proxy. Sen. Regier will carry the bill. (bill was not reported out of committee)

**EXECUTIVE ACTION ON HB 541**

08:11:34 **Motion:** Sen. McGillvray moved that **HB 541 BE CONCURRED IN**.

08:11:51 **Motion:** Sen. McGillvray moved that **HB 541 BE AMENDED**.

[EXHIBIT\(jus56a01\)](#)

**Discussion:**

08:12:13 Chair Regier

08:12:27 Julianne Burkhardt, Legislative Services Division (LSD)

08:20:42 Chair Regier

08:20:47 Sen. Friedel  
08:21:12 Sen. Bennett  
08:22:15 Ms. Burkhardt, LSD  
08:22:30 Chair Regier  
08:22:52 Sen. Friedel  
08:23:06 Sen. Bennett  
08:24:30 Chair Regier  
08:24:36 Sen. Bennett  
08:24:52 Sen. Manzella  
08:25:07 Ms. Burkhardt  
08:25:23 Sen. Gross  
08:26:01 Sen. Friedel  
08:26:21 Sen. Gross  
08:26:33 Ms. Burkhardt  
08:27:17 Chair Regier  
08:27:21 Sen. Friedel  
08:27:29 Chair Regier  
08:27:38 Sen. Gross  
08:28:16 Ms. Burkhardt

08:28:41 **Vote:** Motion carried 7-4 by roll call vote with Sen. Bennett, Sen. Gross, Sen. Sands and Sen. Webber voting no. Sen. Sands voted by proxy.

08:29:13 **Motion:** Sen. McGillvray moved that **HB 541 BE CONCURRED IN AS AMENDED.**

**Discussion:**

08:29:20 Sen. Friedel  
08:29:43 Sen. Gross

08:30:19 **Vote:** Motion carried 7-4 by roll call vote with Sen. Bennett, Sen. Gross, Sen. Sands and Sen. Webber voting no. Sen. Sands voted by proxy. Sen. Blasdel will carry the bill.

**HEARING ON HB 499**

**Opening Statement by Sponsor:**

08:31:19 Rep. Jeremy Trebas (R), HD 26, opened the hearing on HB499, Revise child abuse and neglect laws regarding reasonable efforts.

**Proponents' Testimony:**

08:34:01 Matt Furlong, president, Montana Child Protection Alliance (MCPA)  
[EXHIBIT\(jus56a02\)](#)

08:37:56 Kelly Santiago, MCPA  
08:41:25 Denise Johnson, board member, MCPA

**Opponents' Testimony:** None

**Informational Testimony:**

08:44:40 Marti Vining, division administrator, Child and Family Services, Department of Public Health and Human Services (DPHHS)

**Questions from Committee Members and Responses:**

08:45:09 Sen. Webber  
08:45:49 Ms. Santiago, MCPA  
08:47:19 Sen. Esp  
08:47:39 Rep. Trebas  
08:47:44 Sen. Esp  
08:48:15 Ms. Vining, DPHHS  
08:48:39 Sen. Esp  
08:50:40 Mr. Furlong, MCPA  
08:51:39 Chair Regier  
08:55:42 Ms. Vining  
08:58:37 Sen. Webber  
08:58:59 Ms. Vining  
08:59:27 Sen. Manzella  
09:01:11 Ms. Vining  
09:01:52 Sen. Gross  
09:02:49 Ms. Vining  
09:03:12 Sen. Gross  
09:03:20 Rep. Trebas  
09:04:04 Sen. Gross  
09:04:42 Ms. Vining

**Closing by Sponsor:**

09:05:45 Rep. Trebas

**HEARING ON HB 501****Opening Statement by Sponsor:**

09:06:53 Rep. Jeremy Trebas (R), HD 26, opened the hearing on HB501, Generally revise criminal procedure and criminal laws.

**Proponents' Testimony:**

09:11:13 Cheryl Tusken, citizen  
09:13:19 Heather Richards, Bozeman  
09:13:45 Lance Richards, Bozeman  
09:14:13 Lori Robinson, citizen  
09:15:01 Lanette Hetrick, Great Falls  
09:15:50 Anna Shchemelinin, Bozeman

**[EXHIBIT\(jus56a03\)](#)**

09:19:00 Donna Elford, citizen

**[EXHIBIT\(jus56a04\)](#)**

09:21:18 Gaye Lynn Johnson, Great Falls  
09:23:09 Barbara Friend, Great Falls  
09:24:11 Rep. Jedediah Hinkle, HD 67

