

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON JUDICIARY

**Call to Order:** By Chairman Diane Rice, on April 12, 2007 at 9:03 A.M., in Room 137 Capitol.

#### ROLL CALL

**Members Present:**

Rep. Diane Rice, Chairman (R)  
Rep. Dave Gallik, Vice Chairman (D)  
Rep. Ron Stoker, Vice Chairman (R)  
Rep. Douglas Cordier (D)  
Rep. Robyn Driscoll (D)  
Rep. Bob Ebinger (D)  
Rep. George Everett (R)  
Rep. Julie French (D)  
Rep. Rick Jore (C)  
Rep. Krayton Kerns (R)  
Rep. Roger Koopman (R)  
Rep. Deborah Kottel (D)  
Rep. Tom McGillvray (R)  
Rep. Jesse O'Hara (R)  
Rep. Ken Peterson (R)  
Rep. Holly Raser (D)  
Rep. John Ward (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Greg Petesch, Code Commissioner  
Pam Schindler, Committee Secretary

**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: None  
Executive Action: SB 300, SB 142, SB 306

**EXECUTIVE ACTION ON SB 300**

00:01:40 **Motion:** Rep. Gallik moved that **SB 300 BE CONCURRED IN.**

**Discussion:**

00:01:50 Rep. Gallik  
00:04:34 Rep. Rice  
00:04:38 Rep. Kerns  
00:05:36 Rep. O'Hara  
00:07:36 Rep. Ward

00:08:56 **Motion:** Rep. Ward moved that **SB 300 BE AMENDED.**

**EXHIBIT (juh77a01)****Discussion:**

00:09:32 Greg Petesch, Code Commissioner, State of Montana  
00:10:18 Rep. French  
00:10:33 Mr. Petesch  
00:10:37 Rep. McGillvray  
00:10:57 Rep. Ward  
00:11:48 Rep. McGillvray  
00:12:35 Rep. Ward

00:13:02 **Vote:** Motion that **SB 300 BE AMENDED** carried 16-1 by voice vote with Rep. Driscoll voting no. Rep. Koopman voted by proxy.

00:13:24 **Motion:** Rep. French moved that **SB 300 BE CONCURRED IN AS AMENDED.**

**Discussion:**

00:13:34 Rep. Kottel  
00:18:40 Rep. Peterson  
00:20:30 Rep. French  
00:21:54 Rep. Jore  
00:24:48 Rep. Koopman  
00:28:30 Rep. Driscoll  
00:29:34 Rep. Gallik  
00:30:26 Rep. Rice  
00:33:35 Rep. Ebinger

00:33:51 **Vote:** Motion that **SB 300 BE CONCURRED IN AS AMENDED** carried 9-8 by roll call vote with Reps. Stoker, Everett, Koopman, Kerns, McGillvray, Ward, Jore, and Rice voting no. Rep. French to carry on House Floor.

**EXECUTIVE ACTION ON SB 142**

00:35:12 **Motion:** Rep. Ward moved to **RECONSIDER THE MOTION on SB 142.**

**Discussion:**

00:35:58 Rep. O'Hara  
00:36:20 Rep. Peterson  
00:37:20 Rep. French  
00:37:25 Rep. Peterson  
00:37:46 Rep. Raser  
00:38:34 Rep. Ward  
00:39:06 Rep. Kottel  
00:40:05 Rep. Stoker  
00:41:11 Rep. French

00:42:38 **Vote:** Motion to **RECONSIDER THE MOTION on SB 142** carried 9-8 by roll call vote with Reps. Stoker, Everett, Koopman, Kerns, Peterson, McGillvray, Jore, and Rice voting no.

00:43:27 **Motion/Vote:** Rep. French moved that **SB 142 BE CONCURRED IN.** Motion carried 9-8 by roll call vote with Reps. Stoker, Everett, Koopman, Kerns, Peterson, McGillvray, Jore, and Rice voting no. Rep. Ward to carry on House Floor.

**EXECUTIVE ACTION ON SB 306**

00:44:43 **Motion:** Rep. French moved to **RECONSIDER THE MOTION** on **SB 306**.

**Discussion:**

00:45:51 Rep. Koopman

00:47:55 Rep. O'Hara

00:49:25 Rep. Kottel

00:56:58 **Vote:** Motion to **RECONSIDER THE MOTION** on **SB 306** failed 8-9 by roll call vote with Reps. Gallik, French, Raser, Cordier, Driscoll, Kottel, Ward, and Ebinger voting aye.

**Committee Business:**

00:57:56 Rep. Driscoll

00:58:34 Rep. Rice

00:58:37 Rep. Stoker

**ADJOURNMENT**

Adjournment: 10:01 A.M.

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REP. DIANE RICE, Chairman

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PAM SCHINDLER, Secretary

DR/ps

Additional Exhibits:

**EXHIBIT ([juh77aad.pdf](#))**