

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By Chairman Diane Rice, on March 20, 2007 at 8:00 A.M., in Room 137 Capitol.

ROLL CALL

Members Present:

Rep. Diane Rice, Chairman (R)
Rep. Dave Gallik, Vice Chairman (D)
Rep. Ron Stoker, Vice Chairman (R)
Rep. Douglas Cordier (D)
Rep. Robyn Driscoll (D)
Rep. Bob Ebinger (D)
Rep. George Everett (R)
Rep. Julie French (D)
Rep. Rick Jore (C)
Rep. Krayton Kerns (R)
Rep. Roger Koopman (R)
Rep. Deborah Kottel (D)
Rep. Tom McGillvray (R)
Rep. Jesse O'Hara (R)
Rep. Ken Peterson (R)
Rep. Holly Raser (D)
Rep. John Ward (R)

Members Excused: None.

Members Absent: None.

Staff Present: David Niss, Legislative Branch
Pam Schindler, Committee Secretary

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 382, SB 383, SB 96, SB 169, SB
170, SB 177, 3/13/2007
Executive Action: None

HEARING ON SB 177

Opening Statement by Sponsor:

00:01:15 Sen. Carolyn Squires (D), SD 48, opened the hearing on SB 177, Extend time for challenging agency actions.

Proponents' Testimony:

00:07:56 Linda Gryczan, League of Women Voters

00:08:36 John Barrows, Executive Director, Montana Newspaper Association

00:10:04 Ann Brodsky, Legal Counsel, Governor Schweitzer Office

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:11:33 Rep. O'Hara

00:11:54 Sen. Squires

00:14:13 Rep. Koopman

00:15:51 Sen. Squires

00:16:53 Rep. Rice

00:16:57 Sen. Squires

00:19:12 Rep. Stoker

Closing by Sponsor:

00:20:46 Sen. Squires

HEARING ON SB 169

Opening Statement by Sponsor:

00:22:27 Sen. Jesse Laslovich (D), SD 43, opened the hearing on SB 169, Adjust local government basic entitlement share for public defender costs.

Proponents' Testimony:

00:24:53 Bill Kennedy, Yellowstone County Commissioner, Montana Association of Counties

00:25:52 Gordon Morris, Lewis and Clark County

00:26:18 Linda Stoll, Missoula County

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:26:53 Rep. Stoker
00:27:23 Mr. Kennedy
00:27:38 Rep. Peterson
00:28:07 Mr. Kennedy

Closing by Sponsor:

00:28:35 Sen. Laslovich

HEARING ON SB 382

Opening Statement by Sponsor:

00:29:38 Sen. Jesse Laslovich (D), SD 43, opened the hearing on SB 382, Establish mental health courts.

Proponents' Testimony:

00:35:00 John Larson, Trial Judge, Missoula and Mineral Counties, Missoula, Montana

[EXHIBIT\(juh59a01\)](#)

[EXHIBIT\(juh59a02\)](#)

[EXHIBIT\(juh59a03\)](#)

00:40:28 Bill Kennedy, Yellowstone County Commissioner, Chair, Health and Human Services Committee, Montana Association of Counties

00:44:16 Tracey Velasquez, Executive Director, Montana Mental Health Association

00:50:03 Pam Bunke, Adult Community Services Director, Department of Public Health and Human Services, State of Montana

00:51:34 Pat Melby, Montana Medical Association, Rimrock Foundation, also for Beda Lovitt, Montana Psychiatric Association

00:52:58 Anita Rossmann, Montana Advocacy Program

[EXHIBIT\(juh59a04\)](#)

[EXHIBIT\(juh59a05\)](#)

00:57:06 Scott Crichton, ACLU

00:58:40 Gloria Hermanson, Montana Licensed Mental Health Counselors

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:59:18 Rep. Peterson
01:00:01 Judge Larson
01:06:05 Rep. Koopman
01:06:38 Ms. Velasquez
01:12:54 Ms. Bunke
01:17:08 Rep. Rice
01:17:26 Judge Larson
01:21:22 Rep. Stoker
01:22:15 Judge Larson

Closing by Sponsor:

01:23:18 Sen. Laslovich

HEARING ON SB 383

Opening Statement by Sponsor:

01:30:33 Sen. Jesse Laslovich (D), SD 43, opened the hearing on
SB 383, revise property laws.

