

MINUTES

MONTANA HOUSE OF REPRESENTATIVES

67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Barry Usher, on February 24, 2021 at 7:00 A.M., in Room 137 Capitol

ROLL CALL

Members Present:

Rep. Barry Usher, Chair (R)
Rep. Kathy Kelker, Vice Chair (D)
Rep. Amy Regier, Vice Chair (R)
Rep. Seth Berglee (R)
Rep. Laurie Bishop (D)
Rep. Jennifer Carlson (R)
Rep. Robert Farris-Olsen (D)
Rep. Frank Fleming (R)
Rep. Tom France (D)
Rep. Jane Gillette (R)
Rep. Donavon Hawk (D)
Rep. Jedediah Hinkle (R)
Rep. Bob Phalen (R)
Rep. Derek Skees (R)
Rep. Ed Stafman (D)
Rep. Mallerie Stromswold (R)
Rep. Danny Tenenbaum (D)

Members Excused:

Rep. Dennis R. Lenz (R)
Rep. Brandon Ler (R)

Members Absent: None

Staff Present:

Lydia Balian, Committee Secretary
Rachel Weiss, Legislative Branch
Hallie Swain, 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 584, 2/23/2021; HB 578, 2/23/2021; HB 559, 2/23/2021; HB 480, 2/23/2021; HB 391, 2/23/2021; HB 553, 2/23/2021; HB 481, 2/23/2021; HB 560, 2/23/2021; HJ 13, 2/23/2021; HB 581, 2/23/2021; HB 555, 2/23/2021; HB 557, 2/23/2021; HB 591, 2/23/2021; HB 592, 2/23/2021; HB 596, 2/23/2021; HB 552, 2/23/2021

Executive Action on: HB 584; HB 578; HB 559; HB 480; HB 391; HB 553; HB 258; HB 555; HJ 13; HB 591; HB 592; HB 596; HB 581; HB 557

07:04:50 Chair Usher left the meeting.
07:05:05 Vice Chair Regier assumed the chair.

HEARING ON HB 584

Opening Statement by Sponsor:

07:05:19 Rep. Kerri Seekins-Crowe (R), HD 43, opened the hearing on HB 584, Requiring certain costs paid to detention center be based on actual costs.

Proponents' Testimony:

07:07:43 Nannette Gilbertson, Montana Sheriffs and Peace Officers Association (MSPOA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

07:08:58 Vice Chair Kelker
07:10:05 Rep. Seekins-Crowe
07:10:10 Rep. Skees and Rep. Phalen left the meeting.

Closing by Sponsor:

07:11:00 Rep. Seekins-Crowe

EXECUTIVE ACTION ON HB 584

07:12:06 Rep. Tenenbaum

Discussion:

07:12:24 Rep. Berglee

07:12:58 **Motion/Vote:** Rep. Berglee moved that **HB 584 DO PASS**. Motion carried 17-2 by voice vote with Rep. Bishop and Rep. Tenenbaum voting no. Rep. Lenz, Rep. Ler, Rep. Phalen, Rep. Skees and Rep. Usher voted by proxy.

Discussion:

07:13:44 Rep. Berglee
07:13:50 Rep. France
07:14:03 Rep. Tenenbaum
07:14:54 Rep. Hinkle

HEARING ON HB 578

Opening Statement by Sponsor:

07:15:57 Rep. Terry Moore (R), HD 54, opened the hearing on HB 578, Revise laws related to commitment of defendants.

Proponents' Testimony:

07:17:41 Aimee Grmoljez, City of Billings
07:20:07 Josh Racki, Montana County Attorneys' Association (MCAA)

07:21:39 Nanette Gilbertson, Montana Sheriffs and Peace Officers Association (MSPOA)
07:22:46 Dan Smith, Montana Police Protective Association (MPPA)
07:23:14 Chris Kukulski, self

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

07:25:08 Vice Chair Kelker
07:26:46 Nanette Gilbertson, MSPOA
07:27:28 Rep. Carlson
07:27:46 Rep. Gillette left the meeting.
07:27:59 Rep. Moore
07:28:23 Nanette Gilbertson, MSPOA
07:29:01 Aimee Grmoljez, City of Billings
07:29:20 Rep. Tenenbaum
07:30:00 Rep. Moore
07:30:43 Josh Racki, MCAA

Closing by Sponsor:

07:31:37 Rep. Moore

EXECUTIVE ACTION ON HB 578

07:32:26 **Motion:** Rep. Berglee moved that **HB 578 DO PASS.**

Discussion:

07:32:37 Rep. Fleming

07:33:37 **Vote:** Motion carried unanimously by voice vote. Rep. Gillette, Rep. Lenz, Rep. Ler, Rep. Phalen, Rep. Skees and Rep. Usher voted by proxy.

