

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.**

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Montana Historical Society
and may be viewed there.**

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BUSINESS REPORT

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

HOUSE JUDICIARY COMMITTEE

Date: Wednesday, March 27, 2013

Place: Capitol

Time: 8:00 AM

Room: 137

BILLS and RESOLUTIONS HEARD:

HB 629 - Implement negotiated water compacts with Montana tribal governments - Rep.
Kathleen Williams

EXECUTIVE ACTION TAKEN:

HB 612	Tabled
HB 603	Do pass as amended
SB 160	Be concurred in as amended
SB 196	Be concurred in as amended
SB 198	Be concurred in as amended

Comments:



REP. Krayton Kerns, Chair

HOUSE OF REPRESENTATIVES
Roll Call
JUDICIARY COMMITTEE

DATE: 3/27/2013

<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		<i>exc</i>
REP. BRIDGET SMITH	X	
REP. DENNIS LENZ	X	
REP. JENNY ECK		<i>exc</i>
REP. KIRK WAGONER	X	
REP. SARAH LASZLOFFY	X	
REP. WENDY WARBURTON	X	
REP. ELLIE BOLDMAN HILL	X	
REP. JERRY O'NEIL		<i>exc</i>
REP. JENIFER GURSKY	X	
REP. DAVID HALVORSON		<i>exc</i>
REP. RYAN LYNCH		<i>exc</i>
REP. MARK BLASDEL		<i>exc</i>
REP. KRAYTON KERNS, CHAIR	X	

Kern
Room 475



HOUSE STANDING COMMITTEE REPORT

March 27, 2013

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **House Bill 603** (first reading copy -- white) **do pass as amended.**

Signed: Krayton Kern
Representative Krayton Kerns, Chair

And, that such amendments read:

1. Page 1, line 18.
Following: "exists"
Strike: "an immediate"
Insert: "a possible"

- END -

Committee Vote:

Yes 15, No 5

Fiscal Note Required

HB0603001SC.hjk

DC 3-27
(177)



HOUSE STANDING COMMITTEE REPORT

March 27, 2013

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **Senate Bill 160** (third reading copy -- blue) **be concurred in as amended.**

Signed: *Krayton Kerns*
Representative Krayton Kerns, Chair

To be carried by Representative Jenifer Gursky

And, that such amendments read:

1. Title, page 1, line 9.

Strike: "AMENDING SECTION 46-23-502, MCA;"

2. Page 2, line 2.

Insert: "(4) For purposes of this section, "nonorganic failure to thrive" means inadequate physical growth that is a result of insufficient nutrition and is not secondary to a diagnosed medical condition."

3. Page 2, line 3 through page 3, line 22.

Strike: section 2 in its entirety

Renumber: subsequent sections

- END -

Committee Vote:

Yes 12, No 8

Fiscal Note Required

SB0160001SC15266.hjk

DC 3-27
5:00



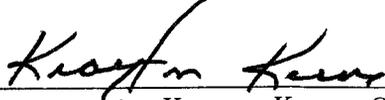
HOUSE STANDING COMMITTEE REPORT

March 27, 2013

Page 1 of 2

Mr. Speaker:

We, your committee on **Judiciary** recommend that **Senate Bill 196** (third reading copy -- blue) be concurred in as amended.

Signed: 
Representative Krayton Kerns, Chair

To be carried by Representative Alan Doane

And, that such amendments read:

1. Title, page 1, line 7.
Strike: "AND PRIVATE USERS"

Following: ";"
Insert: "AND"

2. Title, page 1, line 8.
Following: "COURT"
Strike: remainder of line 8 through "MCA"

3. Page 1, line 10.
Strike: everything after the enacting clause
Insert: "NEW SECTION. **Section 1. Limitations on unmanned aerial vehicles.** (1) In any prosecution or proceeding within the state of Montana, information from an unmanned aerial vehicle is not admissible as evidence unless the information was obtained:
(a) pursuant to the authority of a search warrant; or
(b) in accordance with judicially recognized exceptions to the warrant requirement.
(2) Information obtained from the operation of an unmanned aerial vehicle may not be used in an affidavit of probable cause in an effort to obtain a search warrant unless the information was obtained under the circumstances described in subsection (1)(a) or (1)(b) or was obtained through the monitoring of public

Committee Vote:
Yes 20, No 0
Fiscal Note Required

SB0196001SC15246.hjk

5:00 DC
3-27

lands or international borders.

