

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Ken Peterson, on March 4, 2011 at 9:00 AM, in Room 137 Capitol

ROLL CALL

Members Present:

Rep. Ken Peterson, Chairman (R)
Rep. Krayton Kerns, Vice Chairman (R)
Rep. Diane Sands, Vice Chairman (D)
Rep. Liz Bangerter (R)
Rep. Kris Hansen (R)
Rep. Bill Harris (R)
Rep. David Howard (R)
Rep. Cleve J. Loney (R)
Rep. Margaret (Margie) MacDonald (D)
Rep. Michael (Mike) More (R)
Rep. Carolyn Pease-Lopez (D)
Rep. Joe Read (R)
Rep. Keith Regier (R)
Rep. Dan Skattum (R)
Rep. Bob Wagner (R)

Members Excused: Rep. Jesse O'Hara (R)

Members Absent: Rep. Robyn Driscoll (D)
Rep. Ellie Boldman Hill (D)
Rep. Mike Menahan (D)
Rep. Wendy Warburton (R)

Staff Present: Karen Armstrong, Committee Secretary
David Niss, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 57, 3/1/2011; SJ 9, 3/1/2011

Executive Action: None

HEARING ON SB 57**Opening Statement by Sponsor:**

00:01:12 Sen. Gene Vuckovich (D), SD 43, opened the hearing on SB 57, Enhance penalty for consumer protection violations.

00:02:31 Rep. Driscoll arrived.

00:02:42 Rep. Menahan arrived.

00:03:03 Rep. Warburton arrived.

Proponents' Testimony:

00:04:46 Kelly Hubbard, Consumer Protection Attorney, Attorney General's Office (AG)
EXHIBIT(juh49a01)

00:08:54 Flint Murfitt, Montana Legal Services

00:10:48 Joy Bruck, State President, American Association of Retired Persons (AARP)
EXHIBIT(juh49a02)

00:12:35 Larry Epstein, Montana County Attorneys Association (MCAA)

Opponents' Testimony:

00:14:08 Bruce Spencer, Montana Automobile Dealers Association
EXHIBIT(juh49a03)

00:16:35 Rep. O'Hara arrived.

00:17:18 Chairman Peterson

Informational Testimony: None**Questions from Committee Members and Responses:**

00:17:45 Rep. Loney

00:22:28 Rep. Sands exited.

00:18:19 Sen. Vuckovich

00:18:39 Rep. Wagner

00:19:22 Ms Hubbard, AG

00:19:50 Rep. Wagner

00:20:21 Ms Hubbard

00:21:23 Rep. Wagner

00:22:05 Ms Hubbard

00:22:56 Rep. Hansen exited.

00:23:34 Rep. Harris

00:23:39 Rep. Warburton

00:25:01 Ms Hubbard

00:26:40 Rep. Warburton

00:26:54 Ms Hubbard

00:28:22 Rep. MacDonald

00:29:04 Ms Hubbard

00:30:10 Rep. Bangerter

00:30:31 Ms Hubbard

00:31:36 Rep. Howard exited.

00:32:12 Rep. Regier

00:32:41 Ms Hubbard

00:34:03 Rep. More
00:35:36 Ms Hubbard
00:35:40 Rep. Hill arrived.
00:36:58 Rep. More
00:37:20 Rep. Howard returned.
00:37:27 Rep. Warburton
00:37:56 Ms Hubbard
00:38:54 Rep. Warburton
00:39:13 Ms Hubbard
00:39:55 Chairman Peterson
00:40:09 Rep. Howard exited.
00:41:15 Ms Hubbard
00:41:43 Rep. O'Hara exited.

Closing by Sponsor:

00:42:21 Sen. Vuckovich

HEARING ON SJ 9

Opening Statement by Sponsor:

00:43:18 Sen. Rowlie Hutton (R), SD 17, opened the hearing on SJ 9, Resolution for a parental rights amendment.

Proponents' Testimony:

00:44:29 Becky Stockton, self
00:44:48 Rep. O'Hara returned.
00:44:55 Rep. Sands returned.
00:45:59 Beth Hinebauch, self
00:46:25 Wayne Beckman, self
00:48:34 Rep. Hansen returned.
00:49:03 Lori Page, self
00:50:08 Bruce Norum , self
00:50:21 Rep. MacDonald exited.

Opponents' Testimony:

00:53:00 Niki Zupanic, American Civil Liberties Union of Montana (ACLU)
00:54:12 Rep. MacDonald returned.
00:57:01 Alex Corcoran, NARAL Pro-Choice Montana
00:58:50 Rep. Wagner exited.
00:58:59 Lindsey Love, Planned Parenthood of Montana
01:01:52 Rep. Wagner returned.
01:01:59 Rep. Harris exited.
01:02:07 Sarah Rossi, Montana Coalition Against Domestic and Sexual Violence
01:03:07 Jamee Greer, Montana Human Rights Network

EXHIBIT(juh49a04)

01:06:29 Christina Davis, Children's Defense Fund of Montana
01:09:12 Rep. Harris returned.

