

# Montana State Legislature

## **2013 Session**

### **ADDITIONAL DOCUMENTS MAY INCLUDE THE FOLLOWING:**

- **Business Report**
- **Roll Call - Attendance**
- **Standing Committee Reports**
- **Tabled Bills**
- **Fiscal Reports etc.**
- **Roll Call Votes**
- **Informational Items**
- **Witness Statements**
- **Any Documents; such as;**
  - \* **Petitions if any.**
  - \* **Any and all material handed end after the meeting ends.**

**The original is on file at the  
Montana Historical Society  
and may be viewed there.**

**Montana Historical Society  
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...the tenth of the ...

**BUSINESS REPORT**

**MONTANA HOUSE OF REPRESENTATIVES  
63rd LEGISLATURE - REGULAR SESSION**

**HOUSE JUDICIARY COMMITTEE**

**Date:** Friday, February 22, 2013  
**Place:** Capitol

**Time:** 7:00 A.M.  
**Room:** 137

**BILLS and RESOLUTIONS HEARD:**

HB 467 - Require qualifications when justice of the peace is the court of record - Rep. Franke Wilmer  
HB 536 - Generally prohibiting the use of solitary confinement for juveniles - Rep. Franke Wilmer  
HB 550 - Revise laws related to rental and lease agreements for domestic violence victims - Rep. Jenifer Gursky  
HB 555 - Revise mediation laws related to family law and domestic violence - Rep. Ellie Boldman Hill  
HB 562 - Revise subdivision laws - Rep. Kathy Swanson  
HB 564 - Revise district court venue laws - Rep. Champ Edmunds  
HJ 13 - Joint Resolution to call on Congress to pass the Violence Against Women Act - Rep. Forrestina (Frosty) Calf Boss Ribs

**EXECUTIVE ACTION TAKEN:**

HB 236	Tabled
HB 370	Tabled
HB 432	Tabled
HB 467	Tabled
HB 481	Tabled
HB 536	Tabled
HB 543	Tabled
HB 550	Tabled
HB 555	Do pass as amended
HB 562	Do pass
HB 564	Do pass
HJ 6	Do pass as amended
HJ 13	Do pass

**Comments:**



REP. Krayton Kerns, Chair

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

DATE: 2/22/2013

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
REP. JERRY BENNETT, VICE CHAIR	X	
REP. MARGIE MACDONALD, VICE CHAIR	X	
REP. ALAN DOANE	X	
REP. CAROLYN PEASE-LOPEZ	X	
REP. KEITH REGIER	X	
REP. VIRGINIA COURT	X	
REP. CLAYTON FISCUS	X	
REP. BRIDGET SMITH	X	
REP. DENNIS LENZ	X	
REP. JENNY ECK	X	
REP. KIRK WAGONER	X	
REP. SARAH LASZLOFFY	X	
REP. WENDY WARBURTON		<i>etc</i>
REP. ELLIE BOLDMAN HILL	X	
REP. JERRY O'NEIL	X	
REP. JENIFER GURSKY	X	
REP. DAVID HALVORSON	X	
REP. RYAN LYNCH	X	
REP. MARK BLASDEL	X	
REP. KRAYTON KERNS, CHAIR	X	



Kaven  
Room 475

## HOUSE STANDING COMMITTEE REPORT

February 22, 2013

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 555** (first reading copy -- white) **do pass as amended.**

Signed: *Krayton Kerns*  
*Representative Krayton Kerns, Chair*

### And, that such amendments read:

1. Title, page 1, lines 10 and 11.

**Strike:** "REQUIRING MEDIATORS TO HAVE KNOWLEDGE IN THE AREA OF DOMESTIC VIOLENCE;"

**Insert:** "ALLOWING MEDIATIONS TO BE CONDUCTED BY MEDIATORS WHO ARE TRAINED IN MEDIATING DOMESTIC VIOLENCE CASES;"

2. Page 3, line 27.

**Strike:** "must"

**Insert:** "may"

- END -

**Committee Vote:**

**Yes 18, No 2**

Fiscal Note Required

HB0555001SC.hjk



**HOUSE STANDING COMMITTEE REPORT**

**February 22, 2013**

**Page 1 of 1**

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 562** (first reading copy -- white) **do pass.**

Signed: *Krayton Kerns*  
*Representative Krayton Kerns, Chair*

- END -

**Committee Vote:**

**Yes 20, No 0**

Fiscal Note Required

HB0562001SC.hjk

*DC 2022*  
*1:15*



**HOUSE STANDING COMMITTEE REPORT**

**February 22, 2013**

**Page 1 of 1**

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 564** (first reading copy -- white) **do pass.**

Signed: *Krayton Kerns*  
*Representative Krayton Kerns, Chair*

- END -

**Committee Vote:**

**Yes 11, No 9**

Fiscal Note Required

HB0564001SC.hjk

DC - 1:15  
2-22



## HOUSE STANDING COMMITTEE REPORT

February 25, 2013

Page 1 of 2

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Joint Resolution 6** (first reading copy -- white) **do pass as amended.**

