

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

DATE: 2/23/07

| <u>NAME</u>                  | <u>PRESENT</u> | <u>ABSENT/<br/>EXCUSED</u> |
|------------------------------|----------------|----------------------------|
| REP. RON STOKER, VICE CHAIR  | /              |                            |
| REP. DAVE GALLIK, VICE CHAIR | /              |                            |
| REP. JULIE FRENCH            | /              |                            |
| REP. GEORGE EVERETT          | /              |                            |
| REP. HOLLY RASER             | /              |                            |
| REP. ROGER KOOPMAN           | /              |                            |
| REP. DOUGLAS CORDIER         | /              |                            |
| REP. KRAYTON KERNS           | /              |                            |
| REP. ROBYN DRISCOLL          | /              |                            |
| REP. KEN PETERSON            | /              |                            |
| REP. JESSE O'HARA            | /              |                            |
| REP. TOM MCGILLVRAY          | /              |                            |
| REP. DEBORAH KOTTEL          | /              |                            |
| REP. JOHN WARD               |                | /                          |
| REP. BOB EBINGER             | /              |                            |
| REP. RICK JORE               | /              |                            |
| CHAIRMAN DIANE RICE          | /              |                            |



**HOUSE STANDING COMMITTEE REPORT**

**February 23, 2007**

**Page 1 of 1**

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Joint Resolution 43** (first reading copy -- white) **be adopted.**

Signed: *Diane Rice*  
*Representative Diane Rice, Chair*

- END -

**Committee Vote:**

**Yes 16, No 1**

Fiscal Note Required

411423SC.hjd

*john*  
2/23/07



**HOUSE STANDING COMMITTEE REPORT**

**February 23, 2007**

**Page 1 of 1**

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 643** (first reading copy -- white) **do pass.**

Signed: \_\_\_\_\_

*Diane Rice*  
*Representative Diane Rice, Chair*

- END -

**Committee Vote:**

**Yes 17, No 0**

Fiscal Note Required \_\_\_\_\_

411424SC.hjd

*for*  
2/23/07



**HOUSE STANDING COMMITTEE REPORT**

**February 23, 2007**

**Page 1 of 1**

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 768** (first reading copy -- white) **do pass as amended.**

Signed: *Diane Rice*  
*Representative Diane Rice, Chair*

**And, that such amendments read:**

1. Page 1, line 18.

**Strike:** "(a)"

2. Page 1, line 21.

**Following:** "."

**Insert:** "The insurance must provide coverage for the length of time provided for in 27-2-205."

3. Page 1, lines 22 and 23.

**Strike:** subsection (b) in its entirety

- END -

**Committee Vote:**

**Yes 17, No 0**

Fiscal Note Required

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*hjd*  
2/23/07

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**COMMITTEE FILE COPY**

**TABLED BILL**

The **HOUSE JUDICIARY COMMITTEE** TABLED **HB 731, HB 762, HB 780**, by motion, on **Friday, February 23, 2007**.



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



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

12:50 / 2/23

(Time) (Date)

February 23, 2007

Pamela E. Schindler, Secretary

Phone: 444-4607

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## HOUSE STANDING COMMITTEE REPORT

February 23, 2007

Page 1 of 2

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 781** (first reading copy -- white) **do pass as amended.**

Signed: \_\_\_\_\_

*Diane Rice*  
Representative Diane Rice, Chair

**And, that such amendments read:**

1. Title, line 4.

**Following:** "REQUIRING"

**Insert:** "EACH LAW ENFORCEMENT AGENCY TO ADOPT A POLICY ON RACE-BASED TRAFFIC STOPS, INCLUDING"

2. Title, line 5.

**Strike:** "PROVIDING FOR REPORTS BASED UPON THE DATA;"

3. Page 1, line 10 through page 3, line 5.

**Strike:** section 1 in its entirety

**Renumber:** subsequent sections

4. Page 3.

**Following:** line 13

**Insert:** "(3) Each law enforcement agency shall adopt a policy on race-based traffic stops that:

(a) prohibits the practice of routinely stopping members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law;