Informational Testimony: None

Questions from Committee Members and Responses:

01:08:46 Rep. Harris
01:09:11 Rep. Howard returned.
01:10:05 Rep. Menahan exited.
01:10:12 Ms Davis
01:10:25 Rep. Harris
01:10:41 Ms Davis
01:10:48 Rep. Harris
01:11:05 Rep. Warburton
01:11:32 Ms Love
01:11:45 Rep. Sands exited.
01:12:12 Rep. Warburton
01:12:29 Ms Love
01:13:00 Rep. Warburton
01:13:21 Ms Love
01:13:23 Rep. Warburton
01:14:08 Ms Stockton
01:14:25 Rep. Warburton
01:14:30 Ms Stockton
01:14:52 Rep. Menahan returned.
01:15:03 Rep. Loney
01:15:35 Ms Love
01:16:07 Rep. Loney
01:16:13 Ms Love
01:16:26 Rep. Loney
01:17:13 Mr. Greer
01:18:07 Rep. Loney
01:18:24 Rep. Driscoll exited.
01:18:30 Mr. Greer
01:19:52 Rep. Pease-Lopez
01:20:23 Rep. Loney exited.
01:20:47 Rep. Howard exited.
01:21:14 Sen. Hutton
01:21:31 Rep. Driscoll returned.
01:22:18 Rep. Loney returned.
01:22:23 Rep. Pease-Lopez
01:22:49 Sen. Hutton
01:23:18 Rep. MacDonald
01:23:57 Ms Stockton
01:24:07 Rep. MacDonald
01:24:30 Ms Stockton
01:24:52 Rep. MacDonald
01:25:22 Ms Stockton
01:25:35 Rep. MacDonald
01:25:52 Ms Stockton
01:26:17 Rep. MacDonald
01:26:31 Rep. Hill
01:26:57 Rep. Sands returned.
01:27:33 Sen. Hutton
01:28:11 Rep. Hill

01:28:44 Sen. Hutton
01:28:52 Rep. Wagner
01:29:58 Ms Zupanic, ACLU
01:30:01 Rep. Wagner
01:30:51 Ms Zupanic
01:31:29 Rep. Wagner
01:31:58 Rep. O'Hara exited.
01:32:30 Ms Zupanic
01:35:08 Rep. Wagner
01:35:20 Rep. O'Hara returned.
01:36:05 Ms Zupanic
01:36:20 Rep. Howard returned.
01:37:14 Rep. Menahan
01:37:48 Sen. Hutton
01:37:54 Rep. Menahan
01:38:45 Sen. Hutton
01:38:54 Rep. Menahan
01:39:31 Sen. Hutton
01:41:28 Rep. Menahan
01:43:02 Sen. Hutton
01:43:16 Rep. Regier
01:43:37 Ms Zupanic
01:44:10 Rep. Regier
01:44:25 Ms Zupanic
01:44:34 Rep. Regier
01:44:43 Ms Zupanic
01:44:59 Rep. Regier
01:45:10 Ms Zupanic
01:45:23 Rep. Regier
01:45:46 Ms Zupanic
01:46:14 Rep. Loney
01:46:56 Ms Zupanic
01:47:44 Rep. Loney
01:47:56 Rep. Warburton
01:48:19 Rep. Harris exited.
01:48:50 Sen. Hutton
01:49:04 Rep. Hansen
01:50:19 Sen. Hutton
01:50:25 Rep. Hansen
01:50:57 Sen. Hutton
01:51:01 Rep. Hansen
01:51:08 Sen. Hutton
01:51:25 Rep. Menahan
01:52:06 Sen. Hutton
01:52:33 Rep. More
01:53:31 Sen. Hutton
01:53:42 Chairman Peterson
01:54:04 Ms Zupanic
01:54:32 Chairman Peterson
01:54:56 Ms Zupanic

01:55:32 Chairman Peterson
01:56:50 Ms Love
01:57:30 Rep. Harris returned.

Closing by Sponsor:

01:58:08 Sen. Hutton

02:02:01 Chairman Peterson
02:03:03 Rep. Sands
02:03:16 Chairman Peterson

ADJOURNMENT

02:03:34 Adjournment:

Karen Armstrong, Secretary

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Additional Exhibits:
[EXHIBIT\(juh49a05\)](#)

Additional Documents:
[EXHIBIT\(juh49aad.pdf\)](#)