

BUSINESS REPORT
MONTANA SENATE
62nd LEGISLATURE - REGULAR SESSION

SENATE JUDICIARY COMMITTEE

Date: Friday, February 4, 2011
Place: Capitol

Time: 9:00 AM
Room: 303

BILLS and RESOLUTIONS HEARD:

SB 238 - Increase jurisdictional limit for justice , city, and small claims courts

EXECUTIVE ACTION TAKEN:

SB 217-Do Pass As Amended
SB 15-Do Pass
SJ 9-Do Pass
SB 238-Do Pass
SB 39-Tabled
SB 175-Tabled

Comments:


SEN. Terry Murphy, Chair

MONTANA STATE SENATE

ROLL CALL

2011 JUDICIARY COMMITTEE

DATE: 2/4/11

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
CHAIRMAN, TERRY MURPHY	/	
VICE CHAIRMAN, JIM SHOCKLEY	/	
SENATOR JEFF ESSMANN	/	
SENATOR SHANNON AUGARE	/	
SENATOR ANDERS BLEWETT	/	
SENATOR GREG HINKLE	/	
SENATOR ROWLIE HUTTON	/	
SENATOR LARRY JENT	/	
SENATOR CLIFF LARSEN	/	
SENATOR LYNDA MOSS	/	
SENATOR JIM PETERSON	/	
SENATOR CHAS VINCENT	Ⓟ	/

COMMITTEE FILE COPY

BILL TABLED NOTICE

SENATE JUDICIARY COMMITTEE

The SENATE JUDICIARY COMMITTEE TABLED, by motion, on Friday, February 4, 2011.

SB 39 - Allow game wardens to issue MIP citations

SB 175 - Referendum to reform method of supreme and district courts judicial selection

(For the Committee)



(For the Secretary of the Senate)

10:25
(Time)

2-4-11
(Date)

February 4, 2011

Pam Schindler, Secretary

Phone: 444-4891



SENATE STANDING COMMITTEE REPORT

February 4, 2011

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Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 15** (first reading copy -- white) **do pass as amended.**

Signed: _____

Terry Murphy
Senator Terry Murphy, Chair

And, that such amendments read:

1. Page 1, line 21.

Following: "offense;"

Insert: "or"

2. Page 1, line 25.

Following: "offense"

Strike: "; or"

Insert: "."

3. Page 1, line 26 through line 27.

Strike: subsection (f) in its entirety

- END -

Committee Vote:

Yes 12, No 0

Fiscal Note Required

SB0015001SC.sdr

OR



SENATE STANDING COMMITTEE REPORT

February 4, 2011

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Mr. President:

We, your committee on **Judiciary** recommend that **Senate Joint Resolution 9** (first reading copy -- white) **do pass**.

Signed:


Senator Terry Murphy, Chair

- END -

Committee Vote:

Yes 7, No 5

Fiscal Note Required

SJ0009001SC.sdr

OR



SENATE STANDING COMMITTEE REPORT

February 4, 2011

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Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 238** (first reading copy -- white) **do pass.**

Signed:

Terry Murphy
Senator Terry Murphy, Chair

- END -

Committee Vote:

Yes 12, No 0

Fiscal Note Required

SB0238001SC.sdr

AR



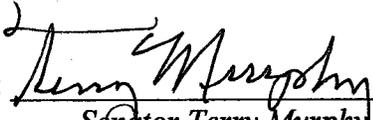
SENATE STANDING COMMITTEE REPORT

February 4, 2011

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Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 217** (first reading copy -- white) **do pass as amended.**

Signed: 
Senator Terry Murphy Chair

And, that such amendments read:

1. Title, line 6.

Following: "APPLIES"

Insert: "ONLY"

2. Page 1, line 16.

Following: "fees."

Insert: "Only a party seeking to obtain a document or access to a public meeting is entitled to recover costs and attorney fees under this section."

- END -

Committee Vote:

Yes 12, No 0

Fiscal Note Required

SB0217001SC.sdr

DL

AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from Judiciary Committee because of other commitments. I desire to leave my proxy vote with:

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
SB 41 Do Pass	X		SB 41 Do Pass		
SB 19 AMEND	X				
SB 19 Do Pass As Am	X		1/17/11 SB 152 Do Pass	X	
SB 21 AMEND	X		✓ SB 68 Do Pass As Amend	X	
SB 21 Do Pass As Am	X		(Amended in hrg. -		
SB 26 Do Pass	X		1/13/11)	X	
SB 72 Do Pass	X				
			1/31/11 SB 149 Do Pass		X
1/11/11 SB 57 Do Pass	X				
			2/1/11 SB 42 AMENDED		X
1/13/11 SB 36 BE AMENDED	X				
✓ SB 26 Do Pass As Am	X		2/4/11 SB 175 Table	X	
✓ SB 60 AMENDS	X				
✓ SB 60 Do Pass As Amend	X				

