

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Krayton Kerns, on January 14, 2013 at 9:00 AM, in Room 137
Capitol

ROLL CALL

Members Present:

Rep. Krayton Kerns, Chair (R)
Rep. Gerald (Jerry) Bennett, Vice Chair (R)
Rep. Margaret (Margie) MacDonald, Vice Chair (D)
Rep. Virginia Court (D)
Rep. Alan Doane (R)
Rep. Clayton Fiscus (R)
Rep. Jenifer Gursky (D)
Rep. David Halvorson (R)
Rep. Ellie Boldman Hill (D)
Rep. Sarah Laszloffy (R)
Rep. Dennis R. Lenz (R)
Rep. Ryan Lynch (D)
Rep. Jerry O'Neil (R)
Rep. Carolyn Pease-Lopez (D)
Rep. Keith Regier (R)
Rep. Bridget Smith (D)
Rep. Kirk Wagoner (R)
Rep. Wendy Warburton (R)

Members Excused: Rep. Mark Blasdel (R)
Rep. Jennifer Eck (D)

Members Absent: None

Staff Present: Karen Armstrong, Committee Secretary
Helen Thigpen, Legislative Branch

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: HB 50, 1/7/2013; HB 70, 1/7/2013; HB 140, 1/7/2013

HEARING ON HB 50**Opening Statement by Sponsor:**

00:23:54 Rep. David Howard (R), HD 60, opened the hearing on HB 50, Prohibit immigration sanctuary policies by local governments.

[EXHIBIT\(juh06a01\)](#)

Proponents' Testimony:

00:27:08 Roger Nummerdor, self

[EXHIBIT\(juh06a02\)](#)

00:30:22 Paul Nachman, self

[EXHIBIT\(juh06a03\)](#)

Opponents' Testimony:

00:38:45 Nikki Zupanic, American Civil Liberties Union (ACLU)

00:41:06 Shahid Haque-Hausrath, Immigration Attorney, Montana Immigrant Justice Alliance (MIJA)

[EXHIBIT\(juh06a04\)](#)

00:48:44 Sarah Rossi, Montana Coalition Against Domestic and Sexual Violence (MCADSV)

00:50:20 Abigail St. Lawrence, Montana Association of Churches (MAC)

00:52:27 Moe Wosepka, Executive Director, Montana Catholic Conference (MCC)

00:54:49 Jamee Greer, Montana Human Rights Network (MHRN)

Informational Testimony: None

Questions from Committee Members and Responses:

00:55:21 Rep. Regier

00:55:41 Ms St. Lawrence, MAC

00:56:16 Rep. Gursky

00:56:36 Ms Zupanic, ACLU

00:57:30 Rep. Gursky

00:57:38 Ms Zupanic, ACLU

00:57:51 Rep. O'Neil

00:58:32 Ms Zupanic, ACLU

00:58:40 Rep. O'Neil

00:58:48 Ms Zupanic, ACLU

00:59:10 Rep. O'Neil

00:59:15 Ms Zupanic, ACLU

00:59:39 Rep. MacDonald

01:00:45 Mr. Haque-Hausrath, MIJA

01:02:22 Rep. Fiscus

01:02:51 Mr. Haque-Hausrath, MIJA

01:05:02 Rep. Fiscus

01:05:17 Mr. Haque-Hausrath, MIJA

01:07:23 Rep. Pease-Lopez

01:08:10 Mr. Haque-Hausrath, MIJA

01:09:04 Rep. Lynch

01:09:57 Mr. Haque-Hausrath, MIJA

01:10:51 Rep. Warburton
01:11:35 Rep. Howard
01:11:39 Rep. Laszloffy
01:12:27 Ms St. Lawrence, MAC
01:12:52 Rep. Gursky
01:13:23 Mr. Haque-Hausrath, MIJA
01:13:58 Rep. Gursky
01:14:06 Mr. Haque-Hausrath, MIJA
01:14:51 Rep. Lenz
01:15:42 Rep. Howard
01:16:11 Rep. Halvorson
01:16:30 Rep. Howard
01:16:43 Rep. Halvorson
01:17:03 Rep. Howard

Closing by Sponsor:

01:17:17 Rep. Howard

HEARING ON HB 70

Opening Statement by Sponsor:

01:21:25 Rep. Margaret (Margie) MacDonald (D), HD 54, opened the hearing on HB 70,
Require victim impact panels in certain state correctional facilities.

