

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Jim Shockley, on January 12, 2011 at 9:00 AM, in Room 303
Capitol

ROLL CALL

Members Present:

Sen. Jim Shockley, Chair (R)
Sen. Terry Murphy, Vice Chair (R)
Sen. Shannon Augare (D)
Sen. Anders Blewett (D)
Sen. Greg Hinkle (R)
Sen. Rowlie Hutton (R)
Sen. Larry Jent (D)
Sen. Cliff Larsen (D)
Sen. Lynda Moss (D)
Sen. Jim Peterson (R)
Sen. Chas Vincent (R)

Members Excused: None

Members Absent: None

Staff Present: Valencia Lane, Legislative Branch
Pam Schindler, Committee Secretary

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 60, 1/6/2011; SB 106, 1/6/2011
SB 50-Tabled

HEARING ON SB 60

Opening Statement by Sponsor:

00:00:35 Sen. Kim Gillan (D), SD 24, opened the hearing on SB 60, Amend security credit freeze law to protect minors & incapacitated persons.

[EXHIBIT\(jus09a01\)](#)

Proponents' Testimony:

00:01:59 Kelly Hubbard, Assistant Attorney General, Consumer Protection Division, Department of Justice

[EXHIBIT\(jus09a02\)](#)

[EXHIBIT\(jus09a03\)](#)

00:04:33 Bruce Spencer, Montana Automobile Dealers Association (MADA)

00:05:54 Clyde Dailey, Montana Credit Union Network

00:07:13 Claudia Clifford, Advocacy Director, American Association of Retired Persons/Montana (AARP/MT)

Opponents' Testimony:

None

Informational Testimony:

00:08:16 Jesse Luther, Consumer Data Industry Association

Questions from Committee Members and Responses:

00:09:18 Sen. Shockley

00:09:31 Mr. Dailey

Closing by Sponsor:

00:10:11 Sen. Gillam

HEARING ON SB 106**Opening Statement by Sponsor:**

00:10:50 Sen. Jason Priest (R), SD 30, opened the hearing on SB 106, Compel participation in lawsuit on health care reform.

00:12:49 Sen. Blewett

00:13:08 Sen. Shockley

00:13:27 Sen. Priest

Proponents' Testimony:

00:17:39____ Sen. Art Wittich, SD 35
[EXHIBIT\(jus09a04\)](#)

00:21:17____ Riley Johnson, National Federation of Independent Business (NFIB)
[EXHIBIT\(jus09a05\)](#)

00:23:32 Gregg Trude, Montana Right to Life

00:24:35____ Jim Ravndal, Lewis and Clark County Tea Party

Opponents' Testimony:

00:25:52 Andrew Johnstone, State Solicitor, Office of the Attorney General, Department of Justice
[EXHIBIT\(jus09a06\)](#)

00:31:07 Ray Johnson, self
[EXHIBIT\(jus09a07\)](#)

00:33:33 Keith Allen, self, Trustee for a State Employee Health Insurance Plan

00:36:38 George Marin, self

00:39:00 Jan Siemers, self

00:39:52 Kate Whitney, self

00:42:16 Anita Roessmann, Disability Rights of Montana

00:43:47 Jim Aherns, American Cancer Society

00:45:42 Molly Moody Montana Organizing Project
[EXHIBIT\(jus09a08\)](#)

00:48:12 Mary Kay Craig, self

00:50:28 Melody Rice, Licensed Clinical Practitioner, Butte

00:51:55 Charlotte Trolinger, self

00:53:04 Amanda Harrow, Montana Small Business Alliance
[EXHIBIT\(jus09a09\)](#)
[EXHIBIT\(jus09a10\)](#)

00:55:10 Tom Stearns, self

Informational Testimony:

00:56:15 Dr. Carter Beck, Neurosurgeon, Missoula, MT
[EXHIBIT\(jus09a11\)](#)
[EXHIBIT\(jus09a12\)](#)
01:01:10 Sen. Augare
01:01:21 Sen. Shockley (ruled Dr. Beck as a Proponent for SB 106)
01:01:40 Dr. Beck
01:02:41 Sen. Shockley
01:02:46 Dr. Beck

01:03:38 Sen. Shockley

Questions from Committee Members and Responses:

01:04:42 Sen. Vincent
01:05:17 Sen. Priest
01:07:26 Sen. Vincent
01:07:49 Dr. Beck
01:09:03 Sen. Hinkle
01:09:32 Sen. Priest
01:11:02 Sen. Larson
[EXHIBIT\(jus09a13\)](#)
01:11:40 Sen. Priest
01:12:54 Sen. Hutton
01:13:47 Sen. Priest
01:14:55 Sen. Augare
01:16:12 Sen. Priest
01:18:38 Sen. Jent
01:19:18 Sen. Priest
01:25:31 Sen. Moss
01:26:54 Sen. Priest
01:27:28 Sen. Shockley
01:28:06 Mr. Johnstone

Closing by Sponsor:

01:33:36 Sen. Priest
[EXHIBIT\(jus09a14\)](#)
[EXHIBIT\(jus09a15\)](#)
[EXHIBIT\(jus09a16\)](#)

EXECUTIVE ACTION ON SB 50

(Sen. Blewett, Sen. Vincent, and Sen. Peterson absent from the room)

01:48:58 Sen. Shockley

01:50:02 **Motion:** Sen. Moss moved that **SB 50 DO PASS.**

Discussion:

01:50:31 Sen. Jent

01:52:11 Sen. Moss

01:52:27 Sen. Jent

01:54:00 Sen. Shockley

01:54:25 Sen. Augare

01:56:20 **Vote:** Motion failed unanimously by roll call vote. Sen. Blewett, Sen. Peterson and Sen. Vincent voted by proxy.

01:57:18 **Motion/Vote:** Sen. Murphy moved that **SB 50 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote. Sen. Blewett, Sen. Peterson and Sen. Vincent voted by proxy.

ADJOURNMENT

Adjournment: 10:59 AM

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT([jus09aad.pdf](#))