

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chairman Ron Stoker, on January 23,
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 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: HB 95, HB 209, HB 242
Executive Action: HB 242, HB 60

HEARING ON HB 95

Opening Statement by Sponsor:

00:01:21 Rep. Ray Hawk (R), HD 90, opened the hearing on HB 95,
Cost of care contributions under Youth Court Act.

Proponents' Testimony:

00:03:46 Chairman Stoker

00:03:59 Trich Stroman, Department of Corrections

EXHIBIT(juh16a01)

00:06:29 Chairman Stoker

00:06:39 Lois Menzies, Court Administrator, Supreme Court

00:07:55 Chairman Stoker

Opponents' Testimony: None

Informational Testimony: None

00:08:24 Lonnie Olson, Department of Corrections

00:09:36 Rep. Peterson

Questions from Committee Members and Responses:

00:09:55 Rep. Menahan

00:10:07 Ms. Stroman

00:10:08 Rep. Menahan

00:10:22 Ms. Stroman

00:10:25 Chairman Stoker

00:10:28 Rep. Menahan

00:10:54 Ms. Stroman

00:12:38 Rep. Menahan

00:12:43 Chairman Stoker

00:12:45 Rep. Kottel

00:12:50 Chairman Stoker

00:12:52 Rep. Kottel

00:13:19 Ms. Stroman

00:13:46 Chairman Stoker

00:13:47 Rep. Kottel

00:14:25 Ms. Stroman

00:14:40 Chairman Stoker

00:14:52 Brenda Elias

00:15:27 Chairman Stoker

00:15:31 Rep. McClafferty

00:15:55 Ms. Stroman

00:16:01 Rep. McClafferty

00:16:13 Ms. Stroman

00:16:46 Rep. McClafferty

00:16:48 Chairman Stoker

Closing by Sponsor:

00:16:59 Rep. Hawk

00:17:09 Chairman Stoker

HEARING ON HB 209

Opening Statement by Sponsor:

00:17:22 Rep. Mike Phillips (D), HD 66, opened the hearing on
HB 209, Revise school zone traffic laws.

EXHIBIT(juh16a02)

00:22:16 Chairman Stoker

Proponents' Testimony:

