

**HOUSE OF REPRESENTATIVES**  
**Roll Call**  
**JUDICIARY COMMITTEE**

DATE *2/8/05*

<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 (Busy)		X
REP. JON SONJU	X		
REP. JOHN WARD	X		
REP. BILL WILSON			X
REP. JEANNE WINDHAM	X		



## HOUSE STANDING COMMITTEE REPORT

February 8, 2005

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Joint Resolution 15** (first reading copy -- white) **do pass as amended.**

Signed:

*Diane Rice*

*Representative Diane Rice, Chair*

**And, that such amendments read:**

1. Page 2, line 4 through line 5.

**Strike:** "study" on line 4 through "Montana" on line 5

**Insert:** "determine the reasons why there is a disproportionate number of adult and youth minority persons in the criminal justice system"

- END -

**Committee Vote:**

**Yes 13, No 5.**

311357SC.hkh

2/8/05  
jbr



*Bill 173.4*

## HOUSE STANDING COMMITTEE REPORT

February 8, 2005

Page 1 of 2

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 97** (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 9.

**Strike:** "FOURTH"

**Insert:** "FIFTH"

2. Page 1, line 17.

**Strike:** "if"

**Insert:** "Except as provided in subsection (3), if"

3. Page 1, line 18.

**Following:** "three"

**Insert:** "or more"

4. Page 2, line 3.

**Following:** "61-8-406"

**Strike:** "and"

**Insert:** ", "

5. Page 2, line 6 through line 7.

**Strike:** "the person" on line 6 through "state prison" on line 7

**Insert:** "and the person was, upon a prior conviction, placed in a residential alcohol treatment program under subsection (2), whether or not the person successfully completed the program, the person shall be sentenced to the department of corrections"

**Committee Vote:**

Yes 18, No 0.

311359SC.hkh

*2/8/05  
jbn*

**- END -**



## HOUSE STANDING COMMITTEE REPORT

February 8, 2005

Page 1 of 2

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 304** (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 8.

**Following:** line 7

**Insert:** "NONCOMMERCIAL"

2. Title, page 1, line 9 through line 10.

**Strike:** "REVISING" on line 9 through "ROAD;" on line 10

3. Page 2, line 6.

**Following:** "-"

**Insert:** ":"

4. Page 2, line 7.

**Following:** "~~(i)~~"

**Insert:** "(i)"

5. Page 2, line 11.

**Following:** "chapter"

**Insert:** "; and"

(ii) at the time of driving, operating, or moving the off-highway vehicle, has in the person's possession a certificate showing the successful completion of an off-highway vehicle safety education course approved by the department of fish, wildlife, and parks and is in the physical presence of a person who possesses a license issued under this chapter

**Committee Vote:**

Yes 18, No 0.

311400SC.hkh

2/8/05  
jbn

6. Page 2, line 13 through line 14.

**Following:** "person" on line 13

**Strike:** ","" on line 13 through "alien," on line 14

7. Page 2, line 18.

**Strike:** ", commonly known as an illegal alien,"

8. Page 2, line 22.

**Strike:** ", commonly known as an illegal alien,"

9. Page 3, line 29.

**Strike:** "commonly known as an illegal alien,"

10. Page 5, line 14.

**Strike:** "The"

**Insert:** "Except for commercial driver's licenses, the"

- END -

Pam

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**COMMITTEE FILE COPY**

**TABLED BILL**

The HOUSE JUDICIARY COMMITTEE TABLED HB 238, HB 284, HB 287, HB 374, HB 526, by motion, on Tuesday, February 8, 2005.

  
\_\_\_\_\_  
(For the Committee)

  
\_\_\_\_\_  
(Chief Clerk of the House)

2:05 / 2/8/05  
(Time) (Date)

February 8, 2005

Pamela E. Schindler, Secretary

Phone: 444-4838

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**HOUSE OF REPRESENTATIVES**  
**Roll Call Vote**  
**JUDICIARY COMMITTEE**

DATE 2/6/05 BILL NO HBS 26 MOTION NO. 1  
 MOTION: Do Pass As Amended

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	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	X
REP. JON SONJU		X	
REP. JOHN WARD	X		
REP. BILL WILSON		X	X
REP. JEANNE WINDHAM	X		
REP. DIANE RICE, CHAIR	X		

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 /  
 11

**HOUSE OF REPRESENTATIVES**

**Roll Call Vote**

**JUDICIARY COMMITTEE**

DATE 2/8/05 BILL NO. HSR 15 MOTION NO. 1  
 MOTION: \_\_\_\_\_

*Do Pass As Amended*

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

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**HOUSE OF REPRESENTATIVES**

