

BUSINESS REPORT
MONTANA SENATE
62nd LEGISLATURE - REGULAR SESSION
SENATE JUDICIARY COMMITTEE

Date: Tuesday, March 22, 2011
Place: Capitol

Time: 9:00 AM
Room: 303

BILLS and RESOLUTIONS HEARD:

HB 548 - Revising 46-18-203 regarding revocation of a suspended or deferred sentence
SB 322 - Referendum to revise venue for lawsuits challenging validity of statute
SB 323 - Referendum to allow over-ride of court decisions invalidating statute

EXECUTIVE ACTION TAKEN:

HB 544-Tabled
HB 548-BE Concurred In As Amended
SB 322-Do Pass
SB 323-Tabled

Comments:



SEN. Terry Murphy, Chair

MONTANA STATE SENATE

ROLL CALL

2011 JUDICIARY COMMITTEE

DATE: 3/22/11

<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	/	



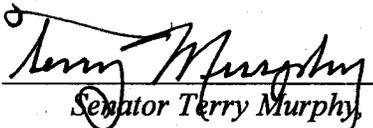
SENATE STANDING COMMITTEE REPORT

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Mr. President:

We, your committee on **Judiciary** recommend that **House Bill 548** (third reading copy -- blue) **be concurred in as amended.**

Signed: 
Senator Terry Murphy, Chair

To be carried by Senator Greg Hinkle

And, that such amendments read:

1. Title, line 9.

Strike: "AND"

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A
RETROACTIVE APPLICABILITY PROVISION"

2. Page 1, line 21.

Following: "but"

Insert: "not"

3. Page 3, line 24 through line 25.

Strike: section 2 in its entirety

Insert: "NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval."

Insert: "NEW SECTION. **Section 3. Retroactive applicability.** [This act] applies retroactively, within the meaning of 1-2-109, to all past revocations, regardless of the date when a deferred or suspended sentence was ordered and regardless of the date of revocation."

- END -

Committee Vote:

Yes 12, No 0

Fiscal Note Required

HB0548001SC06467.sdr



SENATE STANDING COMMITTEE REPORT

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Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 322** (first reading copy -- white) **do pass.**

Signed: 
Senator Terry Murphy, Chair

- END -

Committee Vote:

Yes 7, No 5

Fiscal Note Required

SB0322001SC.sdr

BILL TABLED NOTICE

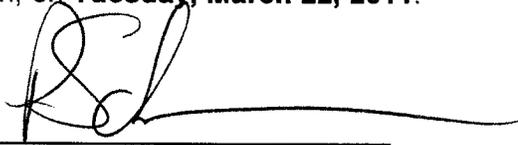
SENATE JUDICIARY COMMITTEE

The **SENATE JUDICIARY COMMITTEE** TABLED

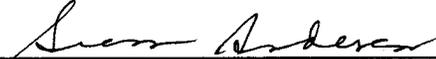
HB 544 - Provide abortion screening to prevent provider negligence and patient coercion

SB 323 - Referendum to allow over-ride of court decisions invalidating statute

, by motion, on **Tuesday, March 22, 2011.**



(For the Committee)



(For the Secretary of the Senate)

1:25 1 3-22-11

(Time)

(Date)

March 22, 2011

Pam Schindler, Secretary

Phone: 444-4891

MONTANA STATE SENATE

ROLL CALL VOTE 2011 JUDICIARY COMMITTEE

DATE 3/22 BILL NO. HB544 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 JIM PETERSON	-		-
VICE CHAIRMAN SHOCKLEY	-		
SENATOR JEFF ESSMANN	-		-
CHAIRMAN MURPHY	-		

MONTANA STATE SENATE

ROLL CALL VOTE 2011 JUDICIARY COMMITTEE

DATE 3/22 BILL NO HB 348 MOTION NO. 2

MOTION: amend 548.02 amf

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 JIM PETERSON	—		—
VICE CHAIRMAN SHOCKLEY	—		
SENATOR JEFF ESSMANN	—		—
CHAIRMAN MURPHY	—		

