

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Krayton Kerns, on January 23, 2013 at 8:00 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. 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. Bridget Smith (D)
Rep. Kirk Wagoner (R)
Rep. Wendy Warburton (R)

Members Excused: Rep. Mark Blasdel (R)
Rep. Keith Regier (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 237, 1/17/2013
Executive Action: HB 145, HB 172

HEARING ON HB 237**Opening Statement by Sponsor:**

00:15:51 Rep. Ellie Boldman Hill (D), HD 94, opened the hearing on HB 237, Address homeless prevention for people under Dept. of Corrections supervision.
00:16:51 Rep Lynch left the meeting.
0026:23 Chairman Kerns

Proponents' Testimony:

00:27:00 M.C. Jenni, self
00:31:28 Peter McGregor, self
00:32:36 Rep. Lynch returned to the meeting.
00:35:57 Erik Brosten, self
00:37:36 Jennifer Greenwood, Social Worker, Office of the Public Defender (OPD)
00:40:05 Beth Brenneman, Attorney, Disability Rights Montana (DRM)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:43:05 Rep. O'Neil
00:43:41 Ms Jenni, self
00:44:00 Rep. O'Neil
00:44:15 Ms Jenni, self
00:45:19 Rep. Bennett
00:45:49 Rep. Hill
00:46:04 Rep. Bennett
00:46:09 Rep. Hill
00:47:22 Rep. Bennett
00:47:38 Rep. Hill
00:50:36 Rep. Fiscus
00:51:59 Rep. Hill
00:54:30 Rep. Lenz
00:55:41 Ms Brenneman, DRM
00:57:06 Rep. Doane
00:57:35 Rep. Hill
00:58:26 Rep. Lenz
00:59:02 Rep. Hill

Closing by Sponsor:

01:00:25 Rep. Hill
01:03:03 Chairman Kerns

01:03:23 Recessed
01:13:58 Reconvened

EXECUTIVE ACTION ON HB 235

01:14:31 **Motion:** Rep. G. Bennett moved that **HB 235 DO PASS.**

01:14:40 **Motion:** Rep. Kerns moved that **HB 235 BE AMENDED.**
EXHIBIT(juh14a01)

Discussion:

01:15:02 Chairman Kerns

01:16:10 **Vote:** Motion carried unanimously by voice vote. Rep. Blasdel and Rep. Regier voted by proxy.

01:16:36 Chairman Kerns

01:16:42 **Motion:** Rep. G. Bennett moved that **HB 235 DO PASS AS AMENDED.**

Discussion:

01:16:48 Chairman Kerns

01:16:55 **Motion:** Rep. G. Bennett moved that **HB 235 BE INDEFINITELY POSTPONED.**

Discussion:

01:17:11 Chairman Kerns

01:17:33 Rep. O'Neil

01:17:49 Chairman Kerns

01:17:51 Rep. Fiscus

01:18:15 Chairman Kerns

01:18:36 Rep. Fiscus

01:18:43 Rep. Bennett

01:19:11 Chairman Kerns

01:19:15 Motion passed without objection.

EXECUTIVE ACTION ON HB 168

01:19:32 **Motion:** Rep. G. Bennett moved that **HB 168 DO PASS.**

01:19:42 **Motion:** Rep. Lenz moved that **HB 168 BE AMENDED.**
EXHIBIT(juh14a02)

Discussion:

01:20:11 Rep. Lenz

01:21:20 Rep. MacDonald

01:22:09 **Vote:** Motion carried unanimously by voice vote. Rep. Blasdel and Rep. Regier voted by proxy.

01:22:40 **Motion:** Rep. G. Bennett moved that **HB 168 DO PASS AS AMENDED.**

Discussion:

01:22:56 Rep. O'Neil
01:23:06 Chairman Kerns
01:23:09 Rep. Hill
01:24:43 Rep. Doane
01:25:03 Rep. Hill
01:26:56 Rep. Smith
01:27:04 Chairman Kerns
01:27:12 Rep. Warburton
01:27:38 Rep. MacDonald

01:27:48 **Motion:** Rep. G. Bennett moved that **HB 168 BE INDEFINITELY POSTPONED.**

01:27:56 Chairman Kerns
01:28:01 Motion passed without objection.

EXECUTIVE ACTION ON HB 145

01:28:29 **Motion:** Rep. G. Bennett moved that **HB 145 DO PASS.**

Discussion:

01:28:55 Rep. Court
01:29:34 Rep. MacDonald

01:30:23 **Vote:** Motion carried 12-8 by roll call vote with Rep. Court, Rep. Eck, Rep. Gursky, Rep. Hill, Rep. Lynch, Rep. MacDonald, Rep. Pease-Lopez and Rep. Smith voting no. Rep. Blasdel and Rep. Regier voted by proxy.

EXECUTIVE ACTION ON HB 172

01:31:44 **Motion:** Rep. G. Bennett moved that **HB 172 DO PASS.**

Discussion:

01:32:11 Chairman Kerns

01:32:24 **Motion/Vote:** Rep. O'Neil moved that **HB 172 BE AMENDED.** Motion carried unanimously by voice vote. Rep. Blasdel and Rep. Regier voted by proxy.

EXHIBIT(juh14a03)

01:33:19 **Motion:** Rep. G. Bennett moved that **HB 172 DO PASS AS AMENDED.**

Discussion:

01:33:29 Rep. O'Neil

01:34:34 **Vote:** Motion carried 19-1 by voice vote with Rep. Doane voting no. Rep. Blasdel and Rep. Regier voted by proxy.

EXECUTIVE ACTION ON HB 140

01:35:06 **Motion:** Rep. G. Bennett moved that **HB 140 DO PASS.**

01:35:26 **Substitute Motion:** Rep. O'Neil made a substitute motion that **HB 140 BE TABLED.**

01:35:31 Chairman Kerns

01:37:15 Rep. O'Neil **WITHDREW MOTION HB 140 BE TABLED.**

Discussion:

01:38:11 Rep. O'Neil

01:38:16 **Motion:** Rep. Wagoner moved that **HB 140 BE INDEFINITELY POSTPONED.**

01:39:33 Motion passed without objection.

01:39:48 Chairman Kerns

01:40:42 Rep. Eck

01:40:46 Chairman Kerns

ADJOURNMENT

Adjournment: 01:41:39

Karen Armstrong, Secretary

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Additional Documents:

EXHIBIT([juh14aad.pdf](#))