

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Barry Usher, on February 23, 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. Dennis R. Lenz (R)
Rep. Bob Phalen (R)
Rep. Derek Skees (R)
Rep. Ed Stafman (D)

Members Excused:

Rep. Jedediah Hinkle (R)
Rep. Brandon Ler (R)
Rep. Mallerie Stromswold (R)
Rep. Danny Tenenbaum (D)

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 335, 2/22/2021; HB 390, 2/22/2021; HB 406, 2/22/2021; HB 415, 2/22/2021; HB 458, 2/22/2021; HB 472, 2/22/2021; HB 479, 2/22/2021; HB 520, 2/22/2021; HB 533, 2/22/2021; HB 537, 2/22/2021; HB 539, 2/22/2021; HB 541, 2/22/2021; HB 544, 2/22/2021; HB 546, 2/22/2021; HJ 12, 2/22/2021

Executive Action on: HB 415; HB 546; HB 520; HB 458; HB 335; HB 390; HB 544; HB 406; HB 533; HB 539

07:04:00 Rep. Skees
07:05:04 Rep. Ler and Rep. J. Hinkle joined the meeting.
07:05:13 Rep. Skees and Rep. Berglee left the meeting.

HEARING ON HB 546

Opening Statement by Sponsor:

07:06:20 Rep. Andrea Olsen (D), HD 100, opened the hearing on HB 546, Revise civil actions for constitutional rights violations.

Proponents' Testimony:

07:08:46 Steve Cape, Montana Coalition for Safety and Justice
07:09:42 Al Smith, Montana Trial Lawyers Association (MTLA)

Opponents' Testimony:

07:14:15 Marty Lambert, Montana County Attorneys' Association (MCAA)
07:18:16 Brian Thompson, Montana Sheriff's and Peace Officers Association (MSPOA);
Montana Municipal Interlocal Authority (MMIA)
07:19:51 Shelby DeMars, Montana Police Protective Association (MPPA)
07:20:45 Kelly Lynch, Montana League of Cities and Towns (MLCT)

Informational Testimony: None

Questions from Committee Members and Responses:

07:22:17 Rep. Carlson
07:22:54 Marty Lambert, MCAA
07:24:01 Vice Chair Kelker
07:25:02 Brian Thompson, MSPOA; MMIA
07:25:24 Rep. J. Hinkle
07:29:18 Rep. Olsen
07:31:29 Rep. Stafman
07:33:57 Al Smith, MTLA

Closing by Sponsor:

07:34:49 Rep. Olsen

HEARING ON HB 415

Opening Statement by Sponsor:

07:38:03 Rep. Jennifer Carlson (R), HD 69, opened the hearing on HB 415, Prohibit discrimination based on vaccination status.

Proponents' Testimony:

07:45:10 Brooke Carlson, self
[EXHIBIT\(juh38a01\)](#)
07:46:41 Justina Merja, self
07:47:52 Rebecca Schwartz, self
07:48:36 Jeff Laszloffy, Montana Family Foundation (MFF)
07:49:22 Susie Benjamin, self

07:49:56 Carolyn Truscott, self
 07:51:26 Donna Elford, self
 07:52:32 Garrett Bacon, self
 07:53:08 Heather Richards, self
 07:53:35 Chair Usher left the meeting.
 07:53:44 Vice Chair Regier assumed the chair.
 07:55:54 Lori Robinson, self
 07:56:44 Wade McAlpine, self
 07:57:50 Holly Russell, self
 07:57:53 Rep. Stromswold joined the meeting.
 07:58:20 Maria Wyrock, Montanans for Vaccine Choice (MTVC)

EXHIBIT(juh38a02)

08:01:34 Amanda Gallagher, self
 08:02:43 Denise Johnson, self
 08:03:45 Chair Usher rejoined the meeting.
 08:03:14 Charlotte Sanborn, self
 08:04:42 Macy Johnson, self
 08:06:27 Jamie Kidd, self
 08:08:11 Linnea Higgins, self
 08:10:05 Anna Shchemelinin, self
 08:12:17 Therese Frank, self
 08:15:44 Joseph Flaherty, self
 08:16:58 Steve Cape, Montana Coalition for Safety and Justice
 08:18:42 Rep. Berlgee rejoined the meeting.
 08:19:47 Dolores Stiner, self
 08:20:06 Jessica Kirkendall, self
 08:21:09 Tammy McCartney, self
 08:21:47 Rachel Burrignt, self
 08:22:09 Robyn Mohs, self
 08:22:33 Jessica Fruitman, self
 08:23:10 Lacy Berg, self
 08:24:11 Phillip Berg, self

