

## MINUTES

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

#### COMMITTEE ON JUDICIARY

**Call to Order:** Chair Gerald (Jerry) Bennett, on April 13, 2015 at 9:00 A.M., 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. Kathy Kelker (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:** None

**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:**

Executive Action: SB 262

00:00:58 Chair J. Bennett

**EXECUTIVE ACTION ON SB 262**

00:01:56 **Motion:** Rep. Doane moved that **SB 262 BE CONCURRED IN.**

00:02:10 **Motion:** Rep. Doane moved that **SB 262 BE AMENDED.**  
**EXHIBIT(juh74a01)**

**Discussion:**

00:02:31 Helen Thigpen, Legislative Services Division (LSD)

00:03:11 Rep. Regier

00:03:31 Rep. Eck

00:05:08 Rep. Hill

00:05:42 Rep. Regier

00:06:01 Rep. Hill

00:09:14 Rep. Pease-Lopez

00:15:46 Rep. McConnell

00:16:27 Rep. Regier

00:16:45 Rep. McConnell

00:17:12 Rep. Regier

00:17:46 Rep. Fiscus

00:19:05 Rep. Regier

00:19:18 **Vote:** Motion carried 11-10 by roll call vote with Rep. Court, Rep. Eck, Rep. Hill, Rep. Kelker, Rep. MacDonald, Rep. McConnell, Rep. Meyers, Rep. Pease-Lopez, Rep. Perry and Rep. Person voting no.

00:20:26 **Motion:** Rep. Doane moved that **SB 262 BE CONCURRED IN AS AMENDED.**

00:20:32 **Motion:** Rep. Doane moved that **SB 262 BE AMENDED.**  
**EXHIBIT(juh74a02)**

**Discussion:**

00:20:38 Helen Thigpen, LSD

00:21:03 Chair J. Bennett

00:21:44 **Substitute Motion/Vote:** Rep. Eck made a substitute motion that **SB 262 BE TABLED.** Substitute Motion failed 10-11 by roll call vote with Rep. Court, Rep. Eck, Rep. Hill, Rep. Kelker, Rep. MacDonald, Rep. McConnell, Rep. Meyers, Rep. Pease-Lopez, Rep. Perry and Rep. Person voting aye.

00:24:16 **Vote:** Motion carried 11-10 by roll call vote with Rep. Court, Rep. Eck, Rep. Hill, Rep. Kelker, Rep. MacDonald, Rep. McConnell, Rep. Meyers, Rep. Pease-Lopez, Rep. Perry and Rep. Person voting no.

00:25:16 **Motion:** Rep. Doane moved that **SB 262 BE CONCURRED IN AS AMENDED.**

00:25:22 **Motion:** Rep. Doane moved that **SB 262 BE AMENDED.**  
[EXHIBIT\(juh74a03\)](#)

**Discussion:**

00:25:30 Helen Thigpen, LSD  
00:26:38 Rep. Court  
00:29:44 Rep. Pease-Lopez  
00:31:02 Chair J. Bennett  
00:31:09 Rep. Regier

00:32:16 **Vote:** Motion carried 11-10 by roll call vote with Rep. Court, Rep. Eck, Rep. Hill, Rep. Kelker, Rep. MacDonald, Rep. McConnell, Rep. Meyers, Rep. Pease-Lopez, Rep. Perry and Rep. Person voting no.

00:33:11 **Motion:** Rep. Doane moved that **SB 262 BE CONCURRED IN AS AMENDED.**

00:33:17 **Motion:** Rep. Doane moved that **SB 262 BE AMENDED.**  
[EXHIBIT\(juh74a04\)](#)

**Discussion:**

00:33:26 Helen Thigpen, LSD  
00:34:25 Rep. Regier  
00:35:13 Rep. Kelker

00:39:15 **Vote:** Motion carried 11-10 by roll call vote with Rep. Court, Rep. Eck, Rep. Hill, Rep. Kelker, Rep. MacDonald, Rep. McConnell, Rep. Meyers, Rep. Pease-Lopez, Rep. Perry and Rep. Person voting no.

00:40:04 **Motion:** Rep. Doane moved that **SB 262 BE CONCURRED IN AS AMENDED.**

00:40:10 **Motion:** Rep. Doane moved that **SB 262 BE AMENDED.**  
[EXHIBIT\(juh74a05\)](#)

**Discussion:**

00:40:36 Helen Thigpen, LSD  
00:41:18 Chair J. Bennett  
00:42:16 Rep. MacDonald

00:43:00 **Vote:** Motion carried 11-10 by roll call vote with Rep. Court, Rep. Eck, Rep. Hill, Rep. Kelker, Rep. MacDonald, Rep. McConnell, Rep. Meyers, Rep. Pease-Lopez, Rep. Perry and Rep. Person voting no.

