

HOUSE OF REPRESENTATIVES
Roll Call
JUDICIARY COMMITTEE

DATE 2/17/05

<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	(late)	
REP. GAIL GUTSCHE	X		
REP. CHRISTOPHER HARRIS	X		
REP. ROGER KOOPMAN	X	(late)	
REP. MIKE LANGE	X	(late)	
REP. TOM MCGILLVRAY	X	(late)	
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		

COMMITTEE FILE COPY

TABLED BILL

The **HOUSE JUDICIARY COMMITTEE** TABLED HB 561, by motion, on **Thursday, February 17, 2005.**



(For the Committee)



(Chief Clerk of the House)

8:00 , 2/17
(Time) (Date)

February 17, 2005

Pamela E. Schindler, Secretary

Phone: 444-4838



HOUSE STANDING COMMITTEE REPORT

February 17, 2005

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 520** (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 5 through line 6.

Strike: "WHILE" on line 5 through "LAWS" on line 7

Insert: "TO A HEALTH CARE PROVIDER OR LAW ENFORCEMENT PERSONNEL REGARDING AN ALLEGED OFFENSE AGAINST THAT PERSON UNDER THE CRIMINAL LAWS RELATING TO SEXUAL OFFENSES AGAINST A PERSON MAY NOT BE USED IN A PROSECUTION OF THAT PERSON FOR THE OFFENSE OF BEING A MINOR IN POSSESSION OF AN INTOXICATING SUBSTANCE; PROVIDING THAT THE SAME PROTECTION EXTENDS TO A PERSON WHO HELPS THE VICTIM OBTAIN MEDICAL OR OTHER ASSISTANCE OR REPORT THE OFFENSE TO LAW ENFORCEMENT PERSONNEL"

2. Page 4, line 28 through page 5, line 2.

Strike: subsection (10) in its entirety

Insert: "(10) Information provided or statements made by a person under 21 years of age to a health care provider or law enforcement personnel regarding an alleged offense against that person under Title 45, chapter 5, part 5, may not be used in a prosecution of that person under this section. This subsection's protection also extends to a person who helps the victim obtain medical or other assistance or report the offense to law enforcement personnel."

- END -

Committee Vote:
Yes 12, No 6.

2/17
ump

391308SC.hkh



HOUSE STANDING COMMITTEE REPORT

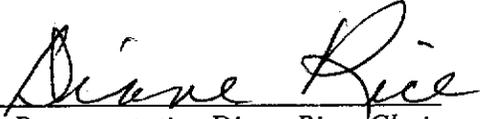
February 17, 2005

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Resolution 2** (first reading copy -- white) do pass.

Signed:


Representative Diane Rice, Chair

- END -

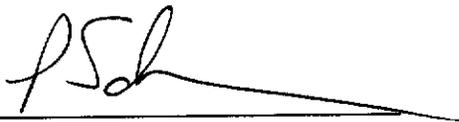
Committee Vote:
Yes 18, No 0.

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COMMITTEE FILE COPY

TABLED BILL

The HOUSE JUDICIARY COMMITTEE TABLED HB 697, by motion, on Thursday, February 17, 2005.



(For the Committee)



(Chief Clerk of the House)

_____, 2/17
(Time) (Date)

February 17, 2005

Pamela E. Schindler, Secretary

Phone: 444-4838



HOUSE STANDING COMMITTEE REPORT

February 17, 2005

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 695** (first reading copy -- white) **do pass as amended.**

Signed:

A handwritten signature in cursive script that reads "Diane Rice".

Representative Diane Rice, Chair

And, that such amendments read:

1. Page 1, line 12.

Strike: "appropriated"

Insert: "used"

- END -

Committee Vote:
Yes 17, No 1.

2/17
MR
391309SC.hkh



HOUSE STANDING COMMITTEE REPORT

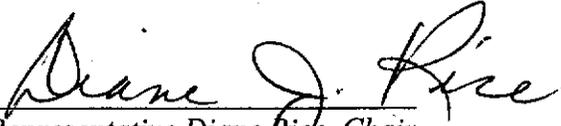
February 17, 2005

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 701** (first reading copy -- white) **do pass.**

Signed:


Representative Diane Rice, Chair

- END -

Committee Vote:
Yes 16, No 2.

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HOUSE STANDING COMMITTEE REPORT

February 17, 2005

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** submit **House Bill 659** (first reading copy -- white) **without recommendation.**

Signed:

Diane Rice
Representative Diane Rice, Chair

- END -

Committee Vote:
Yes 10, No 10.

390833SC.hkh



Person
1734

HOUSE STANDING COMMITTEE REPORT

February 17, 2005

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** submit **House Bill 222** (first reading copy -- white) without recommendation.

