MINUTES

MONTANA HOUSE OF REPRESENTATIVES
63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Krayton Kerns, on February 1, 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. Keith Regier (R)
Rep. Bridget Smith (D)
Rep. Kirk Wagoner (R)

Members Excused: Rep. Mark Blasdel (R)
Rep. Carolyn Pease-Lopez (D)
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 330, 1/29/2013
Executive Action: SB 53, HJ 3, HJ 5, HJ 6

00:14:20 Chairman Kerns

HEARING ON HB 330

Opening Statement by Sponsor:
00:15:16 Rep. Steve Fitzpatrick (R), HD 20, opened the hearing on HB 330, Limit the collection of personal identification information in Montana courts.

Proponents' Testimony:
00:22:00 Corbin Howard, Attorney, Self
00:22:51 Amy Pfeifer, Attorney, Child Support Enforcement Division, Department of Health and Human Services (DPHHS)
EXHIBIT(juh22a01)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:
00:27:17 Rep. Doane
00:27:59 Rep. Fitzpatrick
00:28:37 Rep. Doane
00:28:44 Rep. Fitzpatrick
00:29:04 Rep. Fiscus
00:29:31 Mr. Howard, Self
00:30:13 Rep. Fiscus
00:30:45 Rep. Fitzpatrick
00:31:05 Rep. O'Neil
00:31:45 Rep. Fitzpatrick
00:32:30 Chairman Kerns
00:32:41 Rep. O'Neil
00:32:57 Mr. Howard, Self

Closing by Sponsor:
00:35:16 Rep. Fitzpatrick
EXHIBIT(juh22a02)

EXECUTIVE ACTION ON SB 53

00:36:33 **Motion:** Rep. G. Bennett moved that **SB 53 BE CONCURRED IN**.

00:36:48 **Motion:** Rep. MacDonald moved that **SB 53 BE AMENDED**.
EXHIBIT(juh22a03)

Discussion:
00:36:59 Rep. MacDonald
00:37:18 Ms Thigpen, Legislative Services Division (LSD)
00:42:11 Rep. MacDonald
00:43:32 Rep. O'Neil
00:43:54 Chairman Kerns

00:44:32 **Vote:** Motion carried 17-3 by roll call vote with Rep. Doane, Rep. Kerns and Rep. Laszloffy voting no. Rep. Blasdel, Rep. Pease-Lopez and Rep. Warburton voted by proxy.

00:45:38 **Motion:** Rep. G. Bennett moved that **SB 53 BE CONCURRED IN AS AMENDED**.

Discussion:
00:45:59 Rep. Halvorson
00:46:56 Rep. Eck

00:47:28 **Vote:** Motion failed 7-13 by roll call vote with Rep. Court, Rep. Gursky, Rep. Hill, Rep. Lynch, Rep. MacDonald, Rep. Pease-Lopez and Rep. Smith voting aye. Rep. Blasdel, Rep. Pease-Lopez and Rep. Warburton voted by proxy.

00:48:47 **Motion/Vote:** Rep. G. Bennett moved that **SB 53 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote of those present and voting.

EXECUTIVE ACTION ON HJ 3

00:49:20 **Motion:** Rep. O'Neil moved that **HJ 3 DO PASS**.

Discussion:
00:49:30 Rep. O'Neil
00:50:58 Rep. Lynch
00:52:02 Rep. Halvorson
00:53:17 Rep. Fiscus
00:54:26 Rep. MacDonald
00:55:26 Chairman Kerns

00:56:15 **Vote:** Motion carried 12-8 by roll call vote with Rep. Court, Rep. Eck, Rep. Gursky, Rep. Hill, Rep. Lynch, Rep. MacDonald, Rep. Pease-Lopez and Rep. Smith voting no. Rep. Blasdel, Rep. Pease-Lopez and Rep. Warburton voted by proxy.

EXECUTIVE ACTION ON HJ 5

00:57:50 **Motion:** Rep. O'Neil moved that **HJ 5 DO PASS**.

Discussion:
00:57:59 Rep. O'Neil
00:59:13 Rep. MacDonald
01:00:24 Chairman Kerns

01:01:04 **Vote:** Motion carried 12-8 by roll call vote with Rep. Court, Rep. Eck, Rep. Gursky, Rep. Hill, Rep. Lynch, Rep. MacDonald, Rep. Pease-Lopez and Rep. Smith voting no. Rep. Blasdel, Rep. Pease-Lopez and Rep. Warburton voted by proxy.

EXECUTIVE ACTION ON HJ 6

01:02:23 **Motion:** Rep. Hill moved that **HJ 6 DO PASS**.

Discussion:

01:02:38 Rep. Hill
01:05:22 Rep. O'Neil
01:08:52 Rep. Fiscus
01:10:39 Rep. MacDonald
01:12:24 Rep. Wagoner
01:15:37 Rep. Hill
01:16:51 Rep. Doane
01:17:30 Rep. Hill
01:18:22 Rep. O'Neil
01:18:46 Rep. Halvorson

01:26:06 **Vote:** Motion failed 8-12 by roll call vote with Rep. Court, Rep. Eck, Rep. Gursky, Rep. Hill, Rep. Lynch, Rep. MacDonald, Rep. Pease-Lopez and Rep. Smith voting aye. Rep. Blasdel, Rep. Pease-Lopez and Rep. Warburton voted by proxy.

01:27:29 **Motion/Vote:** Rep. G. Bennett moved that **HJ 6 BE TABLED AND THE VOTE REVERSED**. Motion carried 10-7 by voice vote of those present and voting, with Rep. Court, Rep. Eck, Rep. Gursky, Rep. Hill, Rep. Lynch, Rep. MacDonald and Rep. Smith voting no.

01:28:02 Chairman Kerns

ADJOURNMENT

Adjournment: 01:28:19

Karen Armstrong, Secretary

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Additional Documents:

EXHIBIT(juh22aad.pdf)