

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Terry Murphy, on February 1, 2013 at 9:00 AM, in Room 303
Capitol

ROLL CALL

Members Present:

Sen. Terry Murphy, Chair (R)
Sen. Scott Sales, Vice Chair (R)
Sen. Shannon Augare (D)
Sen. Anders Blewett (D)
Sen. Scott Boulanger (R)
Sen. Robyn Driscoll (D)
Sen. Jennifer Fielder (R)
Sen. Cliff Larsen (D)
Sen. Chas Vincent (R)
Sen. Art Wittich (R)

Members Excused: Sen. John Brenden (R), Sen. Larry Jent (D)

Members Absent: None

Staff Present: Julianne Burkhardt, 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 112, 1/22/2013
Executive Action: SB 150-Do Pass, SB 194-Do Pass, SB 186-Tabled

HEARING ON SB 112**Opening Statement by Sponsor:**

00:23:32 Sen. Anders Blewett (D), SD 11, opened the hearing on SB 112, Establish youth concussion protection laws.

Proponents' Testimony:

00:29:59 Cyndi Steigers, self, mother of Dylan Steigers

00:34:34 Chris Barry, self, mother of Colin Berry

00:38:45 Ray Tilman, self, President, Amateur Hockey Association/Montana (MAHA)

[EXHIBIT\(jus22a01\)](#)

[EXHIBIT\(jus22a02\)](#)

00:45:45 Sen. Fred Thomas, self, SD 45

00:49:04 Brian Michelotti, Assistant Director, Montana High School Association (MHSA),
Montana Officials Association (MOA)

00:52:00 Tana Ostronski, Brain Injury Care Provider, Chairman, Governor's Traumatic
Brain Injury Advisory Council

00:56:08 Rep. Gordon Pierson, self, HD 85

00:58:20 Patti Jo Lane, Physical Therapist, Great Falls Clinic, Montana Physical Therapy
Association (MPTA), Great Falls, Montana

[EXHIBIT\(jus22a03\)](#)

01:01:04 Kristen Morgan, Program Director, Brain Injury Alliance (BIA)

[EXHIBIT\(jus22a04\)](#)

[EXHIBIT\(jus22a05\)](#)

[EXHIBIT\(jus22a06\)](#)

[EXHIBIT\(jus22a07\)](#)

01:05:17 Sue Buswell, School Nurse, Montana Association of School Nurses (MASN),
Montana Nurses Association (MNA)

01:08:37 J.C. Weida, Certified Athletic Trainer, Montana Athletic Trainers Association
(MATA)

01:13:06 Mark Meredith, Licensed Athletic Trainer, School Dist #7, Bozeman High School,
Bozeman, Montana, President, Montana Athletic Trainers Association (MTATA)

01:17:52 David Smith, President, Helena Family YMCA, Helena, Montana, Montana
Alliance of YMCA's

01:19:53 Toby Kinney, Physical Therapist, Montana Physical Therapy Association
(MPTA), Assistant Professor/Physical Therapy, University of Montana, Missoula,
Montana

[EXHIBIT\(jus22a08\)](#)

01:22:06 Dennis Parman, Superintendent, Office of Public instruction (OPI), State of
Montana

01:23:05 Kiely Keane, Montana Medical Association (MMA)

01:23:53 Joel Peden, Montana Centers for Independent Living (MCIL)

01:24:34 Bob Vogel, Montana School Boards Association (MTSBA)

- 01:26:03 Ian Elliot, self, Montana Traumatic Brain Injury Coordinator, Governor's
Traumatic Brain Injury Advisory Council, Billings Brain Injury Support Group
- 01:32:25 Tom Beers, Attorney, self
- 01:36:03 James Driggers, Chief, Community Services Bureau, Senior and Long Term
Care Division, Department of Public Health and Human Services (DPHHS), State
of Montana

EXHIBIT(jus22a09)

- 01:37:11 Tom Ebzery, Catholic Hospitals
- 01:38:08 Julia Hammond, self, Brain Injury Survivor, Governor's Traumatic Brain Injury
Advisory Council

EXHIBIT(jus22a10)

EXHIBIT(jus22a11)

EXHIBIT(jus22a12)

- 01:41:50 Benjamin Phipps, M.D., self, Sports Medicine Physician, Billings, Montana
- 01:46:29 James Wright, M.D., Butte, Montana, Retired Colonel-Special Forces, Governors
Traumatic Brain Injury Advisory Council
- 01:49:46 Mona Jamison, Attorney, Montana Physical Therapy Association (MPTA)
- 01:50:55 Dan Whyte, Attorney, self

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

- 01:54:51 Sen. Fielder
- 01:55:31 Mr. Vogel, MTSBA
- 01:57:37 Sen. Wittich
- 01:59:33 Sen. Blewett
- 02:05:00 Sen. Sales
- 02:05:32 Sen. Blewett
- 02:06:56 Sen. Vincent
- 02:07:13 Sen. Blewett
- 02:07:45 Mr. Michelotti, MHSA
- 02:09:47 Sen. Vincent
- 02:10:11 Sen. Blewett

Closing by Sponsor:

- 02:10:31 Sen. Blewett

EXECUTIVE ACTION ON SB 150

02:15:48 **Motion:** Sen. Driscoll moved that **SB 150 DO PASS.**

Discussion:

02:16:05 Sen. Blewett

02:16:28 **Vote:** Motion carried 11-1 by roll call vote with Sen. Augare voting no. Sen. Brenden and Sen. Jent voted by proxy.

EXECUTIVE ACTION ON SB 194

02:17:22 **Motion/Vote:** Sen. Blewett moved that **SB 194 DO PASS.** Motion carried 11-1 by roll call vote with Sen. Augare voting no. Sen. Brenden and Sen. Jent voted by proxy.

EXECUTIVE ACTION ON SB 186

02:18:23 **Motion/Vote:** Sen. Sales moved that **SB 186 BE TABLED.** Motion carried 8-4 by roll call vote with Sen. Blewett, Sen. Driscoll, Sen. Jent and Sen. Larsen voting no. Sen. Brenden and Sen. Jent voted by proxy.

ADJOURNMENT

Adjournment: 11:15 A.M.

Pam Schindler, Secretary

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Additional Documents

Additional Documents:

EXHIBIT([jus22aad.pdf](#))