

MINUTES

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

COMMITTEE ON JUDICIARY

Call to Order: By CHAIRMAN BOB CLARK, on March 11, 1997,
at 8:00 AM, in Room 312-1.

ROLL CALL

Members Present:

Rep. Bob 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. Gerald Pease (D)
Rep. Liz Smith (R)
Rep. Loren L. Soft (R)
Rep. Bill Tash (R)

Members Excused: Rep. Diane Sands (D)

Members Absent: Rep. Brad Molnar (R)

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

Committee Business Summary:

Hearing(s) & Date(s) Posted: SB 158, SB 160, SB 205, SB 163
POSTED 2/24/97

Executive Action: SB 31 BE CONCURRED IN
SB 158 BE CONCURRED IN
SB 163 BE CONCURRED IN
SB 205 BE CONCURRED IN
SB 160 BE CONCURRED IN AS
AMENDED

HEARING ON SB 158

Opening Statement by Sponsor: SEN. SHARON ESTRADA
{Tape: 1; Side: A; Approx. Time Count: 0.1}

Proponents' Testimony:

BOB GILBERT, Montana Magistrates' Association
{Tape: 1; Side: A; Approx. Time Count: 2.7}

Informational Testimony:

GREG PETESCH, Code Commission
{Tape: 1; Side: A; Approx. Time Count: 3.2}

Closing by Sponsor: SEN ESTRADA
{Tape: 1; Side: A; Approx. Time Count: 5.4}

EXECUTIVE ACTION ON SB 158

Motion: REP. HANSON moved SB 158 BE CONCURRED IN.

Discussion:
{Tape: 1; Side: A; Approx. Time Count: 7.0}

Vote: The motion carried 15 - 0. REP. ARNOTT will carry SB 158.

HEARING ON SB 205

Opening Statement by Sponsor: SEN. WALTER McNUTT
{Tape: 1; Side: A; Approx. Time Count: 9.0}

Informational Testimony:

GREG PETESCH, Code Commission
{Tape: 1; Side: A; Approx. Time Count: 10.8}

Questions From Committee Members and Responses:
{Tape: 1; Side: A; Approx. Time Count: 12.3}

Closing by Sponsor: SEN. McNUTT
{Tape: 1; Side: A; Approx. Time Count: 13.0}

EXECUTIVE ACTION ON SB 205

Motion/Vote: REP. ANDERSON moved SB 205 BE CONCURRED IN. The motion carried 15 - 0. REP. ANDERSON will carry SB 205.
{Tape: 1; Side: A; Approx. Time Count: 13.5}

HEARING ON SB 160

Opening Statement by Sponsor: SEN. SUE BARTLETT
{Tape: 1; Side: A; Approx. Time Count: 15.5}

EXHIBIT 1-3

Informational Testimony:

GREG PETESCH, Code Commission

{Tape: 1; Side: A; Approx. Time Count: 20.1}

Questions From Committee Members and Responses:

{Tape: 1; Side: A; Approx. Time Count: 21.2 - 24.2}

Closing by Sponsor: SEN. BARTLETT

{Tape: 1; Side: A; Approx. Time Count: 25.3}

EXECUTIVE ACTION ON SB 160

Motion: REP. WYATT moved SB 160 BE CONCURRED IN.

{Tape: 1; Side: A; Approx. Time Count: 25.8}

Motion/Vote: REP. ANDERSON moved the amendments. The motion carried 17 - 0.

{Tape: 1; Side: A; Approx. Time Count: 26.0; Comments: See Exhibit 3 for amendments.}

Motion/Vote: REP. BOHARSKI moved SB 160 BE CONCURRED IN AS AMENDED. The motion carried 17 - 0. REP. SANDS will carry SB 160.

EXECUTIVE ACTION ON SB 31

Motion: REP. BOHARSKI moved SB 31 BE CONCURRED IN.

{Tape: 1; Side: A; Approx. Time Count: 28.2}

Discussion:

{Tape: 1; Side: A; Approx. Time Count: 29.0}

Vote: The motion carried 17 - 0. REP. KOTTEL will carry SB 31.

HEARING ON SB 163

Opening Statement by Sponsor: SEN. CHRIS CHRISTIAENS

{Tape: 1; Side: A; Approx. Time Count: 31.0}

Proponents' Testimony:

BOB GILBERT, Montana Magistrates' Association

{Tape: 1; Side: A; Approx. Time Count: 34.6}

JOHN CONNOR, Department of Justice

{Tape: 1; Side: A; Approx. Time Count: 35.0}

JIM KEMBEL, City of Billings

{Tape: 1; Side: A; Approx. Time Count: 37.3}

MIKE MATHEW, Yellowstone County

{Tape: 1; Side: A; Approx. Time Count: 37.5}

Questions From Committee Members and Responses:

{Tape: 1; Side: A; Approx. Time Count: 38.8}

Closing by Sponsor: SEN. CHRISTIAENS

{Tape: 1; Side: B; Approx. Time Count: 0.6}

EXECUTIVE ACTION ON SB 163

Motion: REP. WYATT moved SB 163 BE CONCURRED IN.

{Tape: 1; Side: B; Approx. Time Count: 1.9}

Discussion:

{Tape: 1; Side: B; Approx. Time Count: 2.0}

Vote: The motion carried 16 - 0. REP. TUSS will carry SB 163.

EXECUTIVE ACTION ON HB 122

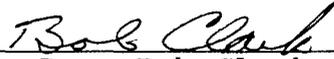
Discussion:

{Tape: 1; Side: B; Approx. Time Count: 5.0; Comments: The committee decided to appeal to the rules committee for a ruling on pending action on HB 122.}

Motion/Vote: REP. ANDERSON moved to adjourn. The motion carried by unanimous voice vote.

ADJOURNMENT

Adjournment: The meeting was adjourned at 9:10 AM.



Rep. Bob Clark, Chairman



Joanne Gunderson, Secretary

BC/jg