

## MINUTES

### MONTANA SENATE 67th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON JUDICIARY

**Call to Order:** Chair Keith Regier, on March 11, 2021 at 9:00 AM, in Room 303 Capitol

#### ROLL CALL

**Members Present in the Committee Room:**

Sen. Keith Regier, Chair (R)  
Sen. Tom McGillvray, Vice Chair (R)  
Sen. Bryce Bennett (D)  
Sen. Bob Brown (R)  
Sen. John Esp (R)  
Sen. Chris Friedel (R)  
Sen. Jen Gross (D)  
Sen. Steve Hinebauch (R)  
Sen. Theresa Manzella (R)

**Members Present by Zoom Video Conference:**

Sen. Diane Sands, Vice Chair (D)  
Sen. Susan Webber (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Julianne Burkhardt, Legislative Branch  
Taylor Tyson, Remote Meeting Coordinator  
Jacelyn Sterling, 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: HB 115, 3/8/2021; HB 430, 3/8/2021; HB 401, 3/8/2021; HB 402, 3/8/2021; HB 541, 3/8/2021

**HEARING ON HB 115****Opening Statement by Sponsor:**

09:02:15 Rep. Bill Mercer (R), HD 46, opened the hearing on HB115, Increase penalties for 5th and subsequent DUI.

**Proponents' Testimony:**

09:04:36 Scott Twito, Yellowstone County; Montana County Attorney's Association (MCAA)  
09:11:27 Corey Swanson, County Attorney's Association  
09:17:04 Nanette Gilbertson, Montana Sheriffs and Peace Officers Association; also speaking on behalf of Jessie Luther, Montana Troopers Association  
09:18:02 Dan Smith, Montana Police Protective Association  
09:19:05 Mike Yakawich, deputy mayor, City of Billings

**Opponents' Testimony:**

09:19:59 David Herbst, Americans for Prosperity Montana (AFP)  
09:23:33 Sam Forstag, American Civil Liberties Union (ACLU)

**Informational Testimony:**

09:25:44 Megan Coy, bureau chief, Department of Corrections

**Questions from Committee Members and Responses:**

09:25:56 Sen. Esp  
09:26:18 Mr. Forstag, ACLU  
09:26:35 Sen. Esp  
09:26:42 Chair Regier  
09:26:50 Mr. Herbst, AFP  
09:27:10 Chair Regier  
09:27:20 Sen. Gross  
09:32:26 Rep. Mercer  
09:34:35 Sen. Gross  
09:34:51 Chair Regier  
09:35:04 Rep. Mercer

**Closing by Sponsor:**

09:35:39 Rep. Mercer

**HEARING ON HB 430****Opening Statement by Sponsor:**

09:36:21 Rep. Kathy Whitman (R), HD 96, opened the hearing on HB430, Revise landlord tenant laws during emergency.

**Proponents' Testimony:**

09:38:12 John Sinrud, Montana Landlords Association (MLA)

**Opponents' Testimony:**

09:41:29 Jack Rinck, Associated Students of the University of Montana  
09:43:13 Katjana Stutzer, Montana Public Interest Research Group

09:46:09 Allison Reinhardt, Montana Associated Students (MAS)  
09:47:32 Rachel Schmidt, Associated Students of Montana State University

**Additional Proponents' Testimony:**

09:48:47 Robert Smaus, MLA

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

09:50:31 Sen. Brown  
09:51:06 Julianne Burkhardt, Legislative Services Division (LSD)  
09:51:20 Chair Regier  
09:53:02 Ms. Reinhardt, MAS  
09:53:12 Sen. Gross  
09:54:11 Rep. Whitman  
09:54:20 Chair Regier  
09:54:27 Mr. Sinrud, MLA  
09:54:44 Sen. Bennett  
09:55:25 Rep. Whitman

**Closing by Sponsor:**

09:55:53 Rep. Whitman

**HEARING ON HB 401**

**Opening Statement by Sponsor:**

09:56:36 Rep. Steven Galloway (R), HD 24, opened the hearing on HB401, Revising property rental laws.

