

MINUTES

MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Keith Regier, on April 7, 2021 at 8:00 AM, in Room 303 Capitol

ROLL CALL

Members Present on the Committee Room:

Sen. Keith Regier, Chair (R)
Sen. Tom McGillvray, Vice Chair (R)
Sen. Diane Sands, Vice Chair (D)
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. 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: SR 95, 3/30/2021; HB 519, 3/30/2021; HB 537, 3/30/2021; HB 578, 3/30/2021

Executive Action: SR 95 Be Adopted as Amended; HB 509 Be Concurred In as Amended; HB 337 Be Concurred In

- 08:00:24 Sen. Manzella entered the meeting.
- 08:00:46 Chair Regier
- 08:01:29 Chair Regier gave the duties of the Chair over to Vice Chair McGillvray.
- 08:01:40 Sen. Friedel entered the meeting.

HEARING ON SR 95

Opening Statement by Sponsor:

- 08:01:45 Sen. Keith Regier (R), SD 3, opened the hearing on SR95, Confirm Governor's appointees to the Board of Crime Control.

Proponents' Testimony:

- 08:03:12 Shantelle Gaynor, appointee
[EXHIBIT\(jus66a01\)](#)
- 08:05:15 Kaydee Snipes Ruiz, appointee
[EXHIBIT\(jus66a02\)](#)
- 08:07:58 Liane Taylor, Governor's Office (GOV)
08:09:26 Wyatt English, appointee
[EXHIBIT\(jus66a03\)](#)
- 08:11:11 Rhonda Lindquist, appointee
08:12:00 Leo Dutton, appointee
[EXHIBIT\(jus66a04\)](#)
- 08:14:07 Meaghan Mulchay, appointee
[EXHIBIT\(jus66a05\)](#)
- 08:15:52 Attorney General Austin Knudsen, appointee
08:17:03 Amy Tenney, appointee
[EXHIBIT\(jus66a06\)](#)
- 08:19:02 Michael Sanders, appointee
[EXHIBIT\(jus66a07\)](#)
- 08:21:28 Nanette Gilbertson, Montana County Attorneys' Association; Montana Sheriffs and Peace Officers Association
08:23:53 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence

Opponents' Testimony: None

Informational Testimony:

- 08:25:55 Natalia Bowser, Crime Control Bureau chief, Montana Board of Crime Control (MBCC)
[EXHIBIT\(jus66a08\)](#)

Additional Testimony Received:

[EXHIBIT\(jus66a09\)](#)

Questions from Committee Members and Responses:

08:26:48 Sen. Bennett
08:27:12 Sen. Regier
08:27:27 Ms. Bowser, MBCC
08:27:46 Ms. Taylor, GOV
08:29:40 Sen. Bennett
08:29:56 Ms. Taylor
08:30:45 Sen. Sands
08:31:25 Ms. Taylor
08:32:17 Sen. Sands
08:33:18 Sen. Esp

08:33:20 Sen. Hinebauch left the meeting.

08:33:40 Ms. Bowser

Closing by Sponsor:

08:34:19 Sen. Regier

08:34:35 Sen. Regier resumed the duties of the chair.

EXECUTIVE ACTION ON SR 95

Discussion:

08:34:46 Sen. Sands
08:34:55 Chair Regier
08:35:09 Sen. McGillvray
08:35:43 Chair Regier
08:36:10 Julianne Burkhardt, Legislative Services Division

08:36:24 **Motion:** Sen. McGillvray moved that **SR 95 BE ADOPTED.**

08:36:33 **Motion/Vote:** Sen. McGillvray moved that **SR 95 BE AMENDED.** Motion carried unanimously by voice vote. Sen. Hinebauch voted by proxy.

[EXHIBIT\(jus66a10\)](#)

08:37:01 **Motion/Vote:** Sen. McGillvray moved that **SR 95 BE ADOPTED AS AMENDED.** Motion carried unanimously by voice vote. Sen. Hinebauch voted by proxy.

08:40:35 Recess
08:45:55 Reconvened

HEARING ON HB 578

Opening Statement by Sponsor:

08:46:21 Rep. Terry Moore (R), HD 54, opened the hearing on HB578, Revise laws related to commitment of defendants.

Proponents' Testimony:

08:47:42 Chris Kukulski, city administrator, Billings

08:49:42 Nanette Gilbertson, Montana Sheriffs and Peace Officers Association (MSPOA);
Montana County Attorneys' Association (MCAA)

08:51:37 Sen. Hinebauch returned to the meeting.

