

# Montana State Legislature

## **2013 Session**

### **Additional Documents include:**

- \* Business Report**
- \* Roll Call- attendance**
- \* Standing Committee Reports,**
- \* Table Bills, Fiscal reports etc.**
- \* Roll Call Votes**
- \* Witness Statements**
- \* Informational items**
- \* Visitor Registrations**
- \* Any other Documents;**
  - ~ Petitions if any?**
  - ~ Any and all material handed in after the meeting end.**

**The original is on file at the  
Montana Historical Society and  
may be viewed there.**

**Montana Historical Society Archives  
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**BUSINESS REPORT**  
**MONTANA SENATE**  
**63rd LEGISLATURE - REGULAR SESSION**

**SENATE JUDICIARY COMMITTEE**

**Date:** Thursday, February 21, 2013  
**Place:** Capitol

**Time:** 9:00 AM  
**Room:** 303

**BILLS and RESOLUTIONS HEARD:**

SB 267 - Revise criminal procedure laws on nolo contendere - Sen. Fred Thomas  
SB 299 - Create civil penalty for trespass to property - Sen. Frederick (Eric) Moore  
SB 310 - Revise medical marijuana laws to authorize coverage for PTSD - Sen. David Wanzenried  
SB 311 - Require rescheduling of marijuana based on federal action - Sen. David Wanzenried

**EXECUTIVE ACTION TAKEN:**

SB 187- Tabled  
SB 304- Tabled  
SB 274- Tabled

SB 195-Do Pass As Amended  
SB 207-Do Pass As Amended

SB 259-Do Pass  
SB 262-Do Pass

**Comments:**

  
\_\_\_\_\_  
SEN. Terry Murphy, Chair

# MONTANA STATE SENATE

## 2013 JUDICIARY COMMITTEE

# ROLL CALL

DATE: 2/21/13

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
CHAIRMAN, SENATOR TERRY MURPHY		
VICE CHAIRMAN, SENATOR SCOTT SALES		
SENATOR SHANNON AUGARE		
SENATOR ANDERS BLEWETT		
SENATOR SCOTT BOULANGER		
SENATOR JOHN BRENDEN		
SENATOR ROBYN DRISCOLL		
SENATOR JENNIFER FIELDER		
SENATOR LARRY JENT		
SENATOR CLIFF LARSEN		
SENATOR CHAS VINCENT		
SENATOR ART WITTICH		



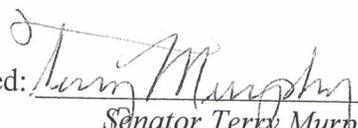
SENATE STANDING COMMITTEE REPORT

February 21, 2013

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 195** (first reading copy -- white) **do pass as amended.**

Signed:   
Senator Terry Murphy, Chair

**And, that such amendments read:**

1. Page 1, line 20.

**Strike:** "an"

**Following:** "employer-issued" on line 20

**Insert:** "software, e-mail accounts, or"

**Strike:** "device"

**Insert:** "devices"

2. Page 1, line 21.

**Following:** line 21

**Insert:** "(3) Nothing in this section prohibits or restricts an employer from complying with a duty to screen employees or applicants prior to hiring or to monitor or retain employee communications that is established under federal law or by a self-regulatory organization, as defined in section 3(a)(26) of the Securities and Exchange Act of 1934, 15 U.S.C. 78c(a)(26)."

**Renumber:** subsequent subsections

- END -

**Committee Vote:**

**Yes 9, No 3**

Fiscal Note Required

SB0195002SC.swr

## BILL TABLED NOTICE

### SENATE JUDICIARY COMMITTEE

The **SENATE JUDICIARY COMMITTEE** TABLED  
**SB 304 - Establish the firearm protection act - Sen. Roger Webb**  
, by motion, on **Thursday, February 21, 2013**.