Opponents' Testimony:

08:25:06 Stacey Anderson, Montana Primary Care Association (MPCA)
 08:25:48 Heather O'Hara, Montana Hospital Association (MHA)
 08:28:01 Nanette Gilbertson, Montana Advocates for Children (MAC)
 08:29:36 Keaton Sunchild, Western Native Voice (WNV)
 08:30:54 Linda Beischel, Montana Public Health Association (MPHA)
 08:33:34 Dr. Shelly Harkins, St. Peters Health
 08:35:31 Tori Sproles, self
 08:37:35 Sheryl Hutzenbiler, self
 08:40:39 Brandi Thomas, self
 08:42:38 Stephanie Morton, Healthy Mothers Healthy Babies
 08:43:39 Marian Kummer, Montana Chapter of the American Academy of Pediatrics (AAP)
 08:44:40 Rep. Skees rejoined the meeting. Rep Lenz left the meeting.

Informational Testimony: None

Questions from Committee Members and Responses:

08:47:19 Rep. Phalen
08:47:42 Rep. Carlson
08:48:02 Vice Chair Kelker
08:50:27 Marian Kummer, AAP
08:51:09 Rep. Ler
08:51:41 Rep. Carlson
08:52:46 Rep. J. Hinkle
08:53:27 Nanette Gilbertson, MAC
08:53:55 Rep. Gillette
08:55:02 Rep. Carlson
08:55:50 Vice Chair Kelker
09:00:46 Rep. Carlson
09:02:13 Rep. Bishop
09:03:56 Nanette Gilbertson, MAC
09:04:16 Rep. Skees
09:04:50 Heather O'Hara, Montana Hospital Association (MHA)
09:05:09 Rep. J. Hinkle
09:07:46 Maria Wyrock, MTVC
09:10:47 Chair Usher
09:11:27 Rep. Carlson

Closing by Sponsor:

09:11:36 Rep. Carlson

EXECUTIVE ACTION ON HB 415

09:15:07 **Motion:** Rep. A. Regier moved that **HB 415 DO PASS.**

Discussion:

09:15:20 Rep. J. Hinkle
09:15:27 Rep. Bishop
09:15:48 Rep. Skees

09:15:58 **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. Lenz and Rep. Tenenbaum voted by proxy.

EXECUTIVE ACTION ON HB 546

09:17:04 **Motion:** Rep. A. Regier moved that **HB 546 DO PASS.**

09:17:17 **Substitute Motion/Vote:** Rep. J. Hinkle made a substitute motion that **HB 546 BE TABLED.** Substitute Motion carried 15-4 by roll call vote with Rep. Bishop, Rep. Farris-Olsen, Rep. Stafman and Rep. Tenenbaum voting no. Rep. Lenz and Rep. Tenenbaum voted by proxy.

09:19:11 Rep. Stafman

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

09:20:21 Rep. Marilyn Marler (D), HD 90, opened the hearing on HB 520, Generally revise laws related to sexual assault.

EXHIBIT(juh38a03)

Proponents' Testimony:

09:23:58 Sam Forstag, American Civil Liberties Union of Montana (ACLU)
09:24:40 Nanette Gilbertson, Montana County Attorneys' Association (MCAA)
09:25:25 Chair Usher left the meeting.
09:25:50 Vice Chair Regier assumed the chair.
09:26:03 Sydney Barry, Montana Coalition Against Domestic and Sexual Violence (MCADSV)
09:26:55 Kimberly Dudik, self
09:27:04 Chair Usher rejoined the meeting. Rep Gillette left the meeting.
09:28:49 Stephanie Baucus, Yellowstone County Area Human Trafficking Task Force

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

09:31:44 Rep. Skees
09:32:41 Kimberly Dudik, self
09:34:23 Nanette Gilbertson, MCAA
09:35:27 Rep. Skees
09:35:43 Kimberly Dudik, self
09:36:16 Chair Usher
09:37:05 Nanette Gilbertson, MCAA

Closing by Sponsor:

09:38:17 Rep. Marler

EXECUTIVE ACTION ON HB 520

09:39:40 **Motion:** Rep. A. Regier moved that **HB 520 DO PASS.**

09:40:03 **Motion:** Rep. Kelker moved that **HB 520 BE AMENDED.**

EXHIBIT(juh38a04)

Discussion:

09:40:25 Rep. Skees
09:40:51 Rep. Carlson
09:40:57 Rep. Lenz rejoined the meeting.
09:41:16 Vice Chair Kelker

09:41:40 **Vote:** Motion carried 18-1 by roll call vote with Rep. Lenz voting no. Rep. Gillette and Rep. Tenenbaum voted by proxy.

