



SENATE STANDING COMMITTEE REPORT

February 11, 2005

Page 1 of 3

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 207** (first reading copy -- white) do pass as amended.

Signed: _____

Senator Mike Wheat, Chair

And, that such amendments read:

1. Title, line 5.

Following: "OFFENDERS"

Insert: "DESIGNATED AS LEVEL 3 OFFENDERS"

2. Title, line 7.

Following: "OF"

Insert: "LEVEL 3"

3. Page 2, line 3.

Strike: "(1)"

Following: "part 5,"

Insert: "who is designated as a level 3 offender under 46-23-509,"

4. Page 2, line 4.

Following: "condition of"

Strike: "sentence, including"

Following: "parole,"

Insert: "conditional release,"

5. Page 2, line 7 through line 11.

Strike: subsection (2) in its entirety

6. Page 2, line 14.

Following: "offenders"

Insert: "designated as level 3 offenders under 46-23-509"

Committee Vote:

Yes 12, No 0.

341211SC.sjo

A handwritten signature in the bottom right corner of the page.

7. Page 4, line 8.

Following: line 7

Insert: "COORDINATION SECTION. Section 6. Coordination instruction. If House Bill No. 288 is passed and approved and if it amends 46-23-1031, then [section 3 of this act], amending 46-23-1031, is void and 46-23-1031 must be amended as follows:

"**46-23-1031. Supervisory fees -- account established.**

(1) (a) Except as provided in subsection ~~(1)(b)~~ (1)(c), a probationer, parolee, or person committed to the department who is supervised by the department:

(i) under intensive supervision or conditional release shall pay to the clerk of the district court that has jurisdiction over the person during the person's supervision department a supervisory fee of no less than \$120 a year and no more than \$360 a year, prorated at no less than \$10 a month for the number of months under supervision; or

(ii) under continuous satellite-based monitoring shall pay to the department a supervisory fee of no more than \$4,000 a year as established by rules adopted by the department under [section 2].

(b) A person allowed to transfer supervision to another state shall pay a fee of \$50 to cover the cost of processing the transfer. The interstate transfer fees required by this subsection must be collected by the department.

~~(b)(c)~~ (c) The court, department, or board may reduce or waive a fee required by subsection (1)(a) or (1)(b) or suspend the monthly payment of the supervisory fee if it determines that the payment would cause the person a significant financial hardship.

(2) (a) There is an account in the state special revenue fund for the supervisory fees collected under the provisions of this section.

~~(b) Prior to July 1, 2003, district court clerks shall deduct from the total supervisory fees collected pursuant to subsection (1) the administrative cost of collecting and accounting for the fees and shall deposit the remaining amount into the state special revenue account established in subsection (2)(a). After June 30, 2003, district court clerks~~ The department shall deposit the total supervisory fees collected pursuant to subsection (1) into the state special revenue account established in subsection (2)(a) as specified by the supreme court administrator."

Renumber: subsequent sections

8. Page 4, line 11.

Following: line 10

Insert: "NEW SECTION. Section 8. Contingent voidness. If House Bill No. 2 does not contain a line item appropriation to

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implement the provisions of [sections 1 and 2], then [this act]
is void."

Renumber: subsequent section

- END -

341211SC.sjo



SENATE STANDING COMMITTEE REPORT

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Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 355** (first reading copy -- white) **do pass.**

Signed: _____

A handwritten signature in black ink, appearing to read "Mike Wheat", written over a horizontal line.

Senator Mike Wheat, Chair

- END -

Committee Vote:
Yes 12, No 0.

341212SC.sjo

Handwritten initials in black ink, possibly "KF", located in the bottom right corner of the page.

COMMITTEE FILE COPY

TABLED BILL

The **SENATE JUDICIARY COMMITTEE** TABLED **SB 2**, by motion, on **Friday, February 11, 2005**.



(For the Committee)



(Secretary of Senate)

10:15 2-11
(Time) (Date)

February 11, 2005

Mari Prewett, Secretary

Phone: 4697

MONTANA SENATE
2005 LEGISLATURE
JUDICIARY COMMITTEE
ROLL CALL VOTE

DATE 2-11-05 BILL NO. SB 2 NUMBER 1

MOTION: do pass as amended

NAME	AYE	NO
SEN. O'NEIL	X	
SEN. MOSS		X
SEN. SHOCKLEY	X	
SEN. ELLINGSON		X
SEN. PEASE		X
SEN. MANGAN		X
SEN. MCGEE	X	
CHAIRMAN WHEAT		X
SEN. CROMLEY		X
SEN. PERRY	X	
SEN. LASLOVICH		X
SEN. CURTISS	X	

proxy

proxy

5 7

Reverse vote and Table 12-0

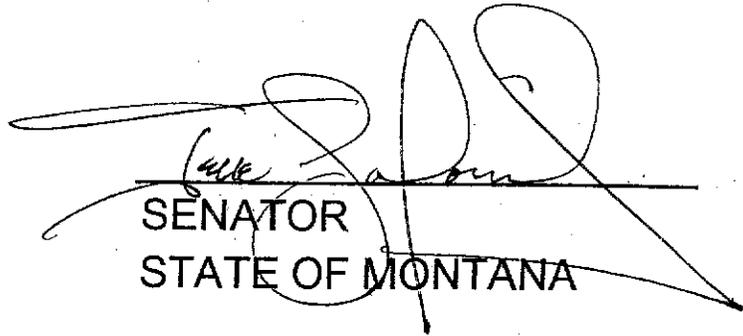
PROXY VOTE

I, the undersigned, hereby authorize Senator MANGAT to

vote my proxy on any issue before the Senate January

Committee held on 2/17/2005, 2005.

