

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Terry Murphy, on February 12, 2013 at 9:00 AM, in Room 303 Capitol

ROLL CALL

Members Present:

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

Members Excused: Sen. Scott Sales, Vice Chair (R) Sen. John Brenden (R)
Sen. Chas Vincent (R)

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 238, 2/6/2013; SB 251, 2/6/2013
Executive Action: SB 17-Tabled

HEARING ON SB 251

Opening Statement by Sponsor:

00:15:56 Sen. Art Wittich (R), SD 35, opened the hearing on SB 251, Adopt the Montana Uniform Trust Code.

Proponents' Testimony:

00:19:24 Ed Eck, Retired Professor, School of Law, University of Montana (UM),
Missoula, Montana

[EXHIBIT\(jus31a01\)](#)

[EXHIBIT\(jus31a02\)](#)

[EXHIBIT\(jus31a03\)](#)

00:27:06 Dan McLean, Attorney, Helena, Montana

00:32:02 Kurt Alme, President, Yellowstone Boys and Girls Ranch, Billings, Montana,
Montana Non-Profit Association (MNPA), Montana Community Foundation
(MCF)

00:32:40 Larry Johnson, Attorney, Hamilton, Montana

00:34:01 Dirk Williams, Attorney, Missoula, Montana

00:35:06 Penny Doak, Trustee Administrator, US Bank

00:36:23 Claudia Clifford, Advocacy Director, AARP-Montana (AARP/MT)

00:37:21 Chuck Willey, Attorney, Professor, School of Law, University of Montana (UM),
Missoula, Montana

00:40:27 Marc G. Buyske, Attorney, Helena, Montana, prev. District Court Judge, 9th
Judicial District

Opponents' Testimony: None

Informational Testimony:

00:42:29 Melanie Hall, State Banking Division, State of Montana

Questions from Committee Members and Responses:

00:43:26 Sen. Murphy

00:43:47 Sen. Wittich

00:44:01 Mr. Eck, UM

Closing by Sponsor:

00:45:46 Sen. Wittich

HEARING ON SB 238

Opening Statement by Sponsor:

00:46:48 Sen. Bradley Hamlett (D), SD 10, opened the hearing on SB 238, Revise consumer reporting laws.

Proponents' Testimony:

00:48:13 Dylan German, Associated Students of University of Montana- Billings, Billings, Montana, Montana State University (MSU), Bozeman, Montana and University of Montana (UM), Missoula, Montana

Opponents' Testimony:

00:49:09 Eric Ellman, Senior Vice President, Consumer Data Industry Association (CDIA)
00:50:39 Aimee Grmoljez, Montana Bankers Association (MBA)

Informational Testimony: None

Questions from Committee Members and Responses:

00:51:42 Sen. Blewett
00:52:10 Mr. Ellman, CDIA
00:55:25 Sen. Larsen
00:55:42 Mr. Ellman
00:58:52 Sen. Blewett
00:59:18 Mr. Ellman
01:03:42 Sen. Murphy
01:04:30 Ms. Grmoljez, MBA

Closing by Sponsor:

01:06:54 Sen. Hamlett

(Sen. Augare, Sen. Jent, and Sen. Wittich absent from hearing)

EXECUTIVE ACTION ON SB 17

01:09:43 **Motion/Vote:** Sen. Boulanger moved that **SB 17 BE TABLED**. Motion carried unanimously by roll call vote. Sen. Augare, Sen. Brenden, Sen. Jent, Sen. Sales, Sen. Vincent and Sen. Wittich voted by proxy.

ADJOURNMENT

Adjournment: 9:55

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT([jus31aad.pdf](#))