09:42:37 **Motion:** Rep. A. Regier moved that **HB 520 DO PASS AS AMENDED**.

Discussion:

09:42:50 Rep. Skees
09:44:25 Rep. Stromswold
09:44:46 Rep. Bishop

09:45:53 **Vote:** Motion carried 10-9 by roll call vote with Rep. Berglee, Rep. Gillette, Rep. J. Hinkle, Rep. Lenz, Rep. Ler, Rep. Phalen, Rep. A. Regier, Rep. Skees and Rep. Usher voting no. Rep. Gillette and Rep. Tenenbaum voted by proxy.

HEARING ON HB 537

Opening Statement by Sponsor:

09:47:27 Rep. Bill Mercer (R), HD 46, opened the hearing on HB 537, Revise venue laws.
[EXHIBIT\(juh38a05\)](#)

09:51:40 Rep. Gillette rejoined the meeting.

Proponents' Testimony:

09:54:50 Shelby DeMars, United Property Owners of Montana (UPOM)
09:56:46 Alan Olson, Montana Petroleum Association (MPA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

09:57:53 Vice Chair Kelker
10:04:38 Rep. Mercer
10:06:44 Rep. France
10:09:54 Rep. Mercer

Closing by Sponsor:

10:11:05 Rep. Mercer

HEARING ON HB 458

Opening Statement by Sponsor:

10:12:45 Rep. Ed Stafman (D), HD 62, opened the hearing on HB 458, Revise crime of impersonation of a public servant.

[EXHIBIT\(juh38a06\)](#)

[EXHIBIT\(juh38a07\)](#)

Proponents' Testimony:

10:18:17 Travis McAdam, Montana Human Rights Network

Opponents' Testimony:

10:21:00 Steve Cape, Montana Coalition for Safety and Justice

[EXHIBIT\(juh38a08\)](#)

Informational Testimony:

10:24:46 Major Mike Talia, Montana National Guard
10:24:50 Rep. Carlson left the meeting.

Questions from Committee Members and Responses:

10:25:14 Rep. Skees
10:26:45 Major Mike Talia, Montana National Guard
10:27:56 Chair Usher
10:28:08 Major Mike Talia, Montana National Guard
10:28:21 Rep. Skees
10:28:48 Major Mike Talian, Montana National Guard
10:30:07 Vice Chair Kelker
10:30:43 Rep. Stafman
10:33:04 Rep. Berglee
10:34:15 Major Mike Talia, Montana National Guard
10:35:35 Rep. Phalen
10:36:30 Travis McAdam, Montana Human Rights Network

Closing by Sponsor:

10:39:09 Rep. Stafman

EXECUTIVE ACTION ON HB 458

10:42:03 **Motion:** Rep. A. Regier moved that **HB 458 DO PASS.**

Discussion:

10:42:14 Rep. Skees
10:43:05 Rep. Hawk left the meeting.

10:43:43 **Substitute Motion/Vote:** Rep. Skees made a substitute motion that **HB 458 BE TABLED.** Substitute 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. Carlson, Rep. Hawk and Rep. Tenenbaum voted by proxy.

10:45:12 Recess
10:56:13 Reconvened with Rep. Tenenbaum, Rep. Carlson, and Rep. Hawk present.

HEARING ON HB 335**Opening Statement by Sponsor:**

10:56:44 Rep. Ed Stafman (D), HD 62, opened the hearing on HB 335, Repeal death penalty.

