

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION COMMITTEE ON JUDICIARY

Call to Order: Chair Terry Murphy, on March 5, 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)

Members Excused: Sen. Shannon Augare (D), Sen. John Brenden (R),
Sen. Chas Vincent (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 224, 2/27/2013; HB 225, 2/27/2013; HB 345, 2/27/2013

(Chairman Murphy absent from hearing, Vice-Chair Sales assumed Chairman's role)

HEARING ON HB 224

Opening Statement by Sponsor:

00:12:33 Rep. Cary Smith (R), HD 55, opened the hearing on HB 224, Revise appeal bonds in civil cases.

Proponents' Testimony:

00:15:23 Glen Oppel, Montana Chamber of Commerce (MTCC)

[EXHIBIT\(jus47a01\)](#)

[EXHIBIT\(jus47a02\)](#)

00:19:31 Mark Baker, American Tort Reform Association (ATRA)

[EXHIBIT\(jus47a03\)](#)

00:23:03 Aidan Myhre, Kalispell Chamber of Commerce (KCC), Kalispell, Montana

Opponents' Testimony:

00:24:07 Al Smith, Montana Trial Lawyers Association (MTLA)

Informational Testimony: None

Questions from Committee Members and Responses:

00:30:58 Sen. Larsen

00:31:22 Mr. Baker, ATRA

00:33:12 Sen. Blewett

00:33:29 Mr. Oppel, MTCC

00:34:25 Sen. Fielder

00:35:02 Rep. Smith

00:35:13 Mr. Baker

[EXHIBIT\(jus47a04\)](#)

00:36:56 Sen. Blewett

00:37:34 Mr. Smith, MTLA

00:38:39 Rep. Smith

Closing by Sponsor:

00:38:58 Rep. Smith

HEARING ON HB 225

Opening Statement by Sponsor:

00:40:29 Rep. Cary Smith (R), HD 55, opened the hearing on HB 225, Revise interest payments in civil cases.

Proponents' Testimony:

00:42:02 Glen Oppel, Montana Chamber of Commerce (MTCC)

[EXHIBIT\(jus47a05\)](#)

[EXHIBIT\(jus47a06\)](#)

00:43:51 Mark Baker, American Tort Reform Association (ATRA)

[EXHIBIT\(jus47a07\)](#)

00:46:47 Aidan Myhre, Kalispell Chamber of Commerce (KCC), Kalispell, Montana

Opponents' Testimony:

00:47:48 Al Smith, Montana Trial Lawyers Association (MTLA)

[EXHIBIT\(jus47a08\)](#)

[EXHIBIT\(jus47a09\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

00:55:34 Sen. Blewett

00:56:07 Mr. Baker, ATRA

00:56:46 Sen. Boulanger

00:57:16 Mr. Baker

(Chairman Murphy returned to hearing)

00:58:41 Sen. Fielder

00:59:09 Mr. Baker

01:00:34 Sen. Fielder

01:00:41 Mr. Smith, MTLA

Closing by Sponsor:

01:03:23 Rep. Smith

HEARING ON HB 345

Opening Statement by Sponsor:

01:06:23 Rep. Cary Smith (R), HD 55, opened the hearing on HB 345, Revise false claims act.

Proponents' Testimony:

01:08:59 Kenneth Varns, Assistant Attorney General, Department of Justice, State of Montana

[EXHIBIT\(jus47a10\)](#)

01:16:31 Al Smith, Montana Trial Lawyers Association (MTLA)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:18:39 Sen. Sales

01:18:58 Rep. Smith

Closing by Sponsor:

01:21:27 Rep. Smith

ADJOURNMENT

Adjournment: 10:15 A.M.

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT([jus47aad.pdf](#))