

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Terry Murphy, on January 28, 2013 at 10:00 A.M., 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. Jennifer Fielder (R)
Sen. Cliff Larsen (D)

Members Excused: Sen. John Brenden (R), Sen. Chas Vincent (R), Sen. Art Wittich (R),
Sen. Robyn Driscoll (D), 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: HB 92, 1/22/2013

Executive Action: HB 92-Be Concurred In, SB 145-Do Pass, SJ 3-Do Pass, SB 152-
Tabled

(Chairman Murphy left hearing, Vice Chairman Sales assumed role as Chairman)

HEARING ON HB 92

Opening Statement by Sponsor:

00:25:50 Rep. Amanda Curtis (D), HD 76, opened the hearing on HB 92, Remove public defender from certain court definitions.

Proponents' Testimony:

00:27:47 William Hooks, Chief Public Defender, Office of Public Defender (OPD), State of Montana

Opponents' Testimony: None

Informational Testimony:

00:33:44 Eric Brosten, self
[EXHIBIT\(jus18a01\)](#)

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:35:18 Rep. Curtis

(Chairman Murphy returned to hearing)

EXECUTIVE ACTION ON HB 92

00:36:11 **Motion/Vote:** Sen. Augare moved that **HB 92 BE CONCURRED IN**. Motion carried unanimously by roll call vote. Sen. Brenden, Sen. Driscoll, Sen. Jent, Sen. Vincent and Sen. Wittich voted by proxy. Sen. Driscoll will carry the bill.

EXECUTIVE ACTION ON SB 145

00:38:26 **Motion:** Sen. Sales moved that **SB 145 DO PASS**.

Discussion:

00:38:40 Sen. Augare

00:39:10 **Vote:** Motion carried 7-5 by roll call vote with Sen. Augare, Sen. Blewett, Sen. Driscoll, Sen. Jent and Sen. Larsen voting no. Sen. Brenden, Sen. Driscoll, Sen. Jent, Sen. Vincent and Sen. Wittich voted by proxy.

EXECUTIVE ACTION ON SB 160

00:40:43 **Motion:** Sen. Larsen moved that **SB 160 DO PASS.**

Discussion:

00:41:05 Julianne Burkhardt, Legislative Services Division (LSD)

00:41:30 Sen. Larsen **WITHDREW MOTION SB 160 DO PASS.**

EXECUTIVE ACTION ON SB 152

00:42:52 **Motion:** Sen. Sales moved that **SB 152 DO PASS.**

Discussion:

00:43:04 Sen. Blewett

00:44:23 Sen. Boulanger

00:44:36 Ms. Burkhardt, LSD

00:44:52 **Vote:** Motion failed 5-7 by roll call vote with Sen. Boulanger, Sen. Brenden, Sen. Sales, Sen. Vincent and Sen. Wittich voting aye. Sen. Brenden, Sen. Driscoll, Sen. Jent, Sen. Vincent and Sen. Wittich voted by proxy.

00:45:38 **Motion/Vote:** Sen. Larsen moved that **SB 152 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by roll call vote. Sen. Brenden, Sen. Driscoll, Sen. Jent, Sen. Vincent and Sen. Wittich voted by proxy.

(Vice Chair Sales assumed role as Chairman)

EXECUTIVE ACTION ON SJ 3

00:46:41 **Motion/Vote:** Sen. Murphy moved that **SJ 3 DO PASS.** Motion carried unanimously by roll call vote. Sen. Brenden, Sen. Driscoll, Sen. Jent, Sen. Vincent and Sen. Wittich voted by proxy.

ADJOURNMENT

Adjournment: 10:30 A.M.

Pam Schindler, Secretary

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Additional Documents

Additional Documents:

EXHIBIT([jus18aad.pdf](#))