[EXHIBIT\(juh38a09\)](#)

Proponents' Testimony:

11:02:19 Matt Brower, Montana Catholic Conference

[EXHIBIT\(juh38a10\)](#)

11:06:02 Sam Forstag, American Civil Liberties Union of Montana (ACLU)

11:08:23 Reverend Sue DeBree, self
[EXHIBIT\(juh38a11\)](#)

11:11:31 Robert Filipovich, self
[EXHIBIT\(juh38a12\)](#)

11:15:10 Shannon Sweeney, Montana Association of Criminal Death Lawyers (MTACDL)
11:18:54 Rabbi Laurie Franklin, Montana Association of Rabbis
[EXHIBIT\(juh38a13\)](#)

11:20:13 Kari Hong, self
11:22:33 Amy Sings In The Timber, Montana Innocence Project (MTIP)
11:27:46 Sydney Barry, Montana Coalition Against Domestic and Sexual Violence (MCADSV)
11:28:33 Dr. Michael Redelet, self
11:32:11 Travis McAdam, Montana Human Rights Network
11:33:16 Alisha Rapkock, self
11:37:28 Sarah Clark, self

Opponents' Testimony:

11:41:01 Marty Lambert, self
11:45:55 Jeff Laszloffy, self
11:49:19 Cory Swanson, self

Informational Testimony:

11:54:36 Brian Smith, Office of the State Public Defender (OPD)

Questions from Committee Members and Responses:

11:54:53 Vice Chair Kelker
11:56:50 Brian Smith, OPD
11:57:47 Rep. Skees
11:58:23 Jeff Laszloffy, self
12:01:19 Vice Chair Kelker
12:01:43 Brian Smith, OPD
12:05:05 Alisha Rapkock, self
12:06:32 Rep. Bishop
12:08:13 Alisha Rapkock, self

Closing by Sponsor:

12:11:32 Rep Stafman

EXECUTIVE ACTION ON HB 335

12:18:28 **Motion:** Rep. A. Regier moved that **HB 335 DO PASS.**

12:18:45 **Substitute Motion/Vote:** Rep. Lenz made a substitute motion that **HB 335 BE TABLED.** Substitute Motion carried 11-8 by roll call vote with Rep. Bishop, Rep.

Farris-Olsen, Rep. France, Rep. Hawk, Rep. Kelker, Rep. Stafman, Rep. Stromswold and Rep. Tenenbaum voting no.

12:23:02 Chair Usher left the meeting.
12:22:36 Vice Chair Regier assumed the chair.

HEARING ON HB 479

Opening Statement by Sponsor:

12:23:17 Rep. Katie Sullivan (D), HD 89, opened the hearing on HB 479, Revise laws related to third party data privacy.

EXHIBIT(juh38a14)

Proponents' Testimony:

12:27:05 Daniel Zolnikov, self
12:29:32 Kendall Cotton, Frontier Institute
12:30:03 Chair Usher rejoined the meeting.
12:32:07 Katjana Stutzer, Montana Public Interest Research Group (MontPIRG)
12:34:23 Henry Kriegel, Americans for Prosperity

Opponents' Testimony:

12:35:37 Patrick Moody, Montana Department of Justice (DOJ)
12:39:52 Brian Thompson, Montana Sheriffs and Peace Officers Association (MSPOA);
Montana County Attorneys' Association (MCAA)
12:42:55 Dan Smith, Montana Police Protective Association (MPPA)
12:44:12 Jeff Feiss, self

Informational Testimony: None

Questions from Committee Members and Responses:

12:45:22 Rep. Stafman
12:46:02 Rep. Sullivan

Closing by Sponsor:

12:46:34 Rep. Sullivan

12:49:35 Recess
15:02:17 Reconvened with Rep. Berglee, Rep. Tenenbaum, Rep. Farris-Olsen, Rep. Lenz, Rep. Gillette, Rep. France, Rep. J. Hinkle and Rep. Ler excused.

HEARING ON HB 390

Opening Statement by Sponsor:

15:02:21 Rep. Katie Sullivan (D), HD 89, opened the hearing on HB 390, Generally revise laws related to agricultural equipment repair.

Proponents' Testimony:

15:07:39 John Semple, Montana Grain Growers Association (MGGA)

15:08:51 Walter Schweitzer, Montana Farmers Union
15:11:14 Kim Mangold, Montana Farmers Union
15:13:09 Will Downs, self
15:15:41 Sarah Rachor, Farmers Union

Opponents' Testimony:

15:17:53 Brad Griffin, Montana Equipment Dealers Association (MEDA)
15:20:30 Adam Gilberston, Montana Equipment Dealers Association (MEDA)

EXHIBIT(juh38a15)

15:23:24 Brion Torgerson, Torgerson's LLC
15:26:14 Scott Reichner, Montana Auto Dealers Association (MTADA)

Informational Testimony: None

Questions from Committee Members and Responses:

15:27:01 Chair Usher
15:30:40 Adam Gilbertson, MEDA
15:30:50 Rep. Berglee and Rep. Tenenbaum joined the meeting.

