

## MINUTES

### MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON JUDICIARY

**Call to Order:** Chair Terry Murphy, on February 20, 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. John Brenden (R)  
Sen. Robyn Driscoll (D)  
Sen. Jennifer Fielder (R)  
Sen. Cliff Larsen (D)  
Sen. Chas Vincent (R)  
Sen. Art Wittich (R)

**Members Excused:** 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 262, 2/13/2013; SB 259, 2/13/2013; SB 274, 2/13/2013

**HEARING ON SB 262**

**Opening Statement by Sponsor:**

00:13:41 Sen. John Brenden (R), SD 18, opened the hearing on SB 262, Prohibit state agencies from taking action on anonymous civil complaints.

**Proponents' Testimony:**

00:16:48 Sen. Frederick (Eric) Moore (R), SD 20, Miles City

**Opponents' Testimony:**

00:20:26 John Arrigo, Administrator, Enforcement Division, Department of Environmental Quality (DEQ), State of Montana

**EXHIBIT(jus38a01)**

00:26:45 Ann Hedges, Montana Environmental Information Center (MEIC)

00:29:57 John Barrows, Montana Newspaper Association (MNA)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:31:24 Sen. Fielder

00:31:41 Mr. Arrigo, DEQ

00:36:56 Sen. Fielder

00:37:27 Ms. Hedges, MEIC

00:38:37 Sen. Vincent

00:39:28 Mr. Arrigo

00:46:19 Sen. Blewett

00:47:08 Mr. Arrigo

00:49:01 Sen. Murphy

00:49:15 Mr. Arrigo

00:49:54 Sen. Blewett

00:50:14 Mr. Arrigo

00:51:10 Sen. Boulanger

00:52:44 Mr. Arrigo

00:54:53 Sen. Wittich

00:56:04 Mr. Arrigo

00:59:17 Sen. Augare

01:00:50 Mr. Arrigo

01:02:17 Sen. Sales

01:02:28 Mr. Arrigo

01:02:55 Chad Anderson, Department of Environmental Quality (DEQ), State of Montana

01:04:43 Sen. Sales

01:04:54 Sen. Brenden

01:05:53 Sen. Wittich

01:06:49 Sen. Brenden

**Closing by Sponsor:**

01:09:10 Sen. Brenden

**HEARING ON SB 274**

**Opening Statement by Sponsor:**

01:12:11 Sen. Anders Blewett (D), SD 11, opened the hearing on SB 274, Revise attorney's fees to enforce constitutional rights.

**Proponents' Testimony:**

01:20:01 Al Smith, Montana Trial Lawyers Association (MTLA)

01:26:40 Doug Nulle, Montana Shooting Sports Association (MSSA), also for James Brown

01:28:52 John Barrows, Montana Newspaper Association (MNA)

**Opponents' Testimony:**

01:31:46 John Alke, Montana Defense Trial Lawyers Association (MDTLA)

01:39:41 Mark Murphy, Montana County Attorneys Association (MCAA)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:42:38 Sen. Vincent

01:43:50 Mr. Smith, MTLA

01:46:43 Sen. Vincent

01:47:12 Sen. Blewett

01:55:45 Sen. Wittich

01:57:37 Sen. Blewett

02:01:06 Sen. Fielder

02:01:28 Sen. Blewett

02:06:17 Sen. Sales

02:06:42 Sen. Blewett

**Closing by Sponsor:**

02:08:10 Sen. Blewett

**HEARING ON SB 259**

**Opening Statement by Sponsor:**

02:09:21 Sen. Elsie Arntzen (R), SD 27, opened the hearing on SB 259, Allow a court to vacate a conviction related to human trafficking.

**Proponents' Testimony:**

02:11:49 Sarah Rossi, Montana Coalition Against Domestic and Sexual Violence  
(MCADSV)

02:13:04 Abigail St. Lawrence, Montana Association of Churches (MAC)

**Opponents' Testimony:** None

**Informational Testimony:** None

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

**Closing by Sponsor:**

02:14:55 Sen. Arntzen

**ADJOURNMENT**

Adjournment: 11:08 A.M.

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Pam Schindler, Secretary

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**Additional Documents**

Additional Documents:

**EXHIBIT([jus38aad.pdf](#))**