00:22:26 Darrell Rud, Executive Director, School Administrators
of Montana

00:24:03 Chairman Stoker

00:24:09 Marco Ferro, Director of Public Policy, MEA-MFT

00:25:42 Chairman Stoker

00:25:50 Colonel Mike Tooley, Chief, Montana Highway Patrol

00:27:09 Chairman Stoker

00:27:15 Jane Hamman, AAA of Montana and Montana Traffic
Education Association

00:27:54 Bob Vogel, Montana School Boards Association

00:29:27 Chairman Stoker

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:29:54 Rep. Ebinger

00:30:02 Rep. Phillips

00:30:04 Rep. Ebinger

00:30:14 Rep. Phillips

00:30:55 Rep. Ebinger

00:30:57 Chairman Stoker

00:31:01 Rep. Wagner

00:32:01 Colonel Tooley

00:33:03 Rep. Wagner

00:33:39 Colonel Tooley

00:34:16 Rep. Wagner

00:34:45 Colonel Tooley
00:35:01 Rep. Wagner
00:35:04 Chairman Stoker
00:35:08 Rep. Bennett
00:35:15 Chairman Stoker
00:35:19 Rep. Phillips
00:35:20 Rep. Bennett
00:35:59 Rep. Phillips
00:36:05 Chairman Stoker
00:36:07 Rep. More
00:36:14 Rep. Phillips
00:36:15 Rep. More
00:36:38 Rep. Phillips
00:37:50 Chairman Stoker
00:37:56 Rep. Warburton
00:39:23 Colonel Tooley
00:39:54 Chairman Stoker
00:40:06 Rep. Howard
00:40:24 Colonel Tooley
00:40:26 Rep. Howard
00:40:41 Colonel Tooley
00:41:08 Rep. Howard
00:41:41 Colonel Tooley
00:42:20 Rep. Howard
00:42:23 Chairman Stoker
00:42:25 Rep. Regier
00:42:33 Rep. Phillips
00:42:33 Rep. Regier
00:42:49 Rep. Phillips
00:43:46 Rep. Regier
00:43:57 Rep. Phillips
00:44:17 Rep. Regier
00:44:41 Rep. Phillips
00:45:32 Chairman Stoker
00:45:35 Rep. Ebinger
00:45:46 Chairman Stoker
00:45:59 Rep. Ebinger
00:46:01 Chairman Stoker
00:46:03 Rep. Ebinger
00:46:34 Rep. Phillips
00:47:12 Chairman Stoker
00:47:17 Rep. Phillips
00:47:25 Colonel Tooley
00:47:27 Rep. Ebinger
00:47:48 Colonel Tooley
00:48:09 Rep. Ebinger
00:48:11 Chairman Stoker
00:48:17 Rep. Wagner
00:48:22 Rep. Phillips
00:48:24 Rep. Wagner

00:48:40 Rep. Phillips
00:49:17 Rep. Wagner
00:49:46 Rep. Phillips
00:50:33 Rep. Wagner
00:50:47 Rep. Rep. Phillips
00:50:52 Rep. Wagner
00:50:55 Chairman Stoker
00:50:57 Rep. Kerns
00:51:02 Rep. Phillips
00:51:03 Rep. Kerns
00:51:15 Chairman Stoker
00:51:30 Rep. Phillips
00:52:05 Chairman Stoker
00:52:10 Rep. Peterson
00:52:17 Rep. Phillips
00:52:18 Rep. Peterson
00:52:41 Rep. Phillips
00:53:29 Rep. Peterson
00:54:08 Rep. Phillips
00:54:37 Rep. Peterson
00:54:47 Rep. Phillips
00:55:47 Rep. Peterson
00:56:02 Rep. Phillips
00:56:39 Rep. Peterson
00:56:48 Rep. Phillips
00:56:52 Rep. Howard
00:57:09 Rep. Phillips
00:57:11 Rep. Howard
00:57:15 Rep. Phillips
00:57:28 Rep. Howard
00:57:39 Rep. Phillips
00:57:50 Rep. Howard
00:58:11 Rep. Phillips
00:58:52 Rep. Kottel
00:58:56 Rep. Phillips
00:58:58 Rep. Kottel
00:59:16 Rep. Phillips
00:59:32 Chairman Stoker
00:59:38 Rep. Wagner
00:59:54 Rep. Phillips
00:59:59 Rep. Wagner
01:00:02 Chairman Stoker
01:00:06 Rep. Regier
01:00:09 Rep. Phillips
01:00:10 Rep. Regier
01:00:50 Rep. Phillips
01:01:03 Chairman Stoker

Closing by Sponsor:

01:01:11 Rep. Phillips
01:02:58 Chairman Stoker

HEARING ON HB 242

Opening Statement by Sponsor:

01:03:11 Rep. Dave McAlpin (D), HD 94, opened the hearing on
HB 242, Revise juror fee laws.

01:05:45 Chairman Stoker

Proponents' Testimony:

01:05:55 Shirley Faust, Missoula County Clerk of District Court
[EXHIBIT\(juh16a03\)](#)

01:10:10 Chairman Stoker

01:10:18 Mary Phippen, Montana Association of Clerks of District
Court

01:10:50 Chairman Stoker

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:11:11 Rep. McAlpin
01:11:33 Chairman Stoker

[RECESS: mics muted.]

01:31:16 Chairman Stoker

EXECUTIVE ACTION ON HB 242

01:31:38 Chairman Stoker

01:31:45 **Motion:** Rep. Peterson moved that **HB 242 DO PASS.**

Discussion:

01:31:49 Chairman Stoker

01:31:53 Rep. Ebinger

01:32:07 Chairman Stoker

01:32:25 Rep. Peterson

01:32:53 Chairman Stoker

01:33:04 Rep. Sands called the question.

01:33:06 **Vote:** Motion that **HB 242 DO PASS** carried unanimously
by voice vote.

