

## MINUTES

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

#### COMMITTEE ON JUDICIARY

**Call to Order:** Chair Krayton Kerns, on February 19, 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. Alan Doane (R)  
Rep. Jennifer Eck (D)  
Rep. Clayton Fiscus (R)  
Rep. David Halvorson (R)  
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. Virginia Court (D)  
Rep. Jenifer Gursky (D)  
Rep. Ellie Boldman Hill (D)  
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 459, 2/13/2013; HB 462, 2/13/2013; HB 481, 2/15/2013;  
HB 514, 2/18/2013; HB 515, 2/18/2013

00:16:12 Chairman Kerns

### HEARING ON HB 481

#### Opening Statement by Sponsor:

00:18:54 Rep. Edith (Edie) McClafferty (D), HD 75, opened the hearing on HB 481,  
Prohibit discrimination of gender identity /expression and sexual orientation.  
00:19:57 Rep. Gursky arrived.

#### Proponents' Testimony:

00:21:09 Roberta Zenker, Self  
00:22:18 Denise Juneau, Superintendent, Office of Public Instruction (OPI)  
00:23:19 Lyle Hamilton, Self  
00:25:45 Chelsea Rice, Self  
00:27:17 Judy Fjell, Self  
[EXHIBIT\(juh37a01\)](#)  
00:29:05 Tom Gocksch, Self  
00:30:23 Kevin Hamm, Self  
00:31:04 Kellie Goodwin McBride, Young Women's Christian Association (YWCA) of  
Helena  
00:32:02 Rev. Cathy Barker, Self  
00:32:36 Niki Zupanic, American Civil Liberties Union (ACLU) Montana  
00:33:33 Sarah Rossi, Montana Coalition Against Domestic and Sexual Violence  
(MCADSV)  
00:33:55 Kim Leighton, National Association for the Repeal of Abortion Laws (NARAL)  
Pro-Choice Montana

#### [EXHIBIT\(juh37a02\)](#)

00:34:42 Jamee Greer, Montana Human Rights Network

#### [EXHIBIT\(juh37a03\)](#)

00:35:05 John Bowenhollow, Self  
00:35:36 Amanda Armstrong, Self

#### [EXHIBIT\(juh37a04\)](#)

00:36:39 Dawn Lockwood, Self

#### [EXHIBIT\(juh37a05\)](#)

#### Opponents' Testimony:

00:37:29 Dallas Erickson, Montana Citizens for Decency Through Law

#### [EXHIBIT\(juh37a06\)](#)

00:44:08 Dave Wood, Self  
00:44:31 Vincent Vaccaro, Self

#### Informational Testimony: None

#### Questions from Committee Members and Responses:

00:46:49 Rep. MacDonald  
00:47:11 Ms Zupanic, ACLU  
00:50:19 Rep. O'Neil  
00:51:45 Rep. McClafferty  
00:52:07 Rep. Doane  
00:52:27 Rep. McClafferty

00:52:45 Ms Zupanic, ACLU  
00:52:48 Rep. Doane  
00:53:54 Ms Zupanic, ACLU

**Closing by Sponsor:**

00:56:03 Rep. McClafferty  
[EXHIBIT\(juh37a07\)](#)

**HEARING ON HB 514**

**Opening Statement by Sponsor:**

00:58:01 Rep. Mary McNally (D), HD 49, opened the hearing on HB 514, Revise laws related to qualification/evaluation of prospective law enforcement.

**Proponents' Testimony:**

01:00:31 Hal Harper, Chair, Public Safety Officer Standards & Training (POST) Council

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:02:59 Chairman Kerns  
01:03:14 Mr. Harper, POST  
01:03:51 Rep. Lynch  
01:04:06 Mr. Harper, POST

**Closing by Sponsor:**

01:04:34 Rep. McNally

**HEARING ON HB 515**

**Opening Statement by Sponsor:**

01:05:18 Rep. Bill Harris (R), HD 30, opened the hearing on HB 515, Require disclosure of financial support in certain civil suits.

