

## MINUTES

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

#### COMMITTEE ON JUDICIARY

**Call to Order:** Chair Krayton Kerns, on April 11, 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. 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: SB 384, 4/8/2013  
Executive Action: SB 384

00:20:31 Chairman Kerns

**HEARING ON SB 384**

**Opening Statement by Sponsor:**

00:21:35 Sen. Tom Facey (D), SD 48, opened the hearing on SB 384, Revise laws related to the disclosure of an original birth certificate.

**Proponents' Testimony:**

00:23:57 Moe Wosepka, Catholic Social Services, Montana Catholic Conference (MCC) and Catholic Bishops of Montana

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:29:34 Rep. Regier  
00:29:59 Sen. Facey  
00:30:22 Rep. Lenz  
00:31:11 Mr. Wosepka, MCC  
00:32:20 Rep. Lenz  
00:33:20 Mr. Wosepka, MCC  
00:36:19 Rep. Wagoner  
00:36:38 Sen. Facey  
00:36:41 Rep. Wagoner  
00:36:43 Sen. Facey  
00:37:16 Rep. Wagoner  
00:38:21 Sen. Facey  
00:38:54 Rep. Wagoner  
00:39:06 Sen. Facey  
00:39:33 Mr. Wosepka, MCC  
00:39:56 Rep. Wagoner  
00:40:08 Mr. Wosepka, MCC  
00:41:16 Rep. Fiscus  
00:41:50 Sen. Facey  
00:42:11 Rep. Fiscus  
00:42:23 Sen. Facey  
00:42:38 Rep. Doane  
00:43:03 Ms Thigpen, Legislative Services Division (LSD)  
00:43:37 Rep. Doane  
00:43:40 Rep. Regier  
00:44:08 Sen. Facey  
00:45:12 Rep. Regier  
00:45:23 Sen. Facey  
00:45:36 Rep. Hill  
00:47:21 Mr. Wosepka, MCC  
00:50:47 Rep. MacDonald  
00:51:56 Mr. Wosepka, MCC  
00:53:51 Rep. Halvorson

00:55:21 Sen. Facey  
00:56:16 Rep. Halvorson  
00:56:30 Chairman Kerns  
00:56:35 Mr. Wosepka, MCC  
00:57:05 Rep. Halvorson  
00:57:45 Mr. Wosepka, MCC  
00:58:49 Rep. Halvorson  
00:58:58 Mr. Wosepka, MCC  
00:59:18 Rep. Court  
01:00:06 Sen. Facey  
01:00:20 Rep. Pease-Lopez  
01:01:19 Mary Phippen, Former Clerk of District Court

**Closing by Sponsor:**

01:04:14 Sen. Facey  
  
01:05:29 Chairman Kerns  
  
01:05:48 Recessed.  
01:20:15 Reconvened with Rep. Bennett, Rep. Blasdel, Rep. O'Neil and Rep. Warburton absent.

**EXECUTIVE ACTION ON SB 384**

01:20:28 **Motion:** Rep. Doane moved that **SB 384 BE CONCURRED IN.**

**Discussion:**

01:20:35 Rep. Lenz  
01:21:08 Rep. O'Neil returned to the meeting.  
01:22:58 Rep. MacDonald  
01:23:34 Rep. Gursky  
01:24:36 Rep. MacDonald  
01:25:22 Rep. Wagoner  
01:26:01 Rep. Fiscus  
01:26:45 Rep. Doane  
01:27:01 Rep. Eck  
01:27:28 Rep. Wagoner  
01:27:35 Rep. Eck  
01:27:39 Rep. Wagoner  
01:28:00 Rep. Fiscus  
01:28:08 Chairman Kerns  
  
01:28:19 **Vote:** Motion failed 4-16 by roll call vote with Rep. Gursky, Rep. Hill, Rep. MacDonald and Rep. Pease-Lopez voting aye. Rep. Bennett, Rep. Blasdel and Rep. Warburton voted by proxy.  
  
01:29:21 **Motion/Vote:** Rep. Doane moved that **SB 384 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote. Rep. Bennett, Rep. Blasdel and Rep. Warburton voted by proxy.

01:29:53 Chairman Kerns  
01:30:01 Ms Thigpen, LSD  
01:30:40 Chairman Kerns  
01:31:36 Ms Thigpen, LSD

**ADJOURNMENT**

Adjournment: 01:32:01

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Karen Armstrong, Secretary

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Additional Documents:

**EXHIBIT([juh76aad.pdf](#))**