HEARING ON HB 559

Opening Statement by Sponsor:

07:34:20 Rep. Bill Mercer (R), HD 46, opened the hearing on HB 559, Revise requirements for dissemination of confidential criminal justice info.

07:34:27 Rep. J. Hinkle left the meeting.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

07:37:29 Vice Chair Kelker
07:37:36 Rep. Phalen, Rep. Gillette and Chair Usher rejoined the meeting.

07:39:57 Rep. Mercer
07:41:03 Rep. Farris-Olsen
07:41:31 Rep. Mercer

Closing by Sponsor:

07:43:13 Rep. Mercer

07:43:20 Rep. Ler joined the meeting.

EXECUTIVE ACTION ON HB 559

07:43:37 **Motion/Vote:** Rep. A. Regier moved that **HB 559 DO PASS**. Motion carried 18-1 by voice vote with Rep. Farris-Olsen voting no. Rep. J. Hinkle, Rep. Lenz and Rep. Skees voted by proxy.

HEARING ON HB 480

Opening Statement by Sponsor:

07:44:41 Rep. Bill Mercer (R), HD 46, opened the hearing on HB 480, Revise order of protection laws regarding incapacitated persons.

Proponents' Testimony:

07:47:45 Beth Brenneman, Disability Rights Montana (DRM)
07:49:34 Adrienne Cotton, American Association of Retired Persons (AARP)
07:50:57 Adrian Miller, self

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

07:54:16 Rep. Mercer

EXECUTIVE ACTION ON HB 480

07:54:39 **Motion/Vote:** Rep. A. Regier moved that **HB 480 DO PASS**. Motion carried unanimously by voice vote. Rep. J. Hinkle, Rep. Lenz, and Rep. Skees voted by proxy.

HEARING ON HB 391

Opening Statement by Sponsor:

07:55:49 Rep. Frank Fleming (R), HD 51, opened the hearing on HB 391, Revise and enhance penalties for criminal distribution of dangerous drugs.

Proponents' Testimony:

07:58:12 Cory Swanson, Montana County Attorneys' Association (MCAA)
08:01:43 Josh Racki, Montana County Attorneys' Association (MCAA)

08:03:52 Michelle Mitchell Devine, self
08:05:17 Rep. Gillette left the meeting.
08:06:35 Alan Doane, Montana Department of Justice (DOJ)
08:06:55 Shelby DeMars, Montana Police Protective Association (MPPA)
08:07:28 Scott Twito, Yellowstone County Attorney
08:07:58 Marty Lambert, Gallatin County Attorney

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

08:10:00 Rep. Phalen
08:10:03 Rep. J. Hinkle rejoined the meeting.
08:10:33 Cory Swanson, MCAA
08:11:28 Rep. Carlson
08:12:03 Marty Lambert, Gallatin County Attorney
08:13:00 Rep. Carlson
08:15:29 Josh Racki, MCAA
08:15:42 Rep. Stafman
08:18:31 Cory Swanson, MCAA
08:19:50 Rep. Tenenbaum
08:22:19 Rep. Fleming

Closing by Sponsor:

08:22:55 Rep. Fleming

EXECUTIVE ACTION ON HB 391

08:23:22 **Motion:** Rep. A. Regier moved that **HB 391 DO PASS.**

Discussion:

08:23:33 Rep. Stafman
08:24:32 Rep. France
08:25:28 Rep. Tenenbaum
08:26:54 Rep. Carlson

08:27:16 **Vote:** Motion carried 10-9 by roll call vote with Rep. Bishop, Rep. Carlson, Rep. Farris-Olsen, Rep. France, Rep. Hawk, Rep. Kelker, Rep. Stafman, Rep. Stromswold and Rep. Tenenbaum voting no. Rep. Gillette, Rep. Lenz and Rep. Skees voted by proxy.