\_\_\_\_\_  
(For the Committee)



\_\_\_\_\_  
(For the Secretary of the Senate)

2:15, 2/21  
(Time) (Date)

February 21, 2013 (11:52am)

Pam Schindler, Secretary

Phone: 406-444-4891  
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## BILL TABLED NOTICE

### SENATE JUDICIARY COMMITTEE

The **SENATE JUDICIARY COMMITTEE** TABLED

**SB 187 - Generally revise laws related to endangerment and welfare of children - Sen. Roger Webb**

, by motion, on **Thursday, February 21, 2013.**



\_\_\_\_\_  
(For the Committee)



\_\_\_\_\_  
(For the Secretary of the Senate)

2:15 , 2/21  
(Time) (Date)

February 21, 2013 (11:54am)

Pam Schindler, Secretary

Phone: 406-444-4891  
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SENATE STANDING COMMITTEE REPORT

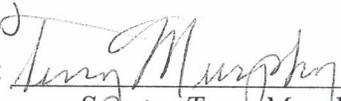
February 21, 2013

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 207** (first reading copy -- white) **do pass as amended.**

Signed:

  
Senator Terry Murphy, Chair

**And, that such amendments read:**

1. Title, page 1, line 15.

**Strike:** "IMMEDIATE EFFECTIVE"

**Insert:** "APPLICABILITY"

2. Page 9, line 6.

**Strike:** section 15 in its entirety

**Insert:** "NEW SECTION. **Section 15. Applicability.** [This act] applies to proceedings begun on or after [the effective date of this act]."

- END -

**Committee Vote:**

**Yes 12, No 0**

Fiscal Note Required

SB0207001SC.swr



**SENATE STANDING COMMITTEE REPORT**

**February 21, 2013**

**Page 1 of 1**

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 259** (first reading copy -- white) **do pass.**

Signed:   
\_\_\_\_\_  
*Senator Terry Murphy, Chair*

- END -

**Committee Vote:**

**Yes 12, No 0**

Fiscal Note Required

SB0259001SC.swr



**SENATE STANDING COMMITTEE REPORT**

**February 21, 2013**

**Page 1 of 1**

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 262** (first reading copy -- white) **do pass.**

Signed: \_\_\_\_\_

*Terry Murphy*  
*Senator Terry Murphy, Chair*

- END -

**Committee Vote:**

**Yes 7, No 5**

Fiscal Note Required

SB0262001SC.swr

## BILL TABLED NOTICE

### SENATE JUDICIARY COMMITTEE

The **SENATE JUDICIARY COMMITTEE** TABLED

**SB 274 - Revise attorney's fees to enforce constitutional rights - Sen. Anders Blewett**  
, by motion, on **Thursday, February 21, 2013.**



\_\_\_\_\_  
(For the Committee)



\_\_\_\_\_  
(For the Secretary of the Senate)

2:15 , 2/21  
(Time) (Date)

February 21, 2013 (12:04pm)

Pam Schindler, Secretary

Phone: 406-444-4891  
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**MONTANA STATE SENATE**  
**ROLL CALL VOTE**  
**2013 JUDICIARY COMMITTEE**

DATE 2/21/13 BILL NO. SB 195 MOTION NO. \_\_\_\_\_

MOTION: \_\_\_\_\_

Amend 195.03

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES	—		
SENATOR JOHN BRENDEN	—		
SENATOR JENNIFER FIELDER	—		
SENATOR CHAS VINCENT	—		
SENATOR SCOTT BOULANGER	—		
SENATOR ART WITTICH	—		
SENATOR SHANNON AUGARE	—		
SENATOR ANDERS BLEWETT	—		
SENATOR ROBYN DRISCOLL	—		
SENATOR LARRY JENT	—		—
SENATOR CLIFF LARSEN	—		
CHAIRMAN, SENATOR TERRY MURPHY	—		

