

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON JUDICIARY

**Call to Order:** Chair Gerald (Jerry) Bennett, on January 13, 2015 at 8:00 AM, in Room 137 Capitol

#### ROLL CALL

**Members Present:**

Rep. Gerald (Jerry) Bennett, Chair (R)  
Rep. Virginia Court, Vice Chair (D)  
Rep. Alan Doane, Vice Chair (R)  
Rep. Seth Berglee (R)  
Rep. Jennifer Eck (D)  
Rep. Clayton Fiscus (R)  
Rep. Stephanie Hess (R)  
Rep. Ellie Boldman Hill (D)  
Rep. Sarah Laszloffy (R)  
Rep. Margaret (Margie) MacDonald (D)  
Rep. Theresa Manzella (R)  
Rep. Nate McConnell (D)  
Rep. G. Bruce Meyers (R)  
Rep. Matthew Monforton (R)  
Rep. Carolyn Pease-Lopez (D)  
Rep. Zac Perry (D)  
Rep. Andrew Person (D)  
Rep. Randall Pinocci (R)  
Rep. Keith Regier (R)  
Rep. Kirk Wagoner (R)

**Members Excused:** Rep. Kathy Kelker (D)

**Members Absent:** None

**Staff Present:** McKenzie Chambers, 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 71, 1/7/2015; HB 130, 1/7/2015; HB 133, 1/7/2015

00:30:53 Chair J. Bennett

### **HEARING ON HB 71**

#### **Opening Statement by Sponsor:**

00:33:17 Rep. Ryan Lynch (D), HD 76, opened the hearing on HB 71, Define income for eligibility for public defender representation.

#### **Proponents' Testimony:**

00:35:32 Wade Zolynski, Chief Appellate Defender, Department of Administration (DOA), Office of the State Public Defender (OPD)

#### **Opponents' Testimony:**

00:37:18 Steve Cape, Montana Coalition for Safety and Justice

#### **Informational Testimony:** None

#### **Questions from Committee Members and Responses:**

00:39:02 Rep. Hess  
00:39:26 Rep. Lynch  
00:39:52 Rep. Hess  
00:40:01 Wade Zolynski, OPD  
00:40:08 Helen Thigpen, Legislative Services Division (LSD)  
00:40:25 Rep. McConnell  
00:40:57 Wade Zolynski, OPD  
00:41:19 Rep. McConnell  
00:41:32 Wade Zolynski, OPD  
00:42:11 Rep. Monforton  
00:42:37 Wade Zolynski, OPD  
00:43:20 Rep. Fiscus  
00:44:15 Steve Cape, Montana Coalition for Safety and Justice  
00:45:44 Rep. Fiscus  
00:46:19 Steve Cape, Montana Coalition for Safety and Justice  
00:47:45 Rep. McConnell  
00:48:16 Steve Cape, Montana Coalition for Safety and Justice

#### **Closing by Sponsor:**

00:49:21 Rep. Lynch

### **HEARING ON HB 130**

#### **Opening Statement by Sponsor:**

00:50:26 Rep. Ellie Boldman Hill (D), HD 90, opened the hearing on HB 130, Prohibit use of tanning devices for person under 18 years old absent consent.

#### **Proponents' Testimony:**

00:55:06 Joseph Levy, Scientific Advisor, American Suntanning Association (ASA), Executive Director, International Smart Tan Network, and Chief Scientific Liason, American Society for Photobiology

**EXHIBIT(juh07a01)****EXHIBIT(juh07a02)**

01:02:18 Rep. Meyers left the meeting.

01:03:30 Jean Branscum, Executive Vice President, Montana Medical Association (MMA)  
and Montana Academy of Dermatologists

**Opponents' Testimony:**

01:07:50 Jim Ahrens, American Cancer Society Cancer Action Network (ACS CAN)

**EXHIBIT(juh07a03)**

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:12:19 Rep. Wagoner

01:13:09 Joseph Levy, ASA

01:15:15 Rep. Wagoner

01:15:23 Rep. Manzella

01:15:37 Joseph Levy, ASA

01:17:25 Rep. Laszloffy

01:18:00 Rep. Hill

01:18:54 Rep. Laszloffy

01:19:29 Chair J. Bennett

01:19:55 Joseph Levy, ASA

01:21:32 Rep. Person

01:21:59 Joseph Levy, ASA

**Closing by Sponsor:**

01:22:31 Rep. Hill

**HEARING ON HB 133****Opening Statement by Sponsor:**

01:24:43 Rep. Margaret (Margie) MacDonald (D), HD 51, opened the hearing on HB 133,  
Authorize the public defender to award fixed-fee contracts.

**EXHIBIT(juh07a04)****Proponents' Testimony:**

01:27:59 Wendy Johnson, Contracts Manager, Department of Administration (DOA),  
Office of the State Public Defender (OPD)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:33:40 Rep. Wagoner

01:34:14 Rep. MacDonald

01:35:09 William Hooks, Chief Public Defender, Department of Administration (DOA),  
Office of the State Public Defender (OPD)

01:37:21 Rep. Wagoner

01:37:53 William Hooks, OPD  
01:38:35 Rep. Wagoner  
01:38:39 William Hooks, OPD  
01:39:03 Rep. McConnell  
01:39:22 William Hooks, OPD  
01:39:33 Rep. Monforton  
01:40:10 William Hooks, OPD  
01:40:41 Rep. Monforton  
01:41:17 Wade Zolynski, OPD  
01:41:17 Rep. Monforton  
01:41:24 Wade Zolynski, OPD

**Closing by Sponsor:**

01:41:42 Rep. MacDonald  
  
01:44:05 Chair J. Bennett  
01:45:07 Rep. McConnell  
01:45:12 Chair J. Bennett  
01:46:02 Rep. Court  
01:46:13 Chair J. Bennett

**ADJOURNMENT**

Adjournment: 01:47:01

---

McKenzie Chambers, Secretary

mc

Additional Documents:

**EXHIBIT([juh07aad.pdf](#))**