

**BUSINESS REPORT**

**MONTANA HOUSE OF REPRESENTATIVES  
62nd LEGISLATURE - REGULAR SESSION**

**HOUSE JUDICIARY COMMITTEE**

**Date:** Friday, February 4, 2011  
**Place:** Capitol

**Time:** 8:00 AM  
**Room:** 137

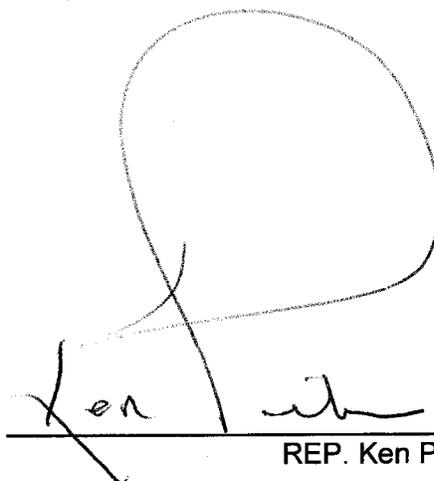
**BILLS and RESOLUTIONS HEARD:**

HB 360 - Criminalize passengers failure to report certain motor vehicle accidents  
HB 365 - Revise laws regarding involuntary commitment

**EXECUTIVE ACTION TAKEN:**

HB 174	Do pass
HB 271	Tie vote
HB 274	Postponed
HB 280	Do pass
HB 299	Postponed
HB 384	Do pass
HB 369	Tabled

**Comments:**



A large, stylized handwritten signature in black ink, appearing to read "Ken Peterson". The signature is written over a horizontal line.

REP. Ken Peterson, Chair

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

DATE: 2/4/2011

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
REP. KEN PETERSON, CHAIR	✓	
REP. KRAYTON KERNS, VICE CHAIR	✓	
REP. DIANE SANDS, VICE CHAIR	✓	
REP. MIKE MENAHAN	✓	
REP. ROBYN DRISCOLL	✓	
REP. KEITH REGIER	✓	
REP. DAN SKATTUM		✓
REP. CLEVE LONEY	✓	
REP. MARGARET MACDONALD	✓	
REP. CAROLYN PEASE-LOPEZ	✓	
REP. MICHAEL MORE		✓
REP. LIZ BANGERTER	✓	
REP. WENDY WARBURTON		✓
REP. BOB WAGNER	✓	
REP. ELLIE BOLDMAN HILL	✓	
REP. BILL HARRIS	✓	
REP. KRISTIN HANSEN	✓	
REP. DAVID HOWARD	✓	
REP. JESSE O'HARA	✓	
REP. JOE READ	✓	



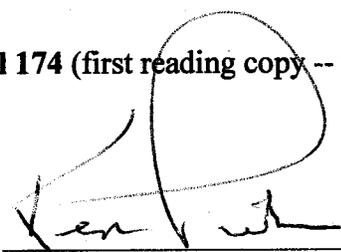
**HOUSE STANDING COMMITTEE REPORT**

**February 4, 2011**

**Page 1 of 1**

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 174** (first reading copy -- white) **do pass.**

Signed: 

*Representative Ken Peterson, Chair*

- END -

**Committee Vote:**

**Yes 16, No 4**

Fiscal Note Required

HB0174001SC.hgh

Handwritten initials and date, possibly "JH 2/4 1PM".



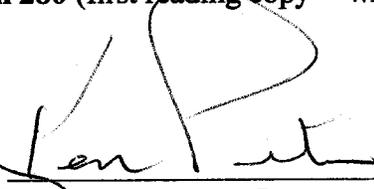
## HOUSE STANDING COMMITTEE REPORT

February 4, 2011

Page 1 of 2

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 280** (first reading copy -- white) **do pass as amended.**

Signed: 

*Representative Ken Peterson, Chair*

**And, that such amendments read:**

1. Page 2, line 25 through line 28.

**Following:** "that," on line 25

**Strike:** remainder of line 25 through "function" on line 28

**Insert:** "to a reasonable degree of medical certainty, so complicates the medical condition of the pregnant woman that it necessitates the immediate abortion of the pregnancy without first determining gestational age to avert the woman's death or for which the delay necessary to determine gestational age will create serious risk of substantial and irreversible physical impairment of a major bodily function, not including psychological or emotional conditions"