SB 207 - amendment 02 - aye
SB 207 - do pass as amended - aye


SENATOR
STATE OF MONTANA

PROXY VOTE

I, THE UNDERSIGNED, HEREBY AUTHORIZE

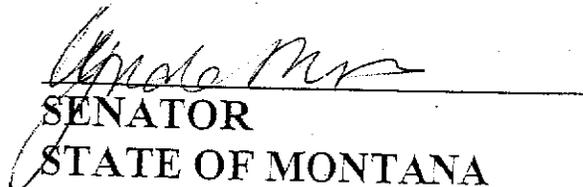
SENATOR MANGAT TO VOTE MY PROXY

ON ANY ISSUE BEFORE THE SENATE COMMITTEE

ON January MEETING HELD ON 2/11/2005,

2005.

SB 207 - amendment 02 aye


SENATOR
STATE OF MONTANA

PROXY VOTE

I, THE UNDERSIGNED, HEREBY AUTHORIZE

SENATOR MATT GAVIN TO VOTE MY PROXY

ON ANY ISSUE BEFORE THE SENATE COMMITTEE

ON Judiciary ~~TAXA~~ MEETING HELD ON 2/11,
2003.⁵

SB 207 amendment 02 - aye
SB 207 do pass as amended - aye
SB 2 No
Reverse vote & Table aye
SB 355 - do pass aye


SENATOR
STATE OF MONTANA

PROXY VOTE

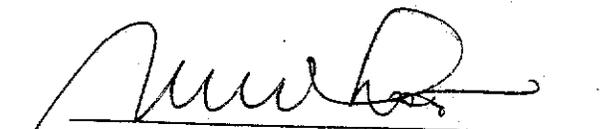
I, THE UNDERSIGNED, HEREBY AUTHORIZE

SENATOR Crumley TO VOTE MY PROXY

ON ANY ISSUE BEFORE THE SENATE COMMITTEE

ON Judiciary MEETING HELD ON 2/11/05,
2003.⁵

B 207 - amendment 02 aye
B 207 - do pass as amended aye
SB ~~207~~ - No
Reverse and Table aye
B 355 do pass aye


SENATOR
STATE OF MONTANA

DATE

2-11-05

SENATE COMMITTEE ON

Judiciary

BILLS BEING HEARD TODAY:

SB 357, SB 381

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
Marty Lambert	582-3745	MT City Attorneys Assn	SB 381	X	
JEANNIE WORSSELT	844-2360	DLE	SB 357		
John Connor	5791	AG/DOJ	381	X	
Jimmy Wej	6681	" "	"	"	
Bill Griffenberg	4531	DOJ IT	357		
RON CLEM	7523708	TEENS IN CRISIS			
Mary McCue	443-2061	NASW	357		
RACHEL ROBERTS	494-7773	MT Family Foundation	381	✓	

Int.

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

YAPAYENDRE 55174000

2-11-05

9:00
a.m.

SB 357 Sex. Squirrels

explains how bill originated

req. background checks for licensure
of Social Workers -
~~and~~

X

2.6 P. Det Holland

X handouts

8.9 John Connor, Dept. of Justice
talks about FN.

9.6 O. Nove

9.7 I - Jeanne Warsick -
licensing
Dept of L & O.

10.1 Mary McHugh MT Nat'l Assn of S.W.

10.9?

Sex. Perry - Connor

How long take to do crim background ✓

11.6 Perry - Bill Driffinberg - Admin Justice I.T.

12.1 Perry - Connor
pg 4 line 8

12.7 Perry - Connor

13.3 Laslovich - Ms. Holland
pg 4 -
friendly amendment

14.6 O'Neil - Ms. Holland

15.8 Shackley - comment -

16.1 Laslovich -

16.5 Sen. McYee - ^{Sen.} Squires

17.5 Close -

19.9

SB 381 - Sen. Moss
Lives background -
45-5-625

*

written testimony
protecting our children is
important

23.5 P - John Connor - Attorney General's Office -

result of growing awareness to the problem -

Tape 1
Side B

Barbara Harris - Asst. Attorney General

type of leg. other states have

2.0 Jimmy Wegg - Runs Computer Crime Unit
engage in undercover online crimes -

12 cases established
by Task Force

4.0 Rachel Roberts - Montana Family Foundation

* reads Dallas Erickson's written statement
read into the record

O - None

I - None

6.4 ? Sex Perry - Connor
may be a conflict

21.9 Sen. O'Neil =

23.0 Close Sen. Moss =

we work for amendments

23.7

Exec Action

SB - 207

Perry - Do Pass as amended

amendment

do pass

SB020702.9V1

Valencia Lane

explains Amendment

Brenda Thompson -

Bill apply only to Level III
Offenders

already adopted 01 amendment

12-0

Lus
Ellingson } bye
Moss } pray
Wheat }

Perry

Do Pass as Amended

Sen. Marger - F.N. not correct

Sen. Curtis do pass as amended.

Sen. Crowley -
opposes this legislation

Sen. Perry -
simply saying what he feels
should be allowed -

Sen. Moss -
leg. not appropriate

Sen. Pease

Sen. McLee -

Sen. Crowley -

Sen. Shackley -

Sen. Mangum Reverse & Table

~~SB 355~~

Sen. Shackley do pass

Sen. Shackley - no opponents
revert back to how done previously

Sen. Perry -

add concept - amendment

to add inflation factor

McGee - Valencia

add sentence

Sen. Perry = moves concept amend

Sen. Mangum

Sen. O'Neil

Sen. Shackley -

~~to~~

Sen. Perry aye

1 - 11 no

Do Pass

12-0

wheat } use
Colo }

page 2
side B



SB

9:38