Signed: *Krayton Kerns*  
*Representative Krayton Kerns, Chair*

### And, that such amendments read:

1. Title, page 1, line 6 through line 7.  
**Strike:** "OVERTURN" on line 6 through "COMMISSION" on line 7  
**Insert:** "PROVIDE THAT CORPORATIONS, INCLUDING NONPROFIT CORPORATIONS, UNIONS, AND ASSOCIATIONS, ARE NOT HUMAN BEINGS WITH CONSTITUTIONAL RIGHTS"
2. Page 1, line 18.  
**Strike:** "these decisions"  
**Insert:** "the decisions in American Tradition Partnership v. Bullock and Citizens United v. FEC"  
**Following:** "corporations"  
**Insert:** "and unions"
3. Page 2, line 3.  
**Following:** "committees"  
**Insert:** "; and  
WHEREAS, limits on campaign expenditures and contributions apply to corporations, including nonprofit corporations, as well as unions and associations"
4. Page 2, line 10 through line 11.  
**Strike:** subsection (a) in its entirety  
**Renumber:** subsequent subsections
5. Page 2, line 12.  
**Following:** "corporations"

### Committee Vote:

Yes 20, No 0

Fiscal Note Required

HJ0006001SC.hjk

*RC 2-26*  
*9:00*

**Insert:** ", including nonprofit corporations, unions, and associations,"

6. Page 2, line 13.

**Following:** "corporations"

**Insert:** ", unions, and associations"

- END -



**HOUSE STANDING COMMITTEE REPORT**

**February 22, 2013**

**Page 1 of 1**

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Joint Resolution 13** (first reading copy -- white) **do pass**.

Signed: *Krayton Kerns*  
*Representative Krayton Kerns, Chair*

- END -

**Committee Vote:**

**Yes 13, No 7**

Fiscal Note Required

HJ0013001SC.hjk

DC 2-22  
1:15

## BILL TABLED NOTICE

### HOUSE JUDICIARY COMMITTEE

The HOUSE JUDICIARY COMMITTEE TABLED

HB 236 - Eliminate license exemption for certain private adolescent treatment programs - Rep. Ellie Boldman Hill

HB 370 - Abolish death penalty and replace with life in prison without parole - Rep. Doug Kary

HB 432 - Generally revise laws related to child abuse and neglect cases - Rep. Kimberly Dudik

HB 467 - Require qualifications when justice of the peace is the court of record - Rep. Franke Wilmer

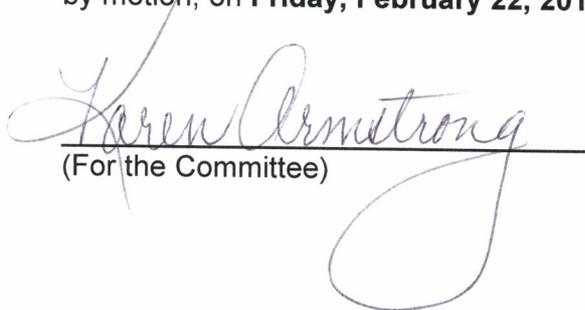
HB 481 - Prohibit discrimination of gender identity /expression and sexual orientation - Rep. Edith (Edie) McClafferty

HB 536 - Generally prohibiting the use of solitary confinement for juveniles - Rep. Franke Wilmer

HB 543 - Create a statewide child sexual abuse prevention campaign - Rep. Kimberly Dudik

HB 550 - Revise laws related to rental and lease agreements for domestic violence victims - Rep. Jenifer Gursky

by motion, on Friday, February 22, 2013.

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

  
\_\_\_\_\_  
(For the Chief Clerk of the House)  
9:15 / 2-23  
(Time) (Date)

February 22, 2013 (5:52pm)

Karen Armstrong, Secretary

Phone: 1862

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

DATE: 2/22/2013 BILL NO 481 MOTION NO. \_\_\_\_\_  
 MOTION: \_\_\_\_\_

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. JERRY BENNETT, VICE CHAIR		X	
REP. MARGIE MACDONALD, VICE CHAIR	X		
REP. ALAN DOANE		X	
REP. CAROLYN PEASE-LOPEZ	X		
REP. KEITH REGIER		X	
REP. VIRGINIA COURT	X		
REP. CLAYTON FISCUS		X	
REP. BRIDGET SMITH	X		
REP. DENNIS LENZ		X	
REP. JENNY ECK	X		
REP. KIRK WAGONER		X	
REP. SARAH LASZLOFFY		X	
REP. WENDY WARBURTON		X	pr
REP. ELLIE BOLDMAN HILL	X		
REP. JERRY O'NEIL		X	
REP. JENIFER GURSKY	X		
REP. DAVID HALVORSON		X	
REP. RYAN LYNCH	X		
REP. MARK BLASDEL		X	
REP. KRAYTON KERNS, CHAIR		X	

8                      12

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

DATE: 2/22/2013 BILL NO 236 MOTION NO. \_\_\_\_\_  
 MOTION: \_\_\_\_\_

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. JERRY BENNETT, VICE CHAIR		X	
REP. MARGIE MACDONALD, VICE CHAIR	X		
REP. ALAN DOANE		X	
REP. CAROLYN PEASE-LOPEZ	X		
REP. KEITH REGIER		X	
REP. VIRGINIA COURT	X		
REP. CLAYTON FISCUS		X	
REP. BRIDGET SMITH	X		
REP. DENNIS LENZ		X	
REP. JENNY ECK	X		
REP. KIRK WAGONER		X	
REP. SARAH LASZLOFFY		X	
REP. WENDY WARBURTON		X	pr
REP. ELLIE BOLDMAN HILL	X		
REP. JERRY O'NEIL		X	
REP. JENIFER GURSKY	X		
REP. DAVID HALVORSON		X	
REP. RYAN LYNCH	X		
REP. MARK BLASDEL		X	
REP. KRAYTON KERNS, CHAIR		X	

