

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By **CHAIRMAN DIANE RICE**, on January 7, 2005 at 8:00 A.M., in Room 137 Capitol.

ROLL CALL

Members Present:

Rep. Diane Rice, Chairman (R)
Rep. Paul Clark, Vice Chairman (D)
Rep. Ron Stoker, Vice Chairman (R)
Rep. Arlene Becker (D)
Rep. Robyn Driscoll (D)
Rep. George Everett (R)
Rep. Gail Gutsche (D)
Rep. Christopher Harris (D)
Rep. Roger Koopman (R)
Rep. Michael Lange (R)
Rep. Tom McGillvray (R)
Rep. Mark E. Noennig (R)
Rep. Art Noonan (D)
Rep. Jon Sonju (R)
Rep. John Ward (R)
Rep. Bill Wilson (D)
Rep. Jeanne Windham (D)

Members Excused: Rep. John Parker (D)

Members Absent: None.

Staff Present: John MacMaster, Legislative Branch
Pam Schindler, Committee Secretary

Please Note. These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing & Date Posted: HB 39, 1/4/2005
Executive Action: HB 39, Do Pass; Place on Consent
Calendar

HEARING ON HB 39

Sponsor: REP. GAIL GUTSCHE, HD 99, Missoula

Opening Statement by Sponsor: REP. GAIL GUTSCHE, HD 99, opened the hearing on HB 39, Revise firearm dealer laws. This bill will repeal Montana Code Annotated(MCA) 45-8-341, 45-8-342.

{Tape: 1; Side: A; Approx. Time Counter: 0 - 24}

Proponents' Testimony:

Pam Busey, State of Montana-Assistant Attorney General, informed the Committee that the statute that this bill addresses is no longer necessary; federal law covers this issue.

[EXHIBIT\(juh05a010.PDF\)](#)

{Tape: 1; Side: A; Approx. Time Counter: 24 - 39}

Jim Smith, Montana Sheriff's and Peace Officers Association, Montana County Attorneys Association, rose in support of this bill.

{Tape: 1; Side: A; Approx. Time Counter: 39 - 61}

Jim Kimble, Montana Chiefs of Police Association, rose in support of this bill.

{Tape: 1; Side: A; Approx. Time Counter: 61 - 65}

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

The sponsor closed.

{Tape: 1; Side: A; Approx. Time Counter: 65 - 78}

EXECUTIVE ACTION ON HB 39

Motion: REP. LANGE moved that HB 39 Do Pass.

Discussion:

REP. CLARK rose in support of this bill.

CHAIRMAN RICE informed the Committee that she had received a communication from Gary Marbut (Montana Shooting Sports Association) that his organization is in support of this bill.

Motion/Vote: Motion carried unanimously. **REP. CLARK** supplied a proxy vote for **REP. PARKER** who is excused. (voice vote)

Motion/Vote: **REP. LANGE** moved HB 39 be placed on the Consent Calendar. Motion carried unanimously. **REP. CLARK** supplied a proxy vote for **REP. PARKER** who is excused. (voice vote)
{Tape: 1; Side: A; Approx. Time Counter: 78 - 96}

CHAIRMAN RICE acknowledged **John MacMaster, Legislative Staffer**, who spoke to the Committee about amendments, conceptual amendments and whom to contact to write amendments. **REP. NOENNIG** asked Mr. MacMaster to then explain to committee members what the Consent Calendar means and it's importance to the whole House of Representatives.

{Tape: 1; Side: A; Approx. Time Counter: 96 - 167}

ADJOURNMENT

Adjournment: 8:13 A.M.

REP. DIANE RICE, Chairman

PAM SCHINDLER, Secretary

DR/PS

Additional Exhibits:

EXHIBIT ([juh05aad0.PDF](#))