

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order:

CHAIRMAN RON STOKER, on January 12, 2009 at 8:00 A.M., in Room 137 Capitol.

ROLL CALL

Members Present:

Rep. Ron Stoker, Chairman (R)
Rep. Deborah Kottel, Vice Chairman (D)
Rep. Ken Peterson, Vice Chairman (R)
Rep. Arlene Becker (D)
Rep. Gerald Bennett (R)
Rep. Anders Blewett (D)
Rep. Robyn Driscoll (D)
Rep. Bob Ebinger (D)
Rep. David Howard (R)
Rep. Krayton Kerns (R)
Rep. Margaret MacDonald (D)
Rep. Edith (Edie) McClafferty (D)
Rep. Mike Menahan (D)
Rep. Michael More (R)
Rep. Keith Regier (R)
Rep. Diane Sands (D)
Rep. Bob Wagner (R)
Rep. Wendy Rep. Warburton (R)

Members Excused: None.

Members Absent: None.

Staff Present: Jennifer Eck, Committee Secretary
David Niss, 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 102, 1/7/2009; HB 133, 1/7/2009;
HB 175, 1/7/2009

Committee Business Conducted:

00:02:00 Roll Call
00:02:25 Chairman Stoker
00:03:14 Rep. Bennett
00:05:04 Chairman Stoker
00:05:30 Rep. Menahan
00:10:40 Chairman Stoker
00:15:14 Rep. Bennett
00:15:23 Chairman Stoker
00:15:28 Rep. Bennett
00:15:45 Chairman Stoker
00:16:49 Rep. Peterson

HEARING ON HB 133

Opening Statement by Sponsor:

00:17:00 **REP. RON STOKER (R), HD 87,** opened the hearing on **HB 133,** Streamline child support enforcement.

Proponents' Testimony:

00:19:24 Rep. Peterson
00:19:36 Lonnie J. Olson, Administrator, Child Support
Enforcement Division
00:24:33 Rep. Peterson
00:24:38 Amy Pfeifer, Child Support Enforcement Division
00:44:28 Rep. Peterson

Opponents' Testimony: None.

Informational Testimony:

00:45:04 Mary Phippen, Montana Association of Clerks of District
Courts.
00:45:32 Rep. Peterson

Questions from Committee Members and Responses:

00:46:11 Rep. Driscoll
00:46:32 Ms. Pfeifer
00:46:41 Rep. Driscoll
00:46:44 Ms. Pfeifer
00:46:46 Rep. Driscoll
00:47:20 Ms. Pfeifer
00:47:42 Rep. Driscoll
00:47:44 Ms. Pfeifer

00:48:36 Rep. Driscoll
00:48:38 Rep. Peterson
00:48:43 Rep. Regier
00:49:08 Ms. Pfeifer
00:49:34 Rep. Regier
00:49:36 Ms. Pfeifer
00:49:43 Rep. Regier
00:49:45 Rep. Peterson
00:49:46 Rep. Regier
00:49:54 Ms. Pfeifer
00:50:17 Rep. Regier
00:50:19 Rep. Peterson
00:50:28 Rep. More
00:50:46 Rep. Peterson
00:50:52 Rep. More
00:50:54 Rep. Peterson
00:51:05 Mr. Olson
00:53:08 Rep. More
00:53:14 Mr. Olson
00:53:47 Rep. More
00:53:51 Rep. Peterson
00:53:55 Rep. Wagner
00:54:05 Rep. Peterson
00:54:08 Mr. Olson
00:54:15 Rep. Wagner
00:54:23 Mr. Olson
00:55:36 Rep. Peterson
00:55:39 Rep. Warburton
00:56:13 Mr. Olson
00:57:01 Rep. Warburton
00:57:03 Rep. Peterson
00:57:04 Mr. Olson
00:58:17 Rep. Peterson
00:58:21 Mr. Bennett
00:58:30 Ms. Pfeifer
00:58:31 Rep. Bennett
00:58:52 Ms. Pfeifer
00:59:41 Rep. Bennett
00:59:43 Rep. Peterson
00:59:47 Rep. More
01:00:03 Mr. Olson
01:00:36 Rep. Peterson
01:00:57 Ms. Pfeifer
01:01:00 Rep. Peterson
01:01:25 Ms. Pfeifer
01:02:33 Rep. Peterson
01:02:55 Ms. Pfeiffer
01:03:05 Rep. Peterson
01:03:15 Ms. Pfeifer
01:03:17 Rep. Peterson

01:03:44 Ms. Pfeifer
01:04:32 Rep. Peterson
01:05:14 Ms. Pfeifer
01:06:14 Rep. Peterson
01:06:25 Ms. Pfeifer
01:06:34 Rep. Peterson
01:07:11 Ms. Pfeifer
01:08:01 Rep. Peterson

Closing by Sponsor:

01:08:18 Chairman Stoker
01:08:45 Rep. Peterson
01:09:10 Chairman Stoker

HEARING ON HB 102

Opening Statement by Sponsor:

01:09:30 **REP. CARY SMITH (R), HD 55**, opened the hearing on **HB 102**, Increase penalties for second and subsequent child molestation.

[**EXHIBIT\(juh06a01\)**](#)

Proponents' Testimony:

01:11:30 Chairman Stoker
01:11:37 Brent Brooks, City Attorney, Billings.

[**EXHIBIT\(juh06a02\)**](#)

01:14:16 Chairman Stoker
01:14:41 Kelsen Young, Director, Montana Coalition Against Domestic and Sexual Violence.