12/0

# MONTANA STATE SENATE

## ROLL CALL VOTE

### 2013 JUDICIARY COMMITTEE

DATE 2/21/13 BILL NO. S195 MOTION NO. 2

MOTION: amend 195.04

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES	/		
SENATOR JOHN BRENDEN	/		
SENATOR JENNIFER FIELDER	/		
SENATOR CHAS VINCENT	/		
SENATOR SCOTT BOULANGER	/		
SENATOR ART WITTICH	/		
SENATOR SHANNON AUGARE	/		
SENATOR ANDERS BLEWETT	/		
SENATOR ROBYN DRISCOLL	/		
SENATOR LARRY JENT	/		/
SENATOR CLIFF LARSEN	/		
CHAIRMAN, SENATOR TERRY MURPHY	/		

12/0

**MONTANA STATE SENATE**  
**ROLL CALL VOTE**  
**2013 JUDICIARY COMMITTEE**

DATE 2/21/13 BILL NO SB195 MOTION NO. 3

MOTION: Do Pass As Amended

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES		—	
SENATOR JOHN BRENDEN		—	
SENATOR JENNIFER FIELDER	—		
SENATOR CHAS VINCENT	—		
SENATOR SCOTT BOULANGER	—		
SENATOR ART WITTICH		—	
SENATOR SHANNON AUGARE	—		
SENATOR ANDERS BLEWETT	—		
SENATOR ROBYN DRISCOLL	—		
SENATOR LARRY JENT	—		—
SENATOR CLIFF LARSEN	—		
CHAIRMAN, SENATOR TERRY MURPHY	—		

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# MONTANA STATE SENATE

## ROLL CALL VOTE

### 2013 JUDICIARY COMMITTEE

DATE 2/21/13 <sup>SB</sup> BILL NO 304 MOTION NO. 1

MOTION: table

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES	—		
SENATOR JOHN BRENDEN	—		
SENATOR JENNIFER FIELDER	—		
SENATOR CHAS VINCENT	—		
SENATOR SCOTT BOULANGER	—		
SENATOR ART WITTICH	⊖	—	
SENATOR SHANNON AUGARE		—	
SENATOR ANDERS BLEWETT	—		
SENATOR ROBYN DRISCOLL	—		
SENATOR LARRY JENT	—		—
SENATOR CLIFF LARSEN	—		
CHAIRMAN, SENATOR TERRY MURPHY	—		

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# MONTANA STATE SENATE

## ROLL CALL VOTE

### 2013 JUDICIARY COMMITTEE

DATE 2/21/13 BILL NO <sup>SB</sup> 187 MOTION NO. 1

MOTION:

Debatable

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES	—		
SENATOR JOHN BRENDEN	—		
SENATOR JENNIFER FIELDER	—		
SENATOR CHAS VINCENT	—		
SENATOR SCOTT BOULANGER	—		
SENATOR ART WITTICH	—		
SENATOR SHANNON AUGARE	—		
SENATOR ANDERS BLEWETT	—		
SENATOR ROBYN DRISCOLL	—		
SENATOR LARRY JENT	—		—
SENATOR CLIFF LARSEN	—		
CHAIRMAN, SENATOR TERRY MURPHY	—		

12/0

**MONTANA STATE SENATE**  
**ROLL CALL VOTE**  
**2013 JUDICIARY COMMITTEE**

DATE 2/21/13 <sup>SB</sup> BILL NO 207 MOTION NO. 2

MOTION: Amend. 207.02

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES	—		
SENATOR JOHN BRENDEN	—		
SENATOR JENNIFER FIELDER	—		
SENATOR CHAS VINCENT	—		
SENATOR SCOTT BOULANGER	—		
SENATOR ART WITTICH	—		
SENATOR SHANNON AUGARE	—		
SENATOR ANDERS BLEWETT	—		
SENATOR ROBYN DRISCOLL	—		
SENATOR LARRY JENT	—		
SENATOR CLIFF LARSEN	—		
CHAIRMAN, SENATOR TERRY MURPHY	—		