**Roll Call Vote**

**JUDICIARY COMMITTEE**

DATE 2/8/05  
MOTION: \_\_\_\_\_

BILL NO. HB284 MOTION NO. 1

*Tabled*

<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	X
REP. TOM MCGILLVRAY		X	
REP. MARK NOENNIG	X		
REP. ART NOONAN	X		
REP. JOHN PARKER	X		X
REP. JON SONJU	X		
REP. JOHN WARD		X	
REP. BILL WILSON	X		X
REP. JEANNE WINDHAM	X		
REP. DIANE RICE, CHAIR		X	

*[Handwritten signature]*

**HOUSE OF REPRESENTATIVES**

**Roll Call Vote**

**JUDICIARY COMMITTEE**

DATE 2/8/05  
MOTION: \_\_\_\_\_

BILL NO. #B287 MOTION NO. 1

*Tabled*

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	X
REP. TOM MCGILLVRAY	X		
REP. MARK NOENNIG	X		
REP. ART NOONAN	X		
REP. JOHN PARKER	X		X
REP. JON SONJU	X		
REP. JOHN WARD		X	
REP. BILL WILSON	X		X
REP. JEANNE WINDHAM	X		
REP. DIANE RICE, CHAIR		X	

*11/7*

**HOUSE OF REPRESENTATIVES**

**Roll Call Vote**

**JUDICIARY COMMITTEE**

DATE 2/2/05 BILL NO 238 MOTION NO. 1  
 MOTION: Amendment ~~Strike~~ Sect 1-15:

<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	X
REP. ROGER KOOPMAN	X		
REP. MIKE LANGE	X		
REP. TOM MCGILLVRAY	X		
REP. MARK NOENNIG	X		
REP. ART NOONAN	X	<del>X</del>	
REP. JOHN PARKER		X	X
REP. JON SONJU	X		
REP. JOHN WARD	X		
REP. BILL WILSON		X	X
REP. JEANNE WINDHAM	X		
REP. DIANE RICE, CHAIR	Y		

*Handwritten signature*

**HOUSE OF REPRESENTATIVES**

**Roll Call Vote**

**JUDICIARY COMMITTEE**

DATE 2/8/05 BILL NO. <sup>H/B</sup> 238 MOTION NO. 2  
 MOTION: \_\_\_\_\_

~~\_\_\_\_\_~~  
 chg "must" to "may"

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	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	X
REP. JON SONJU		X	
REP. JOHN WARD		X	
REP. BILL WILSON		X	X
REP. JEANNE WINDHAM	X		
REP. DIANE RICE, CHAIR	X		

8 / 10

**HOUSE OF REPRESENTATIVES**

**Roll Call Vote**

**JUDICIARY COMMITTEE**

DATE 2/8/08 HB 238 MOTION NO. 3  
 MOTION: \_\_\_\_\_

*Do Pass As Amended*

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	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	X
REP. JON SONJU	X		
REP. JOHN WARD	X		
REP. BILL WILSON		X	X
REP. JEANNE WINDHAM		X	
REP. DIANE RICE, CHAIR	X		

*8 / 10*

**HOUSE OF REPRESENTATIVES**

**Roll Call Vote**

**JUDICIARY COMMITTEE**

DATE 2/8/05 BILL NO \_\_\_\_\_ MOTION NO. 1  
 MOTION: \_\_\_\_\_

TAKE HB 374

<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	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		X
REP. TOM MCGILLVRAY	X		
REP. MARK NOENNIG		X	
REP. ART NOONAN		X	X
REP. JOHN PARKER		X	X
REP. JON SONJU	X		
REP. JOHN WARD	X		
REP. BILL WILSON		X	X
REP. JEANNE WINDHAM	X		
REP. DIANE RICE, CHAIR	X		

103  
88

# COMMITTEE PROXY

DATE: 2/8

I request to be excused from the Judiciary

Committee because of other commitments. I desire to leave my proxy vote with:

Paul Clark

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT      AYE    NO

SENATE BILL/AMENDMENT      AYE    NO

Long amend to HB222	✓	
Noonan " " " HB	✓	
Koopman amend to 222		✓
<b>HB 222</b>		✓
2/8 Noonan amend to HB 526 #1	✓	
HB 526 Noonan amend	✓	
HB 526 Noonan amend #2	✓	
HB 526 Noonan amend #3	✓	
HB 526 - TABLED		✓
Gustafson amend to HB 97	✓	
Amend 9702 to HB 97	✓	
HB 97 Deposits Amend	✓	
HB 304 - Clark amendment	✓	
HB 304 - Noonan amend	✓	
HB 304 Deposits Amend	✓	
TABLE HB 284	✓	
TABLE HB 287	✓	
Stalen Amend to HB 238		✓
Noonan Amend " HB 238		✓

HB 238 - Deposits		✓

Rep./Sen. John Farter  
(Signature)

