

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Krayton Kerns, on January 31, 2013 at 8:00 AM, in Room 137
Capitol

ROLL CALL

Members Present:

Rep. Krayton Kerns, Chair (R)
Rep. Gerald (Jerry) Bennett, Vice Chair (R)
Rep. Margaret (Margie) MacDonald, Vice Chair (D)
Rep. Virginia Court (D)
Rep. Alan Doane (R)
Rep. Jennifer Eck (D)
Rep. Clayton Fiscus (R)
Rep. Jenifer Gursky (D)
Rep. David Halvorson (R)
Rep. Ellie Boldman Hill (D)
Rep. Sarah Laszloffy (R)
Rep. Dennis R. Lenz (R)
Rep. Ryan Lynch (D)
Rep. Jerry O'Neil (R)
Rep. Carolyn Pease-Lopez (D)
Rep. Keith Regier (R)
Rep. Bridget Smith (D)

Members Excused: Rep. Mark Blasdel (R)
Rep. Kirk Wagoner (R)
Rep. Wendy Warburton (R)

Members Absent: None

Staff Present: Karen Armstrong, Committee Secretary
Helen Thigpen, 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 269, 1/24/2013; HB 285, 1/28/2013; HB 292, 1/28/2013;
HB 311, 1/28/2013

Executive Action: None

00:14:08 Chairman Kerns

HEARING ON HB 292

Opening Statement by Sponsor:

00:15:20 Rep. Randy Brodehl (R), HD 7, opened the hearing on HB 292, Revise laws related to pawn shop stolen gun procedures.

EXHIBIT(juh21a01)

Proponents' Testimony:

00:19:56 Steve Stafford, Self

00:23:01 Larry Epstein, Montana Association of Chiefs of Police (MACOP), Montana Association of Sheriffs and Peace Officers (MASPO), Montana Police Protective Association (MPPA)

Opponents' Testimony:

00:24:24 Todd Coutts, Montana Sales and Loan (MSL)

Informational Testimony: None

Questions from Committee Members and Responses:

00:33:04 Rep. Regier

00:33:41 Mr. Coutts, MSL

00:33:44 Rep. Regier

00:33:54 Mr. Coutts, MSL

00:33:59 Rep. Regier

00:34:20 Mr. Coutts, MSL

00:35:03 Rep. Regier

00:35:20 Mr. Coutts, MSL

00:35:56 Rep. MacDonald

00:36:28 Mr. Coutts, MSL

00:36:42 Rep. Regier left the meeting.

00:37:19 Rep. Halvorson

00:37:50 Rep. Brodehl

00:38:22 Rep. Halvorson

00:38:56 Rep. Brodehl

00:39:13 Rep. Halvorson

00:39:24 Rep. Brodehl

00:39:30 Rep. Halvorson

00:39:35 Rep. Brodehl

00:39:44 Rep. Halvorson

00:39:50 Rep. Brodehl

00:39:54 Rep. O'Neil

00:41:18 Mr. Coutts, MSL

00:41:28 Rep. O'Neil

00:41:36 Mr. Coutts, MSL

00:41:41 Rep. O'Neil

00:42:14 Mr. Coutts, MSL

Closing by Sponsor:

00:42:54 Rep. Brodehl
 00:47:10 Chairman Kerns

HEARING ON HB 269**EXHIBIT(juh21a02)****Opening Statement by Sponsor:**

00:47:33 Rep. Kathy Swanson (D), HD 86, opened the hearing on HB 269, Assault on health care or emergency services provider.

Proponents' Testimony:

00:53:11 Aidan Myhre, Kalispell Regional Medical Center (KRMC)

EXHIBIT(juh21a03)

00:54:53 Rebecca Sturdevant, Self, Montana Nurses Association (MNA)
 00:56:45 Curtis Harper, Regional Director of Public Safety and Emergency Management, St. Vincent Health Care, Billings and Holy Rosary, Miles City
 01:00:21 Brian Reed, Montana State Council of Professional Fire Fires (MSCOPFF)
 01:01:40 Mike Foster, Montana Catholic Hospitals (MCH)
 01:03:22 Kiely Keane, Montana Medical Association (MMA)
 01:04:12 Lori Chovanak, Executive Director, Montana Nurses Association (MNA)

EXHIBIT(juh21a04)**EXHIBIT(juh21a05)****EXHIBIT(juh21a06)**

01:08:19 Rep. Wagoner arrived.
 01:10:37 Aimee Grmoljez, Billings Clinic (BC)

EXHIBIT(juh21a07)

01:12:09 Terry Minow, Montana Education Association-Montana Federation of Teachers (MEA-MFT)
 01:12:42 Robin Haux, Labor Representative, Montana Nurses Association (MNA)
 01:13:21 Maureen Connor, Montana Association of Counties (MACo)

Opponents' Testimony:

01:14:50 Nikki Zupanic, American Civil Liberties Union (ACLU) Montana
 01:17:06 Beth Brenneman, Disability Rights Montana (DRM)

EXHIBIT(juh21a08)

