

MINUTES
MONTANA HOUSE OF REPRESENTATIVES
68th LEGISLATURE - REGULAR SESSION
COMMITTEE ON (H) JUDICIARY

Call to Order: Chair Rep. Amy Regier-R, on February 13, 2023 at 8:02 AM, in 137

ROLL CALL

Members Present: Rep. Amy Regier, Chair (R)
Rep. Laurie Bishop, Vice Chair (D)
Rep. Brandon Ler, Vice Chair (R)
Rep. Kim Abbott (D)
Rep. Jennifer Carlson (R)
Rep. Lee Deming (R)
Rep. Neil Duram (R)
Rep. Jodee Etchart (R)
Rep. Tom France (D)
Rep. Donavon Hawk (D)
Rep. SJ Howell (D)
Rep. Greg Kmetz (R)
Rep. Casey Knudsen (R)
Rep. Wayne Rusk (R)
Rep. Lola Sheldon-Galloway (R)

Members Excused: Rep. Caleb Hinkle (R)
Rep. Jedediah Hinkle (R)
Rep. Braxton Mitchell (R)
Rep. Laura Smith (D)
Rep. Zoey Zephyr (D)

Staff Present: Jamie Van Valkenburg, Secretary
Rachel Weiss, Research Analyst

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 398 02/08/2023
HB 404 02/08/2023
HB 428 02/08/2023
HB 429 02/08/2023

Executive Action:

HB 376 DO PASS AS AMENDED
SB 134 BE CONCURRED IN
SB 135 BE CONCURRED IN
SB 136 BE CONCURRED IN

HEARING ON HB 429 - Require notification of mobile home park sale with a right to purchase

Opening Statement:

08:02:22 Rep. George Nikolakakos (R), HD 26, opened the hearing on HB 429, Require notification of mobile home park sale with a right to purchase.

Proponent Testimony:

08:06:55 Danielle Madien, Neighbor Works Montana
08:09:18 Angela Zindler, View Vista Community Livingston
08:11:47 Jake Brown, Shelter Whitefish, (SW)
08:12:35 Robyn Morrison, League of Women Voters, (LWV)
08:14:17 Carla Hill, Self
08:16:19 Rep. Caleb Hinkle left the meeting.
08:16:43 Andrea Davis, Montana Housing Coalition, (MHC)
08:18:15 Mike Nugent, Self
08:20:24 Emily Harris-Shears, City of Missoula
08:41:29 Gary Deveraux, Self

Opponent Testimony:

08:21:29 John Sinrud, Montana Landlord Association, (MLA)
08:23:20 Steve Skinner, Self
08:25:15 Dylan Osterhout, Self
08:25:38 Rep. Caleb Hinkle joined the meeting.
08:27:12 Sam Sill, Montana Association of Realtors, (MAR)
08:29:27 Nathan Grovem, Self

08:32:16 Charles Denowh, Haven Park Communities
08:34:27 Sharon Lodge, Montana Landlords Association, (MLA)
08:35:58 Rep. Jennifer Carlson left the meeting.
08:37:00 Robert Smaus, Montana Landlords Association, (MLA)
08:38:31 Travis Martinez, Self

Informational Witness Testimony:

08:39:49 Mandy Rambo, Department of Commerce, (DOC)

Questions from Committee:

08:42:53 Rep. Casey Knudsen
08:43:42 Rep. George Nikolakakos-R
08:45:24 Rep. Casey Knudsen
08:45:28 John Sinrud, MLA
08:46:51 Rep. Wayne Rusk
08:47:09 Rep. George Nikolakakos-R
08:49:14 Rep. SJ Howell
08:50:19 Rep. George Nikolakakos-R
08:51:34 Rep. Laurie Bishop
08:53:11 Rep. George Nikolakakos-R
08:53:42 Rep. Tom France
08:54:07 Rep. George Nikolakakos-R
08:55:06 Rep. Casey Knudsen
08:55:23 Rep. George Nikolakakos-R

Closing Statement:

08:56:09 Rep. George Nikolakakos (R), HD 26, closed the hearing on HB 429.

HEARING ON HB 428 - Generally revise mobile home park laws

Opening Statement:

08:57:48 Rep. Michael Yakawich (R), HD 51, opened the hearing on HB 428, Generally revise mobile home park laws.