(3) For the purposes of this section, "unmanned aerial vehicle" means an aircraft that is operated without direct human intervention from on or within the aircraft. The term does not include satellites."

Insert: "NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 46, chapter 5, part 1, and the provisions of Title 46, chapter 5, part 1, apply to [section 1]."

- END -



HOUSE STANDING COMMITTEE REPORT

March 27, 2013

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **Senate Bill 198** (third reading copy -- blue) **be concurred in as amended.**

Signed: *Krayton Kerns*
Representative Krayton Kerns, Chair

To be carried by Representative Sarah Laszloffy

And, that such amendments read:

1. Page 1, line 18.
Following: "minor"
Insert: "under 45-5-201(1)(a)"
2. Page 1, line 21.
Strike: "10"
Insert: "5"
3. Page 1, line 25.
Following: "minor"
Insert: "under 45-5-201(1)(a)"
4. Page 2, line 27.
Strike: "must"
Insert: "may"

- END -

Committee Vote:

Yes 18, No 2

Fiscal Note Required

SB0198001SC15252.hjk

500 DL
3-27

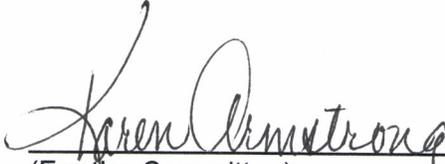
BILL TABLED NOTICE

HOUSE JUDICIARY COMMITTEE

The HOUSE JUDICIARY COMMITTEE TABLED

HB 612 - Require abuse of elderly/persons with disabilities offender registration - Rep. Kelly McCarthy

by motion, on **Wednesday, March 27, 2013** (PLEASE USE THIS ACTION DATE IN LAWS BILL STATUS).



(For the Committee)



(For the Chief Clerk of the House)

3:10 / 3-27
(Time) (Date)

March 27, 2013 (2:15pm)

Karen Armstrong, Secretary

Phone: 1862

HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE: 3/27/2013 BILL NO 612 MOTION NO. _____
 MOTION: _____ do pass

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	pr
REP. BRIDGET SMITH	X		
REP. DENNIS LENZ		X	
REP. JENNY ECK	X		pr
REP. KIRK WAGONER		X	
REP. SARAH LASZLOFFY		X	
REP. WENDY WARBURTON		X	
REP. ELLIE BOLDMAN HILL	X		
REP. JERRY O'NEIL		X	pr
REP. JENIFER GURSKY	X		
REP. DAVID HALVORSON		X	pr
REP. RYAN LYNCH	X		pr
SPEAKER MARK BLASDEL		X	pr
REP. KRAYTON KERNS, CHAIR		X	

8 12

HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE: 3/27/2013 BILL NO 603 MOTION NO. _____
 MOTION: _____

amendment 60303.akt

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	pr
REP. BRIDGET SMITH	X		
REP. DENNIS LENZ		X	
REP. JENNY ECK		X	pr
REP. KIRK WAGONER	X		
REP. SARAH LASZLOFFY	X		
REP. WENDY WARBURTON		X	
REP. ELLIE BOLDMAN HILL		X	
REP. JERRY O'NEIL		X	pr
REP. JENIFER GURSKY		X	
REP. DAVID HALVORSON		X	pr
REP. RYAN LYNCH		X	pr
SPEAKER MARK BLASDEL		X	pr
REP. KRAYTON KERNS, CHAIR		X	

5 15

HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE: 3/27/2013 BILL NO 603 MOTION NO. _____
 MOTION: amendment 02

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	pr
REP. BRIDGET SMITH	X		
REP. DENNIS LENZ		X	
REP. JENNY ECK	X		pr
REP. KIRK WAGONER		X	
REP. SARAH LASZLOFFY		X	
REP. WENDY WARBURTON		X	
REP. ELLIE BOLDMAN HILL	X		
REP. JERRY O'NEIL		X	pr
REP. JENIFER GURSKY	X		
REP. DAVID HALVORSON		X	pr
REP. RYAN LYNCH	X		pr
SPEAKER MARK BLASDEL		X	pr
REP. KRAYTON KERNS, CHAIR		X	

