

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Terry Murphy, on February 19, 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. Scott Boulanger (R)
Sen. Robyn Driscoll (D)
Sen. Jennifer Fielder (R)
Sen. Cliff Larsen (D)
Sen. Chas Vincent (R)

Members Excused: Sen. Anders Blewett (D) Sen. John Brenden (R) Sen. Larry Jent (D)
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 68, 2/7/2013; SB 85, SB 321, 2/11/2013

HEARING ON SB 85

(Vice Chairman Sales assumes Chairman role)

Opening Statement by Sponsor:

00:21:03 Sen. Terry Murphy (R), SD 39, opened the hearing on SB 85, Revise laws related to judge disqualification.

[EXHIBIT\(jus37a01\)](#)

Proponents' Testimony:

00:25:38 Loren Tucker, District Court Judge, Madison County, Dillon, Montana, Montana Judges Association (MJA)

00:34:33 Brad Newman, District Court Judge, Silverbow County, Butte, Montana, Montana Judges Association (MJA)

Opponents' Testimony:

00:49:02 Betsy Brandborg, State Bar of Montana (SBM)

00:52:14 John Alke, Montana Defense Trial Lawyers Association (MDTLA)

01:00:02 Glenn Oppel, Montana Chamber of Commerce (MCC), also for Bruce Spencer, Montana Automobile Dealers Association (MADA), Property Casualty Insurers Association of America (PCIAA)

Informational Testimony: None

Questions from Committee Members and Responses:

01:01:55 Sen. Fielder

01:02:53 Sen. Murphy

01:02:59 Julianne Burkhardt, Legislative Services Division (LSD)

01:04:33 Sen. Larsen

01:05:05 Mr. Alke, MDTLA

Closing by Sponsor:

01:07:42 Sen. Murphy

(Chairman Murphy resumes Chairman role)

HEARING ON HB 68

Opening Statement by Sponsor:

01:09:13 Rep. Margaret (Margie) MacDonald (D), HD 54, opened the hearing on HB 68, Establish statewide re-entry task force for paroled offenders.

[EXHIBIT\(jus37a02\)](#)

Proponents' Testimony:

01:17:08 Gayle Lambert, Administrator, Montana Corrections Enterprise Division,
Department of Corrections (DOC), State of Montana
01:20:51 Walter Gulick, Montana Organizing Project (MOP)
01:21:48 Moe Wosepka, Executive Director, Montana Catholic Conference (MCC)
01:25:01 Katy Heitstuman, ACLU

[EXHIBIT\(jus37a03\)](#)

01:25:49 Matt Kuntz, Executive Director, National Alliance for the Mentally Ill (NAMI)
01:27:26 John Wilkinson, self, Father of son in Montana State Hospital, Warm Springs,
Montana
01:30:48 Mark Murphy, Montana County Attorneys Association (MCAA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

01:33:10 Rep. MacDonald
01:36:20 Brief Recess
01:41:25 Reconvene

HEARING ON SB 321**Opening Statement by Sponsor:**

01:41:40 Sen. Fred Thomas (R), SD 45, opened the hearing on SB 321, Revise
initiative process laws related to public involvement.

Proponents' Testimony: None

Opponents' Testimony:

01:47:46 Alan Miller, Elections Specialist, Secretary of State, State of Montana
[EXHIBIT\(jus37a04\)](#)
[EXHIBIT\(jus37a05\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

01:52:33 Sen. Larsen
01:53:05 Julianne Burkhardt, Legislative Services Division (LSD)
01:53:54 Sen. Fielder
01:54:38 Sen. Thomas

01:57:27 Sen. Boulanger
01:58:14 Sen. Thomas
01:59:04 Sen. Larsen
02:00:26 Sen. Thomas
02:03:09 Ms. Burkhardt, LSD

Closing by Sponsor:

02:04:31 Sen. Thomas

ADJOURNMENT

Adjournment: 11:00 A.M.

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT([jus37aad.pdf](#))