**Proponents' Testimony:**

09:57:25 John Sinrud, president, Montana Landlords Association (MLA)  
09:59:09 Robert Smaus, vice president, MLA

**Opponents' Testimony:**

10:00:32 Amy Hall, Montana Legal Services Association (MLSA)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

10:05:30 Sen. McGillvray  
10:05:54 Mr. Sinrud, MLA  
10:07:55 Sen. Brown  
10:08:27 Ms. Hall, MLSA

**Closing by Sponsor:**

10:12:16 Rep. Galloway

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

10:13:48 Rep. Steven Galloway (R), HD 24, opened the hearing on HB402, Generally revise property rental laws.

**Proponents' Testimony:**

10:15:46 John Sinrud, president, Montana Landlords Association (MLA)  
10:18:13 Robert Smaus, vice president, MLA

**Opponents' Testimony:**

10:19:30 Amy Hall, Montana Legal Services Association (MLSA)  
10:26:33 Katjana Stutzer, Montana Public Interest Research Group  
10:30:27 Jack Rinck, Associated Students of the University of Montana  
10:31:06 Allison Reinhardt, Montana Associated Students  
10:31:52 Grace Benasutti, Forward Montana

**EXHIBIT(jus49a01)**

10:33:28 Rachel Schmidt, Associated Students of Montana State University

**Additional Testimony Received:****EXHIBIT(jus49a02)**

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

10:34:51 Sen. Manzella  
10:37:17 Ms. Hall, MLSA  
10:37:58 Sen. Hinebauch  
10:38:18 Mr. Sinrud, MLA  
10:39:10 Sen. Bennett  
10:43:07 Ms. Hall  
10:46:55 Sen. McGillvray  
10:49:50 Mr. Sinrud  
10:49:56 Sen. Friedel  
10:51:21 Ms. Hall  
10:51:32 Sen. Manzella  
10:52:00 Mr. Sinrud  
10:52:58 Sen. McGillvray  
10:54:48 Mr. Sinrud  
10:55:41 Sen. Benentt  
10:56:48 Ms. Hall  
10:58:30 Sen. Webber  
10:59:40 Mr. Sinrud

**Closing by Sponsor:**

11:00:19 Rep. Galloway

**HEARING ON HB 541****Opening Statement by Sponsor:**

11:02:44 Rep. Steven Galloway (R), HD 24, opened the hearing on HB541, Generally revise landlord and tenant laws.

**Proponents' Testimony:**

11:06:07 John Sinrud, president, Montana Landlords Association (MLA)

11:12:30 Robert Smaus, vice president, Montana Landlords Association (MLA)

**Opponents' Testimony:**

11:16:37 Amy Hall, Montana Legal Services Association

11:36:28 Katjana Stutzer, Montana Public Interest Research Group

11:39:32 Jack Rinck, Associated Students of the University of Montana

11:40:29 Allison Reinhardt, Montana Associated Students

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

11:40:56 Sen. Manzella

11:43:52 Mr. Sinrud, MLA

11:47:59 Sen. Brown

11:49:19 Mr. Sinrud

11:53:09 Sen. Esp

11:53:33 Mr. Sinrud

11:53:41 Sen. Bennett

11:55:24 Rep. Galloway

11:55:37 Mr. Sinrud

11:58:42 Sen. Bennett

11:58:59 Ms. Hall

**Closing by Sponsor:**

12:02:54 Rep. Galloway

**Committee Business:**

12:06:14 Chair Regier

12:06:52 Sen. Gross

12:06:56 Chair Regier

**ADJOURNMENT**

Adjournment: 12:07 PM

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Jacelyn Sterling, Secretary

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Additional Documents:

**EXHIBIT([jus49aad.pdf](#))**