

## JUDICIARY COMMITTEE

January 4, 1977

The first meeting of the House Judiciary Committee was called to order in room 436, Capitol Building, Helena, Montana on Tuesday, January 4, 1977, at 8:30 a.m. with Representative John Scully presiding. All members were present with the exception of Representative Hand.

CHAIRMAN SCULLY: We will open the meeting and I will ask each member to introduce him or herself, state where they are from, and their occupation. Diana Dowling will be staff attorney.

I will tell you the procedure for committee hearings, which will be posted on the door. You can ask questions and offer opinions at any time. Anyone wishing to testify, must sign in and state their name, residence, pro or con, and who they represent. All questions must come from the committee members. No individuals testifying may ask any questions. There will be no debate between proponents and opponents. Proponents will speak first; time limit to be at the discretion of the chair. Opponents will speak next, and the sponsor will close. There will be no smoking, other than committee members and staff. Anyone else wishing to smoke may leave the room. I would also ask that members who smoke sit at the far end of the table.

We must have a quorum, so if people are not present for the hearings, I will schedule for the evening at 7:30. When people come from out of town for a hearing they should expect a hearing. We do not want to pass any bills we cannot read. If you have to sit on bills, then we will do that. I would also like to be told ahead of time if you will have to leave for another committee to carry a bill. We have to have a quorum. I also don't think we can sit here from 8 to 12. We will take a 1/2 hour break. I would hope that you take it here. (Everyone put in a dollar for coffee.)

REPRESENTATIVE BAETH: I am wondering whether the Highway Committee will be using this room. We are scheduled to do so, but the name is on the next room.

CHAIRMAN SCULLY: I will check on this and let you know.

Discussion followed about various procedures, lack of attorneys on the committee, partisan and non-partisan votes, and general ways to handle legislation. Representative Day brought up for discussion the subject of reconsideration of legislation. He felt that if this should happen this session, each member and the sponsor should be notified that it would be rehear, or brought back.

Mr. Scully introduced Willie Day as chairman of the water sub-committee. This will be a select committee made up of

other representatives other than just Judiciary members. Mr. Scully explained how he wanted the sub-committee to work.

CHAIRMAN SCULLY: I would like to introduce Mr. Greg Morgan, the lobby for the Montana Bar Association, and he will be available to the committee.

Mr. Scully explained to the new representatives how a bill works, and the procedure with amendments, etc. Just read a bill for what it says, don't try to read anything else into it. He felt it very important that the intent of the sponsor be fully understood. There are two basic sets of laws for the state, The Montana Revised Statutes and the Administrative Code.

REPRESENTATIVE BAETH: Will we allow cameras?

CHAIRMAN SCULLY: My reaction is "no". On the other hand there may be some very important hearings that we should allow cameras, or tape recorders also.

REPRESENTATIVE KASPER: I move to limit television and recorder use in the committee meetings.

The motion was seconded by Representative Seifert.

REPRESENTATIVE LORY: I make a substitute motion that we limit the tape recorders and television cameras to the discretion of the chair.

The motion was seconded by Representative Day.

REPRESENTATIVE DUSSAULT: I feel that they should be allowed but we can change later if necessary.

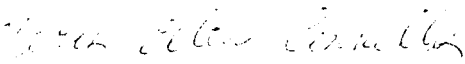
The motion carried with Representatives Dussault and Holmes voting "no".

The next meeting will be at 8:00 a.m. Thursday.

The meeting adjourned at 9:45 a.m.

  
REPRESENTATIVE JOHN SCULLY  
CHAIRMAN

JS:mec

  
Mary Ellen Connelly, Secretary  
House Judiciary