[EXHIBIT\(juh59a06\)](#)

Proponents' Testimony:

01:39:20 Chuck Willey, Professor-Real Estate Transactions, Law
School, University of Montana, Missoula, Montana

[EXHIBIT\(juh59a07\)](#)

01:56:33 Amy Grmoljez, Montana Bankers Association

01:57:52 Mike Kleese, First American Title Insurance Company of
Montana, Montana Land Title Association

Opponents' Testimony:

02:05:03 Robert Sewell, Legislative Liaison, Montana Land Title
Association

[EXHIBIT\(juh59a08\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

02:10:15 Rep. Peterson
02:11:13 Mr. Kleese
02:11:42 Prof. Willey
02:18:49 Rep. Stoker
02:19:16 Mr. Kleese
02:21:43 Rep. Kottel
02:22:15 Prof. Willey
02:27:19 Rep. Peterson
02:27:41 Prof. Willey

Closing by Sponsor:

02:34:38 Sen. Laslovich

02:37:36 Break
02:50:14 Reconvene

HEARING ON SB 170

Opening Statement by Sponsor:

02:50:36 Sen. Gary Perry (R), SD 35, opened the hearing on SB 170, Extend domestic violence review commission.

Proponents' Testimony:

02:51:46 Ali Bovington, Assistant Attorney General, Department of Justice, State of Montana

[EXHIBIT\(juh59a09\)](#)

02:53:58 Jennifer Hill-Hart, Montana Coalition Against of Domestic and Sexual Violence

02:55:05 Matthew Hale, Coordinator, Montana Domestic Violence Fatality Review Commission

[EXHIBIT\(juh59a10\)](#)

02:59:31 Ann Brodsky, Legal Counsel, Governor Schweitzer's Office

Opponents' Testimony:

Informational Testimony:

Questions from Committee Members and Responses:

03:01:39 Rep. Peterson
03:02:18 Mr. Dale
03:05:06 Rep. Everett
03:05:25 Mr. Dale
03:07:44 Rep. McGillvray
03:08:18 Mr. Dale
03:12:11 Rep. Stoker
03:12:18 Mr. Dale
03:13:11 Rep. French
03:13:45 Mr. Dale
03:16:37 Rep. McGillvray
03:17:14 Mr. Dale

Closing by Sponsor:

03:20:13 Sen. Perry

HEARING ON SB 96**Opening Statement by Sponsor:**

03:25:11 Sen. Carol Williams (D), SD 46, opened the hearing on
SB 96, Generally revise initiative and referendum
process.

[EXHIBIT\(juh59a11\)](#)

[EXHIBIT\(juh59a12\)](#)

Proponents' Testimony:

03:28:59 Brad Johnson, Secretary of State, State of Montana
03:31:09 Mike McGrath, Attorney General (AG), State of Montana
[EXHIBIT\(juh59a13\)](#)
03:42:12 Brad Griffin, Montana Restaurant Association
03:43:52 Rhonda Wiggers, Enviromantics
03:49:00 Jason Miller, Montana State AFL-CIO
03:49:33 Jackie Boyle, AARP-Montana
03:50:59 Elizabeth Andrews, Montana Common Cause
03:51:51 Don Judge, Teamsters Local #190
03:53:06 Jim Ahrens, Chairman, Alliance for Healthy Montanans

Opponents' Testimony:

03:54:02 Travis Butcher, Montanans in Action
04:05:59 Mark Mackin, self
[EXHIBIT\(juh59a14\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

04:08:39 Rep. Kottel
04:09:31 AG McGrath
04:09:59 Rep. Stoker
04:10:13 AG McGrath
04:10:41 Rep. Koopman
04:12:05 AG McGrath
04:16:49 Rep. Koopman
04:17:50 Mr. Butcher
04:19:43 Rep. Peterson
04:20:21 AG McGrath
04:21:51 Rep. Gallik
04:22:27 AG McGrath

Closing by Sponsor:

04:22:43 Sen. Williams

ADJOURNMENT

Adjournment: 12:26 P.M.

REP. DIANE RICE, Chairman

PAM SCHINDLER, Secretary

DR/ps

Additional Exhibits:

EXHIBIT ([juh59aad.pdf](#))