**Opponents' Testimony:**

09:26:31 Brian Thompson, Montana County Attorneys' Association  
09:29:37 Kelly Lynch, deputy director, Montana League of Cities and Towns

[EXHIBIT\(jus56a05\)](#)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

09:31:24 Sen. McGillvray  
09:32:21 Rep. Trebas  
09:32:44 Sen. McGillvray  
09:33:09 Rep. Trebas  
09:33:21 Sen. Manzella  
09:34:09 Rep. Trebas  
09:34:44 Sen. Hinebauch  
09:35:42 Rep. Trebas  
09:35:54 Chair Regier  
09:36:47 Mr. Thompson  
09:37:08 Sen. McGillvray  
09:37:50 Rep. Hinkle  
09:40:02 Sen. Webber  
09:40:18 Rep. Trebas  
09:40:56 Sen. Manzella  
09:41:09 Rep. Trebas

**Closing by Sponsor:**

09:41:31 Rep. Trebas

**HEARING ON HB 257****Opening Statement by Sponsor:**

09:44:03 Rep. Jedediah Hinkle (R), HD 67, opened the hearing on HB257, Revise laws relating to government mandates and businesses.

09:48:43 Sen. Sands joined the meeting.

**Proponents' Testimony:**

09:49:30 Conrad Evarts, Helena  
09:53:33 Matt Furlong, Montana Child Protection Alliance  
09:54:41 Doug White, Big Fork  
09:58:32 Maria Wyrock, Gallatin County  
10:02:20 Bryan Miller, Kalispell

[EXHIBIT\(jus56a06\)](#)

10:04:29 Brooke Carlson, Fort Benton  
10:08:36 Anna Shchemelinin, Bozeman

[EXHIBIT\(jus56a07\)](#)

10:14:07 Mike Hope, Rocking R Bar, Bozeman  
10:17:57 Cheryl Tusken, citizen

10:20:41 Lori Robinson, citizen  
10:23:17 Carolyn Truscott, citizen  
10:24:09 Donna Elford, Mountain Family Fellowship

[EXHIBIT\(jus56a08\)](#)

10:26:38 Charlotte Sanborn, citizen  
10:29:12 Lance Richards, citizen  
10:30:08 Heather Richards, citizen  
10:32:40 Gaye Lynn Johnson, Great Falls  
10:35:13 Lanette Hetrick, Great Falls

[EXHIBIT\(jus56a09\)](#)

10:42:21 Barbara Friend, Great Falls  
10:45:20 Thea Capp, Bozeman

10:48:10 Sen. Bennett

10:48:34 Sarah Capp, Bozeman  
10:53:08 Nelly Nicol, vice president, Freedom Protection Project  
10:55:56 Ravyn Dighans, Gallatin County

Additional Testimony Received:

[EXHIBIT\(jus56a10\)](#)

**Opponents' Testimony:**

11:01:19 Jean Branscum, chief executive officer, Montana Medical Association (MMA)  
11:04:38 Kelly Lynch, deputy director, Montana League of Cities and Towns

[EXHIBIT\(jus56a11\)](#)

11:06:41 Shannon Therriault, Montana Public Health Officials; Montana Environmental Health Association

11:10:45 Michael Biggins, Seeley Lake

[EXHIBIT\(jus56a12\)](#)

11:13:40 Emily Coyle, Montana Association of Health Care Purchasers

Additional Testimony Received:

[EXHIBIT\(jus56a13\)](#)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

11:17:13 Sen. Hinebauch  
11:20:36 Ms. Branscum, MMA  
11:21:24 Sen. Hinebauch  
11:22:10 Ms. Truscott, citizen  
11:24:03 Chair Regier  
11:25:12 Ms. Branscum  
11:25:42 Sen. Esp  
11:31:55 Rep. Hinkle

11:32:04 Sen. Bennett  
11:32:48 Rep. Hinkle  
11:33:39 Sen. Esp  
11:34:40 Rep. Hinkle  
11:36:23 Sen. Esp  
11:36:38 Chair Regier  
11:38:38 Ms. Branscum  
11:38:57 Sen. McGillvray  
11:39:26 Ms. Branscum  
11:40:26 Sen. McGillvray  
11:41:16 Rep. Hinkle  
11:42:39 Sen. McGillvray  
11:42:52 Sen. Webber  
11:44:11 Julianne Burkhardt, Legislative Services Division  
11:44:27 Rep. Hinkle

**Closing by Sponsor:**

11:45:57 Rep. Hinkle

**ADJOURNMENT**

Adjournment: 11:52 AM

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Jacelyn Sterling, Secretary

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Additional Documents:

**EXHIBIT([jus56aad.pdf](#))**