

HOUSE OF REPRESENTATIVES
Roll Call
JUDICIARY COMMITTEE

DATE 2/3/05

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT</u>	<u>EXCUSED</u>
REP. DIANE RICE, CHAIR	X		
REP. RON STOKER, VICE CHAIR	X		
REP. PAUL CLARK, VICE CHAIR	X		
REP. ARLENE BECKER	X		
REP. ROBYN DRISCOLL	X		
REP. GEORGE EVERETT	X		
REP. GAIL GUTSCHE	X		
REP. CHRISTOPHER HARRIS	X		
REP. ROGER KOOPMAN	X		
REP. MIKE LANGE	X		
REP. TOM MCGILLVRAY	X		
REP. MARK NOENNIG	X		
REP. ART NOONAN	X		
REP. JOHN PARKER	X		
REP. JON SONJU	X		
REP. JOHN WARD	X		
REP. BILL WILSON	X		
REP. JEANNE WINDHAM	X		



HOUSE STANDING COMMITTEE REPORT

February 4, 2005

Page 1 of 4

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 285** (first reading copy -- white) **do pass as amended.**

Signed:

Diane Rice
Representative Diane Rice, Chair

And, that such amendments read:

1. Title, page 1, line 7.

Strike: "FICTITIOUS"

Insert: "SUBSTITUTE"

2. Title, page 1, line 10.

Strike: "SECRETARY OF STATE"

Insert: "DEPARTMENT OF JUSTICE"

3. Title, page 1, line 11.

Following: "PROGRAM;"

Insert: "AND"

Strike: "SECRETARY OF STATE"

Insert: "DEPARTMENT OF JUSTICE"

4. Title, page 1, line 12.

Strike: "; AND AMENDING SECTION 2-15-401, MCA"

5. Page 1, line 21.

Strike: "secretary of state"

Insert: "department"

6. Page 1, line 22.

Strike: "fictitious"

Committee Vote:

Yes 16, No 2.

280927SC,hkh

2/4/05

jbr

Insert: "substitute"
Strike: ", known only to the secretary of state,"

7. Page 1, line 24.
Strike: "secretary of state"
Insert: "department"

8. Page 1, line 29.
Strike: "6"
Insert: "7"

9. Page 2, line 2.
Following: line 1
Insert: "(2) "Department" means the department of justice."
Renumber: subsequent subsections

10. Page 2, line 3.
Strike: "secretary of state"
Insert: "department"

11. Page 2, line 11.
Strike: "Fictitious"
Insert: "Substitute"

12. Page 2, line 11 through line 12.
Strike: "secretary" on line 11 through "state" on line 12
Insert: "department"
Following: "victim" on line 12
Insert: "who is a resident of this state"
Strike: "secretary of state" on line 12
Insert: "department"
Strike: "fictitious" on line 12
Insert: "substitute"

13. Page 2, lines 13, 18, 21, 25, 26, and 28.
Strike: "secretary of state"
Insert: "department"

14. Page 2, line 14.
Strike: "fictitious"
Insert: "substitute"

15. Page 2, line 15.

Following: "(a)"

Insert: "proof that the victim is a resident of this state and"

16. Page 3, line 4.

Following: "order,"

Strike: "or"

17. Page 3, line 5.

Following: "jurisdiction"

Insert: ", or a sworn statement of the victim"

18. Page 3, lines 8 (in two places), 10, 15, 18, 19, 22, 24, 25, 29, and 30.

Strike: "secretary of state"

Insert: "department"

19. Page 3, line 14.

Strike: "fictitious"

Insert: "substitute"

20. Page 3, lines 16, 20, 21, 22, 25, 26, and 29.

Strike: "fictitious"

Insert: "substitute"

21. Page 3, line 28.

Strike: "fictitious"

Insert: "substitute"

22. Page 4, lines 1, 2, 4, 6, 8, 10, 10 and 11, and 13.

Strike: "secretary of state"

Insert: "department"

23. Page 4, lines 1 (in two places), 4, and 10.

Strike: "fictitious"

Insert: "substitute"

24. Page 4, line 14.

Strike: "6"

Insert: "7"

25. Page 4, line 21 through page 5, line 23.

Strike: section 7 in its entirety

Insert: "NEW SECTION. Section 7. Implementation by state and local government agencies. The department shall issue the participant a substitute address card containing the participant's name, substitute address, and other information that the department determines appropriate. Any state or local government agency that needs or requires the participant's address shall accept and use the address on the card. The agency may make and file a photocopy of the card."