2. Page 3, line 3.

**Strike:** "or recklessly"

3. Page 3, line 4.

**Strike:** "felony"

**Insert:** "misdemeanor and upon conviction shall be punished by a term of imprisonment of not more than 6 months, by a fine of not more than \$1,000, or both"

**Committee Vote:**

**Yes 14, No 6**

Fiscal Note Required

HB0280001SC.hgh

*Handwritten initials and date: JJP 1/21/11*



**HOUSE STANDING COMMITTEE REPORT**

**February 4, 2011**

**Page 1 of 1**

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 384** (first reading copy -- white) **do pass.**

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

*Representative Ken Peterson, Chair*

- END -

**Committee Vote:**

**Yes 12, No 8**

Fiscal Note Required

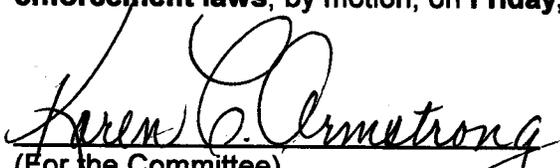
HB0384001SC.hgh

*JJ*  
*1pm*

**BILL TABLED NOTICE**

**HOUSE JUDICIARY COMMITTEE**

The HOUSE JUDICIARY COMMITTEE TABLED HB 369 - Revise fish and game enforcement laws, by motion, on Friday, February 4, 2011.

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

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

7:55 2/4  
(Time) (Date)

February 7, 2011

Karen Armstrong, Secretary

Phone: (406) 444-4607

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

DATE: 2/4/2011 BILL NO. 174 MOTION NO. 1  
 MOTION: replace with committee bill  
failed to collect votes

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KRAYTON KERNS, VICE CHAIR	✓		
REP. DIANE SANDS, VICE CHAIR	✓		
REP. MIKE MENAHAN		✓	
REP. ROBYN DRISCOLL		✓	
REP. KEITH REGIER		✓	
REP. DAN SKATTUM	✓		
REP. CLEVE LONEY		✓	
REP. MARGARET MACDONALD	✓		
REP. PEASE-LOPEZ	✓		
REP. MICHAEL MORE	✓		
REP. LIZ BANGERTER		✓	
REP. WENDY WARBURTON		✓	✓ proxy
REP. BOB WAGNER	✓		
REP. ELLIE BOLDMAN HILL	✓		
REP. BILL HARRIS	✓		
REP. KRISTIN HANSEN		✓	
REP. DAVID HOWARD	✓		
REP. JESSE O'HARA	✓		
REP. JOE READ		✓	proxy
REP. KEN PETERSON, CHAIR		✓	

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

DATE: 2/4/2011 BILL NO 174 MOTION NO. 2  
 MOTION: \_\_\_\_\_

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KRAYTON KERNS, VICE CHAIR	✓		
REP. DIANE SANDS, VICE CHAIR	✓		
REP. MIKE MENAHAN		✓	
REP. ROBYN DRISCOLL		✓	
REP. KEITH REGIER	✓		
REP. DAN SKATTUM	✓		
REP. CLEVE LONEY	✓		
REP. MARGARET MACDONALD		✓	
REP. PEASE-LOPEZ		✓	
REP. MICHAEL MORE	✓		
REP. LIZ BANGERTER	✓		
REP. WENDY WARBURTON	✓		
REP. BOB WAGNER	✓		
REP. ELLIE BOLDMAN HILL	✓		
REP. BILL HARRIS	✓		
REP. KRISTIN HANSEN	✓		
REP. DAVID HOWARD	✓		
REP. JESSE O'HARA	✓		
REP. JOE READ	✓		
REP. KEN PETERSON, CHAIR	✓		

