

MINUTES

MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Keith Regier, on February 9, 2017 at 9:00 AM, in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Keith Regier, Chair (R)
Sen. Jennifer Fielder, Vice Chair (R)
Sen. Carlie Boland (D)
Sen. Jen Gross (D)
Sen. Steve Hinebauch (R)
Sen. Jedediah Hinkle (R)
Sen. Margaret (Margie) MacDonald (D)
Sen. Diane Sands (D)
Sen. Chas Vincent (R)

Members Excused: Sen. Scott Sales (R)
Sen. Nels Swandal (R)

Members Absent: None

Staff Present: Julianne Burkhardt, Legislative Branch
Pam Schindler, 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: SB 174, 2/1/2017; SB 175, 2/1/2017; SB 176, 2/3/2017; SB 177, 2/3/2017
Executive Action: HB 202-Be Concurred In, HB 237-Be Concurred In
HB 246-Be Concurred In, SB 147-Tabled

HEARING ON SB 174**Opening Statement by Sponsor:**

00:01:22 Sen. Roger Webb (R), SD 23, opened the hearing on SB 174, Revise laws related to landlord-tenant disputes.

Proponents' Testimony:

00:02:46 John Sinrud, Montana Landlords Association (MLA)
00:09:57 Sen. Webb
00:10:09 Rickey Linafelter, president, Montana Landlords Association
00:10:44 Taylor Oldroyd, Montana Association of Realtors

Opponents' Testimony:

00:11:14 Dillon Ecord, Associated Students, Montana State University
00:12:13 Amy Hall, Montana Legal Services Association (MLSA)

EXHIBIT(jus29a01)

00:35:44 Abigail Belcher, Associated Students, University of Montana (ASUM)
00:37:19 Tucker Finley, Montana Public Interest Research Group
00:37:51 Klaus Sitte, attorney; also for Associated Students, University of Montana
00:41:05 Mary O'Malley, director, off-campus Renter Center, Associated Students, University of Montana

Informational Testimony:

None

Questions from Committee Members and Responses:

00:43:12 Sen. Hinkle
00:44:36 Ms. Hall, MLSA
00:47:24 Sen. Vincent
00:48:04 Sen. Webb
00:48:13 Mr. Sinrud, MLA
00:51:08 Sen. Gross
00:51:23 Mr. Sinrud
00:51:29 Sen. Hinkle
00:52:15 Mr. Sinrud
00:58:19 Sen. MacDonald
00:59:18 Ms. Hall
01:00:44 Sen. Gross
01:01:29 Ms. Hall
01:05:30 Sen. Fielder
01:06:09 Ms. Belcher, ASUM

Closing by Sponsor:

01:07:02 Sen. Webb

HEARING ON SB 175

Opening Statement by Sponsor:

01:13:27 Sen. Roger Webb (R), SD 23, opened the hearing on SB 175, Generally revise landlord and tenant laws.

Proponents' Testimony:

01:16:30 John Sinrud, Montana Landlords Association
01:18:51 Rickey Linafelter, president, Montana Landlords Association
01:19:17 Taylor Oldroyd, Montana Association of Realtors

Opponents' Testimony:

01:19:39 Amy Hall, Montana Legal Services Association (MLSA)
[EXHIBIT\(jus29a02\)](#)
01:32:29 Klaus Sitte, attorney; also for Associated Students, University of Montana
01:33:58 Dillon Ecord, Associated Students, Montana State University
01:34:43 Tucker Finley, Montana Public Interest Research Group
01:35:07 Abigail Belcher, Associated Students, University of Montana
01:36:17 Mary O'Malley, director, off-campus Renter Center, Associated Students, University of Montana
01:37:41 Rep. Mike Hopkins HD 92, Missoula

Informational Testimony:

None

Questions from Committee Members and Responses:

01:38:50 Sen. Fielder
01:39:09 Sen. Webb
01:40:31 Sen. Vincent
01:41:10 Sen. Webb
01:46:57 Sen. Gross
01:47:52 Ms. Hall, MLSA
01:49:28 Sen. MacDonald
01:50:04 Ms. Hall

Closing by Sponsor:

01:51:36 Sen. Webb

HEARING ON SB 176

Opening Statement by Sponsor:

01:54:00 Sen. Roger Webb (R), SD 23, opened the hearing on SB 176, Revise requirements for landlord to access and maintain premises.