8

12

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

DATE: 2/22/2013 BILL NO 370 MOTION NO. \_\_\_\_\_  
 MOTION: \_\_\_\_\_

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. JERRY BENNETT, VICE CHAIR		X	
REP. MARGIE MACDONALD, VICE CHAIR	X		
REP. ALAN DOANE		X	
REP. CAROLYN PEASE-LOPEZ	X		
REP. KEITH REGIER		X	
REP. VIRGINIA COURT	X		
REP. CLAYTON FISCUS	X		
REP. BRIDGET SMITH	X		
REP. DENNIS LENZ		X	
REP. JENNY ECK	X		
REP. KIRK WAGONER		X	
REP. SARAH LASZLOFFY		X	
REP. WENDY WARBURTON		X	pu
REP. ELLIE BOLDMAN HILL	X		
REP. JERRY O'NEIL		X	
REP. JENIFER GURSKY	X		
REP. DAVID HALVORSON		X	
REP. RYAN LYNCH	X		
REP. MARK BLASDEL		X	
REP. KRAYTON KERNS, CHAIR		X	

9                      11

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

DATE: 2/22/2013 BILL NO 543 MOTION NO. \_\_\_\_\_  
 MOTION: \_\_\_\_\_ amendment HB054301. aro

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. JERRY BENNETT, VICE CHAIR	X		
REP. MARGIE MACDONALD, VICE CHAIR	X		
REP. ALAN DOANE	X		
REP. CAROLYN PEASE-LOPEZ	X		
REP. KEITH REGIER	X		
REP. VIRGINIA COURT	X		
REP. CLAYTON FISCUS	X		
REP. BRIDGET SMITH	X		
REP. DENNIS LENZ	X		
REP. JENNY ECK	X		
REP. KIRK WAGONER	X		
REP. SARAH LASZLOFFY	X		
REP. WENDY WARBURTON	X		pr
REP. ELLIE BOLDMAN HILL	X		
REP. JERRY O'NEIL	X		
REP. JENIFER GURSKY	X		
REP. DAVID HALVORSON	X		
REP. RYAN LYNCH	X		
REP. MARK BLASDEL	X		
REP. KRAYTON KERNS, CHAIR	X		

*Wm an*

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

DATE: 2/22/2013 BILL NO 543 MOTION NO. \_\_\_\_\_  
 MOTION: \_\_\_\_\_ as amended

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. JERRY BENNETT, VICE CHAIR		X	
REP. MARGIE MACDONALD, VICE CHAIR	X		
REP. ALAN DOANE		X	
REP. CAROLYN PEASE-LOPEZ	X		
REP. KEITH REGIER		X	
REP. VIRGINIA COURT	X		
REP. CLAYTON FISCUS		X	
REP. BRIDGET SMITH	X		
REP. DENNIS LENZ		X	
REP. JENNY ECK	X		
REP. KIRK WAGONER		X	
REP. SARAH LASZLOFFY	X		
REP. WENDY WARBURTON		X	PR
REP. ELLIE BOLDMAN HILL	X		
REP. JERRY O'NEIL		X	
REP. JENIFER GURSKY	X		
REP. DAVID HALVORSON		X	
REP. RYAN LYNCH	X		
REP. MARK BLASDEL		X	
REP. KRAYTON KERNS, CHAIR		X	

9                      11

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

DATE: 2/22/2013 BILL NO 432 MOTION NO. \_\_\_\_\_  
 MOTION: \_\_\_\_\_

*Yable*

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. JERRY BENNETT, VICE CHAIR	X		
REP. MARGIE MACDONALD, VICE CHAIR		X	
REP. ALAN DOANE	X		
REP. CAROLYN PEASE-LOPEZ		X	
REP. KEITH REGIER	X		
REP. VIRGINIA COURT		X	
REP. CLAYTON FISCUS	X		
REP. BRIDGET SMITH		X	
REP. DENNIS LENZ	X		
REP. JENNY ECK		X	
REP. KIRK WAGONER	X		
REP. SARAH LASZLOFFY	X		
REP. WENDY WARBURTON	X		pr
REP. ELLIE BOLDMAN HILL		X	
REP. JERRY O'NEIL	X		
REP. JENIFER GURSKY		X	
REP. DAVID HALVORSON	X		
REP. RYAN LYNCH		X	
REP. MARK BLASDEL	X		
REP. KRAYTON KERNS, CHAIR	X		

12                      8

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

DATE: 2/22/2013 BILL NO 536 MOTION NO. \_\_\_\_\_  
 MOTION: \_\_\_\_\_

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. JERRY BENNETT, VICE CHAIR		X	
REP. MARGIE MACDONALD, VICE CHAIR	X		
REP. ALAN DOANE		X	
REP. CAROLYN PEASE-LOPEZ	X		
REP. KEITH REGIER		X	
REP. VIRGINIA COURT	X		
REP. CLAYTON FISCUS		X	
REP. BRIDGET SMITH	X		
REP. DENNIS LENZ		X	
REP. JENNY ECK	X		
REP. KIRK WAGONER		X	
REP. SARAH LASZLOFFY		X	
REP. WENDY WARBURTON		X	<i>pr</i>
REP. ELLIE BOLDMAN HILL	X		
REP. JERRY O'NEIL		X	
REP. JENIFER GURSKY	X		
REP. DAVID HALVORSON		X	
REP. RYAN LYNCH		X	
REP. MARK BLASDEL		X	
REP. KRAYTON KERNS, CHAIR		X	

