

## MINUTES

### MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON JUDICIARY

**Call to Order:** Chair Jim Shockley, on January 19, 2011 at 8:00 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. 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 10, 1/12/2011; SB 15, 1/12/2011

Executive Action: SB 76-Do Pass As Amended, SB10-Do Pass

**HEARING ON SB 10**

**Opening Statement by Sponsor:**

00:00:39 Sen. Greg Hinkle (R), SD 7, opened the hearing on SB 10, Strengthen driver's license sanctions for MIP offenders.

**Proponents' Testimony:**

00:08:11 Carl Ibsen, Sheriff, Missoula County

**EXHIBIT(jus14a01)**

00:11:17 Jim Smith, Montana Sheriffs and Peace Officers Association (MSPOA)

00:12:18 Mark Murphy, Montana County Attorneys Association (MCAA), Montana Chiefs of Police (MCPA), Montana Police Protective Association (MPPA)

00:14:34 Lizzie Larsen, student, Reality Check

00:15:46 Al Recke, Coordinator, Cascade County DUI Task Force

00:18:55 Rebecca Sturdevant, Mothers Against Drunk Drivers (MADD)

00:20:10 Asheli Huckaba, student, Reality Check

00:20:59 Chris Minard, self

00:22:08 Bailey Dueck, student, Reality Check

00:23:11 Aimee Grmoljez, Billings Clinic

**Opponents' Testimony:**

None

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

00:25:08 Sen. Larsen

00:25:58 Sheriff Ibsen

00:27:26 Sen. Augare

00:28:48 Sen. Hinkle

00:30:36 Sen. Shockley

**Closing by Sponsor:**

00:31:38 Sen. Hinkle

(Committee in Recess)

**Committee Business: Medical Marijuana**

00:40:00 Sen. Shockley

**EXECUTIVE ACTION ON SB 76**

(Sen. Vincent absent from the room)

00:43:34 **Motion:** Sen. Jent moved that **SB 10 DO PASS.**

**Discussion:**

00:44:24 Valencia Lane, Legislative Services Division (LSD)

00:46:47 **Motion:** Sen. Jent moved that **SB 10 BE AMENDED.**  
**EXHIBIT(jus14a02)**

**Discussion:**

00:47:06 Sen. Jent

00:48:27 **Vote:** Motion carried unanimously by voice vote. Sen. Vincent voted by proxy.

(Sen. Vincent entered room)

00:48:48 **Motion/Vote:** Sen. Jent moved that **SB 10 DO PASS AS AMENDED.** Motion carried unanimously by voice vote.

00:51:52 Sen. Augare

**EXECUTIVE ACTION ON SB 10**

00:53:06 **Motion/Vote:** Sen. Hinkle moved that **SB 10 DO PASS.** Motion carried unanimously by voice vote.

**Committee Business: Dog Hoarding**

00:54:13 Sen. Shockley

(Committee in Recess)

**Committee Business: Fiscal Notes**

01:16:27 Taryn Purdy, Legislative Fiscal Division (LFD)

01:19:23 Sen. Shockley

01:19:38 Ms. Purdy

---

**HEARING ON SB 15**

---

**Opening Statement by Sponsor:**

01:21:34 Sen. Larry Jent (D), SD 32, opened the hearing on SB 15, Create misdemeanor crime of aggravated DUI.

**Proponents' Testimony:**

01:28:41 Steve Bullock, Attorney General, Department of Justice (DOJ)

**EXHIBIT(jus14a03)**

01:32:29 Scott Twito, Yellowstone County Attorney

01:36:37 Dave Carter, Senior Deputy County Attorney, Yellowstone County

01:39:58 Carl Ibsen, Sheriff, Missoula County

**EXHIBIT(jus14a04)**

01:41:49 Rebecca Sturdevant, MADD

01:43:30 Al Recke, Coordinator, Cascade County DUI Task Force

01:45:14 Mark Murphy, MCAA, MCPA, MPPA

01:47:46 Chris Minard, self

01:48:52 Colleen Ambrose, Legal Services, Department of Corrections

**Opponents' Testimony:**

None

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

01:50:01 Sen. Shockley

01:50:13 Mr. Bullock

01:50:43 Sen. Shockley

01:51:37 Mr. Twito

01:52:18 Sen. Augare

01:53:24 Sen. Shockley

**Closing by Sponsor:**

01:53:40 Sen. Jent

**EXHIBIT(jus14a05)**

01:54:59 Sen. Shockley

**Committee Business: 24/7 Pilot Program**

01:55:31      Sen. Hinkle  
01:55:42      Mr. Bullock

**Exhibit Distributed to the Committee Members Re: SB15**

**[EXHIBIT\(jus14a06\)](#)**

**ADJOURNMENT**

Adjournment: 9:57 AM

---

Pam Schindler, Secretary

ps

Additional Documents:

**EXHIBIT([jus14aad.pdf](#))**