HEARING ON HB 481

Opening Statement by Sponsor:

08:28:31 Rep. Steve Gunderson (R), HD 1, opened the hearing on HB 481, Protect critical infrastructure.

Proponents' Testimony:

08:30:36 Alan Olsen, Montana Petroleum Association (MPA)

08:32:02 Ryan Hall, Montana Electric Cooperatives Association (MECA)
08:33:09 Peggy Trenk, Treasure State Resources Association (TSRA)
08:34:32 Melissa Lewis, Charter Spectrum
08:35:11 Shelby DeMars, Montana Association of Oil, Gas, & Coal Counties
08:35:59 Laurie Shaw, Northwestern Energy

Opponents' Testimony:

08:39:04 Jestin Dupre, Fort Peck Tribes
08:39:54 Vice Chair Regier assumed the chair.
08:40:56 Adam Haight, Montana American Federation of Labor & Congress of Industrial Organizations (MTAFL-CIO)
08:41:19 Makenna Sellers, Northern Plains Resource Council (NPRC)
08:44:01 Sam Forstag, American Civil Liberties Union of Montana (ACLU)
08:46:04 Keaton Sunchild, Western Native Voice (WNV)
08:47:21 Jordan Thompson, Confederated Salish and Kootenai Tribes (CSKT)
08:47:49 Rep. Lenz joined the meeting.
08:48:01 Dalayah Killsback, Western Native Voice (WNV)
08:49:15 Whitner Chase, Montana Conservation Voters (MCV)
08:49:42 Dick Iversen, self
08:54:09 Pat Runs Through, self
08:57:29 Ta'jin Perez, self
09:00:02 Anne Ostby, self
09:01:48 Derf Johnson, Montana Environmental Information Center (MEIC)
09:05:23 Laurie Little Dog, self
09:07:13 Daniel Wenner, Fort Peck Tribes
09:09:01 Joan Kresich, Northern Plains Resource Council (NPRC)
09:11:50 Josh Butterfly, Opening Doors

Informational Testimony: None

Questions from Committee Members and Responses:

09:13:36 Rep. Tenenbaum
09:14:55 Rep. Gunderson
09:15:20 Rep. Berglee
09:16:47 Rep. Gillette rejoined the meeting.
09:19:11 Sam Forstag, ACLU
09:20:28 Rep. J. Hinkle
09:21:10 Rep. Skees joined the meeting.
09:23:07 Keaton Sunchild, WNV
09:23:35 Rep. Gunderson
09:24:20 Vice Chair Kelker
09:28:50 Derf Johnson, MEIC
09:30:19 Rep. Ler
09:31:25 Dick Iversen, self
09:32:13 Rep. Stafman
09:37:06 Sam Forstag, ACLU
09:37:20 Rep. Phalen

Closing by Sponsor:

09:37:56 Rep. Gunderson

09:41:08 Recess
09:53:26 Reconvened with Rep. Ler and Rep. Lenz excused.

HEARING ON HB 560

Opening Statement by Sponsor:

09:53:40 Rep. Steve Gunderson (R), HD 1, opened the hearing on HB 560, Establish the Montana second amendment preservation act.

Proponents' Testimony:

09:56:57 Garrett Bacon, self
09:58:03 Keith Kubista, self

Opponents' Testimony:

09:59:50 Amanda Curtis, Montana Federation of Public Employees (MFPE)

Informational Testimony: None

Questions from Committee Members and Responses:

10:03:13 Rep. Skees
10:04:27 Amanda Curtis, MFPE
10:04:51 Rep. Carlson
10:06:30 Rep. Gunderson
10:07:52 Vice Chair Kelker
10:08:54 Rep. Gunderson
10:10:48 Chair Usher
10:12:07 Rep. Ler joined the meeting.
10:12:46 Amanda Curtis, MFPE

Closing by Sponsor:

10:13:08 Rep. Gunderson

HEARING ON HB 553

Opening Statement by Sponsor:

10:14:58 Rep. Jimmy Patelis (R), HD 52, opened the hearing on HB 553, Limit time of suspended sentences for felony convictions.

Proponents' Testimony:

10:21:21 Sam Forstag, American Civil Liberties Union of Montana (ACLU)
10:22:09 SK Rossi, Montana Innocence Project (MTIP)
10:23:08 Zuri Moreno, Montana Budget & Policy Center (MBPC)
10:23:20 Vice Chair Regier left the meeting.