[**EXHIBIT\(juh06a03\)**](#)

01:17:40 Chairman Stoker
01:17:48 Brant Light, Assistant Attorney General
01:21:19 Chairman Stoker
01:21:23 Ed Bartlett, Attorney, City of Billings.
01:22:09 Chairman Stoker

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

01:22:49 Chairman Stoker

01:22:55 Rep. Kottel
01:23:25 Mr. Light
01:23:46 Rep. Kottel
01:23:49 Mr. Light
01:23:50 Rep. Kottel
01:24:00 Mr. Light
01:25:09 Rep. Kottel
01:25:10 Chairman Stoker
01:25:14 Rep. Menahan
01:25:24 Mr. Brooks
01:25:29 Chairman Stoker
01:25:36 Rep. Menahan
01:25:40 Mr. Brooks
01:25:42 Rep. Menahan
01:25:49 Mr. Brooks
01:26:16 Rep. Menahan
01:26:45 Mr. Brooks
01:29:01 Rep. Menahan
01:29:03 Chairman Stoker
01:29:04 Rep. Menahan
01:29:38 Mr. Brooks
01:30:16 Rep. Menahan
01:30:41 Mr. Light
01:31:45 Chairman Stoker
01:31:51 Rep. Bennett
01:32:20 Mr. Light
01:33:19 Rep. Bennett
01:33:25 Chairman Stoker
01:33:30 Rep. Wagner
01:33:53 Chairman Stoker
01:33:56 Mr. Brooks
01:34:44 Chairman Stoker
01:34:52 Rep. Peterson
01:34:56 Chairman Stoker
01:34:59 Mr. Brooks
01:35:00 Rep. Peterson
01:35:15 Mr. Brooks
01:35:28 Rep. Peterson
01:35:41 Mr. Brooks
01:35:55 Rep. Peterson
01:35:57 Chairman Stoker
01:35:57 Rep. Peterson
01:36:12 Mr. Brooks
01:36:25 Rep. Peterson
01:36:27 Chairman Stoker
01:36:28 Rep. Peterson
01:36:43 Mr. Brooks
01:36:54 Rep. Peterson
01:36:56 Chairman Stoker
01:37:57 Mr. Brooks

01:38:37 Chairman Stoker
01:38:51 Mr. Light
01:39:56 Chairman Stoker
01:40:21 Mr. Light
01:40:41 Chairman Stoker
01:40:44 Mr. Light
01:40:47 Chairman Stoker
01:40:54 Mr. Light
01:41:28 Chairman Stoker
01:41:32 Rep. Warburton
01:41:56 Mr. Light
01:43:04 Rep. Warburton
01:43:05 Chairman Stoker
01:43:06 Rep. Warburton
01:43:31 Mr. Light
01:44:06 Rep. Warburton
01:44:08 Chairman Stoker
01:44:10 Rep. More
01:44:38 Mr. Light
01:45:15 Rep. More
01:45:16 Chairman Stoker
01:45:23 Rep. Smith
01:45:35 Chairman Stoker

Informational Testimony (Witness Arrived Late):

01:45:49 Greg Trude, Executive Director, Right to Life of Montana.
01:47:12 Chairman Stoker
01:47:14 Mr. Trude
01:47:18 Chairman Stoker
01:47:26 Mr. Menahan
01:47:29 Chairman Stoker
01:47:34 Rep. Menahan
01:48:02 Mr. Trude
01:48:11 Chairman Stoker

Closing by Sponsor:

01:48:19 Rep. Smith
01:48:45 Chairman Stoker

[Recess: mics muted.]

01:59:42 Chairman Stoker

HEARING ON HB 175

Opening Statement by Sponsor:

02:00:27 REP. DEBORAH KOTTEL (D), HD 20, opened the hearing
on HB 175, Include certain agreements involving roomers
in landlord-tenant act.

[EXHIBIT\(juh06a04\)](#)

[EXHIBIT\(juh06a05\)](#)

02:04:23 Chairman Stoker

02:04:30 Rep. Kottel

02:06:08 Chairman Stoker

Proponents' Testimony:

02:06:23 Beth Brenneman, Disability Rights Montana

02:07:46 Chairman Stoker

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

02:08:19 Rep. Blewett

02:08:46 Rep. Kottel

02:09:31 Rep. Blewett

02:09:33 Chairman Stoker

02:09:34 Rep. Blewett

02:09:52 Rep. Kottel

02:10:02 Chairman Stoker

02:10:07 Rep. Peterson

02:11:04 Rep. Kottel

02:12:45 Chairman Stoker

02:12:51 Rep. Wagner

02:13:53 Rep. Kottel

02:15:05 Rep. Wagner

02:15:06 Chairman Stoker

02:15:12 Rep. Blewett

02:16:00 Rep. Kottel

02:16:40 Chairman Stoker

02:16:43 Rep. Howard

02:17:08 Rep. Kottel

02:17:24 Rep. Howard

02:17:26 Chairman Stoker

02:18:15 Rep. Kottel

02:18:18 Chairman Stoker

02:18:32 Rep. Kottel
02:19:35 Chairman Stoker
02:19:44 Rep. Kottel
02:20:17 Chairman Stoker
02:20:22 Rep. Driscoll
02:20:44 Rep. Kottel
02:21:09 Chairman Stoker
02:21:11 Rep. Wagner
02:21:48 Rep. Kottel
02:22:32 Rep. Wagner
02:22:34 Chairman Stoker
02:22:34 Rep. Wagner
02:22:50 Rep. Kottel
02:23:53 Chairman Stoker

Closing by Sponsor:

02:24:00 Rep. Kottel
02:24:14 Chairman Stoker

ADJOURNMENT

02:25:09 Adjournment

JENNIFER ECK, Secretary

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Additional Documents:

EXHIBIT ([juh06aad.pdf](#))