

BUSINESS REPORT

MONTANA HOUSE OF REPRESENTATIVES
61st LEGISLATURE - REGULAR SESSION

HOUSE JUDICIARY COMMITTEE

Date: Thursday, March 12, 2009
Place: Capitol

Time: 8:00 am
Room: 137

BILLS and RESOLUTIONS HEARD:

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Add Postponed (PP) when appropriate:

SB 281, SB 288, SB 311, SB 400, SB 405

EXECUTIVE ACTION TAKEN:

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Enter P(pass) F(failed) DPAA (do pass as amended) BC(be concurred in) BCAA (be concurred in as amended):

SB 197 (B) SB 171 (BPAA) SB 340 (B)
SB 333 (tied) SB 368 (B)
SB 341 (B) SB 374 (tied)
SB 108 (BPAA) ~~SB~~

COMMENTS:



REP. Ron Stoker, Chairman

HOUSE OF REPRESENTATIVES
Roll Call
JUDICIARY COMMITTEE

DATE: 3/12/09

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
Rep. Peterson	X	
Rep. Kottel	X	
Rep. Kerns	X	
Rep. Sands	X	
Rep. Bennett	X	
Rep. MacDonald	X	
Rep. More	X	
Rep. Ebinger	X	
Rep. Wagner		X (Excused)
Rep. Becker	X	
Rep. Driscoll	X	
Rep. Regier	X	
Rep. McClafferty	X	
Rep. Howard	X	
Rep. Blewett	X	
Rep. Warburton	X	
Rep. Menahan	X	
Rep. Stoker	X	



HOUSE STANDING COMMITTEE REPORT

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Mr. Speaker:

We, your committee on **Judiciary** recommend that **Senate Bill 197** (third reading copy – blue) **be concurred in.**

Signed: _____

Ron Stoker
Representative Ron Stoker, Chair

To be carried by Representative Ken Peterson

- END -

Committee Vote:

Yes 18, No 0

Fiscal Note Required

SB0197001SC05152.hjd



HOUSE STANDING COMMITTEE REPORT

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Mr. Speaker:

We, your committee on **Judiciary** recommend that **Senate Bill 341** (third reading copy – blue) **be concurred in.**

Signed: _____

Ron Stoker
Representative Ron Stoker, Chair

To be carried by Representative Mike Menahan

- END -

Committee Vote:

Yes 16, No 2

Fiscal Note Required

SB0341001SC06475.hjd



HOUSE STANDING COMMITTEE REPORT

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Mr. Speaker:

We, your committee on **Judiciary** recommend that **Senate Bill 368** (third reading copy – blue) **be concurred in.**

Signed: _____

A handwritten signature in cursive script, appearing to read "Ron Stoker".

Representative Ron Stoker, Chair

To be carried by Representative Dave McAlpin

- END -

Committee Vote:

Yes 18, No 0

Fiscal Note Required

SB0368001SC03866.hjd



HOUSE STANDING COMMITTEE REPORT

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Mr. Speaker:

We, your committee on **Judiciary** recommend that **Senate Bill 340** (third reading copy – blue)
be concurred in.

Signed: _____

Ron Stoker
Representative Ron Stoker, Chair

To be carried by Representative Edith (Edie) McClafferty

- END -

Committee Vote:

Yes 18, No 0

Fiscal Note Required

SB0340001SC06227.hjd



HOUSE STANDING COMMITTEE REPORT

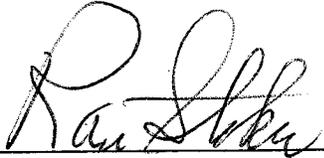
March 12, 2009

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Mr. Speaker:

We, your committee on **Judiciary** recommend that **Senate Bill 171** (third reading copy – blue) **be concurred in as amended.**

Signed:


Representative Ron Stoker, Chair

To be carried by Representative Ken Peterson

And, that such amendments read:

1. Page 1, line 12.

Following: "~~to do so~~"

Insert: "with a value of at least \$500 over the amount of any damage deposit or, if no damage deposit was paid, a value of at least \$500"

2. Page 1, lines 15 and 16.

Strike: "THAT" on line 15 through "VALUE" on line 16

3. Page 1, lines 17 through 19.

Strike: "A PERSON" on line 17 through "BOTH." ON LINE 19

4. Page 1, lines 22 and 23.

Strike: "THE COURT SHALL" on line 22 through "RESTITUTION." on line 23

Committee Vote:

Yes 18, No 0

Fiscal Note Required

SB0171001SC05152.hjd



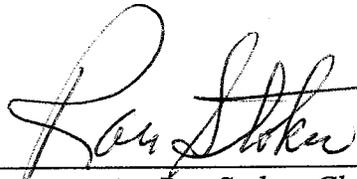
HOUSE STANDING COMMITTEE REPORT

March 12, 2009
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Mr. Speaker:

We, your committee on **Judiciary** recommend that **Senate Bill 108** (third reading copy – blue) be concurred in as amended.