Opponents' Testimony:

10:24:48 Cory Swanson, Montana County Attorneys' Association (MCAA)
10:26:11 Chair Usher left the meeting.
10:26:23 Vice Chair Kelker assumed the chair.

Informational Testimony: None

Questions from Committee Members and Responses:

10:28:48 Rep. Carlson
10:28:57 Chair Usher and Vice Chair Regier rejoined the meeting.
10:30:27 Rep. Patelis
10:31:16 Vice Chair Kelker
10:31:50 Rep. Patelis
10:31:56 Rep. Lenz joined the meeting. Rep. Farris-Olsen left the meeting.

Closing by Sponsor:

10:35:05 Rep. Patelis

EXECUTIVE ACTION ON HB 553

10:37:19 **Motion:** Rep. A. Regier moved that **HB 553 DO PASS.**

Discussion:

10:37:29 Vice Chair Kelker
10:38:53 Rep. Fleming
10:40:38 Chair Usher

10:41:10 **Vote:** Motion carried unanimously by voice vote. Rep. Farris-Olsen voted by proxy.

EXECUTIVE ACTION ON HB 258

10:42:56 **Motion/Vote:** Rep. A. Regier moved that **HB 258 BE REMOVED FROM TABLE.** Motion carried without objection.

10:44:20 **Motion:** Rep. J. Hinkle moved to **RECONSIDER THE MOTION ON AMENDMENT HB258.1.1 AND AMENDMENT HB258.1.3 on HB 258.**

Discussion:

10:45:01 Chair Usher
10:45:51 Vice Chair Kelker

10:46:33 **Vote:** Motion carried 15-4 by voice vote with Rep. Farris-Olsen, Rep. Hawk, Rep. Kelker and Rep. Stafman voting no. Rep. Farris-Olsen voted by proxy.

10:47:06 **Motion:** Rep. J. Hinkle moved that **HB 258 BE AMENDED.**
[EXHIBIT\(juh39a01\)](#)

Discussion:

10:47:23 Rachel Weiss, Legislative Services Division (LSD)
10:48:32 Rep. J. Hinkle
10:50:26 Rep. France left the meeting.

10:48:47 **Vote:** Motion carried 12-7 by roll call vote with Rep. Bishop, Rep. Farris-Olsen, Rep. France, Rep. Hawk, Rep. Kelker, Rep. Stafman and Rep. Tenenbaum voting no. Rep. Farris-Olsen and Rep. France voted by proxy.

- 10:49:44 **Motion:** Rep. A. Regier moved that **HB 258 DO PASS AS AMENDED**.
- 10:49:50 Rep. France rejoined the meeting.
- 10:49:52 **Motion/Vote:** Rep. J. Hinkle moved that **HB 258 BE AMENDED**. Motion carried 12-7 by roll call vote with Rep. Bishop, Rep. Farris-Olsen, Rep. France, Rep. Hawk, Rep. Kelker, Rep. Stafman and Rep. Tenenbaum voting no. Rep. Farris-Olsen voted by proxy.

[EXHIBIT\(juh39a02\)](#)

- 10:52:14 **Motion:** Rep. A. Regier moved that **HB 258 DO PASS AS AMENDED**.

Discussion:

- 10:52:26 Rep. Carlson
- 10:52:40 Rep. Skees
- 10:52:56 Rep. Phalen
- 10:53:06 Chair Usher
- 10:53:34 Rep. France
- 10:55:15 **Vote:** Motion carried 12-7 by roll call vote with Rep. Bishop, Rep. Farris-Olsen, Rep. France, Rep. Hawk, Rep. Kelker, Rep. Stafman and Rep. Tenenbaum voting no. Rep. Farris-Olsen voted by proxy.

HEARING ON HJ 13

Opening Statement by Sponsor:

- 11:13:55 Rep. Neil Duram (R), HD 2, opened the hearing on HJ 13, Resolution for Article V US constitution convention of states.
- 11:14:09 Rep. Farris-Olsen rejoined the meeting.