7                  13

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

DATE: 2/22/2013 BILL NO HJ 13 MOTION NO. \_\_\_\_\_  
 MOTION: \_\_\_\_\_ do pass

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. JERRY BENNETT, VICE CHAIR	X		
REP. MARGIE MACDONALD, VICE CHAIR	X		
REP. ALAN DOANE		X	
REP. CAROLYN PEASE-LOPEZ	X		
REP. KEITH REGIER		X	
REP. VIRGINIA COURT	X		
REP. CLAYTON FISCUS		X	
REP. BRIDGET SMITH	X		
REP. DENNIS LENZ		X	
REP. JENNY ECK	X		
REP. KIRK WAGONER	X		
REP. SARAH LASZLOFFY	X		
REP. WENDY WARBURTON	X		<i>pr</i>
REP. ELLIE BOLDMAN HILL	X		
REP. JERRY O'NEIL		X	
REP. JENIFER GURSKY	X		
REP. DAVID HALVORSON		X	
REP. RYAN LYNCH	X		
REP. MARK BLASDEL	X		
REP. KRAYTON KERNS, CHAIR		X	

13      7      *passed*

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

DATE: 2/22/2013 BILL NO 564 MOTION NO. \_\_\_\_\_  
 MOTION: \_\_\_\_\_

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. JERRY BENNETT, VICE CHAIR	X		
REP. MARGIE MACDONALD, VICE CHAIR		X	
REP. ALAN DOANE	X		
REP. CAROLYN PEASE-LOPEZ		X	
REP. KEITH REGIER	X		
REP. VIRGINIA COURT		X	
REP. CLAYTON FISCUS	X		
REP. BRIDGET SMITH		X	
REP. DENNIS LENZ	X		
REP. JENNY ECK		X	
REP. KIRK WAGONER	X		
REP. SARAH LASZLOFFY		X	
REP. WENDY WARBURTON	X		<i>pr</i>
REP. ELLIE BOLDMAN HILL		X	
REP. JERRY O'NEIL	X		
REP. JENIFER GURSKY		X	
REP. DAVID HALVORSON	X		
REP. RYAN LYNCH		X	
REP. MARK BLASDEL	X		
REP. KRAYTON KERNS, CHAIR	X		

11      9

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

DATE: 2/22/2013 BILL NO 550 MOTION NO. \_\_\_\_\_  
 MOTION: as amended

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. JERRY BENNETT, VICE CHAIR		X	
REP. MARGIE MACDONALD, VICE CHAIR	X		
REP. ALAN DOANE		X	
REP. CAROLYN PEASE-LOPEZ	X		
REP. KEITH REGIER		X	
REP. VIRGINIA COURT	X		
REP. CLAYTON FISCUS		X	
REP. BRIDGET SMITH		X	
REP. DENNIS LENZ		X	
REP. JENNY ECK	X		
REP. KIRK WAGONER		X	
REP. SARAH LASZLOFFY		X	
REP. WENDY WARBURTON		X	<i>pr</i>
REP. ELLIE BOLDMAN HILL	X		
REP. JERRY O'NEIL		X	
REP. JENIFER GURSKY	X		
REP. DAVID HALVORSON		X	
REP. RYAN LYNCH	X		
REP. MARK BLASDEL		X	
REP. KRAYTON KERNS, CHAIR		X	

7                      13

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

DATE: 2/22/2013 BILL NO 555 MOTION NO. \_\_\_\_\_  
 MOTION: conceptual amendment

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. JERRY BENNETT, VICE CHAIR	X		
REP. MARGIE MACDONALD, VICE CHAIR	X		
REP. ALAN DOANE	X		
REP. CAROLYN PEASE-LOPEZ		X	
REP. KEITH REGIER	X		
REP. VIRGINIA COURT	X		
REP. CLAYTON FISCUS	X		
REP. BRIDGET SMITH	X		
REP. DENNIS LENZ	X		
REP. JENNY ECK		X	
REP. KIRK WAGONER	X		
REP. SARAH LASZLOFFY	X		
REP. WENDY WARBURTON	X		pr
REP. ELLIE BOLDMAN HILL	X		
REP. JERRY O'NEIL	X		
REP. JENIFER GURSKY	X		
REP. DAVID HALVORSON		X	
REP. RYAN LYNCH	X		
REP. MARK BLASDEL	X		
REP. KRAYTON KERNS, CHAIR	X		

17      3

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

DATE: 2/22/2013 BILL NO 555 MOTION NO. \_\_\_\_\_  
 MOTION: \_\_\_\_\_ as conceptually amended

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. JERRY BENNETT, VICE CHAIR	X		
REP. MARGIE MACDONALD, VICE CHAIR	X		
REP. ALAN DOANE	X		
REP. CAROLYN PEASE-LOPEZ	X		
REP. KEITH REGIER	X		
REP. VIRGINIA COURT	X		
REP. CLAYTON FISCUS	X		
REP. BRIDGET SMITH	X		
REP. DENNIS LENZ	X		
REP. JENNY ECK	X		
REP. KIRK WAGONER	X		
REP. SARAH LASZLOFFY	X		
REP. WENDY WARBURTON	X		pr
REP. ELLIE BOLDMAN HILL	X		
REP. JERRY O'NEIL	X		
REP. JENIFER GURSKY	X		
REP. DAVID HALVORSON		X	
REP. RYAN LYNCH	X		
REP. MARK BLASDEL	X		
REP. KRAYTON KERNS, CHAIR		X	

18      2

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

DATE: 2/22/2013 BILL NO. HJ 6 MOTION NO. Amendment HJ000601.akt  
 MOTION: \_\_\_\_\_