Closing by Sponsor:

15:32:00 Rep. Sullivan

EXECUTIVE ACTION ON HB 390

15:35:59 **Motion:** Rep. A. Regier moved that **HB 390 DO PASS.**

Discussion:

15:36:28 Rep. Phalen
15:37:21 Chair Usher

15:38:11 **Vote:** Motion failed 7-12 by roll call vote with Rep. Bishop, Rep. Carlson, Rep. Farris-Olsen, Rep. France, Rep. Hawk, Rep. Stafman and Rep. Tenenbaum voting aye. Rep. Farris-Olsen, Rep. France, Rep. Gillette, Rep. J. Hinkle, Rep. Lenz and Rep. Ler voted by proxy.

15:39:38 **Motion/Vote:** Rep. A. Regier moved that **HB 390 BE TABLED.** Motion carried without objection.

HEARING ON HB 544

Opening Statement by Sponsor:

15:40:02 Rep. Katie Sullivan (D), HD 89, opened the hearing on HB 544, Generally revise trademark law and procedure.

Proponents' Testimony:

15:44:46 Sarah Rhoades, self
15:46:59 Martin Rogers, self

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

15:49:36 Rep. Hawk
15:50:26 Rep. Sullivan
15:51:06 Rep. Carlson
15:52:19 Rep. Sullivan
15:53:02 Chair Usher
15:53:17 Rep. Sullivan
15:53:50 Martin Rogers, self
15:54:05 Chair Usher
15:54:23 Rep. Sullivan

Closing by Sponsor:

15:55:50 Rep. Sullivan

EXECUTIVE ACTION ON HB 544

15:56:55 **Motion:** Rep. A. Regier moved that **HB 544 DO PASS.**

Discussion:

15:57:07 Rep. Carlson
15:57:42 Vice Chair Kelker
15:58:28 Rep. Berglee
15:59:00 Rep. Hawk

16:00:37 **Vote:** Motion carried 13-0 by voice vote.

HEARING ON HB 472

Opening Statement by Sponsor:

16:01:06 Rep. Matt Regier (R), HD 4, opened the hearing on HB 472, Revise liability under the consumer protection act.

Proponents' Testimony:

16:03:42 Dave Galt, Montana Chamber of Commerce
[EXHIBIT\(juh38a16\)](#)

Opponents' Testimony:

16:05:14 Al Smith, Montana Trial Lawyers Association (MTLA)
16:05:20 Rep. Hawk left the meeting.

Informational Testimony: None

Questions from Committee Members and Responses:

16:06:54 Rep. Phalen
16:07:26 Rep. Matt Regier
16:08:03 Rep. Skees
16:08:16 Rep. Matt Regier

Closing by Sponsor:

16:08:35 Rep. Matt Regier

EXECUTIVE ACTION ON HB 472

16:09:24 **Motion/Vote:** Rep. A. Regier moved that **HB 472 DO PASS**. Motion carried 13-6 by roll call vote with Rep. Bishop, Rep. Farris-Olsen, Rep. France, Rep. Hawk, Rep. Stafman and Rep. Tenenbaum voting no. Rep. Farris-Olsen, Rep. France, Rep. Gillette, Rep. Hawk, Rep. J. Hinkle, Rep. Lenz and Rep. Ler voted by proxy.

HEARING ON HB 406**Opening Statement by Sponsor:**

16:11:04 Rep. Mark Noland (R), HD 10, opened the hearing on HB 406, Revise absentee and mail ballot laws.