8 12 fails

HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE: 3/27/2013 BILL NO 603 MOTION NO. bill as amended
 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		pr
REP. BRIDGET SMITH	X		
REP. DENNIS LENZ	X		
REP. JENNY ECK		X	pr
REP. KIRK WAGONER	X		
REP. SARAH LASZLOFFY	X		
REP. WENDY WARBURTON		X	
REP. ELLIE BOLDMAN HILL		X	
REP. JERRY O'NEIL	X		pr
REP. JENIFER GURSKY	X		
REP. DAVID HALVORSON	X		pr
REP. RYAN LYNCH	X		pr
SPEAKER MARK BLASDEL	X		pr
REP. KRAYTON KERNS, CHAIR	X		

15 5 pass

HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE: 3/27/2013 BILL NO 160 MOTION NO. _____
 MOTION: SB 0160 02 alt

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		pr
REP. KIRK WAGONER	X		pr
REP. SARAH LASZLOFFY	X		
REP. WENDY WARBURTON	X		
REP. ELLIE BOLDMAN HILL	X		
REP. JERRY O'NEIL	X		pr
REP. JENIFER GURSKY	X		
REP. DAVID HALVORSON	X		pr
REP. RYAN LYNCH	X		pr
SPEAKER MARK BLASDEL	X		pr
REP. KRAYTON KERNS, CHAIR	X		

20 0

HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE: 3/27/2013 BILL NO. 160 MOTION NO. bill as amended
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		pr
REP. KIRK WAGONER	X		
REP. SARAH LASZLOFFY	X		
REP. WENDY WARBURTON		X	
REP. ELLIE BOLDMAN HILL	X		
REP. JERRY O'NEIL		X	pr
REP. JENIFER GURSKY	X		pr
REP. DAVID HALVORSON	X		pr
REP. RYAN LYNCH	X		pr
SPEAKER MARK BLASDEL		X	pr
REP. KRAYTON KERNS, CHAIR		X	

12 8

HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE: 3/27/2013 BILL NO 198 MOTION NO. _____
 MOTION: _____ amen to 19801.akt

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	pr
REP. KIRK WAGONER	X		
REP. SARAH LASZLOFFY		X	
REP. WENDY WARBURTON	X		
REP. ELLIE BOLDMAN HILL		X	
REP. JERRY O'NEIL	X		
REP. JENIFER GURSKY		X	
REP. DAVID HALVORSON	X		pr
REP. RYAN LYNCH		X	pr
SPEAKER MARK BLASDEL	X		
REP. KRAYTON KERNS, CHAIR	X		

11 9 carried

HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE: 3/27/2013 BILL NO. 198 MOTION NO. _____
 MOTION: amendment to 198 03, alt

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	pr
REP. KIRK WAGONER	X		
REP. SARAH LASZLOFFY	X		
REP. WENDY WARBURTON	X		
REP. ELLIE BOLDMAN HILL	X		
REP. JERRY O'NEIL	X		
REP. JENIFER GURSKY		X	
REP. DAVID HALVORSON	X		pr
REP. RYAN LYNCH		X	pr
SPEAKER MARK BLASDEL	X		
REP. KRAYTON KERNS, CHAIR	X		

14 6 passed

HOUSE OF REPRESENTATIVES
Roll Call Vote
JUDICIARY COMMITTEE

DATE: 3/27/2013 BILL NO 198 MOTION NO. _____
 MOTION: 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		pr
REP. KIRK WAGONER	X		
REP. SARAH LASZLOFFY	X		
REP. WENDY WARBURTON	X		
REP. ELLIE BOLDMAN HILL	X		
REP. JERRY O'NEIL		X	
REP. JENIFER GURSKY	X		
REP. DAVID HALVORSON	X		pr
REP. RYAN LYNCH	X		pr
SPEAKER MARK BLASDEL	X		
REP. KRAYTON KERNS, CHAIR		X	

18 2 passes

AUTHORIZED COMMITTEE PROXY

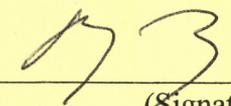
I request to be excused from the House Judiciary

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

Rep. McDonald

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 612	X		SB 188	X	
HB 060303. AMT		X			
HB 060301. AMT	X				
HB 060302. AMT	X				
HB 603	X				
SB 016002	X				
SB 016001	X				
SB 160	X				
SB 019603. A/B	X				
SB 196	X				
SB 019802. AMT	X				
SB 019801. AMT		X			
SB 019803. AMT		X			

Rep. 
 Ryan Lynch (Signature)

