

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Terry Murphy, on March 8, 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. 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. 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 67, 2/27/2013; HB 254, 2/27/2013; HB 255, 2/27/2013
Executive Action: HB 206-BE CONCURRED IN AS AMENDED, HB 68-BE
CONCURRED IN, HB 70-BE CONCURRED IN,
HB 74-FAILED/ TIE VOTE

HEARING ON HB 67

Opening Statement by Sponsor:

00:18:05 Rep. Bryce Bennett (D), HD 92, opened the hearing on HB 67, Revise inspection of campaign records laws.

Proponents' Testimony:

00:20:12 Mary Baker, Program Supervisor, Commissioner of Political Practices (COPP), State of Montana, Helena, Montana

00:20:59 Jan Anderson, Montana Newspaper Association (MNA)

Opponents' Testimony: None

Informational Testimony:

00:21:35 Julie Steab, Investigator, Commissioner of Political Practices (COPP), State of Montana, Helena, Montana

Questions from Committee Members and Responses:

00:22:02 Sen. Larsen

00:22:37 Rep. Bennett

00:22:44 Sen. Fielder

00:23:49 Ms. Steab, COPP

00:25:34 Sen. Fielder

00:26:15 Rep. Bennett

00:27:37 Sen. Blewett

00:28:28 Rep. Bennett

Closing by Sponsor:

00:29:30 Rep. Bennett

HEARING ON HB 254

Opening Statement by Sponsor:

00:30:38 Rep. Rob Cook (R), HD 27, opened the hearing on HB 254, Requiring a disclaimer on election materials funded by anonymous contributions.

Proponents' Testimony:

00:31:50 Jan Anderson, Montana Newspaper Association (MNA)

Opponents' Testimony:

00:32:27 John Sinrud, self

Informational Testimony: None

Questions from Committee Members and Responses:

00:35:49 Sen. Wittich
00:36:26 Rep. Cook
00:37:34 Sen. Wittich
00:38:12 Mary Baker, Program Supervisor, Commissioner of Political Practices (COPP),
State of Montana, Helena, Montana
00:40:35 Sen. Larsen
00:40:57 Rep. Cook
00:42:37 Sen. Murphy
00:43:26 Ms. Anderson, MNA
00:44:00 Sen. Murphy
00:44:27 Ms. Baker, COPP
00:47:29 Sen. Wittich
00:47:58 Rep. Cook
00:49:26 Sen. Wittich
00:50:27 Ms. Anderson

Closing by Sponsor:

00:51:11 Rep. Cook

HEARING ON HB 255

Opening Statement by Sponsor:

00:52:51 Rep. Rob Cook (R), HD 27, opened the hearing on HB 255, Require PACs to do
and disclose to donors summary report on expenditures.

Proponents' Testimony:

00:54:48 John Sinrud, self

Opponents' Testimony:

00:57:09 Ronna Alexander, Montana Society of Association Executives (MSAE)
[EXHIBIT\(jus50a01\)](#)

Informational Testimony:

01:04:12 Julie Steab, Investigator, Commissioner of Political Practices (COPP), State of
Montana, Helena, Montana

Questions from Committee Members and Responses:

01:05:14 Sen. Wittich
01:05:44 Ms. Steab, COPP
01:06:37 Sen. Wittich
01:08:02 Rep. Cook
01:13:55 Sen. Fielder
01:14:33 Rep. Cook

Closing by Sponsor:

01:15:14 Rep. Cook

01:16:26 Brief Recess
01:30:28 Reconvene

(Sen. Augare and Sen. Wittich absent from hearing)

EXECUTIVE ACTION ON HB 206

01:31:06 **Motion:** Sen. Sales moved that **HB 206 BE CONCURRED IN.**

01:31:23 **Motion:** Sen. Sales moved that **HB 206 BE AMENDED.**
[EXHIBIT\(jus50a02\)](#)

Discussion:

01:31:47 Julianne Burkhardt, Legislative Services Division (LSD)

01:32:48 **Vote:** Motion carried 12-0 by roll call vote. Sen. Augare, Sen. Brenden and Sen. Wittich voted by proxy.