Sen. *James J. ...* Date _____
 (Signature)

(Sen. Jent)

AUTHORIZED SENATE COMMITTEE PROXY

I, Senator Jim Shockley, request to be excused from the

Judiciary COMMITTEE

due to my other commitment. I desire to leave my proxy vote with:

Sen. Hinkle

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
<i>.28/11</i> SB 15 PARA 2-4	<i>x</i>				
<i>.14/11</i> SB 238 Do Pass	<i>x</i>				

Sen. *[Signature]*
(Signature)

Date *10 JAN 2011*

(Sen. Shockley)

**AUTHORIZED
SENATE COMMITTEE PROXY**

I, Senator Jeff Essmann, request to be excused from the

JUDICIARY COMMITTEE

due to my other commitment. I desire to leave my proxy vote with:

Ward

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
<i>SB 238</i>	<i>X</i>	

BILL/AMENDMENT	AYE	NO

Sen. *Jeff Essmann*
(Signature)

Date *2/9/2011*

AUTHORIZED SENATE COMMITTEE PROXY

I, Senator Chas Vincent, request to be excused from the

Judiciary COMMITTEE

due to my other commitment. I desire to leave my proxy vote with:

[REDACTED] Sen. Hinkle

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

1/25/11
1/27/11

BILL/AMENDMENT	AYE	NO
SB 40 - Tabled	X	
SB 114 - Do Pass	X	
SB 114 - REV. TABLE		X
SB 15 - Seq. PARA #1 From Amend	X	
SB 15 - PARAS 2-4	X	
SB 15 - PARA 1		X
SB 147 - amend	X	
SB 147 - Do Pass		X
AMEND		X

2/1/11
2/2/11
2/4/11

BILL/AMENDMENT	AYE	NO
SB 42 Amendment	X	
SB 153 Do Pass	X	
SB 151 Do Pass	X	
SB 196 Do Pass		X
✓ - REV. TABLE	X	
SB 58		X
SB 217 amend.	X	
SB 217 Do Pass	X	
SB 15 Do Pass	X	
SB 175 Amend	X	
SB 175 Do Pass	X	
SB 39 Table	X	

(continued)

Sen. Chas Vincent
(Signature)

Date _____

(Sen. Vincent)

MONTANA STATE SENATE

ROLL CALL VOTE 2011 JUDICIARY COMMITTEE

DATE 2/4/11 BILL NO SB 238 MOTION NO. 1

MOTION: Do Pass

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR GREG HINKLE	/		
SENATOR LYNDA MOSS	/		
SENATOR CHAS VINCENT	/		/
SENATOR LARRY JENT	/		
SENATOR ANDERS BLEWETT	/		
SENATOR SHANNON AUGARE	/		
SENATOR CLIFF LARSEN	/		
SENATOR ROWLIE HUTTON	/		
SENATOR JEFF ESSMANN	/		/
SENATOR JIM PETERSON	/		
VICE CHAIRMAN SHOCKLEY	/		/
CHAIRMAN MURPHY	/		

12/0

MONTANA STATE SENATE

ROLL CALL VOTE 2011 JUDICIARY COMMITTEE

DATE 2/4/11 BILL NO. SB217 MOTION NO. 31

MOTION: amendment 21702. auk

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR GREG HINKLE	—		
SENATOR LYNDA MOSS	—		
SENATOR CHAS VINCENT	—		—
SENATOR LARRY JENT	—		
SENATOR ANDERS BLEWETT	—		
SENATOR SHANNON AUGARE	—		
SENATOR CLIFF LARSEN	—		
SENATOR ROWLIE HUTTON	—		
SENATOR JEFF ESSMANN	—		
SENATOR JIM PETERSON	—		
VICE CHAIRMAN SHOCKLEY	—		
CHAIRMAN MURPHY	—		

12/0

MONTANA STATE SENATE

ROLL CALL VOTE 2011 JUDICIARY COMMITTEE

DATE 2/4/11 BILL NO ^B217 MOTION NO. 2
 MOTION: Do Pass As Amended

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR GREG HINKLE	/		
SENATOR LYNDA MOSS	/		
SENATOR CHAS VINCENT	/		/
SENATOR LARRY JENT	/		
SENATOR ANDERS BLEWETT	/		
SENATOR SHANNON AUGARE	/		
SENATOR CLIFF LARSEN	/		
SENATOR ROWLIE HUTTON	/		
SENATOR JEFF ESSMANN	/		
SENATOR JIM PETERSON	/		
VICE CHAIRMAN SHOCKLEY	/		
CHAIRMAN MURPHY	/		

12/0

MONTANA STATE SENATE

ROLL CALL VOTE 2011 JUDICIARY COMMITTEE

DATE 2/4/11 BILL NO SB15 MOTION NO. Adopted Demand.
 MOTION: Do Pass As Amended in prev. hearing