Date 3-27-13

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 Brunel

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 612		X			
HB 603	X				
AMD 01. AHT	X	X			
02. AHT		X			
03. AHT		X			
SB 160	X	X			
AMD 01. AHT	X				
02. AHT	X				
SB 194	X		AMD SB 019603. AHB	X	
SB 198	X				
AMD 01. AHT	X				
02. AHT	X		Reconsider 02. AHT	X	
03. AHT	X		Remove 02. AHT	X	

Rep. David P. Hanson
(Signature)

Date 3/27/13

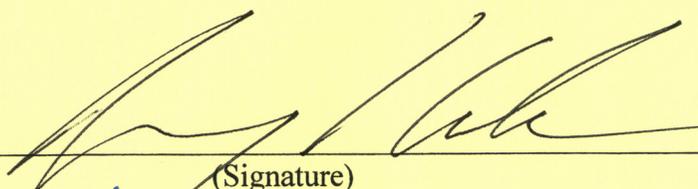
AUTHORIZED COMMITTEE PROXY

I request to be excused from the Legislature

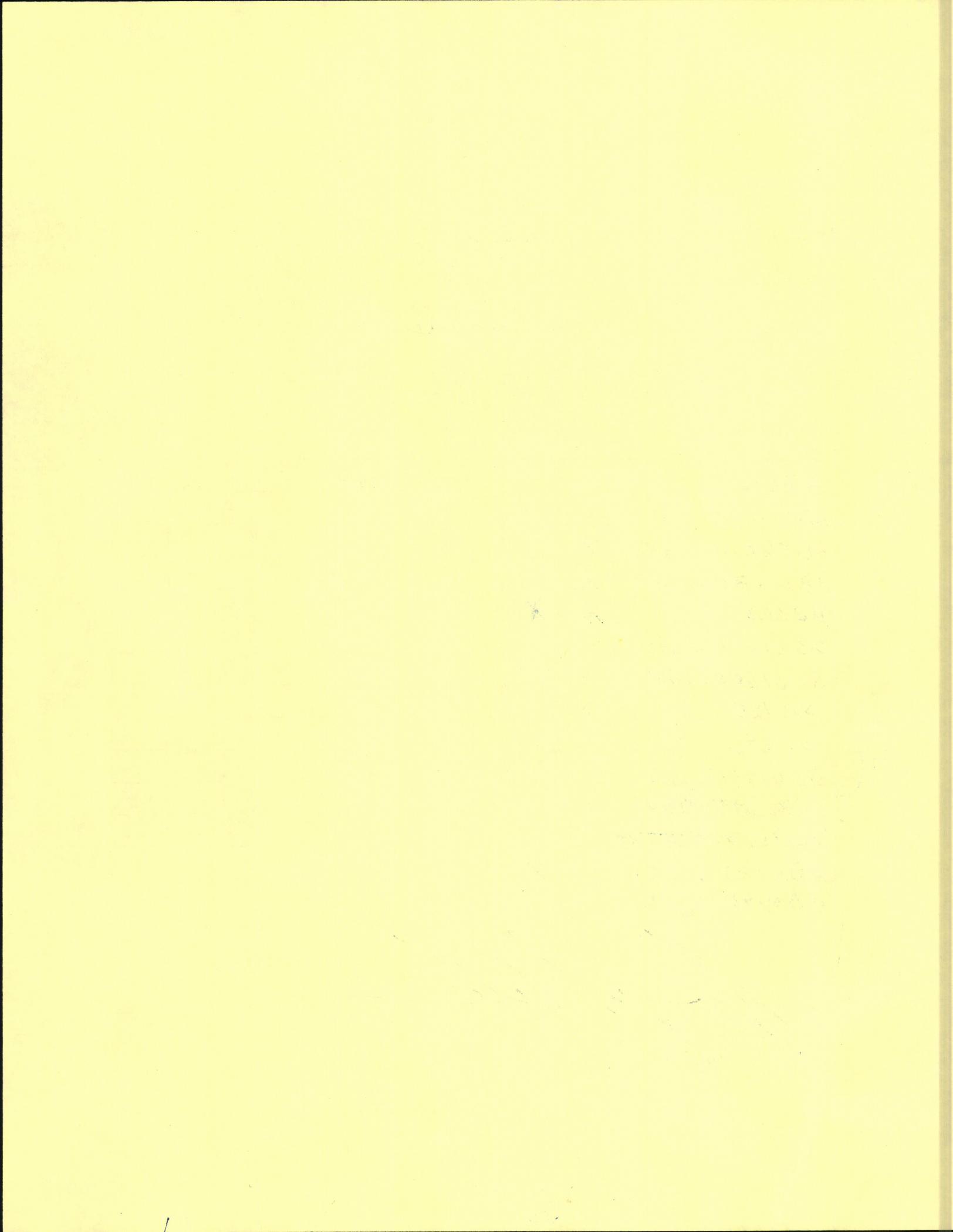
Committee because of other commitments. I desire to leave my proxy vote with:
Rep. Maggie Macdonald

