

MINUTES

MONTANA SENATE

63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Terry Murphy, on February 6, 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)

Members Excused: Sen. John Brenden (R), Sen. Chas Vincent (R), Sen. Art Wittich (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 195, 1/28/2013
Executive Action: SB 112-Do Pass As Amended, SB 213-Do Pass
SB 196-Partial Action-Amended
Discussion on SB 160, SB 187, SB 188, SB 189

HEARING ON SB 195**Opening Statement by Sponsor:**

00:08:38 Sen. Anders Blewett (D), SD 11, opened the hearing on SB 195, Revise laws protecting job applicant/employee privacy related to social media.

Proponents' Testimony:

00:13:30 Bradley Jones, self, student, University of Montana Law School (U of M), Missoula, Montana

[EXHIBIT\(jus26a01\)](#)

00:18:06 Niki Zupanic, American Civil Liberties Union (ACLU)

00:19:28 Joseph Sands, Montana State Council of Professional Firefighters (MSCOPFF)

00:22:03 J.C. Weingartner, Montana Education Association-Montana Federation of Teachers (MEA-MFT)

00:24:42 Keif Storrar, self, student, University of Montana Law School (U of M), Missoula, Montana

Opponents' Testimony:

00:25:37 Geoff Feiss, General Manager, Montana Telecommunications Association (MTA), also for Montana Chamber of Commerce (MCC)

00:28:46 Bruce Spencer, Montana Automobile Dealers Association (MADA), Property Casualty Insurers Association of America (PCIAA)

00:32:14 Dwight Easton, Farmers Insurance Group (FIG)

Informational Testimony: None**Questions from Committee Members and Responses:**

00:33:42 Sen. Fielder

00:34:01 Sen. Blewett

Closing by Sponsor:

00:36:10 Sen. Blewett

EXECUTIVE ACTION ON SB 112

00:41:45 **Motion:** Sen. Blewett moved that **SB 112 DO PASS**.

00:41:53 **Motion/Vote:** Sen. Blewett moved that **SB 112 BE AMENDED**. Motion carried unanimously by roll call vote. Sen. Brenden, Sen. Jent, Sen. Vincent and Sen. Wittich voted by proxy.

[EXHIBIT\(jus26a02\)](#)

00:44:49 **Motion/Vote:** Sen. Blewett moved that **SB 112 DO PASS AS AMENDED**.
Motion carried 10-2 by roll call vote with Sen. Brenden and Sen. Sales voting no.
Sen. Brenden, Sen. Jent, Sen. Vincent and Sen. Wittich voted by proxy.

EXECUTIVE ACTION ON SB 213

00:46:13 **Motion:** Sen. Larsen moved that **SB 213 DO PASS**.

Discussion:

00:46:24 Sen. Sales
00:47:29 Julianne Burkhardt, Legislative Services Division (LSD)
00:47:48 Sen. Larsen
00:48:12 Ms. Burkhardt, LSD
00:48:31 Sen. Larsen
00:50:14 Sen. Sales

00:51:01 **Vote:** Motion carried unanimously by roll call vote. Sen. Brenden, Sen. Jent,
Sen. Vincent and Sen. Wittich voted by proxy.

EXECUTIVE ACTION ON SB 196

00:52:47 **Motion:** Sen. Fielder moved that **SB 196 DO PASS**.

Discussion:

00:53:00 Ms. Burkhardt, LSD
[EXHIBIT\(jus26a03\)](#)

00:53:49 **Motion/Vote:** Sen. Fielder moved that **SB 196 BE AMENDED**. Motion carried
unanimously by roll call vote. Sen. Brenden, Sen. Jent, Sen. Vincent and Sen.
Wittich voted by proxy. (See Exhibit 3)

00:54:29 **Motion:** Sen. Blewett moved that **SB 196 DO PASS AS AMENDED**.

Discussion:

00:57:16 Ms. Burkhardt
00:58:07 Chairman Murphy
00:58:18 Niki Zupanic, American Civil Liberties Union (ACLU)
01:00:26 Sen. Blewett
01:00:55 Ms. Zupanic

01:02:17 Sen. Blewett **WITHDREW MOTION SB 196 DO PASS AS AMENDED**.

Discussion on Executive Action SB 160, SB 187, SB 188, SB 189:

01:02:54 Chairman Murphy
01:03:18 Sen. Larsen
01:04:14 Chairman Murphy
01:04:18 Ms. Burkhardt, LSD
01:05:08 Sen. Larsen
01:05:47 Chairman Murphy

ADJOURNMENT

Adjournment: 10:00 A.M.

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT([jus26aad.pdf](#))