

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By **CHAIRMAN JESSE LASLOVICH**, on March 15, 2007 at 9:00 A.M., in Room 303 Capitol.

ROLL CALL

Members Present:

Sen. Jesse Laslovich, Chairman (D)
Sen. Aubyn Curtiss (R)
Sen. Larry Jent (D)
Sen. Carol C. Juneau (D)
Sen. Dan McGee (R)
Sen. Lynda Moss (D)
Sen. Jerry O'Neil (R)
Sen. Gerald Pease (D)
Sen. Gary L. Perry (R)
Sen. Jim Shockley (R)
Sen. David E. Wanzonried (D)

Members Excused:

Sen. Carol Williams (D)

Members Absent: None.

Staff Present: Carol Andersen, Committee Secretary
Valencia Lane, 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: HB 305, 3/12/2007; HB 319,
3/12/2007; HB 491, 3/12/2007; HB
617, 3/12/2007;
Executive Action: HB 83, HB 361, HB 28

HEARING ON HB 305

Opening Statement by Sponsor:

00:00:25 REP. BILL THOMAS (D), HD 26, opened the hearing on HB 305, Limit liability for sponsored off-highway vehicle activity.

Proponents:

00:02:16 Russ Ehnes, President, Montana Trail Vehicle Riders Associations (MTVRA)

EXHIBIT(jus55a01)

00:08:51 Rep. Llew Jones

00:16:33 Rep. Deb Kottel

00:22:31 Tim Ravndal

00:24:44 Ramona Ehnes

EXHIBIT(jus55a02)

00:27:04 Don Allen, Western Electricians Trade Association

00:28:26 Ronda Wiggers, Montana Snowmobile Association

00:30:15 Roger Hagan, MTVRA

Opponents:

00:30:41 Al Smith, Montana Trial Lawyers Association

Informational Testimony: None.

Questions from Committee Members and Responses:

00:44:20 Sen. Perry to Al Smith

00:44:56 Sen. McGee to Al Smith

00:55:20 Sen. Juneau

00:55:26 Sen. McGee to Al Smith

00:58:25 Sen. O'Neil to Al Smith

01:01:58 Sen. Shockley to Rep. Kottel

01:09:10 Sen. Shockley to Rep. Thomas

01:10:57 Sen. Shockley to Roger Hagan

01:12:08 Sen. Moss to Roger Hagan

01:16:37 Sen. Moss to Ramona Ehnes

01:17:40 Sen. Perry to Rep. Jones

01:20:17 Sen. McGee to Rep. Kottel

Closing by Sponsor:

01:23:47 Rep. Thomas

01:26:43 Sen. Laslovich to Rep. Thomas

HEARING ON HB 319

Opening Statement by Sponsor:

01:27:11 **SEN. DAN MCGEE** Representing **REP. BILL GLASER (R), HD 44**, opened the hearing on **HB 319**, Revise law on construction and highway contracts.

EXHIBIT(jus55a03)

Proponents:

01:29:09 Carl Schweitzer, Montana Subcontractors Association

01:35:03 Cary Hegreberg, Montana Contractors Association

01:36:22 Margaret Morgan, Montana Independent Electric Organization

Opponents: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

01:37:01 Sen. Jent to Carl Schweitzer

01:41:35 Sen. O'Neil to Carl Schweitzer

Closing by Sponsor:

01:43:55 Sen. McGee

01:27:45 Break

01:56:00 Resume

EXECUTIVE ACTION ON HB 83

01:56:56 **Motion:** SEN. LASLOVICH moved that HB 83 BE CONCURRED IN.

Discussion:

EXHIBIT (jus55a04)

01:57:06 **Motion:** SEN. O'NEIL moved that SB008303.AVL BE ADOPTED.

01:57:51 **Discussion:**

01:57:56 Sen. Laslovich

01:58:08 Sen. McGee

01:59:38 Sen. Shockley

01:59:51 Sen. Perry

02:00:18 Sen. O'Neil

02:01:19 **Motion/Vote:** Motion failed 5-7 by roll call vote with SEN. CURTISS, SEN. MCGEE, SEN. O'NEIL, SEN. PERRY, and SEN. SHOCKLEY voting aye.

02:02:11 **Motion:** SEN. MCGEE moved that CONCEPTUAL AMENDMENT BE ADOPTED.

Discussion:

02:02:48 Sen. Perry

02:05:00 SEN. MCGEE withdrew his amendment.