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 612	X		SB 198	X	
HB 060303. AMT		X			
HB 060301. AMT	X				
HB 060302. AMT	X				
HB 603	X	X			
SB 016002. AMT	X				
SB 016001. AMT	X				
SB 160	X				
SB 196	X				
SB 019603. AMT	X				
SB 0198	X				
SB 019802. AMT	X				
SB 0198 01. AMT		X			
SB 0198. 03. AMT		X			

Rep.  (Signature) Date 3-27-13

Jerry Eck



AUTHORIZED COMMITTEE PROXY

I request to be excused from the Judiciary

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

Danny Bennett

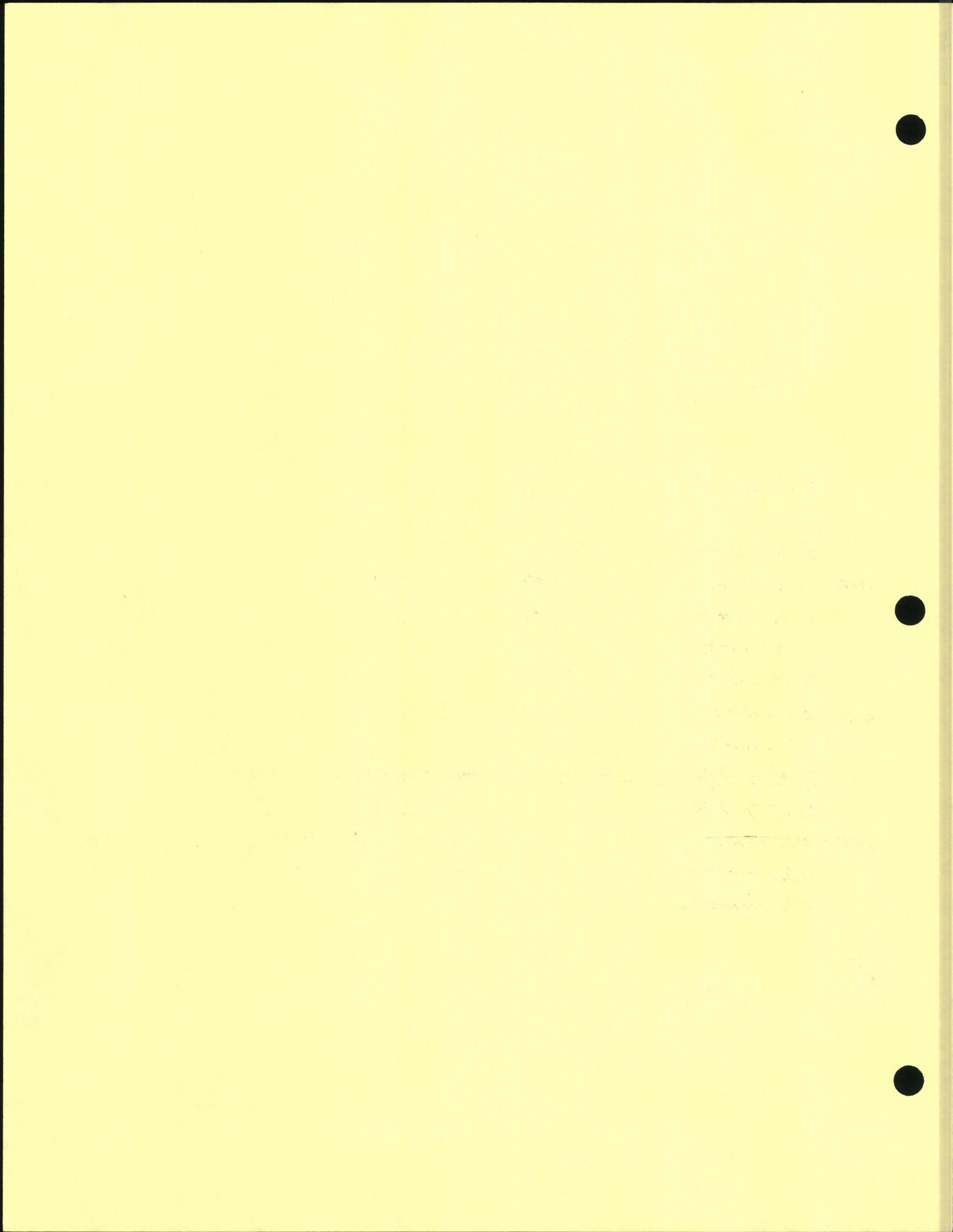
Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
HB 612		X			
HB 603	X				
AMD 01 AHT	X	X			
02 AHT		X			
03 AHT		X			
SB 160		X			
AMD 01. AHT	X				
02. AHT	X				
SB 196	X		AMD SB 019603. AHB	Y	
SB 198			SB 198		
AMD 01. AHT			Reconsider 02. AHT	X	
02. AHT			Remove 02. AHT	X	
03. AHT					

