

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Ken Peterson, on March 2, 2011 at 8:00 AM, in Room 137 Capitol

ROLL CALL

Members Present:

Rep. Ken Peterson, Chairman (R)
Rep. Diane Sands, Vice Chairman (D)
Rep. Liz Bangerter (R)
Rep. Robyn Driscoll (D)
Rep. Kris Hansen (R)
Rep. Bill Harris (R)
Rep. David Howard (R)
Rep. Mike Menahan (D)
Rep. Jesse O'Hara (R)
Rep. Carolyn Pease-Lopez (D)
Rep. Joe Read (R)
Rep. Keith Regier (R)
Rep. Dan Skattum (R)
Rep. Bob Wagner (R)
Rep. Wendy Warburton (R)

Members Excused: None

Members Absent: Rep. Krayton Kerns, Vice Chairman (R)
Rep. Ellie Boldman Hill (D)
Rep. Cleve J. Loney (R)
Rep. Margaret (Margie) MacDonald (D)
Rep. Michael (Mike) More (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 4, 2/22/2011; SB 24, 2/22/2011; SB 68, 2/22/2011; SB 76, 2/22/2011

Executive Action: SB 41, SB 60, SB 72

HEARING ON SB 4**Opening Statement by Sponsor:**

00:01:41 Sen. Dave Lewis (R), SD 42, opened the hearing on SB 4, Provide immunity from civil liability for sports officials.

00:01:48 Vice Chairman Kerns entered.

00:01:57 Rep. MacDonald entered.

00:04:25 Rep. Loney entered.

00:05:27 Rep. More entered.

00:05:33 Rep. Hill entered.

Proponents' Testimony:

00:06:02 Steven Haddon, Montana Officials Association (MOA)

00:13:21 Tom Lorang, self

00:19:43 Peter Scott, Montana High School Association (MHSA)

[EXHIBIT\(juh47a01\)](#)

00:20:15 Rep. Howard exited.

00:24:26 Scott Lockwood, self

00:26:21 Eddie Black, Montana School Boards Association (MSBA)

Opponents' Testimony:

00:26:51 Al Smith, Montana Trial Lawyers Association (MTLA)

[EXHIBIT\(juh47a02\)](#)

[EXHIBIT\(juh47a03\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

00:36:32 Rep. O'Hara

00:37:31 Mr. Haddon, MOA

00:41:00 Rep. O'Hara

00:41:28 Mr. Haddon

00:42:30 Rep. Regier

00:42:55 Sen. Lewis

00:43:40 Rep. Regier

00:44:10 Sen. Lewis

00:44:40 Mr. Haddon

00:45:46 Rep. Regier

00:46:10 Mr. Haddon

00:46:19 Rep. Regier

00:47:02 Mr. Haddon

00:47:08 Rep. Regier

00:47:26 Rep. Sands
00:48:07 Sen. Lewis
00:48:40 Rep. Sands
00:48:51 Sen. Lewis
00:49:02 Rep. Hansen exited.
00:49:09 Rep. Sands
00:49:34 Rep. O'Hara exited.
00:49:42 Sen. Lewis
00:50:18 Mr. Haddon
00:51:55 Rep. O'Hara returned.
00:52:04 Chairman Peterson
00:53:00 Mr. Haddon

Closing by Sponsor:

00:53:10 Sen. Lewis

00:54:54 Rep. Menahan exited.
00:55:58 Rep. Hansen returned.
00:56:25 Rep. Sands exited.
00:57:05 Rep. O'Hara exited.
00:57:11 Rep. MacDonald exited.
00:57:15 Rep. Howard exited.

HEARING ON SB 24

Opening Statement by Sponsor:

00:58:09 Sen. Jim Shockley (R), SD 45, opened the hearing on SB 24, Revise involuntary commitment of alcoholics.

Proponents' Testimony: None

Opponents' Testimony:

01:00:24 Larry Epstein, Montana County Attorneys Association (MCAA)
01:01:58 Rep. MacDonald returned.
01:02:44 Rep. O'Hara returned.

Informational Testimony: None

Questions from Committee Members and Responses:

01:04:20 Rep. Wagner
01:04:52 Mr. Epstein, MCAA
01:05:46 Chairman Peterson
01:06:07 Mr. Epstein
01:06:34 Rep. Howard returned.
01:06:45 Rep. Sands returned.
01:08:01 Chairman Peterson
01:08:17 Mr. Epstein
01:09:20 Chairman Peterson
01:09:48 Rep. MacDonald
01:10:10 Sen. Shockley

01:10:15 Rep. Hansen
01:10:23 Mr. Epstein
01:11:17 Rep. Hansen
01:11:32 Rep. Sands exited.
01:12:04 Mr. Epstein
01:12:36 Rep. Hansen
01:12:47 Mr. Epstein

Closing by Sponsor:

01:12:59 Sen. Shockley

01:14:34 Rep. Sands returned.

01:14:55 Meeting recessed for 15 minutes.
01:30:15 Meeting resumed with Rep. Bangerter, Rep. Hill, Rep. Menahan, Rep. More, and Rep. O'Hara absent.

EXECUTIVE ACTION ON SB 41

01:30:41 **Motion:** Rep. Kerns moved that **SB 41 BE CONCURRED IN.**

Discussion:

01:31:03 Rep. Sands
01:31:18 Rep. Wagner
01:31:26 Rep. Hill returned.
01:31:50 Rep. Hansen
01:31:52 Rep. More returned
01:32:06 Rep. Bangerter returned.

01:32:40 **Vote:** Motion carried 17-2 by roll call vote with Rep. More and Rep. Wagner voting no. Rep. Menahan voted by proxy. Rep. O'Hara was not present and did not vote. Rep. Peterson will carry the bill.

01:33:58 Rep. O'Hara returned.

EXECUTIVE ACTION ON SB 60

01:34:30 **Motion/Vote:** Rep. Kerns moved that **SB 60 BE CONCURRED IN.** Motion carried unanimously by voice vote. Rep. Menahan voted by proxy. Rep. Peterson will carry the bill.

EXECUTIVE ACTION ON SB 72

01:35:40 **Motion:** Rep. Kerns moved that **SB 72 BE CONCURRED IN.**

Discussion:

01:35:58 Rep. More
01:36:51 Rep. MacDonald
01:37:56 Chairman Peterson
01:38:15 Rep. MacDonald
01:39:51 Chairman Peterson
01:39:56 Rep. Wagner
01:41:06 Rep. Sands
01:41:18 Rep. Wagner
01:42:40 Chairman Peterson
01:42:45 Rep. Bangerter
01:42:57 Chairman Peterson
01:44:59 Mr. Niss
01:47:08 Chairman Peterson
01:48:01 Rep. Wagner
01:48:50 Chairman Peterson
01:49:12 Rep. MacDonald
01:50:11 Chairman Peterson

01:50:34 **Vote:** Motion carried 17-3 by roll call vote with Rep. More, Rep. Wagner and Rep. Warburton voting no. Rep. Menahan voted by proxy. Rep. MacDonald will carry the bill.

01:51:54 Chairman Peterson
01:52:41 Rep. Bangerter
01:52:47 Mr. Niss

ADJOURNMENT

01:53:58 Adjournment:

Karen Armstrong, Secretary

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Additional Documents:

EXHIBIT([juh47aad.pdf](#))