**MONTANA SENATE**
**2007 LEGISLATURE**

# ROLL CALL

# JUDICIARY

DATE 2-22-07

| NAMES | PRESENT | ABSENT | EXCUSED |
|---|---|---|---|
| SEN. LYNDA MOSS (D) | ✓ | | |
| SEN. DAN McGEE (R) | ✓ | | |
| SEN. CAROL WILLIAMS (D) | | | ✓ |
| SEN. CAROL JUNEAU (D) | ✓ | | |
| SEN. GERALD PEASE (D) | ✓ | | |
| SEN. JIM SHOCKLEY (R) | ✓ | | |
| SEN. AUBYN CURTISS (R) | ✓ | | |
| SEN. JERRY O'NEIL (R) | ✓ | | |
| SEN. LARRY JENT (D) | ✓ | | |
| SEN. GARY PERRY (R) | ✓ | | |
| SEN. DAVID WANZENRIED (D) | | | ✓ |
| SEN. JESSE LASLOVICH (D) CHAIRMAN | ✓ | | |
| | | | |
| VALENCIA LANE, LSD | ✓ | | |
| CAROL ANDERSEN, COMMITTEE SECRETARY | ✓ | | |
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## SENATE STANDING COMMITTEE REPORT

**February 22, 2007**


Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 385** (first reading copy -- white) **do pass as amended**.

Signed: _____
*Senator Jesse Laslovich, Chair*

**And, that such amendments read:**

1. Page 2, line 13.
**Following:** "not"
**Strike:** "less than 2 years or"

2. Page 2, line 17.
**Following:** "not"
**Strike:** "less than 2 years or"

3. Page 3, line 11.
**Following:** "not"
**Strike:** "less than 2 years or"

4. Page 3, line 15.
**Following:** "not"
**Strike:** "less than 2 years or"

- END -

**Committee Vote:**
**Yes 9, No 3**
Fiscal Note Required ___

## SENATE STANDING COMMITTEE REPORT

**February 22, 2007**


Mr. President:

We, your committee on **Judiciary** recommend that **Senate Joint Resolution 24** (first reading copy -- white) **do pass as amended.**

Signed: _____
*Senator Jesse Laslovich, Chair*

**And, that such amendments read:**

1. Page 1, line 30 through page 2, line 1.
**Following:** "offenders" on line 30
**Strike:** remainder of line 30 through "possession" on page 2, line 1

- END -

**Committee Vote:**
**Yes 12, No 0**
Fiscal Note Required ___ NF

## SENATE STANDING COMMITTEE REPORT



Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 294** (first reading copy -- white) **do pass as amended.**

Signed: _____
*Senator Jesse Laslovich, Chair*

**And, that such amendments read:**

1. Title, line 4 through line 5.
**Following:** "CLARIFYING" on line 4
**Strike:** remainder of line 4 through "CLARIFYING" on line 5

2. Title, line 6 through line 7.
**Strike:** "SECTIONS" on line 6
**Insert:** "SECTION"
**Strike:** the second "AND" on line 6 through "72-5-317" on line 7

3. Page 2, line 24.
**Strike:** line 24 in its entirety

4. Page 2, line 25.
**Strike:** "(b)"
**Insert:** "(6)"

5. Page 2, line 26.
**Strike:** "(i)"
**Insert:** "(a)"
**Renumber:** subsequent subsection

6. Page 2, line 29 through page 3, line 26.
**Strike:** section 2 in its entirety
**Renumber:** subsequent section

**Committee Vote:**
**Yes 9, No 3**
Fiscal Note Required ___ KA

- END -

## SENATE STANDING COMMITTEE REPORT



Mr. President:

We, your committee on **Judiciary** recommend that **Senate Joint Resolution 24** (first reading copy -- white) **do pass**.

Signed: _____
*Senator Jesse Laslovich, Chair*

- END -

**Committee Vote:**
**Yes 12, No 0**
Fiscal Note Required ___ KH

## SENATE STANDING COMMITTEE REPORT



Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 523** (first reading copy -- white) **do pass**.

Signed: _____
*Senator Jesse Laslovich, Chair*

- END -

**Committee Vote:**
**Yes 12, No 0**
Fiscal Note Required ___

## SENATE STANDING COMMITTEE REPORT



Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 426** (first reading copy -- white) **do pass as amended.**

Signed: _____
*Senator Jesse Laslovich, Chair*

**And, that such amendments read:**

1. Page 1, line 23.
**Following:** "(3)"
**Insert:** "(a)"

2. Page 1, line 24.
**Strike:** "(a)"
**Insert:** "(i)"

3. Page 1, line 26.
**Strike:** "(b)"
**Insert:** "(ii)"

4. Page 1, line 28.
**Following:** line 27
**Insert:** "(b) For purposes of this subsection (3), if reasonable costs and attorney fees would otherwise be payable under subsection (3)(a) and the claimant is not represented by an attorney, the claimant must be paid the claimant's reasonable costs and, in lieu of attorney fees, an amount equal to $50 per hour for the claimant's time spent on the matter."