Proponents' Testimony:

- 11:23:20 Sen. Molnar
- 11:27:06 Terry Kramer, self
- 11:32:49 Sen. McGillvray

[EXHIBIT\(juh39a03\)](#)

- 11:39:56 Clifford Sisko, self
- 11:41:19 Tracy Schuster, self

Opponents' Testimony:

- 11:45:29 Rep. Windy Boy
- 11:47:15 Ed Regan, Broadwater County Republican Central Committee
- 11:52:31 Rep. Phalen
- 11:53:14 Jim Buterbaugh, self
- 11:54:03 Cory O'Brian, self
- 11:55:29 Billy Ross, self
- 11:58:47 Wayne Rusk, self
- 12:01:39 Clare Parker, self
- 12:05:27 Curtis Hughes, self

12:08:42 Ed Dobrowski, self
12:09:29 Amel McEuan, self
12:13:59 Thomas Millett, self

Informational Testimony: None

Questions from Committee Members and Responses:

12:15:43 Rep. Gillette
12:16:36 Sen. McGillvray
12:18:14 Rep. J. Hinkle
12:24:25 Rep. Duram
12:25:08 Rep. Carlson
12:25:22 Rep. J. Hinkle
12:25:52 Rep. Carlson
12:27:44 Sen. McGillvray
12:28:54 Rep. Carlson
12:30:11 Rep. Skees
12:34:00 Rep. Duram
12:34:18 Rep. Skees
12:37:25 Sen. McGillvray
12:38:14 Chair Usher
12:40:02 Rep. Duram
12:41:08 Rep. Carlson
12:41:27 Rep. Ler
12:41:49 Rep. Duram

Closing by Sponsor:

12:42:07 Rep. Duram

12:46:36 Recess
15:02:30 Reconvened with Rep. Carlson, Rep. Berglee, Rep. Phalen, Rep. Lenz, Rep. Ler, Rep. France and Rep. Hawk excused.

HEARING ON HB 555

Opening Statement by Sponsor:

15:02:44 Rep. Matt Regier (R), HD 4, opened the hearing on HB 555, 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:

15:03:48 Rep. Regier

15:04:06 Rep. J. Hinkle

EXECUTIVE ACTION ON HB 555

15:04:56 **Motion/Vote:** Rep. A. Regier moved that **HB 555 DO PASS**. Motion carried unanimously by voice vote. Rep. Berglee, Rep. Carlson, Rep. France, Rep. Gillette, Rep. Hawk, Rep. Lenz, Rep. Ler and Rep. Phalen voted by proxy.

15:06:00 Rep. Phalen, Rep. Carlson and Rep. Hawk joined the meeting.

EXECUTIVE ACTION ON HJ 13

15:06:46 **Motion:** Rep. A. Regier moved that **HJ 13 DO PASS**.

Discussion:

15:06:59 Rep. J. Hinkle

15:08:40 Rep. Carlson

15:10:10 Rep. Skees

15:12:14 **Vote:** Motion failed 6-13 by roll call vote with Rep. Berglee, Rep. Carlson, Rep. Fleming, Rep. Lenz, Rep. A. Regier and Rep. Stromswold voting aye. Rep. Berglee, Rep. France, Rep. Gillette, Rep. Lenz and Rep. Ler voted by proxy.

15:13:21 **Motion/Vote:** Rep. A. Regier moved that **HJ 13 BE TABLED**. Motion carried without objection.

15:13:38 Rep. Carlson

15:14:05 Rep. Skees

HEARING ON HB 591

Opening Statement by Sponsor:

15:14:58 Rep. Joe Read (R), HD 93, opened the hearing on HB 591, Generally revise evidence laws.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor: None

HEARING ON HB 592

Opening Statement by Sponsor:

15:16:13 Rep. Joe Read (R), HD 93, opened the hearing on HB 592, Generally revise absolute liability laws.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor: None

HEARING ON HB 596

Opening Statement by Sponsor:

15:16:28 Rep. Joe Read (R), HD 93, opened the hearing on HB 596, Generally revise laws related to false arrest and imprisonment.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor: None

EXECUTIVE ACTION ON HB 591

15:17:02 **Motion/Vote:** Rep. A. Regier moved that **HB 591 BE TABLED**. Motion carried without objection.

EXECUTIVE ACTION ON HB 592

15:17:22 **Motion/Vote:** Rep. A. Regier moved that **HB 592 BE TABLED**. Motion carried without objection.

