

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Krayton Kerns, on March 26, 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. 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. Margaret (Margie) MacDonald, Vice Chair (D)
Rep. Mark Blasdel (R)

Members Absent: None

Staff Present: Karen Armstrong, Committee Secretary
Todd Everts, 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 612, 3/20/2013; HB 613, 3/20/2013
Executive Action: HB 613

00:14:39 Chairman Kerns

HEARING ON HB 612

Opening Statement by Sponsor:

00:16:00 Rep. Kelly McCarthy (D), HD 51, opened the hearing on HB 612, Require abuse of elderly/persons with disabilities offender registration.

Proponents' Testimony:

00:20:53 Claudia Clifford, Advocacy Director, American Association of Retired Persons (AARP) Montana

00:22:31 Donya Parrish, Montana Credit Unions (MCA)

Opponents' Testimony: None.

Informational Testimony:

00:24:24 Larry Epstein, Montana County Attorneys Association (MCAA)

Questions from Committee Members and Responses:

00:24:44 Rep. Regier

00:25:09 Mr. Epstein, MCAA

00:25:16 Rep. Regier

00:26:00 Mr. Epstein, MCAA

00:26:06 Rep. Regier

00:26:12 Mr. Epstein, MCAA

00:26:51 Rep. Regier

00:27:05 Rep. McCarthy

00:27:51 Rep. Regier

00:28:05 Rep. McCarthy

00:28:54 Rep. Regier

00:29:07 Rep. McCarthy

00:29:31 Rep. Regier

00:29:49 Mr. Everts, Legislative Services Division (LSD)

00:30:14 Rep. Regier

00:30:22 Mr. Everts, LSD

00:30:28 Rep. O'Neil

00:31:00 Ms Parrish, MCU

00:31:27 Rep. O'Neil

00:31:41 Ms Parrish, MCU

00:32:01 Rep. O'Neil

00:32:30 Mr. Epstein, MCAA

00:32:55 Rep. O'Neil

00:32:59 Mr. Epstein, MCAA

00:33:04 Rep. Gursky

00:33:15 Mr. Epstein, MCAA

00:33:25 Rep. Gursky

00:33:41 Mr. Epstein, MCAA

00:34:08 Rep. Gursky

00:34:21 Mr. Epstein, MCAA

00:34:26 Rep. Gursky

00:34:38 Mr. Epstein, MCAA
00:35:02 Rep. Gursky
00:35:11 Mr. Epstein, MCAA
00:35:19 Rep. Gursky
00:36:12 Rep. McCarthy
00:37:36 Rep. Gursky
00:37:48 Rep. McCarthy
00:38:47 Rep. MacDonald arrived.
00:38:54 Rep. Halvorson
00:39:13 Rep. McCarthy
00:39:38 Rep. Halvorson
00:39:50 Rep. McCarthy
00:39:59 Rep. Court
00:41:07 Rep. McCarthy
00:41:42 Rep. Eck
00:42:20 Mr. Epstein, MCAA
00:42:26 Rep. Eck
00:42:44 Mr. Epstein, MCAA

Closing by Sponsor:

00:43:16 Rep. McCarthy

HEARING ON HB 613

Opening Statement by Sponsor:

00:44:33 Rep. Jean Price (D), HD 21, opened the hearing on HB 613, Appropriate funds to victim service providers.

Proponents' Testimony:

00:48:54 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence (MCADSV)

[EXHIBIT\(juh65a01\)](#)

[EXHIBIT\(juh65a02\)](#)

[EXHIBIT\(juh65a03\)](#)

[EXHIBIT\(juh65a04\)](#)

[EXHIBIT\(juh65a05\)](#)

00:56:55 Rep. Hill left the meeting.

00:57:00 Kate Cholewa, City of Missoula

00:57:21 Rep. Eck left the meeting.

00:58:37 Harold Blattie, Self and Family

01:02:44 Kim Leighton, National Association for Repeal of Abortion Laws (NARAL) Pro-Choice Montana

01:04:32 Lindsay Love, Planned Parenthood Advocates of Montana (PPAM)

Opponents' Testimony: None

Informational Testimony:

01:07:30 Brooke Marshall, Director, Board of Crime Control (BCC)

Questions from Committee Members and Responses:

01:10:51 Rep. Doane
01:11:22 Ms Marshall, BCC
01:12:03 Rep. Doane
01:12:13 Ms Marshall, BCC
01:12:55 Rep. O'Neil
01:13:14 Chairman Kerns
01:13:17 Rep. O'Neil
01:13:36 Ms Marshall, BCC
01:13:49 Rep. Warburton
01:14:16 Ms Young, MCADSV
01:16:03 Rep. Warburton
01:16:09 Ms Young, MCADSV
01:17:09 Rep. Warburton
01:17:30 Ms Young, MCADSV
01:18:10 Rep. O'Neil
01:18:36 Ms Love, PPAM
01:19:11 Rep. O'Neil
01:19:16 Rep. Halvorson
01:19:33 Rep. Wagoner left the meeting.
01:19:48 Rep. Price
01:20:08 Ms Marshall, BCC
01:20:37 Rep. Halvorson
01:20:50 Chairman Kerns left the meeting.
01:20:58 Ms Marshall, BCC
01:22:13 Rep. Halvorson
01:22:27 Ms Marshall, BCC
01:23:18 Rep. Doane
01:23:42 Ms Marshall, BCC
01:24:03 Rep. Warburton
01:24:23 Ms Marshall, BCC
01:24:56 Rep. O'Neil
01:25:05 Ms Marshall, BCC
01:25:11 Rep. O'Neil
01:25:16 Ms Marshall, BCC
01:25:53 Rep. Halvorson
01:26:07 Ms Marshall, BCC

Closing by Sponsor:

01:26:37 Rep. Price

EXECUTIVE ACTION ON HB 613

01:27:23 **Motion:** Rep. MacDonald moved that **HB 613 DO PASS.**

Discussion:

01:27:34 Rep. MacDonald
01:29:45 Rep. Gursky
01:31:40 Rep. Doane
01:32:41 Rep. Pease-Lopez

01:33:57 Rep. MacDonald
01:34:43 Rep. Warburton
01:35:53 Rep. O'Neil
01:36:10 Rep. Doane
01:37:10 Rep. Gursky
01:38:51 Rep. Halvorson
01:39:57 Rep. Lynch
01:40:15 Rep. O'Neil
01:40:38 Rep. Gursky left the meeting.
01:41:07 Rep. Pease-Lopez
01:42:59 Rep. Lynch

01:43:32 **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. Eck, Rep. Gursky, Rep. Hill, Rep. Kerns and Rep. Wagoner voted by proxy.

01:45:48 **Motion/Vote:** Rep. Regier moved that **HB 613 BE TABLED AND THE VOTE REVERSED**. Motion carried 11-3 by voice vote of those present and voting with Rep. Court, Rep. Pease-Lopez and Rep. Smith voting no.

01:44:56 Vice Chair Bennett

ADJOURNMENT

Adjournment: 01:46:21

Karen Armstrong, Secretary

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Additional Documents:

EXHIBIT([juh65aad.pdf](#))