MARK

Rep. HN
(Signature)

Date 3/27/13



AUTHORIZED COMMITTEE PROXY

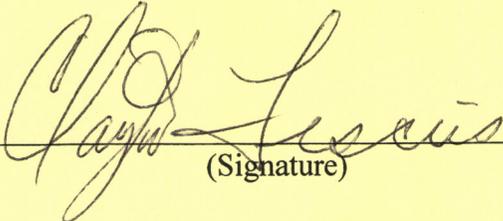
I request to be excused from the Judiciary

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

Jerry Bennett

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 412		X			
HB 403	X				
AM 01 HHT	X	X			
02 HHT		X			
03 HHT		X			
SB 160					
AM 01. HHT					
02. HHT					
SB 196					
SB 198					
AM 01. HHT					
02. HHT					
03. HHT					

Rep. 
(Signature)

Date 3/27/13

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 Bennett

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 112		X				
	HB 603	X					
AMD	01. AHT	X	X				
	02. AHT		X				
	03. AHT		X				
	SB 160		X				
AMD	01. AHT	X					
	02. AHT	X					
	SB 196	X			AMD SB 019603.ASB	X	
	SB 198				AMD SB 019803.ASB		
AMD	01. AHT						
	02. AHT						
	03. AHT						

Rep. Jerry Bennett
(Signature)

Date 3/27/13

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

Wednesday, March 27, 2013

HB 629 - Implement negotiated water compacts with Montana tribal governments

Sponsor: Rep. Kathleen Williams

PLEASE PRINT

Name	Representing	Support	Oppose	Info
MICHAEL GALE	SELF		✓	
Joy Claar	Self		✓	
Marsha Strauss	Self		✓	
Clayton Mett	CSKT	X		
Thyler Lewis	CSKT	X		
STEVE LOZAR	CSKT	X		
Joe Durglo	CSKT	X		
RIC SMITH	SELF	X		
Paul Bortner	Daly Ditches Irrig. Dist	X		
Jack Lake		X		
Dustin Monr	MNV	X		
Ronald McDonald	CS&K Tribes	X		
Mike Murphy	MWRA	X		
Marie Torosian	CSKT (in Support)	X		
Rich Jansen	CSKT	✓		
Kate Vandemur	Concerned Citizens		✓	
Michael Gale	Concerned Citizens		✓	
Marsha Strauss	" "		✓	
Rory Harning	" "		✓	
Boone Cole	FIP BOARD		✓	
Stacey McQuade	CSKT	✓	⊗	

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

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

Wednesday, March 27, 2013

HB 629 - Implement negotiated water compacts with Montana tribal governments

Sponsor: Rep. Kathleen Williams

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Name	Representing	Support	Oppose	Info
Alan Mikkelsen	Bus/ Irrigators	✓		✓
Paul Wacziarg	FTBC	✓		
Kerry Downy	FTBC	✓		
Steve Hughes	FTBC	✓		
David Passieri	People of Montana		✓	
John Crowley	Bitter Root Irrigation	✓		
JT man	Painted Rocks Water	✓		
Don Tralaw	CSKT	✓		
Carol Kunkler				
Natale Chapman	People of Montana	✓	✓	
Terry & Felts		✓		
Jim Foster		✓		
Patrick McCain	member Tea Party		✓	
Rob McDonald	CSKT	✓		
Jim Ellett	Self	✓		
TERRY BACKS	CONCERNED CITIZENS		✓	
JAN ROGERS	RICK JORG		✓	
TIMORR	SELF		✓	
ROSS MIDDLEMIST	SELF		✓	
JOY CLAR	SELF		✓	
JRUDY SAMUELSON	SELF		✓	