5. Page 2, line 13.
**Following:** "~~only~~"
**Insert:** "only"

6. Page 2, line 21 and line 22.
**Strike:** "chapter 71 or 72 of this title"
**Insert:** "this chapter"

**Committee Vote:**
**Yes 10, No 2**
Fiscal Note Required __ KF

7. Page 2, line 27.
**Following:** line 26
**Insert:** "(c) For purposes of this subsection (4), if reasonable costs and attorney fees would otherwise be payable under subsection (4)(a) and the claimant is not represented by an attorney, the claimant must be paid the claimant's reasonable costs and, in lieu of attorney fees, an amount equal to $50 per hour for the claimant's time spent on the matter."

- END -

## COMMITTEE FILE COPY

# TABLED BILL

The **SENATE JUDICIARY COMMITTEE** TABLED **SB 377, SB 435, SB 471**, by motion, on **Thursday, February 22, 2007**.

Carol Andersen
(For the Committee)

(Secretary of the Senate)

1 - 22
(Time) (Date)

February 22, 2007 Carol R. Andersen, Secretary Phone: 444-4697

# SENATE PROXY FORM

According to Senate Rule 30-70 ( 13) ( f) , a committee member may vote by proxy using a standard form.

## PROXY VOTE

I, the undersigned, hereby authorize Senator _____

to vote my proxy on any issue before the Senate _____

_____ Committee

held on _____, 2007.

SJ 24 as amended
Yes

_____
SENATOR
STATE OF MONTANA

# SENATE PROXY FORM

According to Senate Rule 30-70 ( 13) ( f) , a committee member may vote by proxy using a standard form.

## PROXY VOTE

I, the undersigned, hereby authorize Senator _____

to vote my proxy on any issue before the Senate _____

_____ Committee

held on _____, 2007.

SB 546

SB 547

_____

SENATOR
STATE OF MONTANA

Jent

Senate Finance

# SENATE PROXY FORM

According to Senate Rule 30-70 ( 13) ( f) , a committee member may vote by proxy using a standard form.

## PROXY VOTE

I, the undersigned, hereby authorize Senator _____

to vote my proxy on any issue before the Senate _____

_____ Committee

held on _____, 2007.

SJ 24 as amended yes

~~SJ 24~~ SB 24 yes

Carol Juneau

SENATOR
STATE OF MONTANA

# SENATE PROXY FORM

According to Senate Rule 30-70 ( 13) ( f) , a committee member may vote by proxy using a standard form.

## PROXY VOTE

I, the undersigned, hereby authorize Senator Mess

to vote my proxy on any issue before the Senate _____

_____ Committee

held on _____, 2007.

SJ 24 as amended yes

SB 294 yes

Carol Williams

SENATOR
STATE OF MONTANA

# SENATE PROXY FORM

According to Senate Rule 30-70 ( 13) ( f) , a committee member may vote by proxy using a standard form.

## PROXY VOTE

I, the undersigned, hereby authorize Senator IVENSON

to vote my proxy on any issue before the Senate JUDICIARY

Committee

held on 20 FEBRUARY, 2007.

SJ 24 as amended

SB 294

WANZENRIED

SENATOR
STATE OF MONTANA

# SENATE PROXY FORM

According to Senate Rule 30-70 ( 13) ( 1) , a committee member may vote by proxy using a standard form.

## PROXY VOTE

I, the undersigned, hereby authorize Senator _____

to vote my proxy on any issue before the Senate _____

_____ Committee

held on _____, 2007.

I'm in Finance
& Claims for a bit

SENATOR
STATE OF MONTANA

**MONTANA STATE SENATE**
**2007 LEGISLATURE**

# VISITOR REGISTER

# JUDICIARY

**DATE** 2-22-07

**BILLS BEING HEARD TODAY** SB 546, SB 545, SB 547, SB 523, SJ 24

**PLEASE PRINT**

| NAME | PHONE | REPRESENTING | BILL # | SUPPORT | OPPOSE |
|---|---|---|---|---|---|
| Shirley K Brown | 444-5906 | DPHHS-CFSD | 546 | X | |
| Dan Haugrone | 920 2426 | MASP | 546 | X | |
| JAMES KLESSON | 962-3484 | HARDIN | 545 | X | |
| Tom McKerlick | 672-8402 | " | 545 | X | |
| Tom Shellenberg | 222-5412 | LIVINGSTON | 546 | X | |
| Norma Bixby | 670-1668 | NDAI | 545 | X | |
| Mike Fellwriter | 444-4913 | Corr. | 545 | | |
| Joyce Delaney | 444-3969 | DPHHS | 546 | X | |
| Andrea V. Olsen | | MT Trial Lawyers | 523 | X | |
| Anne W Sorrell | | Gov Office | 546 | X | |
| J.C. WEINGARTNER | 442-4350 | MEA-MFT | 545 | | X |
| Barbara Bell | 442-4350 | Florence Crittenton | 546 | X | X |
| Scott Crichton | 443 8590 | ACLU | 546/545 | | X/X |
| Jani McCall | 670-3084 | MCI | 546 | X | |
| PAM BURKE | 444-9610 | DOC | 547 | X | |
| Rep Dave Smith | | Gov | 544 | X | |
| Ali Brandon | 444-2026 | AG's Office/DOJ | SB 547 | X | |
| Linda Gryczan | 431-3635 | MT Ct St Lobby | SB 547 | ✓ | |
| Scott Crichton | | ACLU | SJ 24 | X | |
| Beth Brenneman | 449-2344 | MT Advocacy Program | SB 546 | | ✓ |
| | | | | | |

**PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY**