

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Krayton Kerns, on March 5, 2013 at 8:00 AM, in Room 137 Capitol

ROLL CALL

Members Present:

Rep. Gerald (Jerry) Bennett, Vice Chair (R)
Rep. Margaret (Margie) MacDonald, Vice Chair (D)
Rep. Virginia Court (D)
Rep. Jennifer Eck (D)
Rep. Clayton Fiscus (R)
Rep. Jenifer Gursky (D)
Rep. David Halvorson (R)
Rep. Ellie Boldman Hill (D)
Rep. Sarah Laszloffy (R)
Rep. Dennis R. Lenz (R)
Rep. Ryan Lynch (D)
Rep. Jerry O'Neil (R)
Rep. Carolyn Pease-Lopez (D)
Rep. Keith Regier (R)
Rep. Kirk Wagoner (R)
Rep. Wendy Warburton (R)

Members Excused: Rep. Krayton Kerns, Chair (R)
Rep. Mark Blasdel (R)
Rep. Alan Doane (R)
Rep. Bridget Smith (D)

Members Absent: None

Staff Present: Karen Armstrong, Committee Secretary
Helen Thigpen, Legislative Branch

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 527, 2/26/2013; HB 528, 2/26/2013; SB 9, 2/27/2013;
SJ 3, 2/27/2013

00:30:59 Vice Chair Bennett

HEARING ON SB 9

Opening Statement by Sponsor:

00:31:39 Sen. Terry Murphy (R), SD 39, opened the hearing on SB 9, Establish the corrections advisory council.

Proponents' Testimony:

00:33:14 Bob Anez, Communications Director, Department of Corrections (COR)

[EXHIBIT\(juh47a01\)](#)

00:36:52 Jim Cox, Self

[EXHIBIT\(juh47a02\)](#)

00:38:02 Dr. Gary Mihelish, National Alliance on Mental Illness (NAMI) and Self

00:42:46 Steve Cape, Montana Coalition for Safety and Justice

00:45:30 Melise Jordan, Advocates Against Injustice in the Judicial System

00:46:33 Chairman Kerns arrived.

Opponents' Testimony: None

Informational Testimony:

00:48:53 Fern Osler, Executive Director, Montana Board of Pardons and Parole (MBPP)

Questions from Committee Members and Responses:

00:49:32 Rep. Regier

00:49:49 Mr. Anez, COR

00:50:27 Rep. Regier

00:50:55 Mr. Anez, COR

00:51:21 Rep. Pease-Lopez

00:52:03 Mr. Anez, COR

00:52:34 Rep. Pease-Lopez

00:52:41 Mr. Anez, COR

00:53:00 Rep. Pease-Lopez

00:53:18 Sen. Murphy

00:53:59 Rep. Pease-Lopez

00:54:41 Sen. Murphy

00:55:06 Rep. O'Neil

00:55:37 Mr. Cox, Self

00:56:37 Rep. O'Neil

00:56:54 Mr. Cox, Self

00:56:58 Rep. Lenz

00:57:55 Sen. Murphy

00:58:26 Rep. Lenz

00:58:36 Rep. Regier left the meeting.

00:58:43 Sen. Murphy

00:58:47 Rep. Lenz

00:59:02 Mr. Anez, COR

01:00:34 Rep. MacDonald

01:01:12 Sen. Murphy

01:02:00 Rep. Fiscus

01:02:40 Sen. Murphy
01:02:57 Rep. O'Neil
01:03:52 Sen. Murphy

Closing by Sponsor:

01:04:43 Sen. Murphy

HEARING ON SJ 3

Opening Statement by Sponsor:

01:05:38 Sen. Terry Murphy (R), SD 39, opened the hearing on SJ 3, Interim study of the Board of Pardons and Parole.

Proponents' Testimony:

01:08:59 Steve Cape, Montana Coalition for Safety and Justice
01:11:16 Jim Cox, Self
01:15:21 Melise Jordan, Advocates Against Injustice in the Judicial System

EXHIBIT(juh47a03)

01:23:47 Marciana Garay, Self
01:28:08 Dr. Gary Mihelish, NAMI and Self
01:30:36 Amber Kackley Self
01:33:06 Rudy Stock, Self
01:38:28 Niki Zupanic, American Civil Liberties Union (ACLU) Montana

Opponents' Testimony:

01:40:32 Mike McKee, Chairman, Montana Board of Pardons and Parole (MBPP)
01:45:44 Rep. Laszloffy left the meeting.
02:00:48 Rep. Hill
02:01:18 Chairman Kerns

Informational Testimony:

02:01:42 Fern Osler, Executive Director, MBPP

EXHIBIT(juh47a04)

Questions from Committee Members and Responses:

02:05:18 Rep. Lynch
02:05:38 Ms Osler, MBPP
02:05:51 Rep. MacDonald
02:06:36 Sen. Murphy

Closing by Sponsor:

02:06:47 Sen. Murphy
02:08:12 Rep. Laszloffy returned to the meeting.
02:08:56 Chairman Kerns

02:09:07 Recessed.
02:22:11 Reconvened with Rep. Doane, Rep. Halvorson and Rep. Regier absent.

02:22:23 Chairman Kerns

HEARING ON HB 527**Opening Statement by Sponsor:**

02:22:39 Rep. Ellie Boldman Hill (D), HD 94, opened the hearing on HB 527, Generally revise cyber-bullying laws.

Proponents' Testimony:

02:35:13 Niki Sardot, Self
02:36:21 Kelsey Adcock, Stop Cyber Bullying-MSU
02:37:29 Kira Earl, Self
02:38:27 Larry Epstein, Montana County Attorneys Association (MCAA)
02:40:13 Sarah Rossi, Montana Coalition Against Domestic and Sexual Violence (MCADSV)
02:40:32 Jill Sharp, Miss Montana Collegiate America 2013
02:43:48 Don Judge, Montana Nurses Association (MNA) and Montana School Nurses Association (MSNA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:45:30 Rep. Fiscus
02:45:49 Rep. Hill
02:46:18 Rep. Fiscus
02:46:33 Rep. Hill
02:46:58 Rep. Fiscus
02:47:08 Rep. Hill
02:47:17 Mr. Epstein, MCAA
02:47:47 Rep. Fiscus
02:48:04 Rep. Hill
02:48:09 Mr. Epstein, MCAA

Closing by Sponsor:

02:48:32 Rep. Hill

HEARING ON HB 528**Opening Statement by Sponsor:**

02:50:20 Rep. Ellie Boldman Hill (D), HD 94, opened the hearing on HB 528, Generally revise stalking laws.

Proponents' Testimony:

02:51:07 Don Judge, MNA
02:51:26 Kelsey Adcock, Self
02:51:35 Kira Earl, Self
02:51:43 Mr. Epstein, MCAA
02:51:52 Jill Sharp, Miss Montana Collegiate America 2013
02:51:57 Sarah Rossi, MCADSV

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:
02:52:19 Rep. Hill

ADJOURNMENT

Adjournment: 02:53:31

Karen Armstrong, Secretary

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Additional Documents:

EXHIBIT([juh47aad.pdf](#))