

## MINUTES

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

#### COMMITTEE ON JUDICIARY

**Call to Order:** Chair Krayton Kerns, on April 16, 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. 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. Keith Regier (R)  
Rep. Bridget Smith (D)  
Rep. Kirk Wagoner (R)  
Rep. Wendy Warburton (R)

**Members Excused:** Rep. Mark Blasdel (R)  
Rep. Alan Doane (R)  
Rep. Ellie Boldman Hill (D)  
Rep. Carolyn Pease-Lopez (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:**

Hearing & Date Posted: HJ 29, 4/13/2013; SJ 22, 4/13/2013  
Executive Action: HJ 29, SJ 22

00:15:45 Chairman Kerns

### **HEARING ON HJ 29**

#### **Opening Statement by Sponsor:**

00:17:11 Rep. Jenifer Gursky (D), HD 98, opened the hearing on HJ 29, Interim study regarding human trafficking in Montana.

[EXHIBIT\(juh80a01\)](#)

[EXHIBIT\(juh80a02\)](#)

#### **Proponents' Testimony:**

00:24:38 Sarah Rossi, Montana Coalition Against Domestic and Sexual Violence (MCADSV)

00:25:24 Abigail St. Lawrence, Montana Association of Churches (MAC)

**Opponents' Testimony:** None

**Informational Testimony:** None

#### **Questions from Committee Members and Responses:**

00:26:57 Rep. O'Neil

00:27:24 Rep. Gursky

00:27:34 Rep. O'Neil

00:28:01 Rep. Gursky

#### **Closing by Sponsor:**

00:28:46 Rep. Gursky

### **HEARING ON SJ 22**

#### **Opening Statement by Sponsor:**

00:29:13 Sen. Larry Jent (D), SD 32, opened the hearing on SJ 22, Interim study on family law procedure alternatives.

00:31:40 Rep. Hill arrived.

#### **Proponents' Testimony:**

00:36:05 Beth McLaughlin, Supreme Court (SC) and Montana Judges Association (MJA)

00:38:58 Mary Phippen, Montana Association of Clerks of District Court

00:39:26 Bruce Spencer, State Bar of Montana (SBM)

00:40:57 Abigail St. Lawrence, Justice Initiatives Committee of the State Bar of Montana

**Opponents' Testimony:** None

**Informational Testimony:** None

#### **Questions from Committee Members and Responses:**

00:43:43 Rep. Warburton

00:44:13 Sen. Jent

00:44:18 Rep. Fiscus

00:45:24 Mr. Spencer, SBM

00:46:04 Rep. MacDonald

00:46:40 Sen. Jent  
00:49:21 Rep. MacDonald  
00:49:37 Sen. Jent  
00:51:31 Chairman Kerns  
00:51:36 Rep. MacDonald  
00:51:50 Ms McLaughlin, SC and MJA  
00:56:14 Rep. Lenz  
00:56:39 Ms McLaughlin, SC and MJA

**Closing by Sponsor:**

00:58:30 Sen. Jent

00:59:42 Chairman Kerns

**EXECUTIVE ACTION ON SJ 22**

01:00:19 **Motion:** Rep. G. Bennett moved that **SJ 22 BE CONCURRED IN.**

**Discussion:**

01:00:28 Rep. Regier  
01:00:44 Rep. Fiscus  
01:01:57 Chairman Kerns  
01:04:07 Rep. Warburton  
01:05:29 Rep. Hill  
01:06:06 Rep. Wagoner left the meeting.  
01:06:36 Rep. MacDonald  
01:07:21 Rep. Smith  
01:07:56 Rep. Regier  
01:08:22 Rep. MacDonald  
01:08:50 Rep. Regier  
01:09:12 Rep. Court  
01:09:53 Rep. Gursky  
01:10:34 Rep. Hill  
01:11:50 Chairman Kerns  
01:12:18 Rep. Bennett  
01:12:58 Rep. Court

01:13:19 **Vote:** Motion carried 18-2 by roll call vote with Rep. Doane and Rep. Kerns voting no. Rep. Blasdel, Rep. Doane, Rep. Pease-Lopez and Rep. Wagoner voted by proxy. Rep. Hill will carry the bill.

**EXECUTIVE ACTION ON HJ 29**

01:14:30 **Motion:** Rep. Gursky moved that **HJ 29 DO PASS.**

**Discussion:**

01:14:52 Rep. Regier  
01:16:29 Rep. Gursky  
01:17:49 Rep. Regier

01:18:11 Rep. Gursky  
01:18:31 Rep. Regier  
01:18:41 Rep. Gursky  
18:18:48 Chairman Kerns  
01:19:00 Ms Thigpen, Legislative Services Division (LSD)  
01:19:28 Rep. Regier  
01:20:29 Rep. Gursky  
01:20:35 Rep. Regier  
01:21:02 Rep. Gursky  
01:21:49 Rep. Regier  
01:22:30 Rep. Gursky  
01:22:51 Rep. Regier  
01:23:06 Rep. Gursky  
01:23:09 Rep. Regier  
01:23:13 Rep. Gursky  
01:23:22 Rep. Laszloffy  
01:24:37 Rep. Gursky  
01:24:57 Rep. Regier  
01:25:16 Rep. Eck  
01:25:34 Rep. Warburton  
01:25:46 Chairman Kerns  
01:26:20 Rep. O'Neil  
01:26:54 Chairman Kerns

01:27:13 Recessed.  
01:37:34 Reconvened with Rep. Blasdel, Rep. Doane, Rep. Eck, Rep. Hill,  
Rep. Pease-Lopez and Rep. Wagoner absent.

01:37:52 Ms Thipen, LSD

01:39:04 **Motion/Vote:** Rep. Regier moved that **HJ 29 BE AMENDED CONCEPTUALLY.**  
Motion carried 14-0 by voice vote. Rep. Blasdel, Rep. Doane, Rep. Eck,  
Rep. Hill, Rep. Pease-Lopez and Rep. Wagoner were absent and did not vote.

**EXHIBIT(juh80a03)**

01:39:33 **Vote:** Motion carried 17-3 by roll call vote with Rep. Bennett, Rep. Doane and  
Rep. Kerns voting no. Rep. Blasdel, Rep. Doane, Rep. Eck, Rep. Hill,  
Rep. Pease-Lopez and Rep. Wagoner voted by proxy.

01:40:57 Chairman Kerns

**ADJOURNMENT**

Adjournment: 01:41:05

---

Karen Armstrong, Secretary

ka

Additional Documents:

**EXHIBIT([juh80aad.pdf](#))**