

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Amy Regier, on February 18, 2021 at 8:00 AM, in Room 137
Capitol

ROLL CALL

Members Present:

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. Donavon Hawk (D)
Rep. Jedediah Hinkle (R)
Rep. Dennis R. Lenz (R)
Rep. Bob Phalen (R)
Rep. Derek Skees (R)
Rep. Ed Stafman (D)
Rep. Mallerie Stromswold (R)
Rep. Danny Tenenbaum (D)

Members Excused:

Rep. Barry Usher, Chair (R)
Rep. Tom France (D)
Rep. Jane Gillette (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 333, 2/12/2021; HB 368, 2/12/2021; HB 401, 2/12/2021; HB 402, 2/12/2021; HB 428, 2/12/2021

HEARING ON HB 428**Opening Statement by Sponsor:**

08:03:35 Rep. Bill Mercer (R), HD 46, opened the hearing on HB 428, Generally revise civil liability laws related to state and local government.

Proponents' Testimony: None

Opponents' Testimony:

08:07:17 Kelly Lynch, Montana League of Cities and Towns (MLCT)

08:07:18 Rep. France joined the meeting.

Informational Testimony: None

Questions from Committee Members and Responses:

08:10:20 Vice Chair Kelker

08:11:03 Rep. Mercer

08:12:20 Rep. Tenenbaum

08:14:06 Rep. Usher joined the meeting.

08:15:33 Rep. Mercer

08:16:45 Rep. Stafman

08:17:28 Rep. Usher

08:18:01 Rep. Stafman

08:18:24 Rep. Mercer

08:19:29 Rep. Farris-Olsen

08:24:30 Rep. Mercer

08:24:59 Rep. Tenenbaum

08:25:19 Rep. Mercer

Closing by Sponsor:

08:26:01 Rep. Mercer

08:28:08 Rep. Usher assumed the chair.

HEARING ON HB 401**Opening Statement by Sponsor:**

08:28:30 Rep. Steven Galloway (R), HD 24, opened the hearing on HB 401, Revising property rental laws.

Proponents' Testimony:

08:30:26 John Sinrud, Montana Landlords Association (MLA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

08:33:07 Vice Chair Kelker
08:35:23 Rep. Galloway
08:37:15 John Sinrud, MLA
08:37:30 Rep. Ler joined the meeting.
08:37:53 Rep. Tenenbaum
08:40:50 John Sinrud, MLA

Closing by Sponsor:

08:41:18 Rep. Galloway

HEARING ON HB 402**Opening Statement by Sponsor:**

08:41:55 Rep. Steven Galloway (R), HD 24, opened the hearing on HB 402, Generally revise property rental laws.

Proponents' Testimony:

08:45:03 John Sinrud, Montana Landlords Association (MLA)

Opponents' Testimony:

08:50:54 Kempenaar Pahre, self
08:52:05 Katjana Stutzer, Montana Public Interest Research Group (MontPIRG)
08:56:32 Rachel Schmidt, Associated Students of Montana State University (ASMSU)
08:59:38 Rep. Carlson
09:00:48 Rachel Schmidt, ASMSU
09:01:07 Chair Usher
09:03:57 Rachel Schmidt, ASMSU
09:04:06 Rep. J. Hinkle
09:04:34 Rachel Schmidt, ASMSU
09:05:10 Chair Usher
09:05:29 Rachel Schmidt, ASMSU
09:06:18 Rep. Stafman
09:06:49 Rachel Schmidt, ASMSU
09:07:22 Jack Rinck, Associated Students of the University of Montana (ASUM)
09:08:42 Allison Reinhartd, Montana Associated Students (MAS)

Informational Testimony: None

Questions from Committee Members and Responses:

09:10:29 Rep. Gillette
09:11:02 Rep. Galloway
09:11:18 John Sinrud, MLA
09:13:53 Vice Chair Kelker
09:14:35 Jack Rinck, ASUM
09:15:42 Rep. Tenenbaum
09:21:54 John Sindrud, MLA
09:22:28 Rep. Galloway
09:23:09 Rep. Tenenbaum
09:23:25 Rep. Galloway

09:25:20 Rep. Berglee
09:31:10 John Sinrud, MLA
09:33:08 Rep. J. Hinkle
09:33:53 John Sinrud, MLA
09:35:42 Vice Chair Kelker
09:36:41 John Sinrud, MLA
09:37:52 Chair Usher
09:38:45 Vice Chair Kelker
09:39:11 John Sinrud, MLA
09:41:39 Chair Usher
09:42:15 Jack Rinck, ASUM
09:42:20 Rep. Lenz and Rep. Gillette joined the meeting.

Closing by Sponsor:

09:44:00 Rep. Galloway

09:48:29 Brief Recess
10:01:25 Reconvened with Vice Chair Regier as chair.

HEARING ON HB 333**Opening Statement by Sponsor:**

10:01:32 Rep. Barry Usher (R), HD 40, opened the hearing on HB 333, Generally revise laws related to sexual and violent offenders.

[EXHIBIT\(juh34a01\)](#)

Proponents' Testimony:

10:03:54 Shelby DeMars, Montana Police Protective Association (MPPA)
10:04:59 Matthew Saylor, Montana Police Protective Association (MPPA)
10:05:55 Nanette Gilbertson, Montana County Attorney's Association (MCAA); Montana Sheriffs and Peace Officers Association (MSPOA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

10:07:30 Rep. J. Hinkle
10:08:25 Nanette Gilbertson, MCAA; MSPOA
10:09:08 Rachel Weiss, Legislative Services Division (LSD)
10:10:34 Rep. J. Hinkle

Closing by Sponsor:

10:11:43 Rep. Usher

10:13:44 Rep. Usher resumed the chair.

HEARING ON HB 368

Opening Statement by Sponsor:

10:14:07 Rep. Sharon Greef (R), HD 88, opened the hearing on HB 368, Adopt Uniform Premarital and Marital Agreements Act.

Proponents' Testimony:

10:17:35 Jacqueline Lenmark, Uniform Law Commission
10:21:42 Ryan Phelan, State Bar of Montana Family Law Section
10:29:11 Gail Goheen, State Bar of Montana Family Law Section
10:34:27 Amy Lord, State Bar of Montana Family Law Section
10:37:19 Mars Scott, State Bar of Montana Family Law Section

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

10:41:09 Rep. Carlson
10:42:37 Amy Lord, State Bar of Montana Family Law Section
10:43:46 Rep. Bishop
10:44:42 Jacqueline Lenmark, Uniform Law Commission
10:45:38 Rep. Greef
10:45:58 Rep. Tenenbaum
10:48:34 Gail Goheen, State Bar of Montana Family Law Section
10:49:05 Rep. Gillette
10:49:42 Mars Scott, State Bar of Montana Family Law Section

Closing by Sponsor:

10:50:52 Rep. Greef

10:51:24 Chair Usher
10:52:53 Rep. Bishop
10:53:45 Rep. Tenenbaum
10:55:35 Chair Usher
10:58:25 Rachel Weiss, LSD

ADJOURNMENT

Adjournment: 10:59:12

Lydia Balian, Secretary

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Additional Documents:

EXHIBIT([juh34aad.pdf](#))