

MINUTES

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

COMMITTEE ON JUDICIARY

Call to Order: By CHAIRMAN BOB CLARK, on January 21, 1997, at 8:10 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. Linda McCulloch (D)
Rep. Gerald Pease (D)
Rep. Diane Sands (D)
Rep. Liz Smith (R)
Rep. Loren L. Soft (R)

Members Excused: Rep. Deb Kottel (D)
Rep. Brad Molnar (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 168, HJR 5, POSTED 1/15/97
Executive Action: HB 98 DO PASS AS AMENDED

HEARING ON HB 168

**Opening Statement by Sponsor: REP. ROYAL JOHNSON
{Tape: 1; Side: a; Approx. Time Count: 1.2}**

Proponents' Testimony:

**MARY ANN WELLBANK, Department of Health and Human Services
{Tape: 1; Side: A; Approx. Time Count: 2.9}**

Questions From Committee Members and Responses:

{Tape: 1; Side: A; Approx. Time Count: 19.1 - Tape 1, Side B; 7.8}

Closing by Sponsor: REP. JOHNSON - EXHIBIT 1

{Tape: 1; Side: B; Approx. Time Count: 7.9}

EXECUTIVE ACTION ON HB 98

Motion: REP. MC GEE moved HB 98 DO PASS.

{Tape: 1; Side B; Comments: Tape recorder was turned off.}

Motion: REP. MC GEE moved HB 98 be amended per EXHIBIT 2.

Discussion:

{Tape: 1; Side: B; Approx. Time Count: 13.0}

Vote: The motion carried by unanimous vote to adopt amendments.

{Tape: 1; Side: B; Approx. Time Count: 15.5}

Motion: REP. MC GEE moved HB 98 DO PASS AS AMENDED.

{Tape: 1; Side: B; Approx. Time Count: 16.2}

Discussion:

{Tape: 1; Side: B; Approx. Time Count: 16.6 - Tape 2; Side A; 7.0}

Vote: The motion carried 12 - 8; REPS. AHNER, BOHARSKI, WYATT, PEASE, MC CULLOCH, KOTTEL (by proxy vote), HURDLE and ELLINGSON voting no. (REPS. GRIMES, TASH and MOLNAR voted aye by proxy.)

{Tape: 2; Side: A; Approx. Time Count: 7.4}

HEARING ON HJR 5

Opening Statement by Sponsor: REP. SAM KITZENBERG - EXHIBITS 3,4

{Tape: 2; Side: A; Approx. Time Count: 8.7}

Informational Testimony:

BILL UNGER, Department of Justice

{Tape: 2; Side: A; Approx. Time Count: 18.4; Comments: John Connor and Mike Batista were introduced as informational witnesses for HJR 5 questions from the committee.}

Questions From Committee Members and Responses:

{Tape: 2; Side: A; Approx. Time Count: 19.6 - Tape 3; Side A;; Comments: Questions continued through all of Tape 2, Side B.}

Closing by Sponsor: REP. KITZENBERG

{Tape: 3; Side: A; Approx. Time Count: 2.7}

ADJOURNMENT

Adjournment: The meeting was adjourned at 10:30 AM.



REP. BOB CLARK, Chairman



JOANNE GUNDERSON, Secretary

BC/jg