

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Terry Murphy, on February 15, 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. 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)

Members Excused: Sen. Shannon Augare (D) Sen. John Brenden (R) Sen. Art Wittich (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 70, 2/6/2013; HB 72, 2/6/2013; HB 74, 2/6/2013; HB 172, 2/6/2013

HEARING ON HB 74**Opening Statement by Sponsor:**

00:19:04 Rep. Margaret (Margie) MacDonald (D), HD 54, opened the hearing on HB 74, Require disclosure of child abuse to DPHHS to law enforcement in all cases.
[EXHIBIT\(jus34a01\)](#)

Proponents' Testimony:

00:22:35 Scott Twito, Yellowstone County Attorney, Billings, Montana
00:31:13 Marty Lambert, Gallatin County Attorney, Bozeman, Montana
00:34:10 Leo Gallagher, Lewis and Clark County Attorney, Helena, Montana
00:41:15 John Parker, Cascade County Attorney, Great Falls, Montana, Chairman-Legislative Committee-Montana County Attorneys Association (MCAA)
00:43:48 Sarah Corbally, Administrator, Child and Family Services Division (CFSD), Department of Public Health and Human Services (DPHHS)
00:46:12 Steve Cape, Montana Coalition 4 Safety and Justice (MCSJ), Great Falls, Montana
00:46:37 Linda Gryczan, self

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:48:35 Sen. Murphy
00:49:23 Rep. MacDonald
00:50:26 Mr. Twito, Yellowstone County Attorney
00:52:39 Sen. Fielder
00:52:56 Julianne Burkhardt, Legislative Services Division (LSD)

Closing by Sponsor:

00:53:37 Rep. MacDonald

HEARING ON HB 70**Opening Statement by Sponsor:**

00:55:16 Rep. Margaret (Margie) MacDonald (D), HD 54, opened the hearing on HB 70, Require victim impact panels in certain state correctional facilities.

Proponents' Testimony:

01:00:43 Linda Gryczan, President-Montana Mediation Association (MtMA)
[EXHIBIT\(jus34a02\)](#)

01:02:58 Steve Cape, Montana Coalition 4 Safety and Justice (MCSJ), Great Falls,
Montana
01:05:12 Pat Keim, Alternatives, Inc. (AI)
01:06:53 Mark Murphy, Montana County Attorneys Association (MCAA)
01:12:13 Jim Ahrens, Great Falls Pre-Release Center, Great Falls, Montana
01:12:43 Linda Gryczan, President-Montana Mediation Association (MtMA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:14:57 Sen. Fielder
01:15:19 Rep. MacDonald

Closing by Sponsor:

01:15:43 Rep. MacDonald

HEARING ON HB 72

Opening Statement by Sponsor:

01:16:37 Rep. Margaret (Margie) MacDonald (D), HD 54, opened the hearing on HB 72,
Allow restorative justice as condition of suspended or deferred sentence.

[EXHIBIT\(jus34a03\)](#)

Proponents' Testimony:

01:21:12 Linda Gryczan, President-Montana Mediation Association (MtMA)
01:21:48 Steve Cape, Montana Coalition for Safety and Justice (MCSJ), Great Falls,
Montana

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:22:58 Sen. Fielder
01:23:25 Rep. MacDonald

Closing by Sponsor:

01:24:33 Rep. MacDonald

HEARING ON HB 172

Opening Statement by Sponsor:

01:25:40 Rep. Jesse O'Hara (R), HD 18, opened the hearing on HB 172, Allow Montana state bar attorney member to serve as a judge pro tem.

Proponents' Testimony:

01:26:47 Nancy Luth, Municipal Court Judge, City of Great Falls, Great Falls, Montana
[EXHIBIT\(jus34a04\)](#)

01:31:19 Mark Murphy, Montana County Attorneys Association (MCAA)

01:34:09 Ms. Luth, Judge

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:35:06 Sen. Boulanger

01:35:34 Ms. Luth

01:37:09 Sen. Murphy

01:37:28 Mr. Murphy, MCAA

Closing by Sponsor:

01:37:49 Rep. O'Hara

01:38:45 Chairman Murphy

01:39:00 Sen. Jent

ADJOURNMENT

Adjournment: 10:24 A.M.

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT([jus34aad.pdf](#))