(b) provides for periodic reviews by the law enforcement agency and collection of data that determine whether any peace officers of the law enforcement agency have a pattern of stopping members of minority groups for violations of vehicle laws in a number disproportionate to the population of minority groups residing or traveling within the jurisdiction of the law enforcement agency;

(c) if the review under subsection (3) (b) reveals a pattern, requires an investigation to determine whether any peace

**Committee Vote:**

**Yes 10, No 7**

Fiscal Note Required \_\_\_\_\_

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*ibw*  
2/23/07

officers of the law enforcement agency routinely stop members of minority groups for violations of vehicle laws as a pretext for investigating other violations of criminal law."

**Renumber:** subsequent subsections

5. Page 3, line 17.

**Strike:** "[section 1]"

**Insert:** "subsection (3) of this section"

6. Page 3.

**Following:** line 29

**Insert:** "(6) Each law enforcement agency may provide for appropriate counseling and training of any peace officer found to have engaged in race-based traffic stops within 90 days of the review. The course or courses of instruction and the guidelines must stress understanding and respect for racial and cultural differences and development of effective, noncombative methods of carrying out law enforcement duties in a racially and culturally diverse environment."

**Renumber:** subsequent subsections

7. Page 4, line 3.

**Strike:** "[section 1] and"

8. Page 4, lines 12 and 13.

**Strike:** section 3 in its entirety

**Renumber:** subsequent section

- END -

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

DATE 2/23/07 BILL NO 762 MOTION NO. 1  
 MOTION: \_\_\_\_\_

*Dobrus*

| NAME                         | AYE | NO | If Proxy Vote, check here and include signed Proxy Form with minutes. |
|------------------------------|-----|----|---|
| REP. RON STOKER, VICE CHAIR  |     | /  |   |
| REP. DAVE GALLIK, VICE CHAIR |     | /  |   |
| REP. JULIE FRENCH            | /   |    |   |
| REP. GEORGE EVERETT          |     | /  |   |
| REP. HOLLY RASER             | /   |    |   |
| REP. ROGER KOOPMAN           |     | /  |   |
| REP. DOUGLAS CORDIER         |     | /  |   |
| REP. KRAYTON KERNS           |     | /  |   |
| REP. ROBYN DRISCOLL          |     | /  |   |
| REP. KEN PETERSON            | /   |    |   |
| REP. JESSE O'HARA            |     | /  |   |
| REP. TOM MCGILLVRAY          |     | /  |   |
| REP. DEBORAH KOTTEL          | /   |    |   |
| REP. JOHN WARD               |     | /  | /   |
| REP. BOB EBINGER             |     | /  |   |
| REP. RICK JORE               |     | /  |   |
| CHAIRMAN DIANE RICE          |     | /  |   |

4 / 13

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

DATE 2/23/07 BILL NO 781 MOTION NO. 4  
 MOTION: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

*Dotans Dr Amended*

| NAME                         | AYE | NO | If Proxy Vote, check here and include signed Proxy Form with minutes. |
|------------------------------|-----|----|---|
| REP. RON STOKER, VICE CHAIR  |     | /  |   |
| REP. DAVE GALLIK, VICE CHAIR | /   |    |   |
| REP. JULIE FRENCH            | /   |    |   |
| REP. GEORGE EVERETT          |     | /  |   |
| REP. HOLLY RASER             | /   |    |   |
| REP. ROGER KOOPMAN           | /   |    |   |
| REP. DOUGLAS CORDIER         | /   |    |   |
| REP. KRAYTON KERNS           |     | /  |   |
| REP. ROBYN DRISCOLL          | /   |    |   |
| REP. KEN PETERSON            |     | /  |   |
| REP. JESSE O'HARA            |     | /  |   |
| REP. TOM MCGILLVRAY          | /   |    |   |
| REP. DEBORAH KOTTEL          | /   |    |   |
| REP. JOHN WARD               |     | /  | /   |
| REP. BOB EBINGER             | /   |    |   |
| REP. RICK JORE               |     | /  |   |
| CHAIRMAN DIANE RICE          | /   |    |   |

