

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Terry Murphy, on February 14, 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. Chas Vincent (R)
Sen. Art Wittich (R)

Members Excused: Sen. Scott Sales, Vice Chair (R), Sen. John Brenden (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: HB 131, 2/6/2013; HB 129, 2/6/2013
Executive Action: SB 170- Do Pass As Amended, SB 176-Do Pass As Amended,
SB 248-Tabled, SB 198-Do Pass As Amended

HEARING ON HB 129

Opening Statement by Sponsor:

00:15:50 Rep. Steve Gibson (R), HD 78, opened the hearing on HB 129, Revise campaign finance and disclosure laws.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

00:19:24 Mary Baker, Program Supervisor, Commissioner of Political Practices (COPP), State of Montana

Questions from Committee Members and Responses:

00:19:52 Sen. Fielder
00:20:25 Rep. Gibson
00:21:50 Ms. Baker, COPP
00:23:13 Sen. Blewett
00:23:41 Ms. Baker
00:24:43 Sen. Larsen
00:25:16 Rep. Gibson
00:27:24 Sen. Wittich

EXHIBIT(jus33a01)

00:27:50 Ms. Baker
00:29:09 Rep. Gibson
00:35:04 Sen. Murphy
00:35:41 Sen. Blewett
00:35:54 Ms. Baker

Closing by Sponsor:

00:37:37 Rep. Gibson

HEARING ON HB 131

Opening Statement by Sponsor:

00:39:10 Rep. Jenifer Gursky (D), HD 98, opened the hearing on HB 131, Allow mandatory reporters of child abuse and neglect to receive information.

Proponents' Testimony:

00:42:12 Sarah Corbally, Administrator, Child and Family Division, Department of Public Health and Human Services (DPHHS), State of Montana

00:44:36 J.C. Weingartner, MEA-MFT

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:46:46 Rep. Gursky

00:47:34 Brief Recess

01:01:33 Reconvene

(Sen. Larsen, Sen. Vincent, Sen. Jent, and Sen. Wittich absent from the hearing.)

EXECUTIVE ACTION ON SB 107

01:02:23 **Motion:** Sen. Augare moved that **SB 107 DO PASS.**

01:02:35 **Motion/Vote:** Sen. Augare moved that **SB 107 BE AMENDED.** Motion carried unanimously by roll call vote. Sen. Brenden, Sen. Jent, Sen. Larsen, Sen. Sales, Sen. Vincent and Sen. Wittich voted by proxy.

EXHIBIT(jus33a02)

Discussion:

01:02:50 Julianne Burkhardt, Legislative Services Division (LSD)

01:03:57 Sen. Murphy

01:04:04 Ms. Burkhardt, LSD

01:05:07 **Motion/Vote:** Sen. Augare moved that **SB 107 DO PASS AS AMENDED.** Motion carried 8-4 by roll call vote with Sen. Boulanger, Sen. Brenden, Sen. Sales and Sen. Vincent voting no. Sen. Brenden, Sen. Jent, Sen. Larsen, Sen. Sales, Sen. Vincent and Sen. Wittich voted by proxy.

(Please Note: Due to a quorum not being present for the previous votes on SB 107, when members returned, the Committee re-voted on SB 107.)

(Sen. Jent and Sen. Vincent returned to the hearing.)

01:07:12 **Motion:** Sen. Augare moved that **SB 107 DO PASS.**

01:07:23 **Motion/Vote:** Sen. Augare moved that **SB 107 BE AMENDED.** Motion carried unanimously by roll call vote. Sen. Brenden, Sen. Larsen, Sen. Sales and Sen. Wittich voted by proxy.

01:08:30 **Motion/Vote:** Sen. Augare moved that **SB 107 DO PASS AS AMENDED**. Motion carried 9-3 by roll call vote with Sen. Boulanger, Sen. Brenden and Sen. Sales voting no. Sen. Brenden, Sen. Larsen, Sen. Sales and Sen. Wittich voted by proxy.

EXECUTIVE ACTION ON SB 176

01:09:45 Ms. Burkhardt

01:10:32 **Motion:** Sen. Vincent moved that **SB 176 DO PASS**.

01:10:45 **Motion:** Sen. Vincent moved that **SB 176 BE AMENDED**.
[EXHIBIT\(jus33a03\)](#)

Discussion:

01:11:00 Sen. Augare
01:11:17 Ms. Burkhardt

01:11:35 **Vote:** Motion carried unanimously by roll call vote. Sen. Brenden, Sen. Larsen, Sen. Sales and Sen. Wittich voted by proxy.

01:12:04 **Motion/Vote:** Sen. Vincent moved that **SB 107 DO PASS AS AMENDED**. Motion carried unanimously by roll call vote. Sen. Brenden, Sen. Larsen, Sen. Sales and Sen. Wittich voted by proxy.

EXECUTIVE ACTION ON SB 248

01:13:03 **Motion/Vote:** Sen. Driscoll moved that **SB 248 BE TABLED**. Motion carried unanimously by roll call vote. Sen. Brenden, Sen. Larsen, Sen. Sales and Sen. Wittich voted by proxy.

EXECUTIVE ACTION ON SB 198

01:14:14 **Motion:** Sen. Fielder moved that **SB 198 DO PASS**.

01:14:47 **Motion:** Sen. Vincent moved that **SB 198 BE AMENDED**.
[EXHIBIT\(jus33a04\)](#)

Discussion:

01:15:08 Sen. Fielder
01:15:33 Ms. Burkhardt
01:17:37 Sen. Blewett
01:18:01 Ms. Burkhardt
01:18:28 Sen. Blewett
01:18:57 Sen. Murphy
01:19:32 Ms. Burkhardt
01:20:40 Sen. Fielder

01:22:03 Ms. Burkhardt
01:22:40 Sen. Jent
01:22:50 Sen. Murphy
01:23:52 Sen. Augare
01:25:41 Sen. Blewett
01:28:28 Sen. Fielder

01:28:42 **Vote:** Motion carried 11-1 by roll call vote with Sen. Augare voting no. Sen. Brenden, Sen. Larsen, Sen. Sales and Sen. Wittich voted by proxy.

01:29:33 Sen. Augare
01:30:26 Sen. Blewett

01:34:35 **Motion/Vote:** Sen. Fielder moved that **SB 198 DO PASS AS AMENDED.** Motion carried unanimously by roll call vote. Sen. Brenden, Sen. Larsen, Sen. Sales and Sen. Wittich voted by proxy.

ADJOURNMENT

Adjournment: 10:22 A.M.

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT([jus33aad.pdf](#))