Proponents' Testimony: None**Opponents' Testimony:**

16:15:35 Jaime MacNaughton, Commissioner of Political Practices (COPP)
 16:20:27 Allison Reinhardt, Montana Associated Students (MAS)
 16:21:22 Rachel Schmidt, Associated Students of Montana State University (ASMSU)
 16:23:13 Keaton Sunchild, Western Native Voice (WNV)
 16:25:26 Katjana Stutzer, Montana Public Interest Research Group (MontPIRG)
 16:27:42 Sam Forstag, American Civil Liberties Union of Montana (ACLU)

EXHIBIT(juh38a17)

16:30:32 Jordan Thompson, Confederated Salish and Kootenai Tribes (CSKT)
 16:31:04 Shantil Siaperas, Montana Association of Counties (MACo)
 16:32:05 Kelly Twoteeth, Montana Native Vote (MNV)
 16:33:30 Rep. Hawk rejoined the meeting.
 16:33:46 Daliyah Killsback, Western Native Voice (WNV)
 16:35:33 Ruthie Barbour, Forward Montana
 16:37:47 Ella Smith, Montana Women Vote (MWV)
 16:38:46 Rep. Ler rejoined the meeting.
 16:39:06 Regina Plettenberg, Montana Association of Clerks and Records and Election Administrators (MCRA)
 16:41:53 Alanna Wulf, Big Sky 55+
 16:42:50 Andy Werk Jr, Fort Belknap Indian Community
 16:44:58 Vice Chair Regier left the meeting.
 16:45:55 Rep. France joined the meeting.
 16:46:39 Joan Kresich, self
 16:49:17 Danielle Vazquez, self
 16:50:21 Margaret Bentwood, League of Women Voters of Montana

Informational Testimony:

16:52:41 Dana Corson, Secretary of State's Office (SOS)

Questions from Committee Members and Responses:

16:53:07 Rep. Hawk
16:54:44 Keaton Sunchild, WNV
16:55:00 Rep. Carlson
16:58:06 Rep. Noland
16:59:04 Rep. Tenenbaum
16:59:57 Rep. Noland
17:00:53 Vice Chair Kelker
17:01:34 Jaime MacNaughton, COPP
17:02:30 Regina Plettenberg, MCRA
17:03:22 Rep. Bishop
17:04:51 Sam Forstag, ACLU
17:06:08 Rep. Stromswold
17:06:43 Rep. Noland
17:07:26 Rep. Skees
17:08:13 Dana Corson, SOS
17:08:38 Rep. Skees
17:08:48 Rep. Noland
17:10:34 Rep. Skees
17:11:04 Ella Smith, MWV
17:11:18 Chair Usher
17:11:31 Rep. Noland
17:11:56 Dana Corson, SOS

Closing by Sponsor:

17:12:43 Rep. Noland

EXECUTIVE ACTION ON HB 406

17:17:49 **Motion:** Rep. Berglee moved that **HB 406 DO PASS.**

17:17:57 **Substitute Motion/Vote:** Rep. Kelker made a substitute motion that **HB 406 BE TABLED.** Substitute 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. Gillette, Rep. J. Hinkle, Rep. Lenz and Rep. A. Regier voted by proxy.

17:19:16 Rep. Carlson
17:19:31 Rep. Stafman
17:20:18 Rep. Skees
17:21:26 Rep. Tenenbaum
17:21:50 Chair Usher
17:21:55 Rep. J. Hinkle joined the meeting.

17:22:23 **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. Gillette, Rep. Lenz and Rep. A. Regier voted by proxy.

HEARING ON HB 533

Opening Statement by Sponsor:

17:24:42 Rep. Emma Kerr-Carpenter (D), HD 49, opened the hearing on HB 533, Revise laws related to how security deposits are paid to landlords.

Proponents' Testimony:

17:27:40 Katjana Stutzer, Montana Public Interest Research Group (MontPIRG)
17:29:34 Rachel Schmidt, Associated Students of Montana State University
17:29:50 Chair Usher left the meeting.
17:29:59 Rep. Skees assumed the chair.
17:30:44 Jack Rinck, Associated Students of the University of Montana (ASUM)
17:32:15 Allison Reinhardt, Montana Associated Students (MAS)

Opponents' Testimony:

17:33:13 John Sinrud, Montana Landlord Association (MLA)
17:34:28 Chair Usher rejoined the meeting.
17:35:49 Steve Skinner, self
17:37:33 Rep. Tenenbaum and Rep. Hawk left the meeting.

Informational Testimony: None

Questions from Committee Members and Responses:

17:39:38 Rep. Skees
17:41:24 Rep. Kerr-Carpenter

Closing by Sponsor:

17:41:46 Rep. Kerr-Carpenter

EXECUTIVE ACTION ON HB 533

17:42:16 **Motion:** Rep. Berglee moved that **HB 533 DO PASS**.