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

DATE: 2/4/2011 BILL NO 271 MOTION NO. postpone failed  
 MOTION: \_\_\_\_\_

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KRAYTON KERNS, VICE CHAIR		✓	
REP. DIANE SANDS, VICE CHAIR	✓		
REP. MIKE MENAHAN		✓	
REP. ROBYN DRISCOLL		✓	
REP. KEITH REGIER		✓	
REP. DAN SKATTUM		✓	
REP. CLEVE LONEY		✓	
REP. MARGARET MACDONALD	X ✓		
REP. PEASE-LOPEZ	X ✓		
REP. MICHAEL MORE		✓	
REP. LIZ BANGERTER	X ✓		
REP. WENDY WARBURTON	X ✓		
REP. BOB WAGNER		✓	
REP. ELLIE BOLDMAN HILL		✓	
REP. BILL HARRIS		✓	
REP. KRISTIN HANSEN	X ✓		
REP. DAVID HOWARD		✓	
REP. JESSE O'HARA		✓	
REP. JOE READ	X ✓		
REP. KEN PETERSON, CHAIR		✓	

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

DATE: 2/4/2011 BILL NO 271 MOTION NO. 2  
MOTION: conceptual amendment

*duplicate language line 19*

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KRAYTON KERNS, VICE CHAIR	X ✓		
REP. DIANE SANDS, VICE CHAIR		✓	
REP. MIKE MENAHAN		✓	
REP. ROBYN DRISCOLL		✓	
REP. KEITH REGIER		✓	
REP. DAN SKATTUM	X ✓		
REP. CLEVE LONEY	X ✓		
REP. MARGARET MACDONALD		✓	
REP. PEASE-LOPEZ		✓	
REP. MICHAEL MORE	X ✓		
REP. LIZ BANGERTER		✓	
REP. WENDY WARBURTON	X ✓		
REP. BOB WAGNER	X ✓		
REP. ELLIE BOLDMAN HILL		✓	
REP. BILL HARRIS	X ✓		
REP. KRISTIN HANSEN	X ✓		
REP. DAVID HOWARD		✓	
REP. JESSE O'HARA		✓	
REP. JOE READ	X ✓		
REP. KEN PETERSON, CHAIR		✓	

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

DATE: 2/4/2011 BILL NO. 271 MOTION NO. 3  
MOTION: to pass  
tie - failed

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KRAYTON KERNS, VICE CHAIR	✓		
REP. DIANE SANDS, VICE CHAIR		✓	
REP. MIKE MENAHAN		✓	
REP. ROBYN DRISCOLL		✓	
REP. KEITH REGIER	✓		
REP. DAN SKATTUM	✓		
REP. CLEVE LONEY	✓		
REP. MARGARET MACDONALD		✓	
REP. PEASE-LOPEZ		✓	
REP. MICHAEL MORE		✓	
REP. LIZ BANGERTER		✓	
REP. WENDY WARBURTON	✓		
REP. BOB WAGNER	✓		
REP. ELLIE BOLDMAN HILL		✓	
REP. BILL HARRIS	✓		
REP. KRISTIN HANSEN	✓		
REP. DAVID HOWARD		✓	
REP. JESSE O'HARA		✓	
REP. JOE READ	✓		
REP. KEN PETERSON, CHAIR	✓		

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

DATE: 2/4/2011 BILL NO 280 MOTION NO. Amendment  
MOTION: \_\_\_\_\_

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KRAYTON KERNS, VICE CHAIR	✓		
REP. DIANE SANDS, VICE CHAIR		✓	
REP. MIKE MENAHAN	✓		
REP. ROBYN DRISCOLL		✓	
REP. KEITH REGIER	✓		
REP. DAN SKATTUM	✓		
REP. CLEVE LONEY	✓		
REP. MARGARET MACDONALD		✓	
REP. PEASE-LOPEZ		✓	
REP. MICHAEL MORE	✓		
REP. LIZ BANGERTER	✓		
REP. WENDY WARBURTON	✓		
REP. BOB WAGNER	✓		
REP. ELLIE BOLDMAN HILL		✓	
REP. BILL HARRIS	✓		
REP. KRISTIN HANSEN	✓		
REP. DAVID HOWARD	✓		
REP. JESSE O'HARA	✓		
REP. JOE READ	✓		
REP. KEN PETERSON, CHAIR	✓		