12/0

**MONTANA STATE SENATE**  
**ROLL CALL VOTE**  
**2013 JUDICIARY COMMITTEE**

DATE 2/21/13 BILL NO. <sup>SB</sup>207 MOTION NO. 3

MOTION: Dotan Almond

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES	—		
SENATOR JOHN BRENDEN	—		
SENATOR JENNIFER FIELDER	—		
SENATOR CHAS VINCENT	—		
SENATOR SCOTT BOULANGER	—		
SENATOR ART WITTICH	—		
SENATOR SHANNON AUGARE	—		
SENATOR ANDERS BLEWETT	—		
SENATOR ROBYN DRISCOLL	—		
SENATOR LARRY JENT	—		✓
SENATOR CLIFF LARSEN	—		
CHAIRMAN, SENATOR TERRY MURPHY	—		

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# MONTANA STATE SENATE

## ROLL CALL VOTE

### 2013 JUDICIARY COMMITTEE

SB

DATE 2/21/13 BILL NO 259 MOTION NO. 1

MOTION: Dotan

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES	—		
SENATOR JOHN BRENDEN	—		
SENATOR JENNIFER FIELDER	—		
SENATOR CHAS VINCENT	—		
SENATOR SCOTT BOULANGER	—		
SENATOR ART WITTICH	—		
SENATOR SHANNON AUGARE	—		
SENATOR ANDERS BLEWETT	—		
SENATOR ROBYN DRISCOLL	—		
SENATOR LARRY JENT	—		—
SENATOR CLIFF LARSEN	—		
CHAIRMAN, SENATOR TERRY MURPHY	—		

12/0

**MONTANA STATE SENATE**  
**ROLL CALL VOTE**  
**2013 JUDICIARY COMMITTEE**

DATE 2/21/13 <sup>SB</sup> BILL NO 262 MOTION NO. 1

MOTION: Do Pass

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES	—		
SENATOR JOHN BRENDEN	—		
SENATOR JENNIFER FIELDER	—		
SENATOR CHAS VINCENT	—		
SENATOR SCOTT BOULANGER	—		
SENATOR ART WITTICH	—		
SENATOR SHANNON AUGARE		—	
SENATOR ANDERS BLEWETT		—	
SENATOR ROBYN DRISCOLL		—	
SENATOR LARRY JENT		—	—
SENATOR CLIFF LARSEN		—	
CHAIRMAN, SENATOR TERRY MURPHY	—		

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**MONTANA STATE SENATE**  
**ROLL CALL VOTE**  
**2013 JUDICIARY COMMITTEE**

DATE 2/21/13 BILL NO. SB274 MOTION NO. 2

MOTION: amend. 274.01

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	<u>If Proxy Vote, check here &amp; include signed Proxy Form with minutes</u>
VICE CHAIRMAN, SENATOR SCOTT SALES	—		
SENATOR JOHN BRENDEN	—		
SENATOR JENNIFER FIELDER	—		
SENATOR CHAS VINCENT	—		
SENATOR SCOTT BOULANGER	—		
SENATOR ART WITTICH	—		—
SENATOR SHANNON AUGARE		—	
SENATOR ANDERS BLEWETT	—		
SENATOR ROBYN DRISCOLL		—	
SENATOR LARRY JENT		—	—
SENATOR CLIFF LARSEN		—	
CHAIRMAN, SENATOR TERRY MURPHY	—		

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# MONTANA STATE SENATE

## ROLL CALL VOTE

### 2013 JUDICIARY COMMITTEE

DATE 2/21/13 BILL NO SB274 MOTION NO. 3

MOTION: Don Aslamenda

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
VICE CHAIRMAN, SENATOR SCOTT SALES		—	
SENATOR JOHN BRENDEN		—	
SENATOR JENNIFER FIELDER		—	
SENATOR CHAS VINCENT		—	
SENATOR SCOTT BOULANGER		—	
SENATOR ART WITTICH	—		—
SENATOR SHANNON AUGARE		—	
SENATOR ANDERS BLEWETT	—		
SENATOR ROBYN DRISCOLL		—	
SENATOR LARRY JENT		—	—
SENATOR CLIFF LARSEN		—	
CHAIRMAN, SENATOR TERRY MURPHY	—		

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(Rev = Table)



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