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MONTANA STATE SENATE

ROLL CALL VOTE 2011 JUDICIARY COMMITTEE

DATE 3/22/11 BILL NO HBS48 MOTION NO. 1

MOTION: Reconvened on Adjourned Hinkle

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 JIM PETERSON	/		/
VICE CHAIRMAN SHOCKLEY	/		
SENATOR JEFF ESSMANN	/		/
CHAIRMAN MURPHY	/		

12/0

MONTANA STATE SENATE

ROLL CALL VOTE

2011 JUDICIARY COMMITTEE

DATE 3/22/11 BILL NO. SB322 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 JIM PETERSON	—		—
VICE CHAIRMAN SHOCKLEY	—		
SENATOR JEFF ESSMANN	—		—
CHAIRMAN MURPHY	—		

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MONTANA STATE SENATE

ROLL CALL VOTE 2011 JUDICIARY COMMITTEE

DATE 3/22/11 BILL NO SB323 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 JIM PETERSON		/	/
VICE CHAIRMAN SHOCKLEY		/	
SENATOR JEFF ESSMANN		/	/
CHAIRMAN MURPHY	/		

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AUTHORIZED SENATE COMMITTEE PROXY

I, Senator Larry Jent, request to be excused from the
Judiciary COMMITTEE
due to my other commitment. 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
2/21/11		
SB 368 - Dotass	X	
SB 368 - Rev: Table		X
SB 304 - Dotass	X	
SB 336 - Reconsider		
the prev. motion	X	
SB 336 - Dotass	X	
3/14/11		
HB 374 - Belonguash	X	
HB 95 - Belonguash	X	
HB 95 - Belonguash	X	

BILL/AMENDMENT	AYE	NO
3/22/11		
HB 544 - Tally	X	
HB 548 - Amend	X	
HB 548 - Belonguash		
Inced Amend	X	
SB 322 - Dotass		X
SB 323 - Dotass		X
SB 323 - Rev: Table	X	

Sen. Larry Jent
 (Signature)

Date _____

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:

Sen. Hinkle / Sen. Shockley
~~Vice Chair Terry Murphy~~

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
3/3/11		
HB 65 - <i>Amend</i>	X	
HB 97 - <i>Amend</i>	X	
3/7/11		
SB 10 - <i>Table</i>	X	
HB 126 - <i>Belonged In</i> <i>as Amend</i>	X	
HB 126 - <i>Amend</i>	X	

BILL/AMENDMENT	AYE	NO
3/15/11		
HB 141 - <i>Belonged In</i>	X	
HB 446 - <i>Belonged In</i>	X	
HB 457 - <i>Tabled</i>	X	
3/22/11		
HB 544 - <i>Table</i>	X	
HB 548 - <i>amend</i>	X	
HB 548 - <i>Belonged In</i> <i>as Amend</i>	X	
SB 322 - <i>Do Pass</i>	X	
SB 323 - <i>Do Pass</i>		X
SB 323 - <i>Rev. Table</i>	X	

Sen. Chas Vincent
(Signature)

Date _____

AUTHORIZED SENATE COMMITTEE PROXY

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

Judiciary COMMITTEE

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

Sen. Hinkle

~~Vice Chair Terry Murphy~~

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
3/22/11		
HBS44 Table	X	
HBS48 amend	X	
HBS48 Referred		
Incls Amend	X	
SB322 Dotars	X	
SB323 Dotars		X
SB323 Rev: Table	X	

BILL/AMENDMENT	AYE	NO

Sen. *Jim Peterson*
(Signature)

Date _____

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:

Sen. Blinkle

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
3/22/11					
HB 544 Table	x				
HB 548 Amend	x				
HB 548 Balance					
Ad Amend	x				
SB 322 Dotus	x				
SB 323 Dotus		x			
SB 323 Rev: Table	x				

Sen. *Jeff Essmann* (Signature) Date _____

