

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES  
56th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON JUDICIARY**

**Call to Order:** By **CHAIRMAN ROBERT C. CLARK**, on January 13, 1999  
at 8:00 A.M., in Room 312 - 2 Capitol.

**ROLL CALL**

**Members Present:**

Rep. Robert C. Clark, Chairman (R)  
Rep. Dan McGee, Vice Chairman (R)  
Rep. Diana Wyatt, Vice Chairman (D)  
Rep. Chris Ahner (R)  
Rep. Shiell Anderson (R)  
Rep. Paul Clark (D)  
Rep. Aubyn A. Curtiss (R)  
Rep. Bill Eggers (D)  
Rep. Tom Facey (D)  
Rep. Steven Gallus (D)  
Rep. Gail Gutsche (D)  
Rep. Joan Hurdle (D)  
Rep. Rick Jore (R)  
Rep. Sam Kitzenberg (R)  
Rep. Brad Molnar (R)  
Rep. Mark Noennig (R)  
Rep. Jim Shockley (R)  
Rep. Loren Soft (R)  
Rep. Carol Williams (D)  
Rep. Cindy Younkin (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** John MacMaster, Legislative Branch  
Pam Schindler, Committee Secretary

**Please Note:** These are summary minutes. Testimony and  
discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing Date: 1/13/99 HB 59, HB 106, HB 176, HB 143,

Date Posted: 1/7/99

Executive Action Taken: HB 65, Do Pass

HB 94, Do Pass

HB 76, Do Pass

**Chairman Robert Clark** opened the hearing.

*{Tape : 1; Side : A; Approx. Time Counter : 0 - 37}*

HEARING ON HB 59

Sponsor:

**Rep. Mood** presented HB 59.

*{Tape : 1; Side : A; Approx. Time Counter : 37 - 61}*

Proponents:

**Diana Leibinger-Koch**, Dept. of Corrections

*{Tape : 1; Side : A; Approx. Time Counter : 61 - 233}*

Opponents:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

*{Tape : 1; Side : A; Approx. Time Counter : 233 - 550}*

**EXHIBIT** (juh09a0

1)

*{Tape : 1; Side : B; Approx. Time Counter : 0 - 119}*

Closing by Sponsor:

**Rep. Mood** made closing statements.

*{Tape : 1; Side : B; Approx. Time Counter : 119 - 145}*

HEARING ON HB 106

Sponsor:

**Rep. McColloch** presented opening remarks on HB 106.

*{Tape : 1; Side : B; Approx. Time Counter : 145 - 218}*

**Proponents:**

Wilbur Rehmann, Montana Dept. of Justice

{Tape : 1; Side : B; Approx. Time Counter : 218 - 422}

Geralynn Driscoll, Montana Office of Public Instruction

{Tape : 1; Side : B; Approx. Time Counter : 422 - 440}

**Opponents:**

None

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

{Tape : 1; Side : B; Approx. Time Counter : 444 - 550}

{Tape : 2; Side : A; Approx. Time Counter : 0 - 215}

**EXHIBIT** (juh09a0

2)

**Closing by Sponsor:**

Rep. McColloch made closing statements.

{Tape : 2; Side : A; Approx. Time Counter : 215 - 235}

**HEARING ON HB 176**

**Sponsor:**

Rep. Bersagel presented HB 176.

{Tape : 2; Side : A; Approx. Time Counter : 235 - 323}

**EXHIBIT** (juh09a0

5)

(exhibit handed in out of order)

**Proponents:**

None

**Opponents:**

None

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

{Tape : 2; Side : A; Approx. Time Counter : 323 - 409}

**Closing by Sponsor:**

Rep. Bersagel made closing statements.

{Tape : 2; Side : A; Approx. Time Counter : 409 - 423}

HEARING ON HB 143

Sponsor:

Rep. Somerville presented HB 143.

{Tape : 2; Side : A; Approx. Time Counter : 423 - 550}

{Tape : 2; Side : B; Approx. Time Counter : 0 - 37}

Proponents:

Betty Waddell, Montana Association of Churches

{Tape : 2; Side : B; Approx. Time Counter : 37 - 80}

**EXHIBIT** (juh09a0

3)

Opponents:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

{Tape : 2; Side : B; Approx. Time Counter : 80 - 392}

Closing by Sponsor:

Rep. Somerville made closing remarks

{Tape : 2; Side : B; Approx. Time Counter : 419 - 550}

EXECUTIVE ACTION ON HB 53

HB 53 postponed after much discussion.

{Tape : 3; Side : A; Approx. Time Counter : 63 - 550}

{Tape : 3; Side : B; Approx. Time Counter : 0 - 320}

**EXHIBIT** (juh09a0

4)

EXECUTIVE ACTION ON HB 65

**Motion/Vote:** Rep. Molnar moved that HB 65 be **PASSED**. Motion carried unanimously.

{Tape : 3; Side : B; Approx. Time Counter : 320 - 550}

{Tape : 4; Side : A; Approx. Time Counter : 0 - 70}

**EXECUTIVE ACTION ON HB 94**

**Motion/Vote:** Rep. Facey moved that HB 94 be **PASSED**. Motion carried unanimously.

***{Tape : 4; Side : A; Approx. Time Counter : 70 - 90}***

**EXECUTIVE ACTION ON HB 76**

**Motion/Vote:** Rep. Younkin moved that HB 76 be **PASSED**. Motion carried 13-6 with Facey, Gallus, Gutsche, Hurdle, Williams, and Wyatt voting no.

***{Tape : 4; Side : A; Approx. Time Counter : 90 - 550}***

**EXHIBIT (juh09a0**

5)

Chairman Robert Clark adjourned the meeting.

**ADJOURNMENT**

Adjournment: 11:35 A.M.

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REP. ROBERT C. CLARK, Chairman

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PAM SCHINDLER, Secretary

RC/PS

**EXHIBIT (juh09aad)**