

JUDICIARY COMMITTEE

January 19, 1977

Executive Session

Executive session was called to order by Chairman Scully, 10:30 A. M., Wednesday, January 19, 1977, in room 436 of the Capitol Building, Helena, Montana. All members were present with the exception of Representative Dussault, absent and Representative Teague, excused. Both came in later in meeting.

Chairman Scully suggested that now the committee had seen the impact of the fiscal note on House Bill 5, he would recommend that it go through as it had been voted on Dp Pass. This was agreed on by all members present.

House Bill 4 was presented for consideration.

Chairman Scully: There is definite need for the extra judges in these three districts and they will only redistrict one district because of travel problems.

Representative Scully then made a motion to amend the effective date to 1977. Page 3, section 5, line 20. The motion carried with a unanimous vote.

Representative Holmes made a motion to Do Pass As Amended. Seconded by Representative Lory. Question called. Motion carried unanimously.

House Bill 6 next to be considered.

Representative Lory explained how the cost would work. He then made a motion to Do Pass. Motion seconded. Motion carried with 10 voting yes and 7 voting no, vote following:

YES

Baeth
Courtney
Dussault
Hand
Holmes
Eudaily
Keyser
Lory
Ramirez
Seifert

NO

Colburn
Conroy
Day
McLane
Roth
Teague
Scully

Representative Kennerly had been excused and did not vote.

House Bill 7 was next to be considered.

Representative Lory made a motion Do Pass. Motion seconded. Representative Dussault led a discussion about court administration, and a general discussion followed about authority over what courts and what training would be established by the court.

Chairman Scully felt the bill was just addressing the district judges.

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Representative Lory: Eventually this will cover all trial judges.

Discussion followed in regard to the definition of a judicial officer.

Chairman Scully said he was in favor of passage with no amendments.

It was decided to postpone and Chairman Scully appointed a sub-committee to study, consisting of Representatives Lory, Ramirez and Courtney.

Representative Dussault made a motion that House Bill 65 pass for the day. Motion carried.

Representative Lory made a motion that Senate Bill 20 Do Pass. Motion was seconded and carried with unanimous vote.

House Bill 189 was next presented for discussion.

Representative Ramirez made a motion Do Not Pass. Seconded by Representative Holmes.

Representative Lory made a substitute motion, that it pass for the day. Motion carried unanimously.

Representative Conroy made a motion that House Bill 202 Do Pass. Representative Day seconded the motion. Motion carried with a unanimous vote.

Representative Lory made a motion that House Bill 193 Do Not Pass. Motion seconded, question called, motion pass with unanimous vote.

Executive Session adjourned at 11:50 A. M.

Rep. John Scully, Chairman

Mary Ellen Connelly, Secretary