Proponents' Testimony:

01:54:53 John Sinrud, Montana Landlords Association
01:57:00 Rickey Linafelter, president, Montana Landlords Association
01:57:23 Taylor Oldroyd, Montana Association of Realtors

Opponents' Testimony:

01:57:41 Amy Hall, Montana Legal Services Association
[EXHIBIT\(jus29a03\)](#)
02:00:22 Klaus Sitte, attorney; also for Associated Students, University of Montana
02:02:02 Dillon Ecord, Associated Students, Montana State University
02:02:42 Mary O'Malley, director, off-campus Renter Center, Associated Students, University of Montana (ASUM)
02:05:23 Abigail Belcher, Associated Students, University of Montana

Informational Testimony:

None

Questions from Committee Members and Responses:

02:05:53 Sen. Sands
02:06:42 Ms. O'Malley, ASUM
02:08:44 Sen. Sands
02:08:54 Sen. Webb

Closing by Sponsor:

02:11:36 Sen. Webb

HEARING ON SB 177

Opening Statement by Sponsor:

02:15:38 Sen. Roger Webb (R), SD 23, opened the hearing on SB 177, Revise authority of self-governing local governments.

Proponents' Testimony:

02:16:18 John Sinrud, Montana Landlords Association
02:17:38 Rickey Linafelter, president, Montana Landlords Association

Opponents' Testimony:

02:18:32 Klaus Sitte, attorney; also for Associated Students, University of Montana

Informational Testimony:

None

Questions from Committee Members and Responses:

None

Closing by Sponsor:

02:19:11 Sen. Webb
02:19:53 Brief Recess
02:30:10 Reconvene

EXECUTIVE ACTION ON HB 202

02:30:34 **Motion:** Sen. Fielder moved that **HB 202 BE CONCURRED IN.**

Discussion:

02:31:02 Sen. Fielder
02:31:37 Sen. MacDonald
02:33:08 Sen. Sands
02:34:18 Chairman Regier

02:34:34 **Vote:** Motion carried 7-4 by roll call vote with Sen. Boland, Sen. Gross, Sen. MacDonald and Sen. Sands voting no. Sen. S. Sales and Sen. Swandal voted by proxy. Sen. Regier will carry the bill.

EXECUTIVE ACTION ON HB 237

02:35:42 **Motion:** Sen. Fielder moved that **HB 237 BE CONCURRED IN.**

Discussion:

02:35:58 Sen. Sands
02:37:07 Sen. Fielder
02:37:55 Sen. Sands

02:38:29 **Vote:** Motion carried 8-3 by roll call vote with Sen. Hinebauch, Sen. S. Sales and Sen. Vincent voting no. Sen. S. Sales and Sen. Swandal voted by proxy. Sen. Sands will carry the bill.

EXECUTIVE ACTION ON SB 147

02:39:20 **Motion:** Sen. Sands moved that **SB 147 DO PASS.**

02:39:43 **Motion/Vote:** Sen. Sands moved that **SB 147 BE AMENDED.** Motion carried unanimously by voice vote. Sen. S. Sales and Sen. Swandal voted by proxy.

EXHIBIT(jus29a04)

02:41:05 **Motion:** Sen. Sands moved that **SB 147 DO PASS AS AMENDED.**

Discussion:

02:41:24 Sen. Hinkle
02:41:47 Sen. Sands
02:45:15 Sen. Vincent
02:47:10 Chairman Regier
02:47:39 Sen. Sands

02:49:14 **Vote:** Motion failed 4-7 by roll call vote with Sen. Boland, Sen. Gross, Sen. MacDonald and Sen. Sands voting aye. Sen. S. Sales and Sen. Swandal voted by proxy.

Motion/Vote: Sen. Fielder moved that **SB 147 BE TABLED AND THE VOTE REVERSED.** Without objection, motion carried by voice vote. Sen. S. Sales and Sen. Swandal voted by proxy.

EXECUTIVE ACTION ON HB 246

02:50:19 **Motion:** Sen. Fielder moved that **HB 246 BE CONCURRED IN.**

Discussion:

02:50:42 Sen. Gross
02:51:53 Sen. Fielder
02:53:20 Sen. MacDonald
02:54:20 Sen. Hinkle
02:55:19 Chairman Regier

02:56:30 **Vote:** Motion carried 7-4 by roll call vote with Sen. Boland, Sen. Gross, Sen. MacDonald and Sen. Sands voting no. Sen. S. Sales and Sen. Swandal voted by proxy. Sen. Fielder will carry the bill.

ADJOURNMENT

Adjournment: 11:58 A.M.

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT([jus29aad.pdf](#))