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. JERRY BENNETT, VICE CHAIR	X		
REP. MARGIE MACDONALD, VICE CHAIR	X		
REP. ALAN DOANE	X		
REP. CAROLYN PEASE-LOPEZ	X		
REP. KEITH REGIER	X		
REP. VIRGINIA COURT	X		
REP. CLAYTON FISCUS	X		
REP. BRIDGET SMITH	X		
REP. DENNIS LENZ	X		
REP. JENNY ECK	X		
REP. KIRK WAGONER	X		
REP. SARAH LASZLOFFY	X		
REP. WENDY WARBURTON	X		pr
REP. ELLIE BOLDMAN HILL	X		
REP. JERRY O'NEIL	X		
REP. JENIFER GURSKY	X		
REP. DAVID HALVORSON	X		
REP. RYAN LYNCH	X		
REP. MARK BLASDEL	X		
REP. KRAYTON KERNS, CHAIR	X		

*WMA*

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

DATE: 2/22/2013 BILL NO. HJ 6 MOTION NO. \_\_\_\_\_  
 MOTION: Table as amended

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. JERRY BENNETT, VICE CHAIR	X		
REP. MARGIE MACDONALD, VICE CHAIR		X	
REP. ALAN DOANE		X	
REP. CAROLYN PEASE-LOPEZ		X	
REP. KEITH REGIER		X	
REP. VIRGINIA COURT		X	
REP. CLAYTON FISCUS	X		
REP. BRIDGET SMITH		X	
REP. DENNIS LENZ	X		
REP. JENNY ECK		X	
REP. KIRK WAGONER	X		
REP. SARAH LASZLOFFY	X		
REP. WENDY WARBURTON	X		
REP. ELLIE BOLDMAN HILL		X	<i>pr</i>
REP. JERRY O'NEIL		X	
REP. JENIFER GURSKY		X	
REP. DAVID HALVORSON		X	
REP. RYAN LYNCH		X	
REP. MARK BLASDEL		X	
REP. KRAYTON KERNS, CHAIR	X		

7                      13      *file*

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

DATE: 2/22/2013 BILL NO HJ 6 MOTION NO. \_\_\_\_\_  
 MOTION: \_\_\_\_\_

*conceptual amendment*

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. JERRY BENNETT, VICE CHAIR	X		
REP. MARGIE MACDONALD, VICE CHAIR	X		
REP. ALAN DOANE	X		
REP. CAROLYN PEASE-LOPEZ	X		
REP. KEITH REGIER	X		
REP. VIRGINIA COURT	X		
REP. CLAYTON FISCUS	X		
REP. BRIDGET SMITH	X		
REP. DENNIS LENZ	X		
REP. JENNY ECK	X		
REP. KIRK WAGONER	X		
REP. SARAH LASZLOFFY	X		
REP. WENDY WARBURTON	X		<i>pr</i>
REP. ELLIE BOLDMAN HILL	X		
REP. JERRY O'NEIL	X		
REP. JENIFER GURSKY	X		
REP. DAVID HALVORSON		X	
REP. RYAN LYNCH	X		
REP. MARK BLASDEL	X		
REP. KRAYTON KERNS, CHAIR		X	

18      2

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

DATE: 2/22/2013 BILL NO. HJ 6 MOTION NO. \_\_\_\_\_  
 MOTION: \_\_\_\_\_ *do pass as twice amended*

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. JERRY BENNETT, VICE CHAIR	X		
REP. MARGIE MACDONALD, VICE CHAIR	X		
REP. ALAN DOANE	X		
REP. CAROLYN PEASE-LOPEZ	X		
REP. KEITH REGIER	X		
REP. VIRGINIA COURT	X		
REP. CLAYTON FISCUS	X		
REP. BRIDGET SMITH	X		
REP. DENNIS LENZ	X		
REP. JENNY ECK	X		
REP. KIRK WAGONER	X		
REP. SARAH LASZLOFFY	X		
REP. WENDY WARBURTON	X		<i>pr</i>
REP. ELLIE BOLDMAN HILL	X		
REP. JERRY O'NEIL	X		
REP. JENIFER GURSKY	X		
REP. DAVID HALVORSON	X		
REP. RYAN LYNCH	X		
REP. MARK BLASDEL	X		
REP. KRAYTON KERNS, CHAIR	X		

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

DATE: 2/22/2013 BILL NO 103 MOTION NO. \_\_\_\_\_  
 MOTION: be reconsidered

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. JERRY BENNETT, VICE CHAIR		X	
REP. MARGIE MACDONALD, VICE CHAIR	X		
REP. ALAN DOANE		X	
REP. CAROLYN PEASE-LOPEZ	X		
REP. KEITH REGIER		X	
REP. VIRGINIA COURT	X		
REP. CLAYTON FISCUS		X	
REP. BRIDGET SMITH	X		
REP. DENNIS LENZ		X	pr
REP. JENNY ECK	X		
REP. KIRK WAGONER		X	
REP. SARAH LASZLOFFY		X	
REP. WENDY WARBURTON		X	pr
REP. ELLIE BOLDMAN HILL	X		
REP. JERRY O'NEIL		X	
REP. JENIFER GURSKY	X		
REP. DAVID HALVORSON		X	
REP. RYAN LYNCH	X		
REP. MARK BLASDEL		X	
REP. KRAYTON KERNS, CHAIR		X	

