

## MINUTES

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

#### COMMITTEE ON JUDICIARY

**Call to Order:** Chair Krayton Kerns, on February 13, 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. Keith Regier (R)  
Rep. Bridget Smith (D)  
Rep. Kirk Wagoner (R)

**Members Excused:** Rep. Mark Blasdel (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:**

Hearing & Date Posted: HB 205, 2/5/2013; HB 304, 2/5/2013; HB 358, 2/5/2013;  
HB 446, 2/12/2013

00:16:45 Chairman Kerns

**HEARING ON HB 446**

**Opening Statement by Sponsor:**

00:18:23 Rep. Nicholas Schwaderer (R), HD 14, opened the hearing on HB 446, Revise offense of disorderly conduct.

**Proponents' Testimony:**

00:20:28 Gary Marbut, Montana Shooting Sports Association (MSSA) and Western Montana Fish and Game Association (WMFGA)

00:24:28 Doug Nulle, Self

00:25:38 Tim Ravndal, Self

00:26:13 Michael Chandler, WMFGA

00:27:23 Trey Cathey, Self

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

00:28:12 Rep. Schwaderer

**HEARING ON HB 205**

**Opening Statement by Sponsor:**

00:29:12 Rep. Krayton Kerns (R), HD 58, opened the hearing on HB 205, Eliminate prohibition on firearm sound reduction devices in the field.

**Proponents' Testimony:**

00:34:59 Gary Marbut, MSSA, WMFGA

00:39:57 E. J. Redding, Self

00:41:43 Rick LePage, Self

00:43:16 Doug Nulle, Self

00:44:04 Michael Chandler, WMFGA

00:44:40 Trey Cathey, Self

00:46:42 Garnett Rope, Self

00:48:19 Paul Landsgaard, Self

00:49:06 Tim Ravndal, Self

00:50:54 Dale Poling, Self

**Opponents' Testimony:**

00:52:17 George Golie, Montana Wildlife Federation (MWF)

00:54:48 Jim Kropp, Law Enforcement Chief, Department of Fish, Wildlife and Parks (FWP)

**Informational Testimony:**

01:00:38 Tim Sowa, Self

**Questions from Committee Members and Responses:**

01:02:01 Rep. Wagoner  
01:02:36 Mr. Kropp, FWP  
01:02:50 Rep. Wagoner  
01:02:57 Mr. Kropp, FWP  
01:03:54 Rep. Wagoner  
01:04:06 Mr. Kropp, FWP  
01:04:26 Rep. Wagoner  
01:04:38 Mr. Redding, Self  
01:04:41 Rep. Wagoner  
01:04:52 Mr. Redding, Self  
01:05:07 Rep. Gursky  
01:05:36 Mr. Kropp, FWP  
01:06:41 Rep. Gursky  
01:07:31 Mr. Poling, Self  
01:08:32 Rep. Halvorson  
01:09:45 Mr. Redding, Self  
01:10:13 Rep. Halvorson  
01:10:27 Rep. Hill  
01:12:18 Mr. Kropp, FWP  
01:15:30 Rep. Hill  
01:16:19 Mr. Kropp, FWP  
01:17:56 Rep. MacDonald  
01:18:44 Mr. Poling, Self  
01:19:01 Rep. Doane  
01:19:23 Mr. Marbut, MSSA, WMFGA  
01:19:55 Mr. LePage, Self  
01:20:29 Rep. Laszloffy  
01:20:55 Mr. Redding, Self  
01:23:01 Rep. Laszloffy  
01:23:36 Rep. Kerns  
01:24:06 Rep. Laszloffy  
01:24:15 Rep. Kerns  
01:24:25 Rep. Lynch  
01:24:56 Mr. Kropp, FWP  
01:26:15 Rep. Lynch  
01:26:28 Mr. Kropp, FWP  
01:26:41 Rep. Lynch  
01:26:57 Rep. Gursky  
01:27:18 Rep. Kerns  
01:27:50 Rep. Court  
01:28:07 Rep. Kerns  
01:28:29 Rep. Fiscus  
01:28:46 Mr. Kropp, FWP  
01:29:00 Rep. Fiscus  
01:29:16 Mr. Kropp, FWP  
01:30:36 Rep. Fiscus

01:30:49 Mr. Kropp, FWP  
01:31:14 Rep. Court  
01:31:41 Mr. Poling  
01:32:06 Rep. Court  
01:32:20 Mr. Poling  
01:32:33 Rep. Court  
01:32:54 Mr. Poling  
01:33:10 Rep. Hill  
01:34:17 Mr. Golie, MWF

**Closing by Sponsor:**

01:34:49 Rep. Kerns  
01:36:28 Vice Chairman Bennett

**HEARING ON HB 304**

**Opening Statement by Sponsor:**

01:37:12 Rep. Krayton Kerns (R), HD 58, opened the hearing on HB 304, Generally revise concealed weapons laws.