[EXHIBIT\(juh37a08\)](#)

**Proponents' Testimony:**

01:10:26 Tim Ravndal, Self

**Opponents' Testimony:**

01:11:55 Derf Johnson, Montana Environmental Information Center (MEIC)  
01:19:43 Clayton Elliott, Northern Plains Resource Council (NPRC)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:20:47 Rep. O'Neil  
01:21:26 Mr. Johnson, MEIC  
01:21:59 Rep. O'Neil

01:22:08 Mr. Johnson, MEIC  
01:22:50 Rep. Doane  
01:23:02 Mr. Johnson, MEIC  
01:23:34 Rep. Eck  
01:24:10 Rep. Harris  
01:24:54 Rep. Eck  
01:25:11 Rep. Harris  
01:25:52 Rep. MacDonald  
01:26:40 Rep. Harris  
01:27:12 Rep. Court  
01:28:11 Rep. Harris  
01:29:42 Rep. Lynch  
01:30:14 Rep. Harris  
01:31:34 Rep. Lynch  
01:32:22 Rep. Harris  
01:32:56 Rep. Court  
01:33:23 Rep. Harris

**Closing by Sponsor:**

01:33:32 Rep. Harris

**HEARING ON HB 462**

**Opening Statement by Sponsor:**

01:34:22 Rep. Donald Jones (R), HD 56, opened the hearing on HB 462, Revise lien laws for due process considerations.

**Proponents' Testimony:**

01:35:17 Dave Wood, Self  
01:35:48 Vincent Vaccaro, Self

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:36:22 Rep. Lenz  
01:36:34 Rep. Jones  
01:37:33 Rep. Eck  
01:37:57 Rep. Jones  
01:38:50 Rep. MacDonald  
01:39:22 Rep. Jones  
01:39:46 Rep. Court  
01:40:07 Rep. Jones  
01:41:54 Rep. Halvorson  
01:42:54 Rep. Jones

**Closing by Sponsor:**

01:43:36 Rep. Jones

**HEARING ON HB 459**

**Opening Statement by Sponsor:**

01:44:10 Rep. Krayton Kerns (R), HD 58, opened the hearing on HB 459, Revise privacy laws related to medical treatment and firearms.

**[EXHIBIT\(juh37a09\)](#)**

**Proponents' Testimony:**

01:46:58 Doug Nulle, Montana Shooting Sports Association (MSSA)  
01:48:50 Tim Ravndal, Oath Keepers and The Order of Constitutional Defenders  
01:51:29 Vincent Vaccaro, Self  
01:53:17 Dave Wood, Self

**Opponents' Testimony:**

01:55:10 John Bowenhollow, Self

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:59:39 Rep. MacDonald  
02:00:09 Rep. Kerns  
02:00:41 Rep. MacDonald  
02:01:01 Rep. Wagoner  
02:01:42 Rep. Kerns  
02:01:53 Rep. Eck  
02:02:12 Rep. Kerns  
02:02:47 Rep. Court  
02:03:08 Rep. Kerns  
02:03:14 Rep. Court  
02:04:02 Rep. Kerns  
02:04:41 Rep. Smith  
02:04:59 Rep. Kerns  
02:05:16 Rep. Smith  
02:05:35 Vice Chairman Bennett  
02:05:44 Rep. Smith  
02:05:52 Rep. MacDonald  
02:06:20 Rep. Kerns  
02:07:05 Rep. MacDonald  
02:07:30 Rep. Kerns  
02:08:05 Rep. Lynch  
02:08:25 Rep. Kerns  
02:08:43 Rep. Lynch  
02:09:18 Rep. Kerns  
02:09:52 Vice Chairman Bennett  
02:10:37 Rep. Kerns

**Closing by Sponsor:**

02:10:58 Rep. Kerns

02:12:08 Chairman Kerns  
02:13:17 Rep. Halvorson  
02:13:54 Chairman Kerns  
02:14:04 Rep. Pease-Lopez

**ADJOURNMENT**

Adjournment: 02:14:34

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Karen Armstrong, Secretary

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Additional Documents:

**EXHIBIT([juh37aad.pdf](#))**