

MINUTES OF THE HOUSE JUDICIARY COMMITTEE  
January 4, 1983

The first meeting of the House Judiciary Committee was called to order by Chairman Dave Brown at 9:00 am in Room 224A of the Capitol Building. All members were present except Rep. Iverson, who was excused and Rep. Kennerly, who was absent.

Rep. Dave Brown introduced himself as Chairman of the Committee. He introduced Kelly Addy as Vice Chairman; Brenda Desmond, Legislative Council Attorney; and Maureen Richardson, Committee Secretary.

Each committee member stated his/her name, occupation and city.

A form was passed out to each committee member detailing Brenda Desmond's responsibilities towards the committee. EXHIBIT A. Rules of Procedure were also handed out to the committee. EXHIBIT B. A copy of the Rules of Procedure were posted outside and inside the committee room. Chairman Brown reviewed the rules with the committee. The main goal of the committee is to accomplish the workload in a timely manner. He also stated the committee would hear witnesses for bills but would try to have them state new information instead of being repetitive.

Rep. Addy felt that letters of commendation should be sent to the nine retiring judges thanking them for their years of service to the state and to urge them to continue to be active in dealing with state procedures.

Rep. Jensen stated perhaps the committee could inquire as to the specific interests of the judges so the committee could call them concerning a particular bill. Chairman Brown replied in the past it has usually been hard to contact judges to testify on bills.

Rep. Seifert moved that the committee send a letter of commendation to the nine retiring judges. Rep. Keyser seconded the motion. The motion carried unanimously.

Rep. Bergene asked if proxy voting would be allowed. Chairman Brown stated if a member was not going to be at a hearing and knew the committee would be voting on a particular bill, it would be satisfactory to leave a proxy vote.

The first hearing would be January 5, 1983. Bills to be heard are House Bill 15 and House Bill 47.

The meeting was adjourned at 9:20 a.m.

  
DAVE BROWN, CHAIRMAN

  
Maureen Richardson, Secretary

EMILT H

1/4/83



DIANA S. DOWLING  
EXECUTIVE DIRECTOR  
CODE COMMISSIONER

ELEANOR ECK  
ADMINISTRATIVE ASSISTANT

ROBERTA MOODY  
DIRECTOR, LEGISLATIVE SERVICES

ROBERT PERSON  
DIRECTOR, RESEARCH

SHAROLE CONNELLY  
DIRECTOR, ACCOUNTING DIVISION

ROBERT C. PYFER  
DIRECTOR, LEGAL SERVICES

SENATE MEMBERS

PAT M. GOODOVER  
CHAIRMAN  
CARROLL GRAHAM  
JOSEPH P MAZUREK  
JESSE O'HARA

HOUSE MEMBERS

JOHN VINCENT  
VICE CHAIRMAN  
BURT L. HURWITZ  
REX MANUEL  
BOBBY SPILKER

# Montana Legislative Council

State Capitol  
Helena, MT. 59620

(406) 449-3064

TO: House Judiciary Committee, 48th Legislature  
FROM: Brenda C. Desmond, Staff Attorney  
RE: Services available to Committee Members  
DATE: January 3, 1983

I will perform the following functions in support of the House Judiciary Committee:

- 1) review proposed legislation and advise the committee as to constitutionality, internal consistency, possibility of conflict with or duplication of existing provisions, and compliance with other bill drafting provisions such as grammar, punctuation, word choice, and statutory sentence structure;
- 2) research other states' laws pertaining to a given bill upon request of a committee member;
- 3) assist the committee or individual member in obtaining data or any pertinent information from governmental entities pertaining to bills under deliberation;
- 4) draft proposed amendments upon request of individual committee members prior to committee action on a given bill;
- 5) when requested by the committee in the course of a hearing on a particular bill, draft proposed amendments embodying committee discussion on an issue as of that point for presentation to the committee at a later continuation of the hearing on that bill;
- 6) review all amendments adopted by the committee with the same bill drafting guidelines applied to the original bill -- with the Chairman's authorization to make necessary changes in grammar, punctuation, word choice, and sentence structure, not affecting meaning, that may be detected

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between committee adoption and delivery of the Standing Committee Report, subject to review by the Chairman before signing the report;

- 7) draft proposed amendments to be moved on Second Reading upon request of any committee member;
- 8) draft Statements of Legislative Intent or obtain drafts from state agencies when directed by the committee;
- 9) draft committee bills when requested by the committee;
- 10) attend subcommittee meetings when assigned by the Chairman to perform the appropriate functions listed above; and
- 11) attend conference committee or free conference committee deliberations as invited to perform the appropriate functions listed above.

BCD:hm  
BCD/Comm. Memo 1/3

RULES OF PROCEDURE  
JUDICIARY COMMITTEE  
48th Legislative Session

Room 224A

- (1) All individuals wishing to testify must sign the witness sheet prior to the committee hearing. Your testimony will not be recorded if you do not sign the witness sheet. The witness sheet is located on the desk as you enter the room. Written copies of your testimony should also be submitted if at all possible.
- (2) Proponents will speak first, followed by opponents, the time subject to limitation of the chair.
- (3) The proponents and opponents will try to state new points of testimony only. If they wish to agree with points already made, they should simply so state.
- (4) Sponsor of the bill will open and close the presentation.
- (5) All questions will be put forth by the committee. No questions shall be directed between proponents or opponents.
- (6) All discussion will commence at the direction of the chair.
- (7) Questions by committee members shall be directed to proponents and opponents at the close of the presentation unless otherwise authorized by the chair.
- (8) Amendments to measures must be presented to the committee in writing.

A handwritten signature in black ink that reads "Dave Brown". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

DAVE BROWN, Chairman