

MINUTES

MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Keith Regier, on April 13, 2021 at 8:00 A.M., in Room 303 Capitol

ROLL CALL

Members Present:

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. Jen Gross (D)
Sen. Steve Hinebauch (R)
Sen. Theresa Manzella (R)
Sen. Susan Webber (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 641, 4/8/2021; HB 665, 4/8/2021; HB 520, 4/8/2021

Executive Action: HB 520 Be Concurred In; HB 641 Be Concurred In; HB 665 Be Concurred In; HB 602 Be Concurred In

HEARING ON HB 641**Opening Statement by Sponsor:**

08:01:37 Rep. Steve Gist (R), HD 25, opened the hearing on HB641, Revise search and rescue dog training laws.

Proponents' Testimony:

08:04:08 Scott Secor, Gallatin County Sheriff's Office Search and Rescue (SAR)

08:04:44 Sen. McGillvray entered the meeting.

08:07:15 Bonnie Whitman, Western Montana Search Dogs (WMSD)

08:09:46 Colette Daigle-Berg, WMSD

EXHIBIT(jus70a01)

08:12:26 Jim Anderson, captain, Gallatin County Sheriff's Office

08:14:12 Brain Thompson, Montana Sheriffs and Peace Officers Association

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

08:15:03 Sen. Sands
08:16:18 Ms. Whitman, WMSD
08:17:10 Sen. Sands
08:17:27 Chair Regier
08:18:32 Mr. Secor, Gallatin County SAR
08:18:40 Ms. Whitman
08:19:24 Chair Regier
08:23:01 Ms. Whitman
08:23:48 Chair Regier
08:25:56 Rep. Gist
08:26:07 Sen. Webber
08:27:05 Ms. Whitman
08:27:58 Sen. Webber
08:28:31 Mr. Secor
08:28:49 Sen. Manzella
08:30:52 Rep. Gist
08:32:38 Chair Regier
08:32:47 Rep. Gist
08:32:54 Chair Regier
08:33:13 Ms. Daigle-Berg, WMSD

Closing by Sponsor:

08:33:34 Rep. Gist

HEARING ON HB 665**Opening Statement by Sponsor:**

08:35:36 Rep. Brandon Ler (R), HD 35, opened the hearing on HB665, Generally revise criminal procedure law regarding booking photos and public info.

Proponents' Testimony:

08:37:38 Brian Thompson, Montana County Attorneys' Association

Opponents' Testimony:

08:39:09 Ronda Wiggers, Montana Broadcasters Association (MBA)

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

08:42:11 Sen. Sands
08:42:57 Rep. Ler
08:43:07 Chair Regier
08:43:22 Rep. Ler
08:43:35 Chair Regier
08:44:28 Ms. Wiggers, MBA
08:44:49 Sen. Bennett
08:46:04 Rep. Ler
08:46:11 Sen. Bennett

Closing by Sponsor:

08:46:48 Rep. Ler

HEARING ON HB 520**Opening Statement by Sponsor:**

08:47:42 Rep. Marilyn Marler (D), HD 90, opened the hearing on HB520, Generally revise laws related to sexual assault.

Proponents' Testimony:

08:50:06 Alan Doane, Department of Justice
08:50:37 Sam Forstag, American Civil Liberties Union Montana(ACLU)
08:51:18 Brian Thompson, Montana County Attorneys' Association (MCAA)
08:52:30 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence

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

08:53:50 Sen. Gross
08:54:17 Mr. Forstag, ACLU
08:54:51 Chair Regier
08:56:49 Mr. Thompson, MCAA

Closing by Sponsor:

08:57:14 Rep. Marler
08:57:40 Chair Regier
08:58:15 Recess
09:29:24 Reconvened

EXECUTIVE ACTION ON HB 602

09:29:45 **Motion:** Sen. McGillvray moved that **HB 602 BE CONCURRED IN.**

Discussion:

09:30:16 Sen. Bennett
09:30:37 Chair Regier
09:30:45 Julianne Burkhardt, Legislative Services Division (LSD)
09:31:05 Chair Regier
09:31:18 Ms. Burkhardt, LSD
09:31:51 Chair Regier

09:32:20 **Motion:** Sen. Bennett moved that **HB 602 BE CONCEPTUALLY AMENDED TO REMOVE LINES 16 AND 17.**

Discussion:

09:34:11 Chair Regier
09:34:41 Sen. McGillvray
09:35:00 Chair Regier

09:35:15 **Vote:** Motion failed 5-6 by roll call vote with Sen. Bennett, Sen. Friedel, Sen. Gross, Sen. Sands and Sen. Webber voting aye.

Discussion:

09:35:55 Sen. Sands
09:36:46 Chair Regier
09:36:50 Sen. Sands
09:37:01 Sen. Esp
09:37:15 Sen. Friedel
09:37:45 Sen. McGillvray

09:38:22 **Vote:** Motion carried 8-3 by roll call vote with Sen. Esp, Sen. Friedel and Sen. K. Regier voting no. Sen. McGillvray will carry the bill.

EXECUTIVE ACTION ON HB 641

09:39:36 **Motion/Vote:** Sen. McGillvray moved that **HB 641 BE CONCURRED IN.** Motion carried unanimously by voice vote. Sen. Brown will carry the bill.

EXECUTIVE ACTION ON HB 665

09:40:43 **Motion:** Sen. McGillvray moved that **HB 665 BE CONCURRED IN.**

Discussion:

09:40:52 Sen. Esp
09:41:20 Chair Regier
09:41:28 Sen. Hinebauch
09:42:25 Chair Regier
09:42:52 Sen. Esp
09:43:03 Sen. Bennett
09:43:42 Chair Regier
09:43:45 Sen. Bennett
09:43:51 Sen. McGillvray
09:44:01 Sen. Friedel

09:44:42 **Vote:** Motion carried 10-1 by roll call vote with Sen. Esp voting no. Sen. Hinebauch will carry the bill.

EXECUTIVE ACTION ON HB 520

09:45:48 **Motion:** Sen. McGillvray moved that **HB 520 BE CONCURRED IN.**

Discussion:

09:45:58 Sen. Sands

09:46:27 **Vote:** Motion carried unanimously by voice vote. Sen. Gross will carry the bill.

Committee Business:

09:46:47 Chair Regier
09:48:07 Sen. Hinebauch

ADJOURNMENT

Adjournment: 9:48 AM

Jacelyn Sterling, Secretary

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Additional Documents:

EXHIBIT([jus70aad.pdf](#))