02:05:07 Motion/Vote: SEN. WANZENRIED CALLED THE QUESTION ON HB 83. Motion carried 8-4 by voice vote with SEN. MCGEE, SEN. O'NEIL, SEN. PERRY, and SEN. SHOCKLEY voting no. SEN. LASLOVICH will carry HB 83.

EXECUTIVE ACTION ON HB 361

02:07:30 Motion: SEN. MCGEE moved that HB 361 BE TABLED.

Discussion:

02:07:55 Sen. Laslovich

02:08:48 Motion/Vote: Motion to Table HB 361 failed 4-8 by roll call vote with SEN. JUNEAU, SEN. MCGEE, SEN. O'NEIL, and SEN. SHOCKLEY voting aye.

02:09:25 Motion: SEN. PERRY moved that HB 361 BE CONCURRED IN.

Discussion:

[EXHIBIT\(jus55a05\)](#)

02:09:59 Sen. Curtiss to Sen. McGee

02:11:16 Sen. Perry

02:11:25 Sen. O'Neil

02:12:04 Motion: SEN. PERRY moved that CONCEPTUAL AMENDMENT BE ADOPTED.

Discussion:

02:12:33 Sen. Perry

02:13:22 Motion/Vote: Motion to ADOPT CONCEPTUAL AMENDMENT failed 1-11 by voice vote with SEN. O'NEIL voting aye.

02:13:45 Motion/Vote: SEN. LASLOVICH moved that HB 361 BE CONCURRED IN. Motion carried 10-2 by voice vote with SEN. JUNEAU, and SEN. O'NEIL voting no. SEN. SHOCKLEY will carry HB 361.

EXECUTIVE ACTION ON HB 28

02:15:27 Sen. Laslovich

02:15:33 **Motion:** SEN. MOSS moved that HB 28 BE CONCURRED IN.

Discussion:

02:16:10 Sen. Laslovich

02:16:27 Sen. McGee

02:16:33 Sen. O'Neil

02:17:21 **Motion/Vote:** SEN. WANZENRIED CALLED THE QUESTION ON HB 28. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 319

02:17:47 **Motion:** SEN. JENT moved that HB 319 BE CONCURRED IN.

Discussion:

02:20:12 Valencia Lane, LSD

02:21:30 Sen. O'Neil

02:21:52 **Motion:** SEN. O'NEIL moved that CONCEPTUAL AMENDMENT BE ADOPTED.

Discussion:

02:22:00 SEN. O'NEIL withdrew his amendment.

02:22:08 SEN. JENT withdrew his motion on HB 319.

HEARING ON HB 468

02:22:12 Hearing on HB 468 POSTPONED at Sponsor's request.

HEARING ON HB 491

Opening Statement by Sponsor:

02:22:50 REP. JOHN SINRUD (R), HD 67, opened the hearing on HB 491, Child witness protection in criminal cases.

Proponents:

02:25:15 Ashley Harrington, Deputy County Attorney, Gallatin County

02:39:05 Jim Smith, Montana County Attorneys Association

02:42:37 Jennifer Hill-Hart, Montana Coalition Against Domestic and Sexual Violence

02:45:20 John Connor, Department of Justice

Opponents: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

02:49:47 Sen. McGee to Ashley Harrington

02:51:03 Sen. O'Neil to Scott Crichton, American Civil Liberties Union

02:51:45 Sen. Laslovich to John Connor

02:58:11 Sen. Laslovich to Ashley Harrington

03:06:10 Sen. McGee to John Connor

03:08:31 Sen. Williams to Ashley Harrington

03:11:36 Sen. O'Neil to John Connor

03:13:22 Sen. Jent to John Connor

03:14:47 Sen. Jent to Ashley Harrington

03:16:16 Sen. Jent to John Connor

Closing by Sponsor:

03:20:16 Sen. Sinrud

HEARING ON HB 617

Opening Statement by Sponsor:

03:23:48 REP. JOHN SINRUD (R), HD 67, opened the hearing on HB 617, Revise filing requirements for delinquent child support.

Proponents: None.

Opponents: None.

Informational Testimony:

03:25:29 Lonnie Olson, Administrator, Child Support and Enforcement Division

Questions from Committee Members and Responses:

03:25:55 Sen. Shockley to Rep. Sinrud

03:26:42 Sen. Laslovich to Lonnie Olson

03:27:28 Sen. O'Neil to Lonnie Olson

Closing by Sponsor:

03:30:18 Rep. Sinrud

ADJOURNMENT

Adjournment: 12:35 P.M.

SEN. JESSE LASLOVICH, Chairman

CAROL ANDERSEN, Secretary

JL/ca

Additional Exhibits:

EXHIBIT ([jus55aad.pdf](#))