01:22:08 Steve Cape, Montana Coalition for Safety and Justice (MCSJ)
 01:25:27 Gary Mihelish, retired dentist, National Alliance on Mental Illness (NAMI)

Informational Testimony: None**Questions from Committee Members and Responses:**

01:30:14 Rep. Bennett
 01:30:58 Rep. Pease-Lopez left the meeting.
 01:31:07 Ms Brenneman, DRM
 01:31:35 Rep. Bennett
 01:32:15 Ms Chovanak, MNA
 01:33:03 Rep. Bennett
 01:33:19 Ms Chovanak, MNA

01:33:34 Chairman Kerns
01:33:42 Rep. Gursky
01:34:35 Chairman Kerns
01:34:42 Ms Chovanak, MNA
[EXHIBIT\(juh21a09\)](#)
[EXHIBIT\(juh21a10\)](#)
01:35:30 Rep. Gursky
01:36:08 Ms Brenneman, DRM
[EXHIBIT\(juh21a11\)](#)
01:38:27 Rep. Court
01:38:50 Ms Chovanak, MNA
01:38:54 Rep. Court
01:39:02 Ms. Chovanak, MNA
01:41:35 Rep. MacDonald
01:42:33 Ms. Myhre, KRMC
01:43:44 Rep. Lenz
01:45:41 Ms Chovanak, MNA
01:47:05 Rep. Lenz
01:47:41 Ms Chovanak, MNA
01:47:50 Rep. Lenz
01:48:03 Ms Chovanak, MNA
01:49:54 Rep. Lenz
01:50:39 Ms Chovank, MNA
01:50:47 Rep. Bennett
01:51:16 Ms Myhre, KRMC
01:51:57 Rep. Bennett
01:52:23 Ms Myhre, KRMC
01:52:37 Rep. Fiscus
01:53:36 Ms Chovanak, MNA
01:54:57 Rep. Fiscus
02:55:16 Ms Chovank, MNA
01:56:03 Rep. Halvorson
01:56:22 Mr. Epstein, Glacier County Attorney (GCA)
01:56:39 Rep. Halvorson
01:57:26 Mr. Epstein, GCA
01:58:38 Rep. Halvorson
01:59:21 Mr. Epstein, GCA
01:59:41 Rep. Halvorson
01:59:53 Mr. Epstein, GCA

Closing by Sponsor:

02:00:04 Rep. Swanson
02:01:21 Chairman Kerns

02:01:30 Recessed
02:14:08 Reconvened with Rep. Regier and Rep. O'Neil absent.

HEARING ON HB 285**Opening Statement by Sponsor:**

- 02:14:30 Rep. Carolyn Pease-Lopez (D), HD 42, opened the hearing on HB 285, Establish the unattended child in motor vehicle act.
- 02:19:05 Rep. O'Neil returned to the meeting.

Proponents' Testimony:

- 02:20:25 Shane Morigeau, Confederated Salish and Kootenai Tribes (CSKT)
EXHIBIT(juh21a12)
- 02:23:32 Larry Epstein, Montana County Attorneys Association (MCAA), Montana Association of Chiefs of Police (MACOP), Montana Association of Sheriffs and Peace Officers (MASPO)
- 02:24:49 George J. Pearce III, Self
EXHIBIT(juh21a13)
- 02:28:11 Sarah Corbally, Administrator, Child and Family Services Division, Department of Health and Human Services (DPHHS)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

- 02:30:05 Rep. Wagoner
- 02:30:26 Ms Corbally, DPHHS
- 02:31:22 Rep. Wagoner
- 02:31:33 Ms Corbally, DPHHS
- 02:32:36 Rep. Wagoner
- 02:33:01 Rep. Pease-Lopez
- 02:33:42 Rep. Gursky
- 02:34:24 Ms Corbally, DPHHS
- 02:34:32 Chairman Kerns
- 02:34:38 Mr. Epstein, MCAA, MACOP, MASPO
- 02:35:19 Rep. Gursky
- 02:35:31 Mr. Epstein, MCAA, MACOP, MASPO

Closing by Sponsor:

- 02:36:02 Rep. Pease-Lopez

HEARING ON HB 311**Opening Statement by Sponsor:**

- 02:37:31 Rep. Tom Jacobson (D), HD 25, opened the hearing on HB 311, Revise what educational and retirement savings is exempt from civil judgment.

Proponents' Testimony:

- 02:40:46 Melanie Symons, Chief Legal Counsel, Montana Public Employees Retirement Board (MPERB)

Opponents' Testimony:

02:41:52 Jessie Luther, Montana Collectors Association (MCA)

Informational Testimony: None

Questions from Committee Members and Responses:

02:44:01 Rep. Doane
02:44:17 Rep. Jacobson
02:44:26 Rep. Gursky
02:44:50 Ms Symons, MPERB

Closing by Sponsor:

02:45:21 Rep. Jacobson
02:45:39 Chairman Kerns

ADJOURNMENT

Adjournment: 02:46:34

Karen Armstrong, Secretary

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Additional Documents:

EXHIBIT([juh21aad.pdf](#))