17:42:25 **Substitute Motion/Vote:** Rep. Ler made a substitute motion that **HB 533 BE TABLED**. Substitute 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, Rep. Gillette, Rep. Hawk, Rep. Lenz, Rep. A. Regier and Rep. Tenenbaum voted by proxy.

17:45:02 Rep. Berglee assumed the chair.

HEARING ON HB 539**Opening Statement by Sponsor:**

17:45:24 Rep. Barry Usher (R), HD 40, opened the hearing on HB 539, Generally revise laws related to county attorneys.

Proponents' Testimony:

17:47:04 Scott Twito, Montana County Attorneys' Association (MCAA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

17:54:47 Vice Chair Kelker

Closing by Sponsor:

17:55:14 Rep. Usher

EXECUTIVE ACTION ON HB 539

17:57:27 **Motion:** Rep. Berglee moved that **HB 539 DO PASS.**

Discussion:

17:57:39 Vice Chair Kelker

17:58:26 **Vote:** Motion carried unanimously by voice vote. Rep. Gillette, Rep. Hawk, Rep. Lenz, Rep. Ler, Rep. A. Regier and Rep. Tenenbaum voted by proxy.

HEARING ON HB 541

Opening Statement by Sponsor:

17:59:45 Rep. Steven Galloway (R), HD 24, opened the hearing on HB 541, Generally revise landlord and tenant laws.

Proponents' Testimony:

18:03:04 John Sinrud, Montana Landlord Association (MLA)

18:03:49 Vice Chair Regier rejoined the meeting.

18:06:31 Steve Skinner, self

Opponents' Testimony:

18:08:04 Katjana Stutzer, Montana Public Interest Research Group (MontPIRG)

Informational Testimony: None

Questions from Committee Members and Responses:

18:10:45 Vice Chair Kelker

18:13:57 Rep. Lenz joined the meeting.

18:14:51 John Sinrud, MLA

18:15:22 Rep. Stafman

18:16:38 John Sinrud, MLA

18:17:14 Rep. Carlson

18:18:51 Rep. Galloway

18:20:07 Rep. Stafman and Rep. Ler left the meeting.

Closing by Sponsor:

18:20:17 Rep. Galloway

EXECUTIVE ACTION ON HB 541

18:22:14 **Motion:** Rep. A. Regier moved that **HB 541 DO PASS**.

Discussion:

18:22:26 Rep. France

18:23:17 **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. Hawk, Rep. Ler, Rep. Stafman and Rep. Tenenbaum voted by proxy.

HEARING ON HJ 12

Opening Statement by Sponsor:

18:25:00 Rep. Mary Ann Dunwell (D), HD 84, opened the hearing on HJ 12, Resolution that white supremacist neo-nazi violence is domestic terrorism.

Proponents' Testimony:

18:28:48 Dennison Rivera, self
18:31:43 Rep. Skees
18:31:58 Rep. J. Hinkle
18:32:11 Chair Usher
18:33:00 Kimberly Dudik, self
18:34:33 Travis McAdam, Montana Human Rights Network (MHRN)
18:36:10 Donna Williams, self
18:36:56 Rep. Carlson left the meeting.
18:37:36 Lucretia Humphry, self
18:39:45 Rabbi Laurie Franklin, Montana Association of Rabbis

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

18:43:15 Vice Chair Regier
18:43:38 Rep. Dunwell
18:44:36 Rep. Skees
18:45:52 Rep. Dunwell
18:46:52 Chair Usher
18:47:23 Rep. Skees
18:49:51 Rep. Dunwell
18:51:07 Rep. Lenz left the meeting.
18:51:30 Rep. Bishop
18:52:12 Travis McAdam, MHRN
18:55:19 Rep. Berglee
18:55:43 Rep. Dunwell
18:56:33 Rep. Skees
18:58:50 Travis McAdam, MHRN
19:00:06 Rep. J. Hinkle
19:04:27 Rep. Dunwell
19:05:04 Chair Usher

Closing by Sponsor: None

EXECUTIVE ACTION ON HJ 12

19:06:19 **Motion:** Rep. A. Regier moved that **HJ 12 DO PASS.**

19:06:28

Phalen sub motion to table, passes 12-7

19:07:57 Chair Usher

19:08:50 Rep. Farris-Olsen

19:10:00 Chair Usher

19:11:15 Rep. Phalen

ADJOURNMENT

Adjournment: 19:12:09

Lydia Balian, Secretary

lb

Additional Documents:

EXHIBIT([juh38aad.pdf](#))