Signed:


Representative Ron Stoker, Chair

To be carried by Representative Mike Menahan

And, that such amendments read:

1. Title, line 6.

Following: "SERVICE"

Insert: "ALONE"

2. Title, line 12.

Following: "SERVICE"

Insert: "ALONE"

3. Page 2, lines 14 and 15.

Strike: "A court" on line 14 through "child" on line 15

Insert: "When determining the best interest of the child of a parent in military service, the court shall consider all relevant parenting factors provided in subsection (1) and may not determine the best interest of the child based only upon the parent's military service"

4. Page 7, lines 19 and 20.

Strike: "A court" on line 19 through "plan" on line 20

Insert: "In approving a final parenting plan for a child of a

Committee Vote:

Yes 18, No 0

Fiscal Note Required

SB0108001SC06475.hjd

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parent in military service, the court may not disapprove the plan only because of the parent's military service"

- END -

SB0108001SC06475.hjd

HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 3/12/09 BILL NO SB 108 MOTION NO. _____
 MOTION: _____

TO TAKE SB 108 OFF TABLE

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Ken Peterson	X		
Deborah Kottel	X		
Krayton Kerns		X	
Diane Sands		X	
Gerald Bennett		X	
Margaret MacDonald	X		
Michael More		X	
Bob Ebinger	X		
Bob Wagner	_____	_____	
Arlene Becker		X	
Robyn Driscoll	X		
Keith Regier		X	
Edith McClafferty		X	
David Howard		X	
Anders Blewett	X		
Wendy Warburton	X		
Mike Menahan	X		
Ron Stoker	X		

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SB 108.

HOUSE OF REPRESENTATIVES

Roll Call Vote

JUDICIARY COMMITTEE

DATE 3/12/09 BILL NO SB 108 MOTION NO. _____
 MOTION: _____

SB 108 BE AMENDED.
(SB010801. adn)
Rep. Menahan

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Ken Peterson	X		
Deborah Kottel	X		
Krayton Kerns	X		
Diane Sands	X		
Gerald Bennett	X		
Margaret MacDonald	X		
Michael More	X		
Bob Ebinger	X		
Bob Wagner	X		X
Arlene Becker	X		
Robyn Driscoll	X		
Keith Regier	X		
Edith McClafferty	X		
David Howard	X		
Anders Blewett	X		
Wendy Warburton	X		
Mike Menahan	X		
Ron Stoker	X		

HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 3/12/09 BILL NO 333 MOTION NO. _____
 MOTION: _____

SB 333 BE CONCURRED IN.

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Ken Peterson	X		
Deborah Kottel		X	X
Krayton Kerns	X		
Diane Sands		X	
Gerald Bennett	X		
Margaret MacDonald		X	
Michael More	X		X
Bob Ebinger		X	
Bob Wagner	X		X
Arlene Becker		X	
Robyn Driscoll		X	
Keith Regier	X		
Edith McClafferty		X	
David Howard	X		
Anders Blewett		X	
Wendy Warburton	X		
Mike Menahan		X	
Ron Stoker	X		

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HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 3/12/09 BILL NO SB 341 MOTION NO. _____
 MOTION: _____

SB 341 BE CONCURRED IN.

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Ken Peterson	X		
Deborah Kottel	X		
Krayton Kerns	X		
Diane Sands	X		
Gerald Bennett	X		
Margaret MacDonald	X		
Michael More	X		
Bob Ebinger	X		
Bob Wagner	X		X
Arlene Becker		X	
Robyn Driscoll		X	
Keith Regier	X		
Edith McClafferty	X		
David Howard	X		
Anders Blewett	X		
Wendy Warburton	X		
Mike Menahan	X		
Ron Stoker	X		

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HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE 3/12/09 BILL NO SB 374 MOTION NO. _____
 MOTION: _____

SB 374 BE CONCURRED IN.

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Ken Peterson	X		
Deborah Kottel		X	
Krayton Kerns	X		
Diane Sands		X	
Gerald Bennett	X		
Margaret MacDonald		X	
Michael More	X		
Bob Ebinger		X	
Bob Wagner	X		
Arlene Becker		X	
Robyn Driscoll		X	
Keith Regier	X		
Edith McClafferty		X	
David Howard	X		
Anders Blewett		X	
Wendy Warburton	X		
Mike Menahan		X	
Ron Stoker	X		

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AUTHORIZED COMMITTEE PROXY

I request to be excused from the Judiciary

Committee because of other commitments. I desire to leave my proxy vote with:
Rep Becker

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
SB 197	✓	
SB 333		✓
SB 340	✓	

BILL/AMENDMENT	AYE	NO

Rep. Alan Katt
(Signature)

Date 3-12-09

**Montana House of Representatives
Visitors Register**

JUDICIARY COMMITTEE Date 3/12/09

Bill No. SB 288 Sponsor(s) Sen. Hinkle

PLEASE PRINT PLEASE PRINT PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
Jon Bennion	MT Chamber	✓		
Julia Papp	Northern Plains		X	
A/Smith	MTHA		X	
Cory Hedgebrig	Connecticut	✓		
Jon Olsen	WESTA	✓		
Sarah Cobler	MCU		X	
Chuck Magraw	NRDC/RNIP		✓	
Isabella Lindhof-Hall	Self		✓	
Brianna Randall	Clark Fork Coalition		X	
Anne Hedges	MEIC		X	
Kyla Wiens	METC		X	
Allison Savage	MEIC		X	
Christine [unclear]	[unclear]	X		

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