Renumber: subsequent section

26. Page 5, line 25.

Strike: "6"

Insert: "7"

27. Page 5, line 27.

Strike: "6"

Insert: "7"

- END -



HOUSE STANDING COMMITTEE REPORT

February 4, 2005

Page 1 of 2

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 245** (first reading copy -- white) do pass as amended.

Signed:

Diane Rice
Representative Diane Rice, Chair

And, that such amendments read:

1. Title, page 1, line 4.

Strike: "MINOR"

Insert: "CHILD UNDER 16 YEARS OF AGE"

2. Page 1, line 19.

Strike: "the age of majority"

Insert: "16 years of age"

3. Page 1, line 21.

Strike: "to make"

Insert: "by making"

4. Page 1, line 21 through line 23.

Following: "nature" on line 21

Strike: "," on line 21 through "ear" on line 23

Insert: ". Body pierces does not include a medical procedure, including but not limited to acupuncture, performed by a health care provider, as defined in 50-4-504, who provides physical health care and is qualified to perform body piercing in the ordinary course of the health care provider's profession"

Committee Vote:

Yes 17, No 1.

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- END -



HOUSE STANDING COMMITTEE REPORT

February 4, 2005

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 356** (first reading copy -- white) **do pass as amended.**

Signed:

Diane Rice
Representative Diane Rice, Chair

And, that such amendments read:

1. Page 1, line 30.

Strike: "notarized" in two places

Insert: "acknowledged" in two places

2. Page 2, line 1.

Following: "information."

Insert: "Upon request of the applicant, the applicant must be given a copy of the released information."

3. Page 2, line 9 through line 10.

Strike: "employer" on line 9 through "45-2-101" on line 10

Insert: "information was false and the employer either knew that the information was false or disclosed the information with reckless disregard for whether or not the information was false"

- END -

Committee Vote:

Yes 18, No 0.

280929SC.hkh

2/4/05
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HOUSE STANDING COMMITTEE REPORT

February 4, 2005

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 349** (first reading copy -- white) **do pass as amended.**

Signed: _____

Diane Rice
Representative Diane Rice, Chair

And, that such amendments read:

1. Page 1, line 21.

Strike: "in jail"

2. Page 1, line 24.

Strike: "an"

Insert: "a good faith"

3. Page 1, line 24 through line 25.

Strike: "arising" on line 24 through "chapter" on line 25

Insert: "under this section"

4. Page 2, line 8.

Strike: "an"

Insert: "a good faith"

5. Page 2, line 8 through line 9.

Strike: "arising" on line 8 through "chapter" on line 9

Insert: "under this section"

- END -

Committee Vote:

Yes 18, No 0.

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2/4/05

for



HOUSE STANDING COMMITTEE REPORT

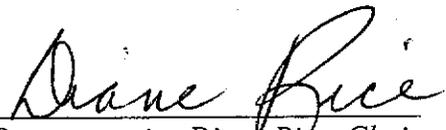
February 4, 2005

Page 1 of 2

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 363** (first reading copy -- white) do pass as amended.

Signed:


Representative Diane Rice, Chair

And, that such amendments read:

1. Page 1, line 14.

Strike: "i"

2. Page 1, line 15.

Strike: "(a)"

Following: "officer"

Insert: ", "

Strike: the first "or"

Insert: "a"

Following: "facility"

Insert: ", or a health care provider, as defined in 50-4-504, including a health care provider performing emergency services, while the health care provider is acting in the course and scope of the health care provider's profession and occupation"

3. Page 1, line 16.

Strike: "(i)"

Insert: "(a)"

Renumber: subsequent subsections

4. Page 1, line 17.

Following: "prison"

Insert: ", "

Strike: "or"

Committee Vote:

Yes 15, No 5.

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5. Page 1, line 18.

Following: "facility"

Insert: ", or a health care facility"

6. Page 1, line 21.

Following: "correctional facility,"

Insert: "health care facility,"

7. Page 1, line 21 through line 24.

Strike: "; or" on line 21 through "occupation" on line 24

- END -

COMMITTEE FILE COPY

TABLED BILL

The **HOUSE JUDICIARY COMMITTEE** TABLED **HB 231, HB 265**, by motion, on **Thursday, February 3, 2005**.



