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:

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

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


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

HEARING ON HB 578

Opening Statement by Sponsor:

Proponents' Testimony:
07:17:41 Aimee Grmoljez, City of Billings
07:20:07 Josh Racki, Montana County Attorneys' Association (MCAA)
Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:
07:25:08 Vice Chair Kelker
07:26:46 Nanette Gilbertson, MSPOA
07:27:46 Rep. Gillette left the meeting.
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:

EXECUTIVE ACTION ON HB 578

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

Discussion:
07:32:37 Rep. Fleming


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
EXECUTIVE ACTION ON HB 559


HEARING ON HB 480

Opening Statement by Sponsor:

Proponents' Testimony:
07:47:45 Beth Brenneman, Disability Rights Montana (DRM)
07:49:34 Adrianne 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


HEARING ON HB 391

Opening Statement by Sponsor:

Proponents' Testimony:
07:58:12 Cory Swanson, Montana County Attorneys' Association (MCAA)
08:01:43 Josh Racki, Montana County Attorneys' Association (MCAA)
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 Marty Lambert, Gallatin County Attorney
08:12:03 Rep. Carlson
08:13:00 Marty Lambert, Gallatin County Attorney
08:15:29 Josh Racki, MCAA
08:15:42 Rep. Stafman
08:18:31 Cory Swanson, MCAA
08:19:50 Rep. Tenenbaum

Closing by Sponsor:

EXECUTIVE ACTION ON HB 391

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


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 Daliyah 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 Rep. 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
09:24:20 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

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 Garett 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:**

HEARING ON HB 553

**Opening Statement by Sponsor:**

**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:
10:28:57 Chair Usher and Vice Chair Regier rejoined the meeting.
10:30:27 Rep. Patelis
10:31:16 Vice Chair Kelker

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
10:40:38 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.


Discussion:
10:45:01 Chair Usher
10:45:11 Vice Chair Kelker


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)
10:50:26 Rep. France left the meeting.

10:49:44  **Motion:** Rep. A. Regier moved that **HB 258 DO PASS AS AMENDED.**

10:49:50  Rep. France rejoined the meeting.


**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


**HEARING ON HJ 13**

**Opening Statement by Sponsor:**

11:14:09  Rep. Farris-Olsen rejoined the meeting.

**Proponents' Testimony:**
- 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
- 11:53:14  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:
12:16:36 Sen. McGillvray
12:27:44 Sen. McGillvray
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:
12:46:36 Recess

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
EXECUTIVE ACTION ON HB 555


EXECUTIVE ACTION ON HJ 13

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


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

HEARING ON HB 591

Opening Statement by Sponsor:
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:

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:

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:

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:
15:30:23 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
15:34:42 Rep. Stromswold left the meeting.
15:35:02 Vice Chair Kelker
15:36:34 Rep. J. Hinkle
15:37:42 Chair Usher

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

HEARING ON HB 557

Opening Statement by Sponsor:
Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:
15:46:54 Rep. Windy Boy
15:47:30 Vice Chair Kelker

Closing by Sponsor:

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
15:55:45 Chair Usher
15:56:09 Rep. Fleming
15:56:00 Rep. Farris-Olsen left the meeting.
15:58:09 Chair Usher
15:58:34 Rep. Kelker


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
16:23:40 Vice Chair Kelker
16:26:33 Rep. Stafman
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:
16:38:24 Rep. Ler left the meeting.
16:38:33 Vice Chair Regier rejoined the meeting.
16:40:26 Vice Chair Kelker
16:41:34 Rep. Hawk
16:43:46 Rep. Bishop
16:45:19 Rep. Stafman
16:47:06 Chair Usher


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


**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.

17:06:44 Rachel Weiss, LSD
ADJOURNMENT

Adjournment:  17:12:01

________________________________
Lydia Balian, Secretary

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Additional Documents:

EXHIBIT(juh39aad.pdf)