8      12

## AUTHORIZED COMMITTEE PROXY

I request to be excused from the Judiciary

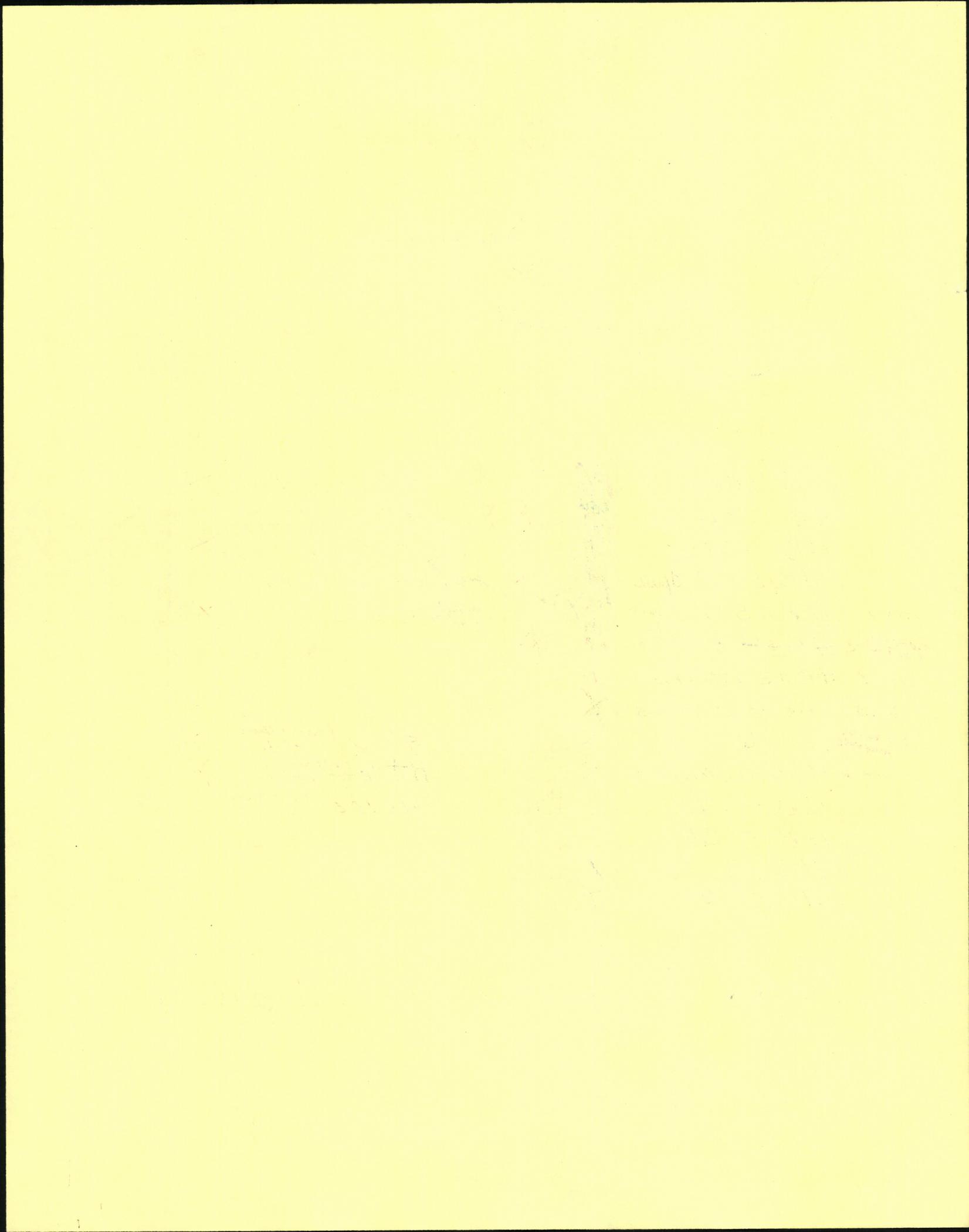
Committee because of other commitments. I desire to leave my proxy vote with:  
Jerry Burnett

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.

