

**MINUTES**

**MONTANA SENATE  
55th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON JUDICIARY**

**Call to Order:** By **CHAIRMAN BRUCE D. CRIPPEN**, on April 16, 1997, at 10:37 a.m., in Room 331 of the State Capitol, Helena, Montana.

**ROLL CALL**

**Members Present:**

Sen. Bruce D. Crippen, Chairman (R)  
Sen. Lorents Grosfield, Vice Chairman (R)  
Sen. Al Bishop (R)  
Sen. Sue Bartlett (D)  
Sen. Steve Doherty (D)  
Sen. Sharon Estrada (R)  
Sen. Mike Halligan (D)  
Sen. Ric Holden (R)  
Sen. Reiny Jabs (R)  
Sen. Walter L. McNutt (R)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Valencia Lane, Legislative Services Division  
Jody Bird, Committee Secretary

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: SJR 19, posted April 14, 1997  
Executive Action: SJR 19

**HEARING ON SJR 19**

**Sponsor:** SEN. AL BISHOP, SD 9, Billings

**Proponents:** Derek Birnie, Montana People's Action

**Opponents:** Greg Van Horssen, Montana Housing Providers  
Ronda Carpenter, Montana Housing Providers

**Opening Statement by Sponsor:** SEN. AL BISHOP, SD 9, Billings. If you've read all the whereases, you'll know exactly what the bill does and what it's designed to do. Landlord/tenant issues keep increasing, needing more legislative attention all the time it

seems. The trend looks like it's going to continue unless we do something, and this study should provide some solid, relevant issues to the next Legislature.

**Proponents' Testimony: Derek Birnie, Montana People's Action.**

Tenants will look at easier evictions, fewer market protections, no resources for conflict resolution, no clarification of property rights for mobile home owners, and no solutions to the shortage of affordable housing. The problems between landlords and tenants are not going to go away. We will still see up to as many as 40 percent of court cases dealing with these issues, and we expect to see these figures increase. We would like to see consensus for the next legislative session.

**Opponents' Testimony: Greg Van Horssen, Montana Housing**

**Providers.** The recitations as forming a foundation for the proposed study are, perhaps, inaccurate for rental vacancies statewide in Montana. In some communities this could be the case, but it is not a statewide issue. It may be accurate that approximately 19 percent of Montanans live in manufactured, mobile homes, but we estimate that only about 5 percent are actually involved in landlord tenant issues. There were seven bills this session of which four came before this committee on the issue of landlord/tenants in mobile home parks. This may be a problem at times in Missoula and Bozeman communities, but this does not warrant a statewide study. I have offered to get together with the Montana People's Action during the interim to attempt to resolve the existing problems.

**Ronda Carpenter, Montana Housing Providers.** There are a few things being done already that may need to be incorporated into the proposed study. Two years ago the Governor's Office authorized the Task Force on Affordable Housing. We studied landlord/tenant issues, and have issued a report that is still fairly current at a cost of about \$2000. Twenty-six people donated their time and travel so that we only had to pay one Representative and one Senator in addition to the staff to handle it. Congress has put out local government affordable housing reports annually. Federal grants are available. Mediation in Great Falls and Missoula has seemed to be going somewhere. As an association we monitor rental conditions in the state, and the vacancy factor is climbing around the state.

*{Tape: 1; Side: A; Approx. Time Count: #5.4; Comments: 5 minute recess to vote on a bill on the Senate floor, as the Senate was in session during this hearing.*

**Questions From Committee Members and Responses:** None

**Closing by Sponsor:** SEN. BISHOP made no closing comments.

EXECUTIVE ACTION ON SJR 19

Discussion: SEN. MIKE HALLIGAN. This will get ranked along with all the other resolutions.

SEN. RIC HOLDEN. We've discussed these issues in committee all session long, and have been overruled on the Senate floor on this all session long. It doesn't need to go any further, and I don't want to spend any more tax dollars on this.

SEN. WALTER MCNUTT. I agree that this is a local issue rather than a statewide issue.

SEN. SHARON ESTRADA. This is a major problem in my district and I'm going to vote for the bill.


VICE CHAIRMAN GROSFIELD. I carried a study bill for gambling on the floor yesterday. It seems that we're dealing with another problem here that will keep coming back, so I think we ought to do it.

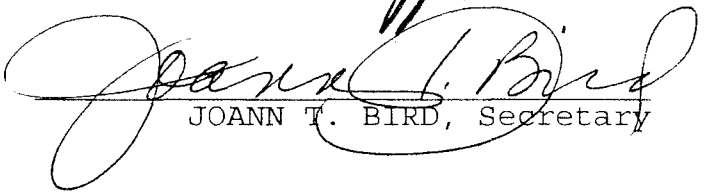
SEN. HOLDEN. I believe this will all come back in one big bill, the bad with the good, next session, and that it will be difficult to vote on in that form.

Motion/Vote: SEN. HALLIGAN MOVED THAT SJR 19 DO PASS.  
THE MOTION CARRIED WITH ALL MEMBERS VOTING AYE EXCEPT SENATORS  
MCNUTT, JABS AND HOLDEN WHO VOTED NO.

ADJOURNMENT

Adjournment: 10:55 a.m.

  
SEN. BRUCE D. GRIPPEN, Chairman

  
JOANN T. BIRD, Secretary

BDC/JTB