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

DATE: 2/4/2011 BILL NO 280 MOTION NO. \_\_\_\_\_  
 MOTION: \_\_\_\_\_ *passed as amended*

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KRAYTON KERNS, VICE CHAIR	✓		
REP. DIANE SANDS, VICE CHAIR		✓	
REP. MIKE MENAHAN		✓	
REP. ROBYN DRISCOLL		✓	
REP. KEITH REGIER	✓		
REP. DAN SKATTUM	✓		
REP. CLEVE LONEY	✓		
REP. MARGARET MACDONALD		✓	
REP. PEASE-LOPEZ		✓	
REP. MICHAEL MORE	✓		
REP. LIZ BANGERTER	✓		
REP. WENDY WARBURTON	✓		
REP. BOB WAGNER	✓		
REP. ELLIE BOLDMAN HILL		✓	
REP. BILL HARRIS	✓		
REP. KRISTIN HANSEN	✓		
REP. DAVID HOWARD	✓		
REP. JESSE O'HARA	✓		
REP. JOE READ	✓		
REP. KEN PETERSON, CHAIR	✓		

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

DATE: 2/4/2011 BILL NO 384 MOTION NO. 1  
MOTION: Amendment failed

B

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KRAYTON KERNS, VICE CHAIR		✓	
REP. DIANE SANDS, VICE CHAIR		✓	
REP. MIKE MENAHAN		✓	
REP. ROBYN DRISCOLL		✓	
REP. KEITH REGIER		✓	
REP. DAN SKATTUM		✓	
REP. CLEVE LONEY	x ✓		
REP. MARGARET MACDONALD	x ✓		
REP. PEASE-LOPEZ		✓	
REP. MICHAEL MORE	x ✓		
REP. LIZ BANGERTER	x ✓		
REP. WENDY WARBURTON		✓	
REP. BOB WAGNER		✓	proxy
REP. ELLIE BOLDMAN HILL		✓	
REP. BILL HARRIS	✓		
REP. KRISTIN HANSEN	x ✓		
REP. DAVID HOWARD	x ✓		
REP. JESSE O'HARA	x ✓		
REP. JOE READ		✓	
REP. KEN PETERSON, CHAIR		✓	

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

DATE: 2/4/2011 BILL NO 384 MOTION NO. 2  
 MOTION: \_\_\_\_\_

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. KRAYTON KERNS, VICE CHAIR	✓		
REP. DIANE SANDS, VICE CHAIR		✓	
REP. MIKE MENAHAN		✓	
REP. ROBYN DRISCOLL		✓	
REP. KEITH REGIER	✓		
REP. DAN SKATTUM	✓		
REP. CLEVE LONEY	✓		
REP. MARGARET MACDONALD		✓	
REP. PEASE-LOPEZ		✓	
REP. MICHAEL MORE	✓		
REP. LIZ BANGERTER		✓	
REP. WENDY WARBURTON	✓		
REP. BOB WAGNER	✓		proxy
REP. ELLIE BOLDMAN HILL		✓	
REP. BILL HARRIS	✓		
REP. KRISTIN HANSEN	✓		proxy
REP. DAVID HOWARD	✓		
REP. JESSE O'HARA		✓	
REP. JOE READ	✓		
REP. KEN PETERSON, CHAIR	✓		

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**MONTANA House of Representatives  
Visitors Register  
HOUSE JUDICIARY COMMITTEE**

**Friday, February 4, 2011**

**HB 365 - Revise laws regarding involuntary commitment**

**Sponsor: Representative Mike Menahan**

**PLEASE PRINT**

Name	Representing	Support	Oppose
Kathy McGowan	MSPOA Chr MH EMT MH WATMH	✓	
Lamy E. Adams	MOAA	✓	
Quentin Lee Schroeter	NAMI-MT	X	
John Gineckert	MSH	Instructional	dival
John Wilkinson	NASW MT	✓	
Matt Kutz	NAMI Montana	X	
Anne Bernier	Billings Clinic	X	
Lauren Vansickle		✓	
Anita Runman	Disability Rights MT	✓	

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