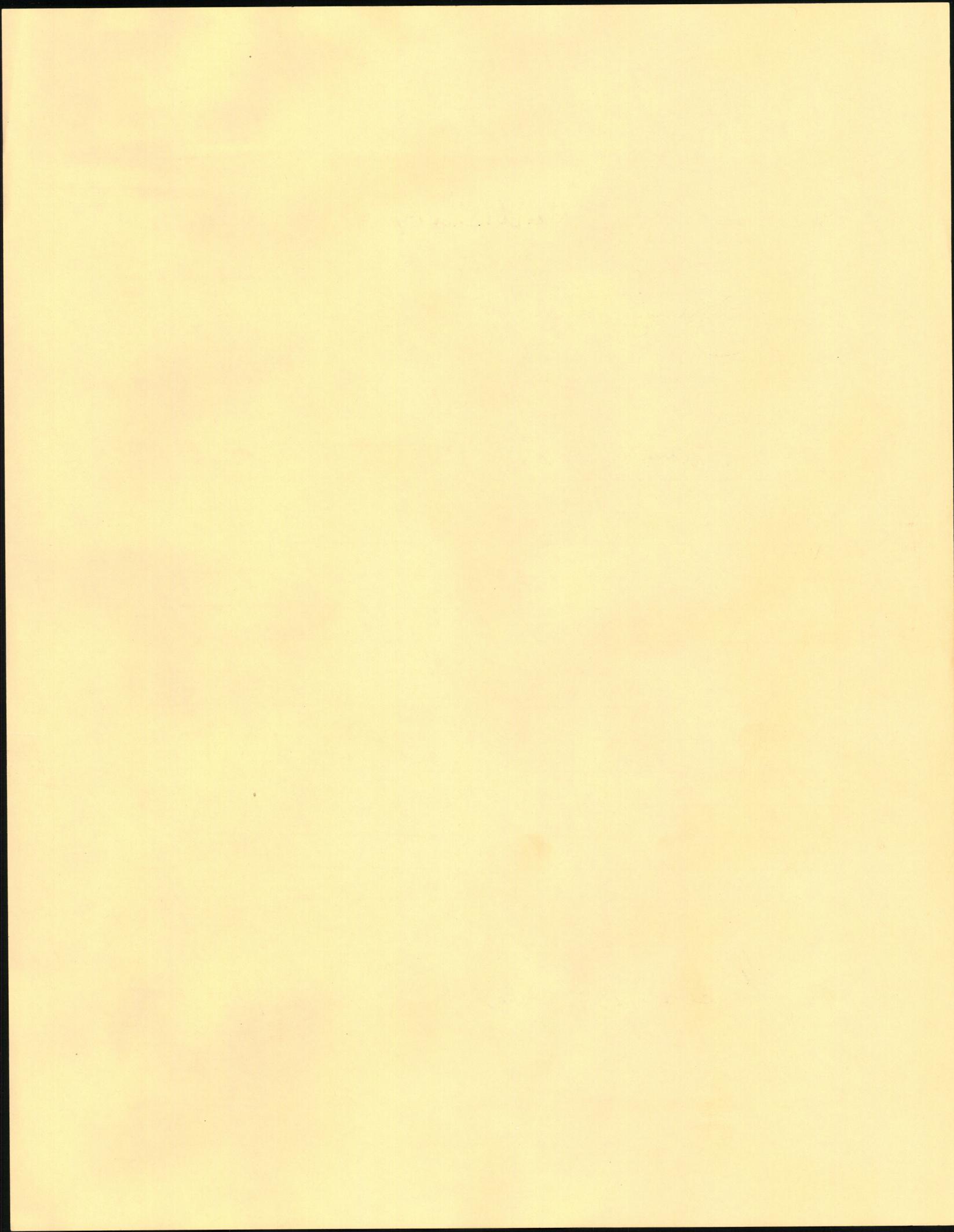
BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
HB 481		X	HB 564	X	
HB 236		X	HB 550		X
HB 370		X	HB 555	X	
HB 543 dpaa		X	AMND HB 055001. A+T	X	
AMND HB 054301. ASD		X	Concept Amend HB 555	X	
<del>motif table</del> <del>HB 432</del> +E					
AMND HB 053202. AAS	X				
AMND HB 043203. AAS			AMND HS 6	X	
as twice amended HS 6	X		HS 6 Conceptual amnd	X	
AMND HS 000601. A+T	X		<del>HS 6 motif table</del>	X	
HB 467		X	HB 103 Reconsider		X
HB 536		X			
HS 13	X				
HB 562	X				

Rep. Wendy Workman  
(Signature)

Date 2/22/13







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

Friday, February 22, 2013

HB 467 - Require qualifications when justice of the peace is the court of record

Sponsor: Rep. Franke Wilmer

PLEASE PRINT

Name	Representing	Support	Oppose	Info
LARRY CAWEN	Montana Magistrates		✓	
GORDON MORRIS	LEWIS & CLARK Co.		✓	
Niki Zupanic	ACLU of MT	✓		
HAROLD BLATTIS	MACO		X	
Audrey Burger	Hill County		X	
Craig Mohr	Richland County Justice Court		X	
Perry Miller	Blaine County JP		X	
Kathy Swanson	HD #86 / HB #362	✓		
DAVID ELIAS	SELF	✓		
Gary Baker	self	X		
Leo Galligan	L/C Co Atty		X	
Milee Menchen	1st Judicial District Ct		✓	
Andrew J. Olsen	MTLA	X		
Terry Williams	SELF		X	
Bill Steffens	Montana Landlords Assoc		X	
Bill Loebner	Montana Landlords ASS		X	

