



Law and Justice Interim Committee 62nd Montana Legislature

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DAWN FIELD, Secretary
DAVE BOHYER, Research Director

TENTATIVE AGENDA

Friday, September 7, 2012

Room 137, Capitol Building, Helena
Please note: all times are approximate

- 8:30 a.m.** 1. Call meeting to order; Roll Call, Sen. Jim Shockley, Presiding Officer
2. Review meeting materials, Mr. Dave Bohyer, LSD Research Director
- 8:45** 3. LCij 21 - clarify investigatory authority of POST, Dave Bohyer, LSD
Action item: Does the committee wish to take any action on this matter?
- 9:00** 4. DNA Evidence Retention
a. Montana Innocence Project. Jesse MCQuillan, MIP
(i) Report on National Task Force
(ii) Recommendations for bill draft
b. Montana County Attorney's Association, Jim Smith/Mark Murphy, MCAA
c. Office of State Public Defender, Bill Hooks, CPD; Wade Zolynski, CPAD
d. Public comment
e. Committee discussion and questions
Action item: Does the committee wish to take any action on this matter?
- BREAK**
- 10:15** 5. Supreme Court's Rules of Procedure -- Substitution of District Judges
a. Request from the Montana Judges' Association to disapprove Section 3-1-804, MCA -- Judge Loren Tucker, 5th Judicial District and MJA President, and Judge Brad Newman, 2nd Judicial District
b. Montana County Attorney's Association, Jim Smith; Mark Murphy
c. Office of State Public Defender and Public Appellate Defender, Bill Hooks, Chief Public Defender and Wade Zolynski, Chief Public Appellant Defender
d. Montana Trial Lawyers' Association, Al Smith
e. Montana Defense Trial Lawyers' Association, John Alke, MDTLA
f. Montana Bar Association, Chris Manos, Ex. Dir.
g. Public comment
h. Committee discussion
Action Items: (1) Does the committee wish to take any action on this matter? (2) Does the committee wish to recommend disapproval of the New Rules of Procedure?
- 11:30** 6. Bill draft proposals
a. Reconsider concealed weapon permit bill draft - LCij 06: Chairman Shockley
b. Public comment
c. Committee questions and discussion
Action item: Does the committee wish to take any action on either matter?

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TENTATIVE AGENDA (CONT.)
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All times tentative

- 1:30 p.m.** 7. Reconvene meeting, Sen. Jim Shockley, Presiding Officer
- 1:35** 8. Department of Corrections
- Ms. Julianne Burkhardt, LSD Attorney: Overview of administrative rule allowing the DOC to audit the Judiciary in regard to the use of JDIP funds
 - Ms. Diana Koch, DOC Legal Counsel: Status of administrative rule allowing the DOC to audit the Judiciary in regard to the use of JDIP funds
 - Ms. Beth McLaughlin, Sup. Court Administrator: Response to Ms. Koch
 - Other DOC issues (none at this time)
- 2:35** 9. Member Issues
None at this time
- 3:00** 10. a. Revisit or Review LJIC Legislation Proposals
- Staff summary of proposals:
 - i. Establish Corrections Advisory Council - LCJ 60
 - ii. Eliminate report on attorney license tax - LCJ 61
 - iii. Eliminate report on health care costs for medical parolees - LCJ 62
 - iv. Others (none at this time) Administrative matters
 - Public comment on these LJIC proposals
 - Committee questions and discussion
- Action item:** Does the committee wish to take any action on any of these LJIC proposals?
- 4:00** 11. Administrative Matters
- a. Assign sponsors for LJIC Committee bills
 - i. Suicide Prevention Bill Drafts - LCJ 2A
 - ii. Suicide Prevention Bill Drafts - LCJ 03
 - iii. Restorative Justice Bill Drafts - LCJ 5A
 - iv. Restorative Justice Bill Drafts - LCJ 5B
 - v. Restorative Justice Bill Drafts - LCJ 5C
 - vi. Others (see under Items 6 and 10 above)
 - b. Other (none at this time)

Adjourn

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Please Note:

If you plan to attend this meeting and will need services or accommodations, please contact Dave Bohyer or Lenore Adams (406-444-3064) at least 5 working days before the meeting. Meeting materials are available on the LJIC website at <http://leg.mt.gov/ljic>
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