(For the Committee)



(Chief Clerk of the House)

2:25, 2/3

(Time) (Date)

February 3, 2005

Pamela E. Schindler, Secretary

Phone: 444-4838

HOUSE OF REPRESENTATIVES

Roll Call Vote

JUDICIARY COMMITTEE

DATE 2/3/05
MOTION: _____

HB363
BILL NO _____ MOTION NO. 1

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<u>NAME</u>	AYE	NO	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR	X		
REP. ARLENE BECKER	X		
REP. PAUL CLARK, VICE CHAIR		X	
REP. ROBYN DRISCOLL	X		
REP. GEORGE EVERETT	X		
REP. GAIL GUTSCHE	X		
REP. CHRISTOPHER HARRIS	X		
REP. ROGER KOOPMAN		X	
REP. MIKE LANGE	X		
REP. TOM MCGILLVRAY		X	
REP. MARK NOENNIG	X		
REP. ART NOONAN	X		
REP. JOHN PARKER	X		
REP. JON SONJU		X	
REP. JOHN WARD	X		
REP. BILL WILSON	X		
REP. JEANNE WINDHAM	X		
REP. DIANE RICE, CHAIR		X	

15 / 5

HOUSE OF REPRESENTATIVES

Roll Call Vote

JUDICIARY COMMITTEE

DATE 2/3/05
MOTION: _____

BILL NO HB231 MOTION NO. 1

Amendment 231.01

<u>NAME</u>	AYE	NO	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR	X		
REP. ARLENE BECKER		X	
REP. PAUL CLARK, VICE CHAIR		X	
REP. ROBYN DRISCOLL		X	
REP. GEORGE EVERETT	X		
REP. GAIL GUTSCHE		X	
REP. CHRISTOPHER HARRIS	X		
REP. ROGER KOOPMAN	X		
REP. MIKE LANGE	X		
REP. TOM MCGILLVRAY	X		
REP. MARK NOENNIG	X		
REP. ART NOONAN		X	
REP. JOHN PARKER		X	
REP. JON SONJU	X		
REP. JOHN WARD	X		
REP. BILL WILSON		X	
REP. JEANNE WINDHAM		X	
REP. DIANE RICE, CHAIR			

[Handwritten signatures and scribbles]

HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 2/3/05
 MOTION: _____

BILL NO 231 MOTION NO. 2

~~Amended~~ Amended "Courtly"

<u>NAME</u>	AYE	NO	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR	X		
REP. ARLENE BECKER		✓	
REP. PAUL CLARK, VICE CHAIR		X	
REP. ROBYN DRISCOLL		X	
REP. GEORGE EVERETT	X		
REP. GAIL GUTSCHE		✓	
REP. CHRISTOPHER HARRIS		X	
REP. ROGER KOOPMAN	✓		
REP. MIKE LANGE	X		
REP. TOM MCGILLVRAY	X		
REP. MARK NOENNIG	X		
REP. ART NOONAN		✓	
REP. JOHN PARKER		✓	
REP. JON SONJU	X		
REP. JOHN WARD		✓	
REP. BILL WILSON		✓	
REP. JEANNE WINDHAM		X	
REP. DIANE RICE, CHAIR	X		

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HOUSE OF REPRESENTATIVES

Roll Call Vote

JUDICIARY COMMITTEE

DATE 2/3/05
MOTION: 6

BILL NO. HB231 MOTION NO. 3

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NAME	AYE	NO	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR	X		
REP. ARLENE BECKER		X	
REP. PAUL CLARK, VICE CHAIR		X	
REP. ROBYN DRISCOLL		X	
REP. GEORGE EVERETT	X		
REP. GAIL GUTSCHE		X	
REP. CHRISTOPHER HARRIS		X	
REP. ROGER KOOPMAN	X		
REP. MIKE LANGE	X		
REP. TOM MCGILLVRAY	X		
REP. MARK NOENNIG		X	
REP. ART NOONAN		X	
REP. JOHN PARKER		X	
REP. JON SONJU	X		
REP. JOHN WARD	X		
REP. BILL WILSON		X	
REP. JEANNE WINDHAM		X	
REP. DIANE RICE, CHAIR	X		

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