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	<u>If Proxy Vote, check here & include signed Proxy Form with minutes</u>
SENATOR GREG HINKLE	—		
SENATOR LYNDA MOSS	—		
SENATOR CHAS VINCENT	—		—
SENATOR LARRY JENT	—		
SENATOR ANDERS BLEWETT	—		
SENATOR SHANNON AUGARE	—		
SENATOR CLIFF LARSEN	—		
SENATOR ROWLIE HUTTON	—		
SENATOR JEFF ESSMANN	—		
SENATOR JIM PETERSON	—		
VICE CHAIRMAN SHOCKLEY	—		
CHAIRMAN MURPHY	—		

12/0

MONTANA STATE SENATE

ROLL CALL VOTE 2011 JUDICIARY COMMITTEE

DATE 2/4/11 BILL NO SB175 MOTION NO. 2

MOTION: amendment 175003.arL

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	<u>If Proxy Vote, check here & include signed Proxy Form with minutes</u>
SENATOR GREG HINKLE	/		
SENATOR LYNDA MOSS	/		
SENATOR CHAS VINCENT	/		/
SENATOR LARRY JENT	/		
SENATOR ANDERS BLEWETT	/		
SENATOR SHANNON AUGARE	/		
SENATOR CLIFF LARSEN	/		
SENATOR ROWLIE HUTTON	/		
SENATOR JEFF ESSMANN	/		
SENATOR JIM PETERSON	/		
VICE CHAIRMAN SHOCKLEY	/		
CHAIRMAN MURPHY	/		

12/0

MONTANA STATE SENATE

ROLL CALL VOTE 2011 JUDICIARY COMMITTEE

DATE 2/4/11 BILL NO SB/SMOTION NO. 3

MOTION: Do Pass As Amended

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR GREG HINKLE	/		
SENATOR LYNDA MOSS		/	
SENATOR CHAS VINCENT	/		/
SENATOR LARRY JENT		/	
SENATOR ANDERS BLEWETT		/	
SENATOR SHANNON AUGARE		/	
SENATOR CLIFF LARSEN		/	
SENATOR ROWLIE HUTTON	/		
SENATOR JEFF ESSMANN	/		
SENATOR JIM PETERSON	/		
VICE CHAIRMAN SHOCKLEY	/		
CHAIRMAN MURPHY		/	

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MONTANA STATE SENATE

ROLL CALL VOTE 2011 JUDICIARY COMMITTEE

DATE 2/4/11 BILL NO SB39 MOTION NO. 1

MOTION: Table

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	<u>If Proxy Vote, check here & include signed Proxy Form with minutes</u>
SENATOR GREG HINKLE	—		
SENATOR LYNDA MOSS	—		
SENATOR CHAS VINCENT	—		—
SENATOR LARRY JENT	—		
SENATOR ANDERS BLEWETT	—		
SENATOR SHANNON AUGARE	.	—	
SENATOR CLIFF LARSEN	—		
SENATOR ROWLIE HUTTON		—	
SENATOR JEFF ESSMANN		—	
SENATOR JIM PETERSON	—		
VICE CHAIRMAN SHOCKLEY		—	
CHAIRMAN MURPHY	—		

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MONTANA STATE SENATE

ROLL CALL VOTE 2011 JUDICIARY COMMITTEE

DATE 2/4/11 BILL NO SB 175 MOTION NO. 1

MOTION: Table

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	<u>If Proxy Vote, check here & include signed Proxy Form with minutes</u>
SENATOR GREG HINKLE	/		
SENATOR LYNDA MOSS	/		
SENATOR CHAS VINCENT	/		/
SENATOR LARRY JENT	/		/
SENATOR ANDERS BLEWETT	/		
SENATOR SHANNON AUGARE	/		
SENATOR CLIFF LARSEN	/		
SENATOR ROWLIE HUTTON	/		
SENATOR JEFF ESSMANN		/	
SENATOR JIM PETERSON		/	
VICE CHAIRMAN SHOCKLEY		/	
CHAIRMAN MURPHY	/		

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MONTANA STATE SENATE

ROLL CALL VOTE 2011 JUDICIARY COMMITTEE

DATE 2/4/11 BILL NO 559 MOTION NO. 1

MOTION: Do Pass

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	<u>If Proxy Vote, check here & include signed Proxy Form with minutes</u>
SENATOR GREG HINKLE	—		
SENATOR LYNDA MOSS		—	
SENATOR CHAS VINCENT	—		—
SENATOR LARRY JENT		—	Ⓚ
SENATOR ANDERS BLEWETT		—	
SENATOR SHANNON AUGARE		—	
SENATOR CLIFF LARSEN		—	
SENATOR ROWLIE HUTTON	—		
SENATOR JEFF ESSMANN	—		
SENATOR JIM PETERSON	—		
VICE CHAIRMAN SHOCKLEY	—		—
CHAIRMAN MURPHY	—		

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