*10/7*





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

DATE 2/23/07 BILL NO. 453 MOTION NO. 7  
 MOTION: \_\_\_\_\_

*reconsider*

| NAME                         | AYE              | NO | If Proxy Vote, check here and include signed Proxy Form with minutes. |
|------------------------------|------------------|----|---|
| REP. RON STOKER, VICE CHAIR  |                  | /  |   |
| REP. DAVE GALLIK, VICE CHAIR | /                |    |   |
| REP. JULIE FRENCH            | /                |    |   |
| REP. GEORGE EVERETT          |                  | /  |   |
| REP. HOLLY RASER             | /                |    |   |
| REP. ROGER KOOPMAN           |                  | /  |   |
| REP. DOUGLAS CORDIER         | /                |    |   |
| REP. KRAYTON KERNS           |                  | /  |   |
| REP. ROBYN DRISCOLL          | /                |    |   |
| REP. KEN PETERSON            |                  | /  |   |
| REP. JESSE O'HARA            |                  | /  |   |
| REP. TOM MCGILLVRAY          |                  | /  |   |
| REP. DEBORAH KOTTEL          | /                |    |   |
| REP. JOHN WARD               | <del>_____</del> |    |   |
| REP. BOB EBINGER             | /                |    |   |
| REP. RICK JORE               |                  | /  |   |
| CHAIRMAN DIANE RICE          |                  | /  |   |

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## AUTHORIZED COMMITTEE PROXY

I request to be excused from the House Judiciary

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

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.

| BILL/AMENDMENT            | AYE  | NO | BILL/AMENDMENT | AYE | NO |
|---------------------------|------|----|----------------|-----|----|
| HR 73                     | X    |    |                |     |    |
| HB 731 Toll               | X    |    |                |     |    |
| HB 780 Toll               | X    |    |                |     |    |
| HB 768 + Amend            | X    |    |                |     |    |
| HB 762 Conc Am            |      |    |                |     |    |
| withdrew                  | -    |    |                |     |    |
| HB 762 Conc Am            |      |    |                |     |    |
| withdrew                  | -    |    |                |     |    |
| HB 762 <del>Conc Am</del> |      | X  |                |     |    |
| HB 781 + Conc Am          | X    |    |                |     |    |
| HB 781 + A                | 10/7 | X  |                |     |    |
| <del>HB 781 + A</del>     |      |    |                |     |    |
| <del>HB 781 + A</del>     |      |    |                |     |    |
| HB 643                    | X    |    |                |     |    |

Rep. John Michael  
(Signature)

Date \_\_\_\_\_

**Montana House of Representatives  
Visitors' Register**

Judiciary COMMITTEE

Date 2/23/07

Bill Nos. 762, 731, 768 Sponsor(s) Wendy Boy, Samuel Veila, French, Leie  
643, 780, 781 Smuel-Eastman  
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HS43

