

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES  
55th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON JUDICIARY**

**Call to Order:** By CHAIRMAN BOB CLARK, on January 10, 1997, at  
8:00 AM, in Room 312-1

**ROLL CALL**

**Members Present:**

Rep. Robert C. Clark, Chairman (R)  
Rep. Daniel W. McGee, Vice Chairman (Majority) (R)  
Rep. Diana E. Wyatt, Vice Chairman (Minority) (D)  
Rep. Chris Ahner (R)  
Rep. Shiell W. Anderson (R)  
Rep. Ellen Bergman (R)  
Rep. William E. Boharski (R)  
Rep. Aubyn A. Curtiss (R)  
Rep. Jon Ellingson (D)  
Rep. Duane Grimes (R)  
Rep. H.S. "Sonny" Hanson (R)  
Rep. Joan Hurdle (D)  
Rep. Deb Kottel (D)  
Rep. Linda McCulloch (D)  
Rep. Brad Molnar (R)  
Rep. Gerald Pease (D)  
Rep. Diane Sands (D)  
Rep. Liz Smith (R)  
Rep. Loren L. Soft (R)  
Rep. Bill Tash (R)

**Staff Present:** John MacMaster, Legislative Services Division  
Joanne Gunderson, Committee Secretary

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: HB 29, HB 43, HB 44, HB 65;  
POSTED 1/7/97

**HEARING ON HB 43**

**Sponsor:** REP. PAUL BANKHEAD

*{Tape: 1; Side: A; Approx. Time Count: 3.1 - 9.1; Comments:  
Opening and statement of intent.}*

Proponents:

DIANA LIEBINGER-KOCH, Department of Corrections - EXHIBITS 1 & 2  
{Tape: 1; Side: A; Approx. Time Count: 9,2 - 15.6}

CHRIS MILLER, POWELL COUNTY ATTORNEY  
{Tape: 1; Side: A; Approx. Time Count: 15.7 - 20.5}

JOHN CONNOR, DEPARTMENT OF JUSTICE - EXHIBIT 3  
{Tape: 1; Side: A; Approx. Time Count: 20.6 - 21.4}

DENNIS PAXINOS, MONTANA COUNTY ATTORNEY ASSOCIATION  
{Tape: 1; Side: A; Approx. Time Count: 21.5 - 22.6}

Opponents: NONE

Questions From Committee Members and Responses:

{Tape: 1; Side: A; Approx. Time Count: 22.7 - Tape 1, Side B, 1.4; Comments: Members of the committee asked questions of the witnesses.}

Closing by Sponsor: REPRESENTATIVE BANKHEAD

{Tape: 1; Side: B; Approx. Time Count: 1.4 - 3.6}

HEARING ON HB 44

Sponsor: REP. CHARLES DEVANEY

{Tape: 1; Side: B; Approx. Time Count: 4.0 - 10.0; Comments: Sponsor opened the hearing.}

Proponents:

LOIS ADAMS, DEPARTMENT OF CORRECTIONS  
{Tape: 1; Side: B; Approx. Time Count: 10.0 - 11.5.}

Opponents: NONE

Questions From Committee Members and Responses:

{Tape: 1; Side: A; Approx. Time Count: 11.9 - Tape 2; Side A; 10.7; Comments: Members of the committee questioned witnesses.}

Closing by Sponsor: REPRESENTATIVE DEVANEY

{Tape: 2; Side: A; Approx. Time Count: 13.3 - 15.6}

HEARING ON HB 65

Sponsor: REP. WILLIAM "RED" MENAHAN

{Tape: 2; Side: A; Approx. Time Count: 15.9 - 17.6; Comments: Sponsor opened the hearing.}

Proponents:

VICKIE FRAZIER, LEWIS & CLARK COUNTY ATTORNEY  
{Tape: 2; Side: A; Approx. Time Count: 18.2 - 23.7}

DENNIS PAXINOS, YELLOWSTONE COUNTY ATTORNEY

{Tape: 2; Side: A; Approx. Time Count: 23.8 - End of Side A}

Opponents: NONE

Questions From Committee Members and Responses:

{Tape: 2; Side: B; Approx. Time Count: 0.1 - 7.1; Comments: Members of the committee asked questions of the witnesses.}

Closing by Sponsor: REPRESENTATIVE MENAHAN

{Tape: 2; Side: B; Approx. Time Count: 7.2 - 8.4; Comments: Sponsored closed.}

HEARING ON HB 29

Sponsor: REP. JOHN BOHLINGER

{Tape: 2; Side: B; Approx. Time Count: 8.5 - 10.1; Comments: The continuation of the hearing on HB 29 was opened by the sponsor.}

Proponents:

DAVE WARD, BILLINGS POLICE DEPARTMENT

{Tape: 2; Side: B; Approx. Time Count: 10.2 - 13.0}

DENNIS PAXINOS, YELLOWSTONE COUNTY ATTORNEY

{Tape: 2; Side: B; Approx. Time Count: 13.2 - 17.0}

CHARLES BROOKS, BILLINGS CHAMBER OF COMMERCE

{Tape: 2; Side: B; Approx. Time Count: 17.3 - 19.7}

VICKIE SODERBERG - EXHIBIT 4

{Tape: 2; Side: B; Approx. Time Count: 19.8 - 24.2}

Opponents:

ROYAL A. DAVIS, ATTORNEY - EXHIBIT 5

{Tape: 3; Side: A; Approx. Time Count: 0.1 - 1.8}

Questions From Committee Members and Responses:

{Tape: 3; Side: A; Approx. Time Count: 1.9 - Side B 18.2; Comments: Members of the committee questioned witnesses.}

Closing by Sponsor: REPRESENTATIVE BOHLINGER - EXHIBITS 6, 7, AND 8

{Tape: 3; Side: B; Approx. Time Count: 18.3 - End of Side B}

Motion/Vote:

REP. DIANA WYATT MOVED TO ADJOURN, REPRESENTATIVE DANIEL MC GEE SECONDED. THE MOTION CARRIED BY UNANIMOUS VOTE.

ADJOURNMENT

**Adjournment:** The meeting was adjourned at 11:00 AM.

*Bob Clark*

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Rep. Robert C. Clark, Chairman

*Joanne Gunderson*

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Joanne Gunderson, Secretary

BC/jg