01:33:23 **Motion:** Sen. Sales moved that **HB 206 BE CONCURRED IN AS AMENDED.**

01:33:28 **Motion:** Sen. Blewett moved that **HB 206 BE AMENDED.**
[EXHIBIT\(jus50a03\)](#)

Discussion:

01:36:21 Sen. Fielder
01:36:30 Sen. Blewett
01:37:59 Ms. Burkhardt, LSD
01:38:14 Sen. Fielder
01:38:44 Sen. Blewett
01:39:08 Ms. Burkhardt

01:39:39 **Vote:** Motion carried 12-0 by roll call vote. Sen. Augare, Sen. Brenden and Sen. Wittich voted by proxy.

01:40:13 **Motion/Vote:** Sen. Blewett moved that **HB 206 BE CONCURRED IN AS AMENDED**. Motion carried 10-2 by roll call vote with Sen. Vincent and Sen. Wittich voting no. Sen. Augare, Sen. Brenden and Sen. Wittich voted by proxy. Sen. Murphy will carry the bill.

EXECUTIVE ACTION ON HB 224

Discussion:

01:42:17 Sen. Blewett
01:42:25 Chairman Murphy

EXECUTIVE ACTION ON HB 68

01:44:01 **Motion:** Sen. Larsen moved that **HB 68 BE CONCURRED IN**.

Discussion:

01:44:10 Sen. Fielder
01:44:26 Sen. Murphy

01:45:07 **Vote:** Motion carried 10-2 by roll call vote with Sen. Boulanger and Sen. Wittich voting no. Sen. Augare, Sen. Brenden and Sen. Wittich voted by proxy. Sen. Murphy will carry the bill.

EXECUTIVE ACTION ON HB 70

01:46:53 **Motion/Vote:** Sen. Fielder moved that **HB 70 BE CONCURRED IN**. Motion carried 7-5 by roll call vote with Sen. Boulanger, Sen. Brenden, Sen. Sales, Sen. Vincent and Sen. Wittich voting no. Sen. Augare, Sen. Brenden and Sen. Wittich voted by proxy. Sen. Driscoll will carry the bill.

EXECUTIVE ACTION ON HB 72

01:49:09 **Motion:** Sen. Blewett moved that **HB 72 BE CONCURRED IN**.

Discussion:

01:49:23 Ms. Burkhardt, LSD
01:51:22 Sen. Vincent
01:51:53 Ms. Burkhardt
01:53:07 Sen. Fielder
01:53:43 Ms. Burkhardt
01:54:56 Sen. Vincent

01:55:15 Without objection, Sen. Blewett withdrew the motion that **HB 72 BE CONCURRED IN**.

EXECUTIVE ACTION ON HB 71

Discussion:

01:55:56 Sen. Fielder
01:56:10 Ms. Burkhardt

(Sen. Vincent absent from hearing)

EXECUTIVE ACTION ON HB 74

01:57:13 **Motion:** Sen. Larsen moved that **HB 74 BE CONCURRED IN.**

Discussion:

01:57:29 Sen. Fielder
01:57:55 Sen. Murphy
01:59:40 Sen. Larsen
02:00:29 Sen. Blewett
02:01:00 Sen. Jent

(Sen. Wittich entered hearing)

02:04:25 Sen. Blewett
02:06:35 Sen. Murphy
02:09:10 Sen. Larsen
02:10:34 Ms. Burkhardt

02:11:15 **Vote:** Motion failed 6-6 by roll call vote with Sen. Augare, Sen. Blewett, Sen. Boulanger, Sen. Driscoll, Sen. Jent and Sen. Larsen voting aye. Sen. Augare, Sen. Brenden and Sen. Vincent voted by proxy.

ADJOURNMENT

Adjournment: 11:05 A.M.

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT([jus50aad.pdf](#))