Discussion:

[EXHIBIT\(230213JUH1\)](#)

Proponent Testimony:

09:00:33 Robyn Morrison, League of Women Voters, (LWV)

09:01:14 Rep. SJ Howell left the meeting.

09:01:38 Carla Hill, Self

09:02:35 Rep. Tom France left the meeting.

09:02:41 Rep. Laura Smith joined the meeting.

09:03:04 Gary Deveraux, Self

09:03:59 Rep. SJ Howell joined the meeting.

09:05:26 Rep. Donavon Hawk left the meeting.

09:05:38 Rep. Jennifer Carlson joined the meeting.

09:05:41 Rep. Tom France joined the meeting.

09:26:41 Rep. George Nikolakakos, HD 26

Opponent Testimony:

09:06:03 John Sinrud, Montana Landlords Association, (MLA)

09:10:08 Dylan Osterhout, Self

09:11:40 Steve Skinner, Self

09:14:37 Sam Sill, Montana Association of Realtors, (MAR)

09:15:09 Rep. Laura Smith left the meeting.

09:15:38 Charles Denowh, Haven Park Communities

09:16:12 Rep. Laura Smith joined the meeting.
09:17:18 Rep. Donavon Hawk joined the meeting.
09:17:22 Nathan Grovom, Self
[EXHIBIT\(230213JUH2\)](#)
09:19:46 Robert Smaus, Montana Landlords Association, (MLA)
09:21:44 Travis Martinez, Self

Informational Witness Testimony:

None

Questions from Committee:

09:24:05 Rep. Lee Deming
09:24:21 Rep. Michael Yakawich-R
09:26:16 Rep. George Nikolakakos, HD
09:28:40 Rep. Jodee Etchart
09:29:16 Steve Skinner, Self
09:31:13 Rep. Jodee Etchart
09:31:31 Rep. Michael Yakawich-R
09:31:59 Rep. Jodee Etchart
09:32:36 Rep. George Nikolakakos
09:33:55 Rep. Lola Sheldon-Galloway
09:34:25 Rep. George Nikolakakos
09:34:47 John Sinrud, MLA

Closing Statement:

09:35:18 Rep. Michael Yakawich (R), HD 51, closed the hearing on HB 428.

Opening Statement:

09:40:22 Rep. Terry Falk (R), HD 8, opened the hearing on HB 404, Revise DUI first time offense laws.

Discussion:

[EXHIBIT\(230213JUH3\)](#)

09:43:46 Rep. Brandon Ler left the meeting.

Proponent Testimony:

09:46:29 Dan Smith, Montana Police Protective Association, (MPPA)

Opponent Testimony:

09:48:05 Brian Thompson, Montana County Attorney Association, (MCAA)

09:49:39 Rep. Brandon Ler joined the meeting.

Informational Witness Testimony:

None

Questions from Committee:

09:51:39 Rep. Casey Knudsen

09:52:20 Rep. Terry Falk-R

09:53:28 Rep. Laura Smith

09:53:54 Brian Thompson MPPA

09:54:53 Rep. Jennifer Carlson

09:55:24 Rep. Terry Falk-R

09:56:24 Rep. Jedediah Hinkle joined the meeting.

09:56:49 Rep. Lola Sheldon-Galloway

09:57:57 Dan Smith MPPA

09:58:44 Rep. Laurie Bishop

10:01:08 Rep. Braxton Mitchell joined the meeting.

10:01:50 Rep. Terry Falk-R

10:02:08 Rep. Wayne Rusk

10:04:50 Dan Smith MPPA

Closing Statement:

10:05:07 Rep. Terry Falk (R), HD 8, closed the hearing on HB 404.

HEARING ON HB 398 - Define recidivism for executive branch and judicial branch reporting

Opening Statement:

10:08:19 Rep. Bill Mercer (R), HD 46, opened the hearing on HB 398, Define recidivism for executive branch and judicial branch reporting.

