

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Krayton Kerns, on April 15, 2013 at 11:00 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. 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. Mark Blasdel (R)
Rep. Ellie Boldman Hill (D)

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 on: SB 375

00:19:55 Chairman Kerns

EXECUTIVE ACTION ON HB 375

00:20:52 **Motion:** Rep. G. Bennett moved that **SB 375 BE CONCURRED IN.**

Discussion:

00:20:58 Chairman Kerns
00:21:13 Ms Thigpen, Legislative Services Division (LSD)
00:22:48 Chairman Kerns
00:22:56 Rep. MacDonald
00:23:26 Ms Thigpen, LSD
00:23:47 Rep. Eck
00:23:53 Rep. Court
00:24:05 Ms Thigpen, LSD
00:24:30 Rep. MacDonald
00:24:44 Ms Thigpen, LSD
00:25:00 Chairman Kerns
00:25:11 Rep. MacDonald

00:26:21 **Motion:** Rep. Eck moved that **SB 375 BE AMENDED.**

EXHIBIT(juh79a01)

Discussion:

00:26:26 Rep. Eck
00:27:28 Rep. Fiscus
00:29:46 Chairman Kerns
00:30:00 Rep. Fiscus
00:30:24 Rep. Eck
00:30:27 Rep. Fiscus
00:30:39 Ms Thigpen, LSD
00:30:59 Rep. Fiscus
00:31:27 Rep. MacDonald
00:31:54 Rep. Lynch
00:32:29 Rep. Doane
00:32:50 Rep. Lynch
00:33:22 Rep. Doane
00:33:44 Rep. Lynch
00:34:15 Rep. Doane
00:34:47 Rep. Bennett
00:35:26 Rep. O'Neil
00:35:58 Rep. MacDonald
00:36:32 Rep. O'Neil
00:36:44 Rep. MacDonald
00:37:34 Rep. O'Neil
00:38:27 Rep. Court

00:38:54 **Vote:** Motion failed 9-11 by roll call vote with Rep. Court, Rep. Eck, Rep. Gursky, Rep. Hill, Rep. Laszloffy, Rep. Lynch, Rep. MacDonald, Rep. Pease-Lopez and Rep. Smith voting aye. Rep. Blasdel voted by proxy.

00:40:10 **Motion:** Rep. Gursky moved that **SB 375 BE AMENDED.**
[EXHIBIT\(juh79a02\)](#)

Discussion:

00:40:18 Rep. Gursky
00:43:00 Rep. MacDonald
00:44:17 Rep. Fiscus
00:44:58 Rep. Gursky
00:45:27 Ms Thigpen, LSD
00:45:47 Rep. Fiscus
00:46:01 Rep. Gursky
00:46:15 Rep. Fiscus
00:46:29 Rep. Warburton
00:47:10 Ms Thigpen, LSD
00:47:18 Rep. Eck
00:48:37 Rep. Doane
00:49:26 Rep. Gursky
00:49:51 Rep. Doane
00:50:11 Rep. Gursky
00:50:23 Rep. Laszloffy
00:50:52 Rep. Gursky

00:51:33 **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 and Rep. Hill voted by proxy.

00:52:37 **Motion:** Rep. MacDonald moved that **SB 375 BE AMENDED.**
[EXHIBIT\(juh79a03\)](#)

Discussion:

00:52:43 Rep. MacDonald
00:55:31 Chairman Kerns
00:56:14 Rep. MacDonald
00:57:08 Rep. Wagoner
00:57:15 Rep. MacDonald
00:58:18 Rep. Fiscus
00:58:48 Rep. Gursky
00:59:36 Rep. Fiscus
01:00:19 Rep. Gursky
01:00:31 Rep. Fiscus
01:00:38 Rep. Court
01:01:23 Rep. Warburton
01:02:16 Rep. Lenz
01:02:51 Rep. Wagoner

01:03:09 **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 and Rep. Hill voted by proxy.

01:04:12 **Motion:** Rep. Regier moved that **SB 375 BE AMENDED.**
[EXHIBIT\(juh79a04\)](#)

Discussion:

01:04:18 Rep. Regier

01:05:15 **Vote:** Motion carried 18-1 by voice vote with Rep. Court voting no. Rep. Blasdel voted by proxy. Rep. Hill was absent and did not vote

01:05:36 **Motion:** Rep. G. Bennett moved that **SB 375 BE CONCURRED IN AS AMENDED.**

Discussion:

01:06:02 Rep. Fiscus

01:09:31 Rep. Wagoner

01:10:39 Rep. Eck

01:11:17 Rep. MacDonald

01:12:38 Rep. Lynch

01:13:28 Rep. Lenz

01:14:37 Rep. Warburton

01:16:18 Rep. Smith

01:17:02 Rep. O'Neil

01:18:12 **Vote:** Motion failed 6-14 by roll call vote with Rep. Court, Rep. Hill, Rep. Lynch, Rep. MacDonald, Rep. Pease-Lopez and Rep. Smith voting aye. Rep. Blasdel and Rep. Hill voted by proxy.

01:19:18 **Motion/Vote:** Rep. G. Bennett moved that **HR 375 BE TABLED AND THE VOTE REVERSED.** Motion carried 19-0 by voice vote. Rep. Blasdel voted by proxy. Rep. Hill was absent and did not vote.

01:19:37 Chairman Kerns

ADJOURNMENT

Adjournment: 01:19:47

Karen Armstrong, Secretary

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Additional Documents:

EXHIBIT([juh79aad.pdf](#))