

## MINUTES

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

#### COMMITTEE ON JUDICIARY

**Call to Order:** Chair Krayton Kerns, on January 21, 2013 at 9:00 A.M., 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. Jennifer Eck (D)  
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)

**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 206, 1/16/2013; HJ 3, 1/16/2013; HB 235, 1/17/2013

**HEARING ON HB 206**

**Opening Statement by Sponsor:**

00:18:40 Rep. Kelly Flynn (R), HD 68, opened the hearing on HB 206, Increase justice court filing fees.  
00:21:08 Rep. Lynch left the meeting.

**Proponents' Testimony:**

00:23:15 Harold Blattie, Executive Director, Montana Association of Counties (MACo)  
**EXHIBIT(juh12a01)**  
00:24:55 Perry Miller, Blaine County Justice of the Peace, Chinook City Judge, Harlem City Judge, Montana Magistrates Association (MMA)

**Opponents' Testimony**

00:29:19 Jeff Koch, President, Collection Bureau Services, Missoula (CBS)  
00:35:42 Mike Moore, Attorney, Past President, Montana Collectors Association (MCA)  
00:36:23 Tom England, Owner of accounts receivable companies, self  
00:36:52 Jennifer Whipple, Collection Bureau Services (CBS)  
00:37:21 Gail Bourguignon, Collection Bureau Services (CBS)  
00:37:53 Dave Wood, self

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:39:01 Rep. MacDonald  
00:39:47 Mr. Koch, CBS  
00:40:41 Rep. Wagoner  
00:41:42 Mr. Miller, MMA  
00:44:06 Rep. Bennett  
00:44:30 Mr. Miller, CBS  
00:44:33 Rep. Bennett  
00:44:41 Mr. Miller, MMA  
00:45:01 Rep. Bennett  
00:45:14 Mr. Koch, CBS  
00:45:41 Rep. Hill  
00:46:15 Chairman Kerns  
00:46:21 Rep. Hill  
00:46:26 Mr. Koch, CBS  
00:46:29 Rep. Halvorson  
00:47:31 Mr. Koch, CBS  
00:48:04 Rep. Halvorson  
00:48:29 Mr. Koch, CBS  
00:48:48 Chairman Kerns

**Closing by Sponsor:**

00:49:08 Rep. Flynn  
00:51:31 Chairman Kerns

**HEARING ON HB 235****Opening Statement by Sponsor:**

00:52:08 Rep. Ellie Boldman Hill (D), HD 94, opened the hearing on HB 235, Revise trespass laws.

00:53:39 [EXHIBIT\(juh12a02\)](#)

**Proponents' Testimony:**

01:08:36 George Golie, Montana Wildlife Federation (MWF)

01:11:40 Bill Orsello, self

**Opponents' Testimony:**

01:14:40 Chuck Denowh, United Property Owners of Montana (UPOM)

01:17:30 Rep. Lynch returned to the meeting.

01:19:19 Nicole Rolf, Montana Farm Bureau Federation (MFBF)

01:25:17 Ariel Overstreet, Montana Stockgrowers Association (MSA), Montana Cattle Women (MCW)

01:26:45 Margaret Morgan, Women Involved in Farm Economics (WIFE)

01:27:33 Dave Wood, self

**Informational Testimony:**

01:31:03 Jim Kropp, Law Enforcement Chief, Fish Wildlife and Parks (FWP)

**Questions from Committee Members and Responses:**

01:35:39 Rep. Fiscus

01:36:23 Ms Morgan, WIFE

01:36:37 Rep. Fiscus

01:36:56 Rebecca Jakes-Dockter, FWP

01:37:41 Rep. Fiscus

01:38:21 Rep. Hill

01:38:28 Chairman Kerns

01:38:39 Rep. Fiscus

01:38:42 Mr. Golie, MWF

01:38:58 Rep. Fiscus

01:39:21 Mr. Golie, MWF

01:39:47 Rep. Fiscus

01:39:54 Mr. Golie, MWF

01:40:04 Rep. Fiscus

01:40:47 Rep. Hill

01:40:56 Rep. Fiscus

01:41:00 Rep. Hill

01:41:04 Mr. Kropps, FWP

01:41:11 Rep. Fiscus

01:41:32 Mr. Kropps, FWP

01:41:57 Rep. Regier

01:42:33 Rep. Hill

01:45:06 Rep. O'Neil

01:45:49 Ms Jakes-Dockter, FWP

01:46:20 Rep. O'Neil

01:46:33 Ms Jakes-Dockter, FWP

01:47:01 Rep. O'Neil  
01:47:13 Ms Jakes-Dockter, FWP  
01:47:33 Rep. O'Neil  
01:47:43 Ms Jakes-Dockter, FWP  
01:48:00 Rep. O'Neil  
01:48:10 Ms Jakes-Dockter, FWP  
01:48:36 Chairman Kerns  
01:49:10 Ms Jakes-Dockter, FWP  
01:49:19 Chairman Kerns  
01:49:53 Ms Jakes-Dockter, FWP  
01:50:09 Chairman Kerns  
01:50:19 Ms Jakes-Dockter, FWP  
01:50:26 Chairman Kerns  
01:50:29 Rep. Halvorson  
01:52:00 Ms Jakes-Dockter, FWP  
01:52:34 Rep. Halvorson  
01:52:39 Ms Jakes-Dockter, FWP  
01:52:58 Rep. Doane  
01:53:25 Mr. Denowh, UPOM  
01:54:22 Rep. Halvorson  
01:55:18 Ms Jakes-Dockter, FWP  
01:56:13 Rep. Halvorson  
01:56:27 Ms Jakes-Dockter, FWP  
01:56:51 Rep. Halvorson  
01:57:11 Ms Jakes-Dockter, FWP  
01:57:45 Rep. Wagoner  
01:58:27 Ms Jakes-Dockter, FWP

**Closing by Sponsor:**

01:59:51 Rep. Hill

02:03:23 Recessed

02:19:08 Reconvened

**HEARING ON HJ 3**

**Opening Statement by Sponsor:**

02:19:34 Rep. Jerry O'Neil (R), HD 3, opened the hearing on HJ 3, Resolution to amend the US Constitution regarding the commerce clause.

[EXHIBIT\(juh12a03\)](#)

**Proponents' Testimony:**

02:26:25 Dave Wood, self

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:27:32 Rep. Lynch

02:28:19 Rep. O'Neil

**Closing by Sponsor:**

02:29:01 Rep. O'Neil

02:29:11 Chairman Kerns

02:30:39 Rep. Fiscus

02:30:44 Chairman Kerns

**ADJOURNMENT**

Adjournment: 02:31:17

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Karen Armstrong, Secretary

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Additional Documents:

**EXHIBIT([juh12aad.pdf](#))**