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



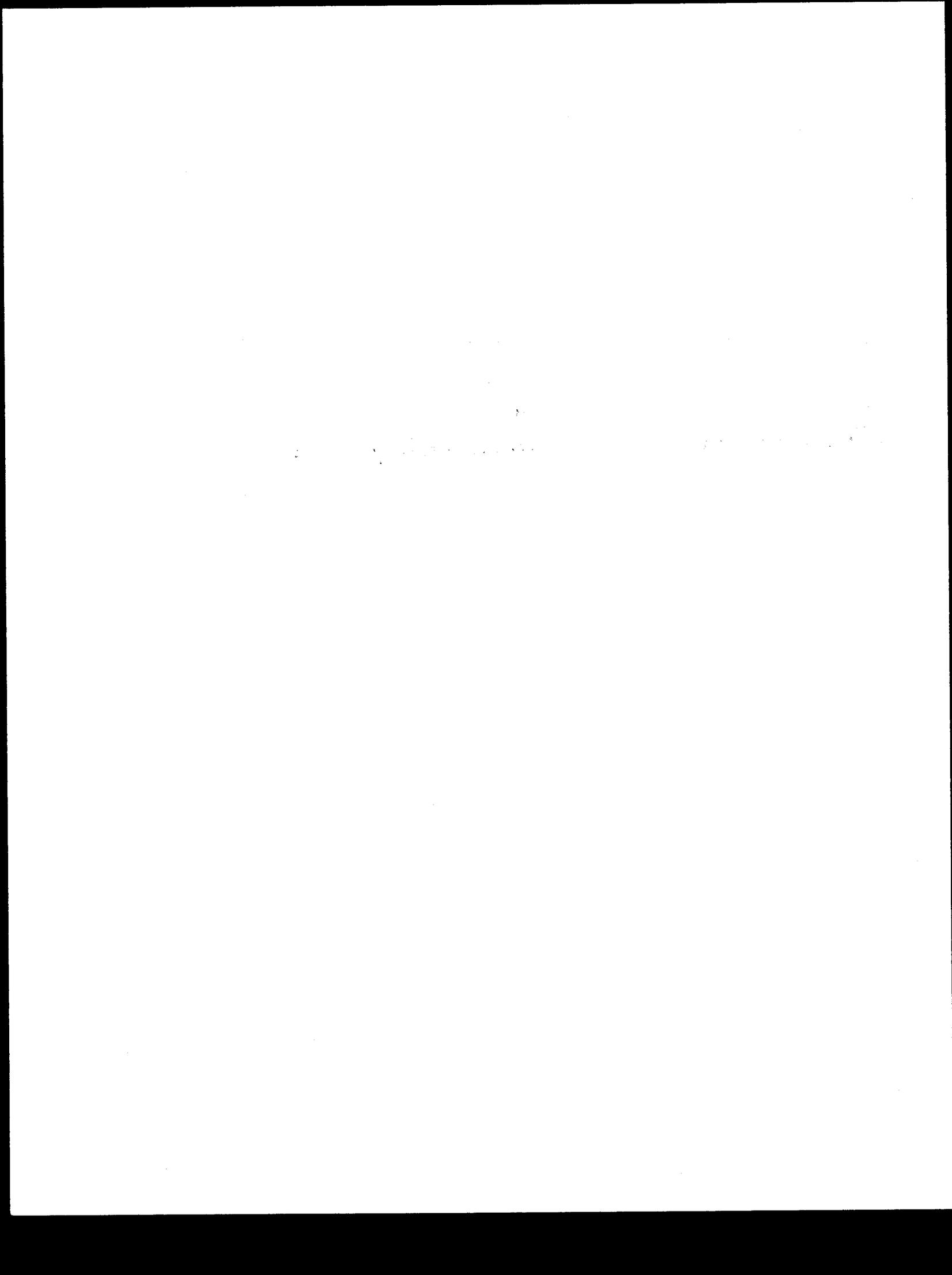




















*Additional  
after mtg.  
Kerns  
Karen 475*



Attention: Members of the House Judiciary Committee

From: Rev. Richard L. Killmer, NRCAT

Date: February 22, 2013

Phone Number: (202) 547-1920

Number of Pages, Including Cover: 3

Fax Number: (406) 444-4825

- URGENT
- REPLY ASAP
- PLEASE COMMENT
- PLEASE REVIEW
- FOR YOUR INFORMATION

# fax cover

National Religious Campaign Against Torture  
 316 F Street NE, Suite 200, Washington, DC 20002  
 tel: 202.547.1920 | fax: 202.547.1920  
 www.nrcat.org



**National Religious Campaign  
Against Torture**

www.nrcat.org  
campaign@nrcat.org  
202-547-1920

February 22, 2013

Attention: Krayton Kerns, Chair, Montana House Judiciary Committee  
Members of the Montana House Judiciary Committee

Mr. Chairman, Members of the Montana House Judiciary Committee:

Thank you for this opportunity to submit a letter in support of House Bill 536 on behalf of the National Religious Campaign Against Torture (NRCAT) and our more than 300 diverse faith-based organizational members across the United States. We write to the committee in advance of the hearing scheduled for today, February 22, 2013, to consider House Bill 536, the "Montana Solitary Confinement Act," a bill that would restrict the use of long-term solitary confinement in Montana state prison facilities.

As people of faith, we urge you to support this bill. The National Religious Campaign Against Torture, whose members represent all faith traditions, recognize that prolonged solitary confinement denies the essential human need for community, impedes genuine rehabilitation, and is damaging to the psychological and social development of youth. Research consistently demonstrates that the psychological effects, particularly among children and people with mental illness, are devastating. The damage of solitary confinement is a violation of human dignity and is of grave concern to the faith community. Therefore, we strongly support the passage of House Bill 536, particularly its provisions to end the use of solitary confinement of youth under 18, inmates with serious mental illness, and other prisoners needing special consideration, as well as its support for limiting long-term solitary confinement for all inmates.

The bill also includes a critical public safety measure by limiting the use of solitary confinement for prisoners who are within one year of their release. As people of faith, we recognize that rehabilitation must include preparation for successful re-entry following incarceration. Because of the devastating psychological and social impacts of prolonged solitary confinement, re-entry is significantly undermined by an inmate's immediate release from solitary confinement into the community.

The National Religious Campaign Against Torture advocates for limiting the use of solitary confinement in U.S. federal and state prisons. In 2010, NRCAT partnered with a diverse coalition of organizations in Maine to push for the successful passage of a resolve by the state legislature requiring the Department of Corrections to review its solitary confinement policies and procedures. As a result of the review and its recommendations, the solitary confinement population in Maine has been reduced by more than 70 percent. Momentum to halt the use of prolonged solitary confinement in U.S. prisons continues to build nationally, with the first-ever Congressional hearing on the use of prolonged solitary confinement convened last June by Senator Dick Durbin of Illinois. Following the hearing, in February of this year, the Federal



www.nrcat.org  
campaign@nrcat.org  
202-547-1920

Bureau of Prisons agreed to the first-ever independent and comprehensive assessment of its use of prolonged solitary confinement in U.S. federal prisons.

In this moment when the use of prolonged solitary confinement is under increasing scrutiny around the country, House Bill 536 presents Montana with a critical opportunity to lead the way nationally in increasing access to rehabilitation and reducing harm.

We urge you to support H.B. 536. Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Richard L. Killmer".

Rev. Richard L. Killmer  
Executive Director