

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Jim Shockley, on January 17, 2011 at 10:00 A.M., in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Jim Shockley, Chair (R)
Sen. Terry Murphy, Vice Chair (R)
Sen. Shannon Augare (D)
Sen. Greg Hinkle (R)
Sen. Rowlie Hutton (R)
Sen. Cliff Larsen (D)
Sen. Lynda Moss (D)

Members Excused: None

Members Absent: Sen. Anders Blewett (D)
Sen. Larry Jent (D)
Sen. Jim Peterson (R)
Sen. Chas Vincent (R)

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 152, 1/12/2011

Executive Action: SB 152-Do Pass, SB 68-Do Pass As Amended

HEARING ON SB 152

Opening Statement by Sponsor:

00:00:14 Sen. Taylor Brown (R), SD 22, opened the hearing on SB 152, Increase the penalty for sexual assault for second and subsequent offenses.

Proponents' Testimony:

00:05:44 Brent Brooks, City Attorney, Billings
00:09:47 Brent Light, Chief Prosecutor, Assistant Attorney General, Department of Justice (DOJ)
00:12:43 Larry Epstein, Montana County Attorneys Association, Montana Chiefs of Police Association
00:14:15 Kelsen Young, Executive Director, Montana Coalition Against Domestic and Sexual Violence

[EXHIBIT\(jus12a01\)](#)

[EXHIBIT\(jus12a02\)](#)

[EXHIBIT\(jus12a03\)](#)

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

00:18:21 Sen. Moss
00:18:52 Mr. Light

Closing by Sponsor:

00:20:09 Sen. Brown

EXECUTIVE ACTION ON SB 152

00:34:22 **Motion/Vote:** Sen. Larsen moved that **SB 152 DO PASS**. Motion carried unanimously by voice vote. Sen. Blewett, Sen. Jent, Sen. Peterson and Sen. Vincent voted by proxy.

EXECUTIVE ACTION ON SB 68

00:35:38 **Motion:** Sen. Shockley moved that **SB 68 DO PASS AS AMENDED** (amendment was adopted in hearing 1/13/11).

Discussion:

00:37:14 Valencia Lane

00:37:23 **Vote:** Motion carried unanimously by voice vote. Sen. Blewett, Sen. Jent, Sen. Peterson and Sen. Vincent voted by proxy.

00:37:57 Sen. Shockley

Additional Exhibits Distributed to Committee Members:

SB 106 heard 1/12/11
[EXHIBIT\(jus12a04\)](#)

Oversight Hearing with Department of Corrections 1/14/11
[EXHIBIT\(jus12a05\)](#)

ADJOURNMENT

Adjournment: 10:40 A.M.

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT([jus12aad.pdf](#))