08:52:04 Amy Grmoljez, Montana League of Cities of Towns (MLCT); Billings Chamber of
Commerce

08:53:51 Dan Ellison, Jefferson County

Additional Testimony Received:

[EXHIBIT\(jus66a11\)](#)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

08:54:58 Sen. McGillvray

08:55:42 Ms. Gilbertson, MCAA, MSPOA

08:56:59 Sen. McGillvray

08:57:50 Rep. Moore

08:58:44 Sen. Esp

08:59:22 Rep. Moore

09:00:00 Sen. Esp

09:00:29 Ms. Gilbertson

09:00:53 Sen. Sands

09:01:09 Rep. Moore

09:01:47 Chair Regier

09:01:54 Rep. Moore

09:02:03 Chair Regier

09:02:12 Ms. Grmoljez, MLCT

09:03:18 Chair Regier

09:03:24 Sen. Webber

09:04:12 Mr. Kukulski, City of Billings

09:05:13 Sen. Webber

09:05:22 Mr. Kukulski

09:05:44 Sen. Gross

09:06:29 Ms. Gilbertson

09:07:19 Chair Regier

09:08:28 Ms. Gilbertson

Closing by Sponsor:

09:08:53 Rep. Moore

HEARING ON HB 519**Opening Statement by Sponsor:**

09:09:46 Rep. Katie Zolnikov (R), HD 45, opened the hearing on HB519, Revise laws regarding parenting time.

Proponents' Testimony:

09:17:16 Nevada Thompson, citizen
09:22:09 Rep. Jane Gillette, HD 64

Opponents' Testimony:

09:25:41 John Larson, senior judge, Missoula
09:28:05 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence
09:29:42 Ryan Alane Phelan, Missoula

[EXHIBIT\(jus66a12\)](#)

09:37:17 Dr. Sarah Baxter, Hamilton

[EXHIBIT\(jus66a13\)](#)

09:41:53 Robin Turner, Ries Law Firm, Missoula

[EXHIBIT\(jus66a14\)](#)

09:47:28 Amy Lord, Lord Law, Missoula

[EXHIBIT\(jus66a15\)](#)

09:52:24 Gail Goheen, Goheen Law, Corvallis

[EXHIBIT\(jus66a16\)](#)

09:55:53 Mars Scott, Missoula

[EXHIBIT\(jus66a17\)](#)

09:59:44 Lori Harshbarger, Harshbarger Law Firm, Whitehall

[EXHIBIT\(jus66a18\)](#)

Additional Testimony Received:

[EXHIBIT\(jus66a19\)](#)

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

10:03:54 Sen. Friedel
10:05:51 Ms. Goheen, Corvallis
10:06:16 Sen. Hinebauch
10:07:22 Ms. Phelan, Missoula
10:09:15 Sen. Hinebauch
10:09:40 Sen. Manzella
10:10:58 Ms. Goheen

Closing by Sponsor:

10:12:04 Rep. Zolnikov

10:20:53 Rep. Mercer
10:21:37 Chair Regier

10:22:08 Recess
10:43:40 Reconvened

Sen. Webber did not return to the meeting.

EXECUTIVE ACTION ON HB 337

10:44:06 **Motion:** Sen. McGillvray moved that **HB 337 BE CONCURRED IN.**

Discussion:

10:44:23 Sen. Sands
10:44:58 Chair Regier

10:45:10 **Vote:** Motion carried 7-4 by roll call vote with Sen. Bennett, Sen. Gross, Sen. Sands and Sen. Webber voting no. Sen. Webber voted by proxy. Sen. McGillvray will carry the bill.

EXECUTIVE ACTION ON HB 509

10:46:24 **Motion:** Sen. McGillvray moved that **HB 509 BE CONCURRED IN.**

Discussion:

10:46:38 Julianne Burkhardt, Legislative Services Division (LSD)
10:47:32 Chair Regier

10:48:00 Sen Webber returned to the meeting.

10:49:01 Ms. Burkhardt, LSD
10:50:06 Chair Regier

10:50:27 **Motion/Vote:** Sen. McGillvray moved that **HB 509 BE AMENDED.** Motion carried unanimously by voice vote.

EXHIBIT(jus66a20)

10:51:06 **Motion/Vote:** Sen. McGillvray moved that **HB 509 BE CONCURRED IN AS AMENDED.** Motion carried 10-1 by voice vote with Sen. Esp voting no. Sen. Friedel will carry the bill.

10:52:19 Recess
10:58:30 Reconvened

HEARING ON HB 537

Opening Statement by Sponsor:

10:58:41 Rep. Bill Mercer (R), HD 46, opened the hearing on HB537, Revise venue laws.

EXHIBIT(jus66a21)

Proponents' Testimony:

11:04:06 Alan Olson, executive director, Montana Petroleum Association (MPA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

11:05:51 Sen. Sands
11:06:33 Rep. Mercer
11:06:58 Sen. Friedel
11:10:34 Rep. Mercer
11:11:21 Sen. Hinebauch
11:11:46 Mr. Olson, MPA
11:11:54 Sen. Sands
11:17:48 Rep. Mercer
11:18:19 Sen. Sands
11:18:35 Chair Regier
11:18:40 Rep. Mercer

Closing by Sponsor:

11:18:53 Rep. Mercer

Committee Business:

11:20:00 Chair Regier
11:20:35 Sen. Sands
11:21:35 Chair Regier

ADJOURNMENT

Adjournment: 11:22 AM

Jacelyn Sterling, Secretary

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Additional Documents:

EXHIBIT([jus66aad.pdf](#))