EXECUTIVE ACTION ON HB 60

01:33:34 **Motion:** Rep. Peterson moved that **HB 60 DO PASS.**

Discussion:

01:33:40 Chairman Stoker

01:34:02 Rep. Sands

01:34:39 Chairman Stoker

01:34:45 Rep. Menahan

01:37:45 Chairman Stoker

01:38:28 Rep. More

01:39:44 Chairman Stoker

01:39:52 Rep. More

01:40:02 Chairman Stoker

01:40:09 Rep. Regier

01:41:08 Chairman Stoker

01:42:16 Rep. Kottel

01:43:37 Rep. Peterson

01:44:09 Rep. Kottel

01:44:13 Chairman Stoker

01:44:15 Rep. Kottel

01:44:21 Rep. Ebinger

01:44:27 Rep. Peterson

01:44:29 Chairman Stoker

01:44:38 Rep. Ebinger

01:46:10 Rep. Peterson

01:46:36 Rep. Ebinger

01:46:46 Chairman Stoker

01:46:49 Rep. Regier

01:47:07 Rep. Ebinger

01:47:14 Rep. Regier

01:47:24 Rep. Kottel

01:47:50 Chairman Stoker

01:47:54 Rep. Howard

01:49:35 Chairman Stoker

01:49:39 Rep. Ebinger

01:50:06 Rep. Sands

01:51:16 Rep. Kottel

01:51:58 Rep. Ebinger

01:52:29 Chairman Stoker

01:52:31 Rep. Regier

01:53:03 Rep. Ebinger

01:53:33 Rep. Kottel

01:54:50 Chairman Stoker
 01:55:01 Deb Matteucci, Liaison between Department of
 Corrections (DOC) and Department of Health and
 Human Services (DPHHS)
 01:55:22 Chairman Stoker
 01:55:32 Ms. Matteucci
 01:56:14 Chairman Stoker
 01:56:39 Ms. Matteucci
 01:58:19 Chairman Stoker
 01:58:42 Ms. Matteucci
 01:59:28 Chairman Stoker
 01:59:34 Ms. Matteucci
 02:00:25 Chairman Stoker
 02:00:45 Rep. Kottel
 02:00:57 Chairman Stoker
 02:01:27 Rep. Peterson
 02:01:44 Ms. Matteucci
 02:02:41 Rep. Peterson
 02:02:41 Rep. Menahan
 02:03:07 Chairman Stoker
 02:03:20 Carl Roston, DPHHS
 02:03:33 Chairman Stoker
 02:03:47 Mr. Roston
 02:04:01 Chairman Stoker
 02:04:13 Mr. Roston
 02:04:16 Chairman Stoker
 02:04:20 Rep. MacDonald
 02:04:58 Chairman Stoker
 02:05:03 Rep. Menahan
 02:09:01 Rep. McClafferty
 02:09:40 Rep. Peterson called the question.

 02:09:48 **Vote:** Motion carried 14-4 by roll call vote with Rep.
 Peterson, Rep. Kerns, Rep. Bennett, and Rep. Regier
 voting no.

Informational Discussion:

02:10:50 Chairman Stoker
 02:11:23 Rep. Kottel
 02:11:32 Chairman Stoker
 02:11:52 Rep. Kottel
 02:11:58 Chairman Stoker
 02:12:07 Rep. More
 02:12:23 Chairman Stoker
 02:12:39 Rep. Kottel
 02:13:33 Chairman Stoker
 02:14:11 Rep. MacDonald
 02:14:25 Chairman Stoker
 02:14:29 Rep. Kottel

02:14:33 Chairman Stoker
02:14:46 Rep. Kottel
02:15:05 Rep. Peterson
02:15:12 Rep. Kottel
02:15:16 Rep. MacDonald
02:15:21 Rep. Menahan
02:15:44 Rep. Kottel

ADJOURNMENT

02:15:54 Adjournment

JENNIFER ECK, Secretary

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Additional Documents:

EXHIBIT ([juh16aad.pdf](#))