

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Krayton Kerns, on February 6, 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. Sarah Laszloffy (R)
Rep. Dennis R. Lenz (R)
Rep. Ryan Lynch (D)
Rep. Carolyn Pease-Lopez (D)
Rep. Keith Regier (R)
Rep. Bridget Smith (D)
Rep. Kirk Wagoner (R)

Members Excused: Rep. Mark Blasdel (R)
Rep. Ellie Boldman Hill (D)
Rep. Jerry O'Neil (R)
Rep. Wendy Warburton (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:

Executive Action: HB 285; HB 290; HB 292; HB 311; HB 330; SB 73

00:16:47 Chairman Kerns

EXECUTIVE ACTION ON HB 285

00:18:21 **Motion:** Rep. Pease-Lopez moved that **HB 285 DO PASS.**

Discussion:

00:18:41 Rep. Pease-Lopez

00:19:12 **Motion:** Rep. Pease-Lopez moved that **HB 285 BE AMENDED.**
EXHIBIT(juh26a01)

Discussion:

00:19:43 Rep. Pease-Lopez

00:20:49 Chairman Kerns

00:20:52 Rep. Doane

00:21:13 Rep. Pease-Lopez

00:21:23 Rep. Gursky

00:21:39 Rep. Pease-Lopez

00:22:32 Ms Thigpen, Legislative Services Division (LSD)

00:23:02 **Vote:** Motion carried 18-2 by roll call vote with Rep. Doane and Rep. Kerns voting no. Rep. Blasdel, Rep. Hill, Rep. O'Neil and Rep. Warburton voted by proxy.

00:24:20 **Motion:** Rep. Pease-Lopez moved that **HB 285 DO PASS AS AMENDED.**

Discussion:

00:24:45 Rep. Pease-Lopez

00:26:06 Rep. Eck

00:26:24 Rep. Pease-Lopez

00:27:08 Rep. Court

00:29:45 Rep. Halvorson

00:30:18 Ms Thigpen, LSD

00:30:48 **Motion:** Rep. Halvorson moved to **RECONSIDER THE MOTION** on amending **HB 285.**

00:31:02 Chairman Kerns

00:31:18 Rep. Halvorson **WITHDREW MOTION** to **RECONSIDER THE MOTION** on amending **HB 285.**

00:31:27 Rep. Doane

00:31:47 Rep. MacDonald

00:33:03 Rep. Pease-Lopez

00:35:34 Rep. Laszloffy

00:35:58 Rep. Pease-Lopez

00:37:22 Rep. Laszloffy

00:39:07 Rep. Gursky
00:40:59 Rep. MacDonald

00:41:54 **Vote:** Motion failed 8-12 by roll call vote with Rep. Court, Rep. Eck, Rep. Gursky, Rep. Hill, Rep. Lynch, Rep. MacDonald, Rep. Pease-Lopez and Rep. Smith voting aye. Rep. Blasdel, Rep. Hill, Rep. O'Neil and Rep. Warburton voted by proxy.

00:43:10 **Motion/Vote:** Rep. G. Bennett moved that **HB 285 BE TABLED AND THE VOTE REVERSED**. Motion carried 16-0 by voice vote of those present and voting.

EXECUTIVE ACTION ON HB 290

00:43:45 **Motion/Vote:** Rep. G. Bennett moved that **HB 290 DO PASS**. 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, Rep. Hill, Rep. O'Neil and Rep. Warburton voted by proxy.

EXECUTIVE ACTION ON HB 292

00:46:06 **Motion:** Rep. G. Bennett moved that **HB 292 DO PASS**.

Discussion:

00:47:01 Rep. MacDonald

00:48:10 **Substitute Motion/Vote:** Rep. G. Bennett made a substitute motion that **HB 292 BE TABLED**. Substitute Motion carried 14-2 by voice vote of those present and voting with Rep. Gursky and Rep. Regier voting no.

EXECUTIVE ACTION ON HB 311

00:48:56 **Motion:** Rep. G. Bennett moved that **HB 311 DO PASS**.

00:49:08 **Motion/Vote:** Rep. Doane moved that **HB 311 BE AMENDED**. Motion carried 16-0 by voice vote of those present and voting.

EXHIBIT(juh26a02)

00:49:54 **Motion/Vote:** Rep. G. Bennett moved that **HB 311 DO PASS AS AMENDED**. Motion failed 9-11 by roll call vote with Rep. Court, Rep. Doane, Rep. Eck, Rep. Gursky, Rep. Hill, Rep. Lynch, Rep. MacDonald, Rep. Pease-Lopez and Rep. Smith voting aye. Rep. Blasdel, Rep. Hill, Rep. O'Neil and Rep. Warburton voted by proxy.

00:51:23 **Motion/Vote:** Rep. G. Bennett moved that **HB 311 BE TABLED AND THE VOTE REVERSED**. Motion carried 16-0 by voice vote of those present and voting.

EXECUTIVE ACTION ON HB 330

00:51:59 **Motion:** Rep. G. Bennett moved that **HB 330 DO PASS.**

00:52:05 **Motion:** Rep. MacDonald moved that **HB 330 BE AMENDED.**
EXHIBIT(juh26a03)

Discussion:

00:52:25 Rep. MacDonald

00:53:28 **Vote:** Motion carried 15-1 by voice vote of those present and voting, with Rep. Regier voting no.

00:53:53 **Motion:** Rep. G. Bennett moved that **HB 330 DO PASS AS AMENDED.**

00:54:12 **Motion:** Rep. MacDonald moved that **HB 330 BE AMENDED.**
EXHIBIT(juh26a04)

Discussion:

00:54:35 Ms. Thigpen, LSD

00:55:37 **Vote:** Motion carried 16-0 by voice vote of those present and voting.

00:55:51 **Motion:** Rep. G. Bennett moved that **HB 330 DO PASS AS AMENDED.**

Discussion:

00:56:04 Rep. MacDonald

00:56:38 **Vote:** Motion carried unanimously by voice vote. Rep. Blasdel, Rep. Hill, Rep. O'Neil and Rep. Warburton voted by proxy.

EXECUTIVE ACTION ON SB 73

00:57:21 **Motion:** Rep. G. Bennett moved that **SB 73 BE CONCURRED IN.**

Discussion:

00:57:54 Rep. Bennett

00:58:22 **Vote:** Motion carried unanimously by voice vote. Rep. Blasdel, Rep. Hill, Rep. O'Neil and Rep. Warburton voted by proxy. Rep. Gursky will carry the bill.

00:59:17 Chairman Kerns
01:00:32 Rep. Pease-Lopez

ADJOURNMENT

Adjournment: 01:01:04

Karen Armstrong, Secretary

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Additional Documents:

EXHIBIT([juh26aad.pdf](#))