

MINUTES

**MONTANA SENATE
60th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON JUDICIARY

Call to Order: By **CHAIRMAN JESSE LASLOVICH**, on March 9, 2007 at 9:10 A.M., in Room 303 Capitol.

ROLL CALL

Members Present:

Sen. Jesse Laslovich, Chairman (D)
Sen. Aubyn Curtiss (R)
Sen. Larry Jent (D)
Sen. Carol C. Juneau (D)
Sen. Lynda Moss (D)
Sen. Jerry O'Neil (R)
Sen. Gerald Pease (D)
Sen. Gary L. Perry (R)
Sen. Jim Shockley (R)
Sen. David E. Wanzenried (D)
Sen. Carol Williams (D)

Members Excused:

Sen. Dan McGee (R)

Members Absent: None.

Staff Present: Carol Andersen, Committee Secretary
Valencia Lane, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 247, 3/28/2007; HB 149,
3/28/2007; HB 20, 3/28/2007; HB 28,
3/28/2007
Executive Action: HB 20, HB 149

HEARING ON HB 20

Opening Statement by Sponsor:

00:02:25 REP. WALTER MCNUTT (R), HD 37, opened the hearing on HB 20, Clarify injunctive relief availability for water right enforcement.

Proponents:

00:04:00 Holly Franz, PPL Montana, Upper Clark Fork Steering Committee

00:05:46 Tim Hall, Department of Natural Resources

Opponents: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:06:37 Sen. Shockley to Holly Franz

00:09:04 Sen. Shockley to Rep. McNutt

00:10:03 Sen. Juneau to Holly Franz

Closing by Sponsor:

00:12:29 Rep. McNutt

HEARING ON HB 247

Opening Statement by Sponsor:

00:13:05 REP. JONATHAN WINDY BOY (D), HD 32, opened the hearing on HB 247, Remove certain traffic convictions from driving record after 3 years.

Proponents: None.

Opponents:

00:14:29 Brenda Nordlund, Department of Justice

00:19:46 Mike Menahan, Lewis and Clark County Prosecutor

00:27:52 Mike Weber, Richland County Attorney

00:32:46 Greg Van Horssen, State Farm Insurance Company

00:35:05 Jacqueline Lenmark, American Insurance Association

Informational Testimony: None.

Questions from Committee Members and Responses:

00:36:17 Sen. O'Neil to Mike Weber

00:36:54 Sen. Shockley, to Mike Weber

00:38:54 Sen. Juneau to Brenda Nordlund

Closing by Sponsor:

00:39:41 Rep. Windy Boy

HEARING ON HB 149

Opening Statement by Sponsor:

00:44:29 REP. MIKE JOPEK (D), HD 4, opened the hearing on HB 149, Increase homestead debt protection.

[EXHIBIT\(jus50a01\)](#)

[EXHIBIT\(jus50a02\)](#)

Proponents:

00:48:26 Charlie Briggs

Opponents: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:51:49 Sen. O'Neil to Rep. Jopek

00:52:25 Sen. Jent to Rep. Jopek

00:53:42 Sen. Laslovich to Charlie Briggs

Closing by Sponsor:

00:58:05 Rep. Jopek

HEARING ON HB 28

Opening Statement by Sponsor:

01:01:49 REP. EDWARD HILBERT (R), HD 38, opened the hearing on HB 28, Revise law on driving with suspended or revoked license.

Proponents:

01:04:30 Brenda Norlund, Department of Justice (DOJ)

EXHIBIT (jus50a03)

01:07:24 Mike Weber, Richland County Attorney

Opponents: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

01:08:22 Sen. Shockley to Brenda Nordlund

01:15:03 Sen. Laslovich

Closing by Sponsor:

01:16:27 Rep. Hilbert

EXECUTIVE ACTION ON HB 20

01:18:05 **Motion:** SEN. SHOCKLEY moved that HB 20 BE CONCURRED IN.

Discussion:

01:18:22 Sen. O'Neil

01:19:20 **Vote:** Motion carried unanimously by voice vote. SEN. WILLIAMS, SEN. JUNEAU, and SEN. WANZENRIED voted aye by proxy. SEN. SHOCKLEY will carry HB 20.

EXECUTIVE ACTION ON HB 28

01:20:05 SEN. CURTISS wants to wait on Executive Action.

EXECUTIVE ACTION ON HB 149

[EXHIBIT\(jus50a04\)](#)

[EXHIBIT\(jus50a05\)](#)

01:22:20 **Motion:** SEN. JENT moved that HB 149 BE CONCURRED IN.

Discussion:

01:22:33 Sen. Jent
01:26:02 Sen. McGee
01:26:31 Sen. O'Neil
01:27:05 Sen. Perry
01:28:39 Sen. McGee
01:31:14 Sen. Jent
01:31:58 Sen. McGee
01:32:54 Sen. Jent
01:34:54 Sen. McGee
01:35:41 Sen. Shockley
01:35:56 Sen. Perry
01:36:25 Sen. Curtiss
01:37:38 Sen. Laslovich

01:37:44 **Motion/Vote:** SEN. CURTISS moved that HB014901.AVL BE ADOPTED. Motion carried 9-3 by voice vote with SEN. JENT, SEN. O'NEIL, and SEN. PERRY voting no. SEN. WANZENRIED, SEN. WILLIAMS, and SEN. JUNEAU voted aye by proxy.

01:39:01 **Motion/Vote:** SEN. MOSS moved that HB 149 BE CONCURRED IN AS AMENDED.

Discussion:

01:39:14 Sen. McGee

01:40:23 Sen. Jent

01:41:16 Sen. McGee

01:41:54 Sen. Perry

01:42:48 Motion carried 9-3 by voice vote with SEN. JENT, SEN. O'NEIL, and SEN. PERRY voting no. SEN. WANZENRIED, SEN. WILLIAMS, and SEN. JUNEAU voted aye by proxy. SEN. WANZENRIED will carry HB 149.

ADJOURNMENT

Adjournment: 11:05 A.M.

SEN. JESSE LASLOVICH, Chairman

CAROL ANDERSEN, Secretary

JL/ca

Additional Exhibits:

EXHIBIT ([jus50aad.pdf](#))