| Name                    | Representing             | Bill No.         | Support      | Oppose | Info. |
|-------------------------|--------------------------|------------------|--------------|--------|-------|
| MARK Muir               | MISSOULA POLICE          | HB781            |              | X      |       |
| Rich ST. John           | Billings PD              | HB781            |              | X      |       |
| Mark Guy MPPA           | MPPA                     | HB 781           |              | X      |       |
| Mark Blood              | MSIA PB                  | HB781            |              | X      |       |
| CLOYD GROVE             | GT. FALLS PD             | HB781            |              | X      |       |
| Roy Wickman             | Missoula PD              | HB781            |              | X      |       |
| Rick Mussen             | LAUREL PD MACAP          | HB781            |              | X      |       |
| Jim Kembel              | MACOP/MPPA               | HB781            |              | X      |       |
| Brenda Elics            | MDOC                     | HB643            |              |        | X     |
| HAROW Blattis           | MACo                     | HB781            |              | X      |       |
| Jim Smith               | Shelby's Abs             | HB781            |              | X      |       |
| DAVID Phillips          | CASCADE CO SO            | HB781            |              | X      |       |
| Jesse Callender         | Cascade Co So            | HB781            |              | X      |       |
| Chris Hartman           | RAVALLI Co So            | HB781            |              | X      |       |
| Cheryl Liddle           | MSPQA                    | HB781            |              | X      |       |
| Charles Grant           | Civ. I                   | HB781            | X            |        |       |
| Cynthia Schmackel       | Citizen                  | HB781            | X            |        |       |
| Amanda Frockel          | CIVIL                    | HB781            | X            |        |       |
| <del>Jim Brantley</del> | <del>Dept of Trans</del> | <del>HB762</del> | <del>X</del> |        |       |

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

**Montana House of Representatives  
Visitors' Register**

\_\_\_\_\_ COMMITTEE

Date \_\_\_\_\_

Bill Nos. HB 762 Sponsor(s) \_\_\_\_\_

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| Name              | Representing         | Bill No. | Support | Oppose | Info. |
|-------------------|----------------------|----------|---------|--------|-------|
| Tim Peardon       | MT Dept. of Trans    | 762      | X       |        |       |
| Steve Garrison    | MT Dept. of Trans    | 762      | X       |        |       |
| Akim Hulse        | M M T A              |          |         | X      |       |
| Jeff Buska        | DPHHS                | 762      | X       |        |       |
| Lucille Tucker    | MT Peoples Action    | HB 781   | X       |        |       |
| Rachel Lopez      | MT Peoples Action    | HB 781   | X       |        |       |
| Marissa Stockton  | MT Eagle Forum       | HB CH3   | X       |        |       |
| Stacie Wolf Black | MT Peoples Action    | HB 781   | X       |        |       |
| Angita Wolf Black | MT/Ind Peoples Ac    | HB 781   | X       |        |       |
| Alex Roberts      | MT Peoples Action    | HB 781   | ✓       |        |       |
| Erin Thompson     | MT Peoples Action    | HB 781   | X       |        |       |
| Cathy Day         | ACLU                 | HB 781   | X       |        |       |
| Darren Roney      | Livingston Police    | HB 781   |         | X      |       |
| Jam McCall        | City of Glys         | HB 781   |         | X      |       |
| Greg Van Hossen   | State Farm           | HB 780   | X       |        |       |
| Jesseline Leamark | AIA                  | HB 780   | X       |        |       |
| Stacie Rumenap    | Stop Child Predators | HB 643   | X       |        |       |
| Chip St. Clair    | JUSTICE FOR CHILDREN | HB 643   | X       |        |       |
| Sarah Smozer      | Hill County Res.     | HB 781   | X       |        |       |

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



**Montana House of Representatives  
Visitors' Register**

\_\_\_\_\_ COMMITTEE

Date \_\_\_\_\_

Bill Nos. \_\_\_\_\_

Sponsor(s) \_\_\_\_\_

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| Name         | Representing     | Bill No. | Support         | Oppose | Info. |
|--------------|------------------|----------|-----------------|--------|-------|
| Harry Payne  | City of Helena   | HB781    |                 | X      |       |
| Barry Slom   | MMA              | HB781    | X               |        |       |
| Bob Olsen    | MT Hospital Assn | HB788    | X               |        |       |
| Hi Bovingdon | DOJ              | HB781    |                 |        | X     |
| Hi Bovingdon | DOJ              | HB782    | X               |        |       |
| Al Smith     | MTLA             | HB768    | X               |        |       |
| Al Smith     | MTLA             | HB762    | X               |        |       |
| Amee Grouver | Utah Med. Assoc. | HB768    | X with<br>amety |        |       |
|              |                  |          |                 |        |       |
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|              |                  |          |                 |        |       |

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