Proponent Testimony:

10:16:33 Brian Thompson, Montana County Attorney Association, (MCAA)

10:17:01 Dan Smith, Montana Police Protective Association, (MPPA)

Informational Witness Testimony:

10:17:53 John Dougherty, Department of Corrections

10:18:09 Beth McLaughlin, Judicial Branch

Questions from Committee:

08:05:17 Rep. Hinkle has arrived

08:05:24 Rep. Smith has arrived

09:00:19 Rep. Smith has left

10:18:37 Rep. Jennifer Carlson

10:18:39 Rep. Bill Mercer-R

10:21:02 Rep. Lola Sheldon-Galloway

10:24:23 Rep. Bill Mercer-R

10:25:52 Rep. Laurie Bishop

10:26:38 Rep. Bill Mercer-R

10:29:06 Rep. Laurie Bishop
10:29:09 John Dougherty
10:29:34 Rep. Donavon Hawk left the meeting.

Opponent Testimony:

None

Closing Statement:

10:30:09 Rep. Bill Mercer (R), HD 46, closed the hearing on HB 398.

EXECUTIVE ACTION ON HB 376 - Establish Patient Bill of Rights

11:04:03 **Motion:** Rep. Brandon Ler moved that **HB 376 DO PASS.**

Discussion:

10:44:58 Recessed
11:00:16 Rep. Zephyr has arrived
11:01:58 Rep. Hawk has arrived
11:03:51 Reconvened
11:04:13 Rachel Weiss
11:04:21 **Motion:** Rep. Brandon Ler moved that **HB 376 BE AMENDED.**

Discussion:

11:04:43 Rachel Weiss
11:06:08 Rep. Laurie Bishop
11:06:49 Rep. Neil Duram left the meeting.
11:07:45 Rep. Casey Knudsen
11:08:24 Rachel Weiss
11:08:36 Rep. Jodee Etchart
11:10:03 Rep. Jennifer Carlson
11:11:13 Rep. Casey Knudsen

11:11:41 Rachel Weiss
11:12:25 Rep. Casey Knudsen
11:12:42 Rep. Jedediah Hinkle
11:14:25 Rep. Tom France
11:15:50 Rep. Jennifer Carlson
11:16:51 Rep. Laura Smith
11:17:12 Rep. Neil Duram joined the meeting.
11:04:21 **Vote:** Motion carried 13 - 6 by roll call vote with Rep. Bishop, Rep. France, Rep. Hawk, Rep. Howell, Rep. Smith, Rep. Zephyr, voting no.
11:19:44 **Motion:** Rep. Brandon Ler moved that **HB 376 DO PASS AS AMENDED.**
Discussion:
11:20:32 Rep. SJ Howell
11:19:44 **Vote:** Motion carried 14 - 5 by voice vote with Rep. Bishop, Rep. France, Rep. Hawk, Rep. Howell, Rep. Smith, voting no.

EXECUTIVE ACTION ON SB 134 - Revise injunction laws

11:22:54 **Motion:** Rep. Brandon Ler moved that **SB 134 BE CONCURRED IN.**
Discussion:
11:23:06 Rachel Weiss
11:23:19 Rep. Zoey Zephyr
11:22:54 **Vote:** Motion carried 17 - 2 by roll call vote with Rep. Hawk, Rep. Zephyr, voting no.

EXECUTIVE ACTION ON SB 135 - Revise injunction laws

11:25:19 **Motion:** Rep. Brandon Ler moved that **SB 135 BE CONCURRED IN.**
Discussion:
11:25:28 Rachel Weiss
11:25:39 Rep. Tom France
11:26:39 Rep. Casey Knudsen

11:25:19 **Vote:** Motion carried 13 - 6 by roll call vote with Rep. Bishop, Rep. France, Rep. Hawk, Rep. Howell, Rep. Smith, Rep. Zephyr, voting no.

EXECUTIVE ACTION ON SB 136 - Revise injunction laws

11:28:58 **Motion:** Rep. Brandon Ler moved that **SB 136 BE CONCURRED IN.**

Discussion:

11:29:07 Rachel Weiss

11:29:41 Rep. Jennifer Carlson

11:28:58 **Vote:** Motion carried 18 - 1 by roll call vote with Rep. Hawk, voting no.

ADJOURNMENT

Adjournment: 11:31:23

Jamie Van Valkenburg, Secretary

Additional Documents: [EXHIBIT\(230213JUHaad\)](#)