EXECUTIVE ACTION ON HB 596

15:17:39 **Motion/Vote:** Rep. A. Regier moved that **HB 596 BE TABLED**. Motion carried without objection.

15:18:06 Rachel Weiss, Legislative Service Division (LSD)

HEARING ON HB 581**Opening Statement by Sponsor:**

15:18:41 Rep. Robert Farris-Olsen (D), HD 79, opened the hearing on HB 581, Revise gun storage laws.

Proponents' Testimony:

15:21:57 Ione Young, Montana Moms Demand Action

Opponents' Testimony:

15:25:56 Garrett Bacon, self

15:25:59 Rep. Skees left the meeting.

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

15:27:53 Rep. J. Hinkle

15:29:59 Rep. Farris-Olsen

15:30:23 Chair Usher

15:30:51 Rep. Farris-Olsen

15:30:59 Rep. Tenenbaum left the meeting.

Closing by Sponsor:

15:31:42 Rep. Farris-Olsen

EXECUTIVE ACTION ON HB 581

15:32:21 **Motion:** Rep. A. Regier moved that **HB 581 DO PASS.**

Discussion:

15:32:26 Chair Usher

15:32:48 Rep. Bishop

15:34:42 Rep. Stromswold left the meeting.

15:35:02 Vice Chair Kelker

15:36:34 Rep. J. Hinkle

15:37:42 Chair Usher

15:38:37 **Vote:** Motion failed 7-12 by roll call vote with Rep. Bishop, Rep. Farris-Olsen, Rep. France, Rep. Hawk, Rep. Kelker, Rep. Stafman and Rep. Tenenbaum voting aye. Rep. Berglee, Rep. France, Rep. Gillette, Rep. Lenz, Rep. Ler, Rep. Skees, Rep. Stromswold and Rep. Tenenbaum voted by proxy.

15:40:38 **Motion/Vote:** Rep. A. Regier moved that **HB 581 BE TABLED.** Motion carried without objection.

HEARING ON HB 557**Opening Statement by Sponsor:**

15:41:06 Rep. Jonathan Windy Boy (D), HD 32, opened the hearing on HB 557, Revise missing person laws.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

15:46:21 Rep. Hawk
15:46:54 Rep. Windy Boy
15:47:30 Vice Chair Kelker
15:48:26 Rep. Stromswold rejoined the meeting.
15:48:52 Rep. Windy Boy
15:50:23 Rep. Hawk
15:51:13 Rep. Carlson

Closing by Sponsor:

15:51:55 Rep. Windy Boy

EXECUTIVE ACTION ON HB 557

15:52:21 **Motion:** Rep. A. Regier moved that **HB 557 DO PASS.**

Discussion:

15:52:44 Vice Chair Kelker
15:53:55 Rep. Carlson
15:54:29 Rep. Bishop
15:55:11 Rep. Hawk
15:55:45 Chair Usher
15:56:09 Rep. Fleming
15:56:00 Rep. Farris-Olsen left the meeting.
15:57:29 Rep. Phalen
15:57:41 Rep. Carlson
15:58:09 Chair Usher
15:58:25 Rep. Phalen and Rep. Gillette left the meeting.
15:58:34 Rep. Kelker

15:59:05 **Vote:** Motion failed unanimously by voice vote. Rep. Berglee, Rep. Farris-Olsen, Rep. France, Rep. Gillette, Rep. Lenz, Rep. Ler, Rep. Phalen, Rep. Skees and Rep. Tenenbaum voted by proxy.

15:59:52 **Motion/Vote:** Rep. A. Regier moved that **HB 557 BE TABLED.** Motion carried 10-0 by voice vote.

HEARING ON HB 552**Opening Statement by Sponsor:**

16:00:42 Rep. Ed Stafman (D), HD 62, opened the hearing on HB 552, Establish Montana racial justice act.

16:03:04 Chair Usher left the meeting.

16:03:11 Vice Chair Regier assumed the chair.

Proponents' Testimony:

16:07:02 Sam Forstag, American Civil Liberties Union of Montana (ACLU)

16:08:02 Keaton Sunchild, Western Native Voice (WNV)

16:08:25 Chair Usher rejoined the meeting.

16:09:46 Kelly Twoteeth, Indigenous Organizers Collective

16:10:09 Vice Chair Regier left the meeting.