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Name	Representing	Support	Oppose	Info
Scott Makepeace	CSKT	*		
Rita Hall	water user/property rights advocate		★	
Julia Fehrs	water user		★ HB 629	
Paula Webster	Ronan, MT-	X		
Jerry Laskody	St. Ignatius, MT		X	
Daniel Cole	Irrigators		X	
Gross Middlem. St	Dixon		X	
Jim Orr	St Ignatius		X	
Christine Laskody	st. Ignatius, MT		X	
Leta Tjon Wicka	Charlo - irrigator		X	
Bryan Bowd	Ronan - irrigator		X	
Richard Tyson	St Ignatius, irrigator		X	
Becky Stockton	# Self		X	
Clarice Ryan	CSKT		X	
Jan Wisniewski	water users		X	
Gene Erb	water users		X	
CT Ripley	" "		X	
LuAnn Dorgan	Kalispell families of future		X	
Jane Saarnin	Kalispell Top Bend		X	
Maureen Peterson	" " Star Bridge Rd		X	
Harlan Mendes			X	
Dean Brockway	DOCKO IRRIGATOR		X	

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Name	Representing	Support	Oppose	Info
Jon Metropoulos	Flathead Joint Board	X		
CRAIG PABLO	CSKT	X		
Marshall Pablo	CSKT	X		
MAXINE WHITSON	Irrigators - myself	X	X	
Phm P... Andy Huff	Crow Tribe / Inland Governors office	X		
Shane Morigeau	CSKT	X		
DAVE STANKEL			X	
BARBARA WADDILL			X	
Paul Roos	SELF	X		
Forum Stewart ^{sen.}	NAT Am Caucus	X		
Dea Whatford	# Dist 16	X		
TED HEIN	SELF CAMAS IRRIGATOR		X	
JAN ROGERS	self		X	
RONALD COLEMAN	Ronald Coleman		X	

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Name	Representing	Support	Oppose	Info
John Carter	CSAT	X		
Cheryl Colacurcio	WATER Rights Compact Rancher & Tribal	X		
Betty MARQUART	Tribal Interest	X		
Rhonda Swaney	CSKT	X		
Mary Price	CSKT	✓		
John D Nail	Self		✓	
LANNA ONNILL	"		✓	
Geo Hudson	"		✓	
Chris Tweeter	Compact Comm'n	✓		
Bill Schultz	Compact Comm'n	✓		
Derek Gies	Citizen		X	
Juan Cay Jr.	CSKT	X		
GIGI CAYE	CSKT	X		
Bernie Strom	CSKT	X		
Maggie Coode	CSKT	✓		
Sharon Earthbat	CSKT	✓		
Alana Earthbat	CSKT	✓		
Alana Caye	CSKT	✓		
Camp Kallay	CSKT	✓		
Rosemary Caye	CSKT	✓		
Drew Elliott Cay	CSKT	✓		
Gabe Caye	CSKT	✓		

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Name	Representing	Support	Oppose	Info
WADE SHEPARD	Water users		✓	
DICK GOTTA	PHILIPSBURG		✓	
Pat Curione	Self		✓	
PIAT ARNONE	TI		✓	
Howard Lyons	Farm + Ranch Prop Co.		✓	
Earl Brooks	Moiese MT.		✓	
Bill Howell	Howell Ranch		✓	
BARBARA Wehrheim	Moiese		✓	
Stanna Balber	Moiese		✓	
David A. Nash	Moiese		✓	
Jay C. Boyl	Heber A		✓	
Tim Wynn	Water user		✓	
Glan McSherrin	Water User		✓	
Chris Galt	Water User		✓	
Terry Prongue	self		✓	
Bob Rosenbaum	Charlo		✓	
David Beck	self Charlo		✓	
Bill Chandler	Missoula		✓	
JEFF Wilson	SELF - Potomac		✓	
John Pleyher	Camac Creek Irrigators		✓	
Cassie Bonds	Dixon Melons		✓	
Randy Hansen	self BONAN		✓	