**Proponents' Testimony:**

01:39:35 Gary Marbut, MSSA, WMFGA  
01:43:23 Doug Nulle, Self  
01:45:12 Rep. Fiscus left the meeting.  
01:46:29 Shelby DeMars, Self  
01:53:07 Tim Ravndal, The Order of Constitutional Defenders and Oath Keepers  
01:54:26 Michael Chandler, Self  
01:55:42 Bryce DeGroot, Self  
01:56:27 Terressa McDaniel  
01:58:46 Robert Little, Self  
01:59:32 Paul Landsgaard, Republican Central Committee and Big Sky Pachyderm Club  
02:01:01 Clyde Little, Self  
02:03:38 Ron Andrews, Self  
02:04:51 Trey Cathey, Self  
02:10:55 Doug Carpenter, Self

**Opponents' Testimony:**

02:12:36 Jim Smith, Montana Sheriffs and Peace Officers Association (MSPOA)  
**EXHIBIT(juh32a01)**  
02:19:08 Leo Gallagher, Lewis and Clark County Attorney for Montana County Attorneys Association (MCAA)  
02:26:49 Larry Epstein, Montana Association of Chiefs of Police (MACOP)  
02:28:08 John Bowenhollow, Self  
02:31:27 Mary Duvernay, Self  
02:33:50 Sarah Rossi, Montana Coalition Against Domestic and Sexual Violence (MCADSV)

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

02:36:09 Rep. Kerns  
02:37:51 Vice Chairman Bennett  
  
02:37:59 Recessed  
02:46:51 Reconvened with Rep. Fiscus and Rep. Hill absent.

**HEARING ON HB 358**

**Opening Statement by Sponsor:**

02:47:40 Rep. Krayton Kerns (R), HD 58, opened the hearing on HB 358, Revising laws related to the offense of carrying a concealed weapon.  
02:49:12 Rep. Hill returned

**Proponents' Testimony:**

02:51:43 Gary Marbut, MSSA, WMFGA  
02:58:52 Doug Nulle, Self  
02:59:48 Michael Chandler, WMFGA  
03:00:19 Terressa McDaniel, Self  
03:01:39 Paul Landsgaard, Self

**Opponents' Testimony:**

03:02:43 Jim Smith, Montana Sheriffs and Peace Officers Association (MSPOA)  
03:07:16 Leo Gallagher, MCAA  
03:11:16 John Bowen hollow, Self

**EXHIBIT(juh32a02)**

03:15:01 Mark Murphy, Montana Association of Chiefs of Police (MACOP)  
03:22:33 J. C. Weingartner, Montana Education Association-Montana Federation of Teachers (MEA-MFT)  
03:24:25 Jamee Greer, Montana Human Rights Network (MHRA)  
03:26:15 Sarah Rossi, MCADSV  
03:26:50 Donya Parrish, Montana Credit Union Network  
03:28:05 Tim Ravndal, Self  
03:31:55 Trey Cathey, Self  
03:35:40 Mary Phippen, Self

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

03:36:56 Rep. Eck  
03:38:20 Mr. Marbut, MSSA, WMFGA  
03:39:46 Rep. Eck  
03:40:02 Mr. Marbut, MSSA, WMFGA  
03:40:43 Rep. Eck  
03:41:05 Mr. Gallagher, MCAA  
03:41:28 Rep. MacDonald  
03:42:24 Mr. Gallagher, MCAA  
03:42:28 Rep. MacDonald

03:42:44 Mr. Gallagher, MCAA  
03:43:08 Rep. Regier  
03:43:31 Rep. Halvorson  
03:43:36 Rep. Lynch  
03:44:14 Mr. Marbut, MSSA, WMFGA  
03:46:00 Rep. Lynch  
03:46:21 Mr. Marbut, MSSA, WMFGA

**Closing by Sponsor:**

03:47:21 Rep. Kerns

03:49:02 Vice Chair Bennett

**ADJOURNMENT**

Adjournment: 03:49:34

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Karen Armstrong, Secretary

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Additional Documents:

**EXHIBIT([juh32aad.pdf](#))**