Signed:

Diane Rice
Representative Diane Rice, Chair

- END -

Committee Vote:
Yes 10, No 10.

390832SC.hkh

HOUSE OF REPRESENTATIVES

Roll Call Vote

JUDICIARY COMMITTEE

DATE 2/17/05 BILL NO. HR 561 MOTION NO. 1
 MOTION: De Pass

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

[Handwritten Signature]
10

HOUSE OF REPRESENTATIVES

Roll Call Vote

JUDICIARY COMMITTEE

DATE 2/17/05 BILL NO. S20 MOTION NO. 1

MOTION: Dotan's Amendment

NAME	AYE	NO	If Proxy Vote, check here and include signed Proxy Form with minutes.
REP. RON STOKER, VICE CHAIR		✓	
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	X
REP. MIKE LANGE		X	X
REP. TOM MCGILLVRAY		X	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		✓	

12 / 6

COMMITTEE PROXY

DATE: 4/13/05 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 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 TABLE		✓
	HB 432	✓		Stake	HJR 15	✓	
	HB 61		✓		Amend to HB 238		✓
2/2	Amend 28501	✓			Noonan amend to HB 238		✓
	Windham amend on HB 285	✓		2/2/05	HB 238 - Tabled		✓
	Amend HB 280	✓			HB 446 TABLE	✓	✓
	HB 280	✓			HB 446 DO PASS		✓
2/7	Lang amend to HB 222	✓		2/9	Sub (2) of Sec 7 of HB 366	✓	
	Noening " " "	✓			Sub (1) of Sec 7 of HB 366	✓	
	Koopman amend to HB 222		✓		HB 366		✓
	HB 222		✓		Koopman amend to 476		✓
2/8	HB 526, Noonan Amend #1	✓			Senju amend to HB 476		✓
	HB 526, Noening amend	✓			HB 476	✓	
					TABLE HB 510		✓
					Becker Amend to HB 562	✓	
					HB 562	✓	

Rep/Sen. Christopher Han
(Signature)

2/17 HB 520 ✓

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	✓	
Noennig " " " HB	✓	
Kooperman amend to 222		✓
HB 222		✓
2/8 Noonan amend to HB 526 #1	✓	
HB 526, Noennig amend	✓	
HB 526, Norman extend #2	✓	
HB 526, Norman amend #3	✓	
HB 526 - TABCS		✓
Gustafson amend to HJR 15	✓	
Amend 9702 to HB 97	✓	
HB 97 Do Pass As Ameno	✓	
HB 304 - Clark amendment	✓	
HB 304 - Noennig amend	✓	
HB 304 Do Pass Amend	✓	
TABCS HB 284	✓	
TABCS HB 287	✓	
Stalen Amend to HB 238		✓
Norman Amend " HB 238		✓

2/4/05 HB 238 - TABCS		✓
Kooperman amend to HB 476		✓
Sonju amend to HB 476	✓	✓
HB 476 Do Pass As Ameno	✓	
Tate #310		✓
Sonju Resolution - draft	✓	
Parker " draft	✓	
HB 577	✓	
HB 598	✓	
HB ✓ C.C.	✓	
2/17 McGillicray amend to HB 801		✓
HB 801 Do Pass	✓	

Rep./Sen. John Parker
(Signature)

COMMITTEE PROXY

DATE: 2/17/2005

I request to be excused from the A. Judiciary

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

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
HB 361		X
HB 520 AMEND		X
CRIME 207 HB 520 + AMEND	X	
HB 520 + 2 AMEND		X

SENATE BILL/AMENDMENT	AYE	NO

Rep./Sen. Thomas McIlenny
(Signature)

COMMITTEE PROXY

DATE: 2/17/2005

I request to be excused from the H. Judiciary

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

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

HOUSE BILL/AMENDMENT	AYE	NO
HB 561		X
HB 520 Amend		X
CRIMC SEX HB 5204 Amend	X	
HO 52042 Amend		X

SENATE BILL/AMENDMENT	AYE	NO

Rep./Sen. Michael Jany
 (Signature)

COMMITTEE PROXY

DATE: 2/17/2005

I request to be excused from the A. Judiciary

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

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

CRIME
SEX

HOUSE BILL/AMENDMENT	AYE	NO
AB 361		X
HB 520 Amend		X
HB 520+ Amend	X	
HB 520+ 2 Amend		X

SENATE BILL/AMENDMENT	AYE	NO
		X

Rep./Sen. Paul Stoker
(Signature)

