

## MINUTES

### MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON JUDICIARY

**Call to Order:** Chair Terry Murphy, on March 23, 2011 at 9:00 AM, in Room 422 Capitol

#### ROLL CALL

**Members Present:**

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

**Members Excused:** Sen. Larry Jent (D)  
Sen. Jim Peterson (R)  
Sen. Chas Vincent (R)

**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: HB 203, 3/1/2011; HB 379, 3/1/2011; HB 480, 3/1/2011

**HEARING ON HB 379**

**Opening Statement by Sponsor:**

00:01:58 Rep. Mike Menahan (D), HD 82, opened the hearing on HB 379, Generally revise search warrant requirements.

**Proponents' Testimony:**

00:09:26 Larry Epstein, Montana County Attorneys Association (MCAA), Montana Chiefs of Police (MCOP)

00:10:35 Ali Bovington, Assistant Attorney General, Department of Justice (DOJ), State of Montana

**Opponents' Testimony:**

None

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

None

**Closing by Sponsor:**

00:11:51 Rep. Menahan

(Sen. Essmann and Sen. Larsen now absent from committee meeting)

**HEARING ON HB 480**

**Opening Statement by Sponsor:**

00:12:12 Rep. Mike Menahan (D), HD 82, opened the hearing on HB 480, Revise laws relating to justice's court.

**Proponents' Testimony:**

00:18:41 Mary Phippen, Montana Magistrates Association (MMA)

00:19:50 Larry Epstein, Montana County Attorneys Association (MCAA)

**Opponents' Testimony:**

None

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

None

**Closing by Sponsor:**

00:20:18 Sen. Menahan

---

**HEARING ON HB 203**

**Opening Statement by Sponsor:**

00:20:44 Rep. Mike Menahan (D), HD 82, opened the hearing on HB 203, Allow evidence of other crimes in prosecution of sexual offenses.

**Proponents' Testimony:**

00:30:46 John Parker, Cascade County Attorney, Great Falls, Montana, also for Leo Gallagher, Lewis and Clark County Attorney, Helena, Montana, and Bill Fulbright, Ravalli County Attorney, Hamilton, Montana  
00:34:46 Ali Bovingdon, Assistant Attorney General, Department of Justice (DOJ), State of Montana  
00:36:53 Larry Epstein, Montana County Attorneys Association ((MCAA)  
00:37:59 Sarah Rossi, Montana Coalition Against Domestic and Sexual Violence (MCADSV)

**Opponents' Testimony:**

None

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

00:38:27 Sen. Blewett  
00:38:45 Rep. Menahan  
00:43:58 Mr. Parker  
[EXHIBIT\(jus65a01\)](#)  
00:45:13 Sen. Blewett  
00:45:44 Mr. Parker  
01:01:15 Sen. Hinkle  
01:01:57 Rep. Menahan

01:05:28 Sen. Blewett  
01:05:42 Rep. Menahan  
01:12:21 Sen. Murphy  
01:13:25 Mr. Epstein

**Closing by Sponsor:**

01:15:14 Rep. Menahan  
[EXHIBIT\(jus65a02\)](#)

01:20:14 01:19:23 Chairman Murphy

---

**ADJOURNMENT**

Adjournment:

---

Pam Schindler, Secretary

ps

Additional Documents:

**EXHIBIT**([jus65aad.pdf](#))