# COMMITTEE PROXY

DATE: 1/12/05 / 1/15 2/8

I request to be excused from the Judiciary Committee

Committee because of other commitments. I desire to leave my proxy vote with:

Rep Paul "Trout Creek" Clark

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

HB

1/12

1/13

2/1

HOUSE BILL/AMENDMENT	AYE	NO
HB 206/03 ajm (4), (6)		✓
HB 006/03 ajm (5), (7)	✓	
HB 006/01 ajm	✓	
HB 006/02 ajm		✓
HB 61		✓
HB 94 motion to table	✓	
HB 95 motion to table	✓	
HB 6801 ajm amend	✓	
HB 68		✓
HB 61		✓
HB 197	✓	
HB 98	✓	

SENATE BILL/AMENDMENT	AYE	NO
HB 99	✓	
HB 380 TO TABLE	✓	PC
HB 432 TO TABLE	✓	PC
Amend HB 197	✓	
Amend HB 99	✓	
Amend HB 307	✓	
Norman Amend to HB 526	✓	
HB 526, Norman amend	✓	
HB 526 Norman amend #2	✓	
HB 526, Norman amend #3	✓	
HB 526 - TABLE		✓
Gutrich amend to HB 15	✓	
Amend 9702 to HB 97	✓	
HB 97 - Do Pass As Amended	✓	
HB 304 Clark amendment	✓	
HB 304 Norman amend	✓	
HB 304 Do Pass As Amended	✓	
TABLE HB 284	✓	
TABLE HB 287	✓	
Amend to HB 238	✓	

Rep./Sen.

*Bill Wilson*

(Signature)

Phone 868-2384 (cell)

Norman amend to HB 238 ✓  
HB 238 Do Pass As Amended ✓

Committee Bill - draft ✓

~~HB 526 TABLE~~

# COMMITTEE PROXY

DATE: 4/13/05 218

I request to be excused from the JUDICIARY COMMITTEE

Committee because of other commitments. I desire to leave my proxy vote with:

REP CLARK

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

	HOUSE BILL/AMENDMENT	AYE	NO	SENATE BILL/AMENDMENT	AYE	NO
1/13	HB 6801. ajm amend	✓		HB 526, Noon amend # 2	✓	
	HB 68		✓	HB 526 Noon amend # 3	✓	
2/1	HB 380	✓		HB 526 Tables		✓
	HB 432	✓		HJR 15	✓	
	HB 61		✓	Stake Amend to HB 238		✓
2/2	Amend 28501	✓		Noonan amend to HB 238		✓
	Wm. L. Ham amend on HB 285	✓				
	Amend HB 280	✓				
	HB 280	✓				
2/7	Lang amend to HB 222	✓				
	Noening " " "	✓				
	Koopman amend to HB 222		✓			
	HB 222		✓			
2/8	HB 526, Noonan Amend #1	✓				
	HB 526, Noening amend	✓				

Rep. Sen. Christopher Hein  
(Signature)

# COMMITTEE PROXY

DATE: 2/7/05

I request to be excused from the Judiciary

Committee because of other commitments. I desire to leave my proxy vote with:

Rep Gail Gutsche

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT	AYE	NO
<u>TMR HB 374</u>		<input checked="" type="checkbox"/>

SENATE BILL/AMENDMENT	AYE	NO

Rep./Sen. Bill Wilson  
(Signature)



# COMMITTEE PROXY

DATE: 2/7/05

I request to be excused from the Judiciary

Committee because of other commitments. I desire to leave my proxy vote with:

Rep. Gail Gotsche

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT      AYE      NO

HOUSE BILL/AMENDMENT	AYE	NO
<u>Title HR 379</u>		<input checked="" type="checkbox"/>

SENATE BILL/AMENDMENT      AYE      NO

SENATE BILL/AMENDMENT	AYE	NO

Rep./Sen. John Zales  
(Signature)

# COMMITTEE PROXY

DATE: 2/7/05

I request to be excused from the Judiciary

Committee because of other commitments. I desire to leave my proxy vote with:

Rep. Gail Gutsche

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT      AYE      NO

HOUSE BILL/AMENDMENT	AYE	NO
<u>Total HB 324</u>		<input checked="" type="checkbox"/>

SENATE BILL/AMENDMENT      AYE      NO

SENATE BILL/AMENDMENT	AYE	NO

Rep. Sen. Paul Clark  
(Signature)

**COMMITTEE PROXY**

DATE: 2/11/200

I request to be excused from the H. Judiciary

Committee because of other commitments. I desire to leave my proxy vote with:  
Kou Stebe

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT      AYE      NO

SENATE BILL/AMENDMENT      AYE      NO

<del>HB 284</del> Table Motion	"	7X
HB 287 Table	"	7X
HB 374 - Table	X <sup>108</sup>	
Committee Bill	X	


Rep. Sen. Michael Jang  
(Signature)