00:43:47 **Motion:** Rep. Doane moved that **SB 262 BE CONCURRED IN AS AMENDED.**

00:43:53 **Motion:** Rep. Doane moved that **SB 262 BE AMENDED.**  
[EXHIBIT\(juh74a06\)](#)

**Discussion:**

- 00:44:02 Helen Thigpen, LSD  
00:44:37 Rep. Regier  
00:45:29 Rep. MacDonald
- 00:47:37 **Vote:** Motion carried 11-10 by roll call vote with Rep. Court, Rep. Eck, Rep. Hill, Rep. Kelker, Rep. MacDonald, Rep. McConnell, Rep. Meyers, Rep. Pease-Lopez, Rep. Perry and Rep. Person voting no.
- 00:48:27 **Motion:** Rep. Doane moved that **SB 262 BE CONCURRED IN AS AMENDED.**
- 00:48:36 **Motion:** Rep. Doane moved that **SB 262 BE AMENDED.**  
[EXHIBIT\(juh74a07\)](#)

**Discussion:**

- 00:48:48 Helen Thigpen, LSD  
00:49:15 Rep. Regier
- 00:49:39 **Vote:** Motion carried 11-10 by roll call vote with Rep. Court, Rep. Eck, Rep. Hill, Rep. Kelker, Rep. MacDonald, Rep. McConnell, Rep. Meyers, Rep. Pease-Lopez, Rep. Perry and Rep. Person voting no.
- 00:50:26 **Motion:** Rep. Doane moved that **SB 262 BE CONCURRED IN AS AMENDED.**
- 00:50:32 **Motion:** Rep. Doane moved that **SB 262 BE AMENDED.**  
[EXHIBIT\(juh74a08\)](#)

**Discussion:**

- 00:50:40 Helen Thigpen, LSD  
00:51:11 Rep. Monforton  
[EXHIBIT\(juh74a09\)](#)  
00:56:10 Rep. Fiscus  
00:58:16 Rep. Eck  
00:59:46 Rep. Hill  
01:01:53 Rep. Kelker  
01:02:46 Helen Thigpen, LSD  
01:03:35 Rep. Monforton
- 01:03:56 **Vote:** Motion carried 11-10 by roll call vote with Rep. Court, Rep. Eck, Rep. Hill, Rep. Kelker, Rep. MacDonald, Rep. McConnell, Rep. Meyers, Rep. Pease-Lopez, Rep. Perry and Rep. Person voting no.
- 01:04:44 **Motion:** Rep. Doane moved that **SB 262 BE CONCURRED IN AS AMENDED.**
- 01:04:51 **Motion:** Rep. Doane moved that **SB 262 BE AMENDED.**  
[EXHIBIT\(juh74a10\)](#)

**Discussion:**

- 01:05:00 Helen Thigpen, LSD  
01:06:00 Rep. Eck left the meeting.  
01:06:44 Rep. Regier
- 01:07:27 **Vote:** Motion carried 11-10 by roll call vote with Rep. Court, Rep. Eck, Rep. Hill, Rep. Kelker, Rep. MacDonald, Rep. McConnell, Rep. Meyers, Rep. Pease-Lopez, Rep. Perry and Rep. Person voting no. Rep. Eck voted by proxy.
- 01:07:30 Rep. Eck rejoined the meeting.
- 01:08:26 **Motion:** Rep. Doane moved that **SB 262 BE CONCURRED IN AS AMENDED.**
- 01:08:37 **Motion:** Rep. Doane moved that **SB 262 BE AMENDED.**  
[EXHIBIT\(juh74a11\)](#)

**Discussion:**

- 01:08:48 Helen Thigpen, LSD  
01:09:42 Rep. Regier  
01:10:10 Rep. Fiscus
- 01:10:37 **Vote:** Motion carried 11-10 by roll call vote with Rep. Court, Rep. Eck, Rep. Hill, Rep. Kelker, Rep. MacDonald, Rep. McConnell, Rep. Meyers, Rep. Pease-Lopez, Rep. Perry and Rep. Person voting no.
- 01:11:21 **Motion:** Rep. Doane moved that **SB 262 BE CONCURRED IN AS AMENDED.**
- 01:11:31 **Substitute Motion:** Rep. Regier made a substitute motion that **SB 262 BE NOT CONCURRED IN AS AMENDED.**

**Discussion:**

- 01:11:55 Rep. Court
- 01:12:44 **Vote:** Motion carried 11-10 by roll call vote with Rep. Court, Rep. Eck, Rep. Hill, Rep. Kelker, Rep. MacDonald, Rep. McConnell, Rep. Meyers, Rep. Pease-Lopez, Rep. Perry and Rep. Person voting no.
- 01:13:37 Rep. Court  
01:13:59 Chair J. Bennett

**ADJOURNMENT**

Adjournment: 01:14:37

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McKenzie Chambers, Secretary

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Additional Documents:

**EXHIBIT([juh74aad.pdf](#))**