16:10:52 Jasmine Krotkov, self

16:11:22 Rep. Carlson left the meeting.

16:13:27 Travis McAdam, Montana Human Rights Network (MHRN)

16:15:03 Myshell Lyday, Montana Association of Criminal Defense Lawyers

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

16:20:38 Rep. Hawk

16:21:22 Chair Usher

16:21:51 Rep. Hawk

16:22:11 Rep. Stafman

16:23:40 Vice Chair Kelker

16:26:33 Rep. Stafman

16:28:31 Rep. Fleming

16:30:11 Rep. Carlson rejoined the meeting.

16:33:02 Rep. Stafman

Closing by Sponsor:

16:33:51 Rep. Stafman

EXECUTIVE ACTION ON HB 552

16:37:48 **Motion:** Rep. A. Regier moved that **HB 552 DO PASS.**

Discussion:

16:37:55 Rep. Stafman

16:38:24 Rep. Ler left the meeting.

16:38:33 Vice Chair Regier rejoined the meeting.

16:38:48 Rep. Fleming

16:40:26 Vice Chair Kelker

16:41:34 Rep. Hawk

16:42:33 Rep. J. Hinkle

16:43:46 Rep. Bishop
16:45:19 Rep. Stafman
16:47:06 Chair Usher

16:48:21 **Vote:** Motion failed 7-12 by roll call vote with Rep. Bishop, Rep. Farris-Olsen, Rep. France, Rep. Hawk, Rep. Kelker, Rep. Stafman and Rep. Tenenbaum voting aye. Rep. Berglee, Rep. Farris-Olsen, Rep. France, Rep. Gillette, Rep. Lenz, Rep. Ler, Rep. Phalen, Rep. Skees and Rep. Tenenbaum voted by proxy.

16:49:17 **Motion/Vote:** Rep. A. Regier moved that **HB 552 BE TABLED**. Motion carried without objection.

EXECUTIVE ACTION ON HB 91

16:49:36 **Motion/Vote:** Rep. A. Regier moved that **HB 91 BE REMOVED FROM TABLE**. Motion carried without objection.

Discussion:

16:50:12 Rep. Stafman
16:50:53 Vice Chair Kelker
16:51:58 Rachel Weiss, Legislative Services Division (LSD)

EXHIBIT(juh39a04)

16:56:56 **Motion:** Rep. A. Regier moved that **HB 91 BE AMENDED**.
EXHIBIT(juh39a05)

Discussion:

16:57:24 Vice Chair Kelker
16:57:56 Chair Usher
16:59:13 Rep. Stafman left the meeting. Rep. Farris Olsen rejoined the meeting.

16:58:13 **Vote:** Motion carried unanimously by voice vote. Rep. Berglee, Rep. France, Rep. Gillette, Rep. Lenz, Rep. Ler, Rep. Phalen, Rep. Skees, Rep. Stafman and Rep. Tenenbaum voted by proxy.

16:59:32 **Motion/Vote:** Rep. A. Regier moved that **HB 91 DO PASS AS AMENDED**. Motion carried unanimously by voice vote. Rep. Berglee, Rep. France, Rep. Gillette, Rep. Lenz, Rep. Ler, Rep. Phalen, Rep. Skees, Rep. Stafman and Rep. Tenenbaum voted by proxy.

EXECUTIVE ACTION ON HB 333

17:00:36 **Motion:** Rep. Kelker moved to **RECONSIDER THE MOTION** on **HB 333**.

17:00:55 **Motion/Vote:** Rep. A. Regier moved that **HB 333 BE REMOVED FROM TABLE**. Motion carried without objection.

17:01:11 **Motion/Vote:** Rep. A. Regier moved that **HB 333 DO PASS AS AMENDED**.
Motion carried 14-5 by roll call vote with Rep. Berglee, Rep. Carlson, Rep. J. Hinkle, Rep. Ler and Rep. Stromswold voting no. Rep. Berglee, Rep. France, Rep. Gillette, Rep. Lenz, Rep. Ler, Rep. Phalen, Rep. Skees, Rep. Stafman and Rep. Tenenbaum voted by proxy.

17:06:44 Rachel Weiss, LSD

ADJOURNMENT

Adjournment: 17:12:01

Lydia Balian, Secretary

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Additional Documents:

EXHIBIT([juh39aad.pdf](#))