COMMITTEE PROXY

DATE: 2/17/2005

I request to be excused from the A. Judiciary

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

Ron Stoker

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

<u>HB 561</u>		<u>X</u>
<u>2001/PS HB 520 ATTCHD #1</u>		<u>X</u>
HB 520 ATTCHD #1		

Rep./Sen. George Everett
(Signature)

**Montana House of Representatives
Visitors Register**

JUDICIARY COMMITTEE

Date 2/17/05

Bill No. HB-693 Sponsor(s) Rep J. Wells

PLEASE PRINT PLEASE PRINT PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
GARY MARBUT	MSSA	X		
Jim Kembel	MA COP MPPA		X	
Doug Nullif 37-D STONEY BROOK DRIVE, CLANCY	SELF	X		
GILDA CLANCY	MT WOMEN'S SHOOTING ASSN	X		
Charles Robinson	Self	X		
Marty Lambert	Monty Athys Asso.		X	
Randy Morris	Dept of Admin		X	
HARRIS HIMES	MFC	X	X	
Wade Skank			X	
Greg Edwards			X	
Jim Smith	MOPSA		✓	

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.
/s/JudicVisitorReg.sample2003

**Montana House of Representatives
Visitors Register**

JUDICIARY COMMITTEE

Date 2/17/05

Bill No. HB-617 Sponsor(s) Rep. R. Koopman

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Name and Address	Representing	Support	Oppose	Inf.
GILDA CLANCY	MT EAGLE FORUM	✓		
HARRIS HINDS	MFC	✓		
Becky Stockton	Self	✓		
Lisa Anderson	self			
Carrie Triplett	Self			
Wade Sikorski	Self		✓	
Jeki Duran	PPMT		✓	
Gregg Trule	PR & MT	✓		
DONIC NULLE 37-D SONEY BROOK DR., CLARK	SELF	X		
Judy Edwards	self		X	
Kate Cholewa	NARAL		X	
Lynn Stumberg	Self	✓		
Eric Schiedermaier	MT Catholic Conference	X		
RACHEL ROBERTS	MT Family Foundation	✓		
Susan Hiken	Self	✓		
Mary Fay	self	✓		
Ann Koopman	self, mother JB 4	✓		
Terrl Taske	self	✓		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

**Montana House of Representatives
Visitors Register**

JUDICIARY COMMITTEE

Date 2-17-05

Bill No. HB-617 Sponsor(s) Rep. R. Koopman

PLEASE PRINT

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Name and Address	Representing	Support	Oppose	Inf.
Jan VanRider	ACLU MT		<input checked="" type="checkbox"/>	
Becky Stockton	Self	<input checked="" type="checkbox"/>		
Jeanne Trude	Self	<input checked="" type="checkbox"/>		
KATHERINE BECKLEY	YWCA OF MISSOULA		<input checked="" type="checkbox"/>	
Patty Murphy	YWCA OF MISSOULA		<input checked="" type="checkbox"/>	

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

/s/JudicVisitorReg.sample2003

Montana House of Representatives
Visitors Register

JUDICIARY COMMITTEE

Date 2/17/05

Bill No. HB-701 Sponsor(s) Rep M. Noennig

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Name and Address	Representing	Support	Oppose	Inf.
<u>Dan McLean</u>	<u>State Bar DE TR Sec</u>	<u>X</u>		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

/s/JudicVisitorReg.sample2003

**Montana House of Representatives
Visitors Register**

JUDICIARY COMMITTEE

Date 2/17/05

Bill No. HB-695 Sponsor(s) Rep J. Jayne

PLEASE PRINT PLEASE PRINT PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
Lisa Anderson 407 S. St. Louis Great Falls, MT 59405	Self	<input type="checkbox"/>	<input type="checkbox"/>	
Amy Hall	Montana Legal Service	<input checked="" type="checkbox"/>		
Klaus Sitte	" Asso.	<input checked="" type="checkbox"/>		
Kato Cholera	MCAOSU	<input checked="" type="checkbox"/>		
Das McLean	MLSA - Board Member	<input checked="" type="checkbox"/>		
Jawonia Ramstad	Kali Spell Violence Free Crisis Line	<input checked="" type="checkbox"/>		
Jeanne Windham	DOVES, Polson, MT	<input checked="" type="checkbox"/>		
Janis [unclear]	DOVES, Polson, MT			
SUSAN HANSEN	DOVES Polson MT	<input checked="" type="checkbox"/>		
KATHERINE BECKLEY	YWCA of Missoula	<input checked="" type="checkbox"/>		
Patty Murphy	YWCA of MSIA	<input checked="" type="checkbox"/>		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.
/s/JudicVisitorReg.sample2003