[EXHIBIT\(juh06a05\)](#)

[EXHIBIT\(juh06a06\)](#)

Proponents' Testimony:

01:28:26 Sarah Rossi, Montana Coalition Against Domestic and Sexual Violence
(MCADSV)

01:29:21 Mark Murphy, Montana County Attorneys Association (MACo), Montana Police
Protective Association (MPPA), Montana Chiefs of Police (MCP), Montana
Sheriffs and Peace Officers Association (MSPOA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:31:13 Rep. Regier
01:31:28 Rep. MacDonald
01:34:14 Rep. Regier
01:34:41 Rep. MacDonald
01:36:18 Rep. Regier
01:36:34 Rep. MacDonald
01:36:47 Rep. O'Neil
01:37:27 Rep. MacDonald
01:38:18 Rep. O'Neil
01:38:33 Rep. MacDonald
01:39:29 Rep. Warburton

01:40:11 Rep. MacDonald
01:40:38 Rep. Fiscus

Closing by Sponsor:

01:40:58 Rep. MacDonald
01:42:00 Chairman Kerns
01:42:03 Recessed
01:47:42 Rep. Eck arrived.
01:49:02 Reconvened with Rep. Doane and Rep. Halvorson absent.

HEARING ON HB 140

Opening Statement by Sponsor:

01:49:31 Rep. Tom Berry (R), HD 45, opened the hearing on HB 140, Generally revising controlled substance laws.

Proponents' Testimony:

01:52:15 Annalivia Harris, Montana Crime Lab, Forensic Evidence Division (MFED)
(Witness offered a vial of plant material altered with designer drugs and a magnifying glass for viewing, but did not submit as an exhibit.)

EXHIBIT(juh06a07)

02:01:04 Mark Long, Narcotics Bureau Chief, Department of Criminal Investigation,
Department of Justice (DOJ), Montana Narcotics Officers Association (MNOA)

EXHIBIT(juh06a08)

02:05:15 Kurt Sager, Trooper, State Drug Recognition Coordinator, Montana Highway
Patrol, (MHP)
02:09:12 Chad Parker, Assistant Attorney General and Prosecutor, Office of the Attorney
General (AG)
02:13:00 Vicki Turner, Prevention Resource Center, Department of Public Health and
Human Services (DPHHS)
02:14:11 Mark Murphy, Montana County Attorney Association (MCAA), Montana
Association of Chiefs of Police (MACOP), Montana Police Protective Association
(MPPA)
02:14:50 Stewart Doggett, Montana Pharmacy Association (MPA)
02:15:43 Riley Johnson, National Federation of Independent Business (NFIB)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:18:23 Rep. Bennett
02:18:55 Mr. Parker, AG
02:21:09 Rep. O'Neil
02:21:44 Ms Harris, MFED
02:22:09 Rep. O'Neil
02:22:35 Chairman Kerns
02:22:38 Mr. Parker, AG
02:23:42 Rep. O'Neil
02:23:54 Mr. Parker, AG

02:24:28 Rep. Gursky
02:25:06 Mr. Doggett, MPA
02:25:46 Chairman Kerns
02:25:58 Rep. Lynch
02:26:27 Mr. Sager, MHP
02:28:28 Rep. Hill
02:29:43 Mr. Parker, AG
02:32:01 Rep. Hill
02:32:19 Mr. Parker, AG
02:33:01 Rep. Lynch
02:33:59 Mr. Parker, AG
02:34:54 Rep. Eck
02:35:14 Mr. Parker, AG
02:36:17 Rep. Lynch
02:36:25 Mr. Parker, AG
02:37:55 Rep. O'Neil
02:38:24 Mr. Parker, AG
02:38:56 Chairman Kerns
02:39:04 Mr. Parker, AG
02:39:08 Chairman Kerns
02:39:14 Mr. Parker, AG
02:39:17 Chairman Kerns
02:39:30 Mr. Parker, AG
02:40:51 Chairman Kerns
02:41:38 Mr. Parker, AG

Closing by Sponsor:

02:42:36 Rep. Berry

ADJOURNMENT

Adjournment: 02:43:31

Karen Armstrong, Secretary

ka

Additional Documents:

EXHIBIT([juh06aad.pdf](#))