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Name	Representing	Support	Oppose	Info
R. INGENICE	LIBBY		✓	
D. SHKUNSKY	LIBBY			
John SINDT	FLATHEAD BUSINESS & INDUSTRY ASSOC.		X	
Mark Ageres	MTU	X		
Bill Myers	BAYSIDE PARK + MARINE		X	
Mike McNamee	MT FWP			X
Judy Samuelson	Business		X	
Rick Breckenridge	self			X
Jean Nemeth	camas Prairie ^{near} Hot Springs		X	
Rory Horning	SELF		X	
DAVE TOBOI	RONAN		X	
Marilyn Carr	Hot Springs		X	
DAVE LONC	RONAN		X	
Roy Vallejo	St. Ignatius		X	
Shirley Vallejo	St. Ignatius		X	
Charles Bryant	Hot Springs		X	
Charly Jefferson	ST Ignatius		X	
Sharon Carr	Hot Springs		X	
JEFF MALWAK	HOT SPRINGS		X	
Brent Powell	ST Ignatius MT		X	
Kenia Reinlaser	Ronan		X	
Randy Reinlaser	Ronan		X	

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Name	Representing	Support	Oppose	Info
Lamont Kirkade	Self			✓
Ed WELTRHEIM	SELF		✓	
Gary Roberts	SELF		✓	
Don A. Modder	SELF		✓	
Jacob Cargill	MT Famous Chian	X		
STEVE TOL	WMWUA, LLC		X	
Lynn Mason	Self		X	
Jerry Halter	Dixon Mellons		X	
Don T. Mason	ST. IGNATIUS		X	
Andrew Speer	Self		X	
Kathy Waring	self		X	
Dennis Roach	self		X	
Norajean Malinak	self		X	
Don Gugliano	Self		X	
Shanna Barber	self		X	
Julie R. Ruffner	self		X	
Kathleen J. Hill Sr	self		X	
Charmel D. Millin	Self	X		
CHRIS SULLIVAN	IRRIGATORS		X	
HARLEY HETTICK	DIXON MELONS, INC		X	

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Pertinent information from Treaties & Acts of Flathead Reservation

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**ADDITIONAL
DOCUMENTS**

For Compact Commission:

1. When did the Commission approve the Flathead Compact? Feb. 26, 2013.
2. When was the proposal finalized? Feb. 13.
3. The bill, HB 629, was introduced March 23. It is 132 pages, the compact is 54 pages (and took more than 5 years to negotiate), the ordinance is 127 pages, Appendix C, the Irrigation project water use agreement, is 63 pages, with appendices--and these are just the major documents and they total 376 pages. There are 37 other appendices. Do you really expect us to grasp all the factual and legal foundations of this, all the factual and legal justifications, all the factual and legal ramifications in a few days time?
4. Doesn't the Compact subordinate senior water rights of irrigators to junior water rights? Yes. Compact Article III, G. p. 26... Tribes agree (for irrigators who "use" part of their water right) NOT to make a call against water rights arising under state law which are necessarily junior to the irrigators' because they, under this agreement, have an 1855 priority date. So even irrigators who have this "senior" water right, are in effect junior to later appropriators.
5. What are the "handful of streams" that the Compact affects? Kootenai River (measured in Idaho! Article III, D. 1.), Swan River, Lower Clark Fork (measured in Idaho!), upper Clark Fork, Placid Creek, Kootenai River Tributaries. This "handful of streams" is pretty much all of western Montana.

For Irrigator Board

1. How many irrigators are represented by your Board? 2,400 farms and ranches.
2. The Board did NOT approve the Water Use Agreement, did it? No, it voted to recommend to irrigators that they approve it in a vote.
3. What was the vote of the Board to do that? 7-4.
4. So roughly the elected representatives of one-third of the irrigators--about 800 farms and ranches--oppose the Agreement, right? yes.
5. Didn't the Lake County District Court enjoin the irrigator Board from signing this agreement? Yes.
6. But signing the agreement is part of the Compact, right? In the last section? Yes.
7. So that's still up in the air, in litigation? Yes, the Montana Supreme Court is reviewing the issue. NO ONE KNOWS WHEN IT WILL RULE OR HOW IT WILL RULE.

IF ANY PROPONENT CLAIMS THERE IS WIDE SUPPORT FOR THE COMPACT--THE REALTOR IS LIKELY TO CLAIM THIS--AMONG RESIDENTS OF THE RESERVATION, PIN HIM DOWN ON THE BASIS FOR THAT CLAIM. MAKE HIM SUPPLY THE DOCUMENTATION TO THE COMMITTEE. Ultimately he'll have to admit that comes from a very unscientific conversation about telephone calls to the county commissioners. His claim is baseless.

**ADDITIONAL
DOCUMENTS**

STANDARD