

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Terry Murphy, on March 21, 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. Art Wittich (R)

Members Excused: Sen. Shannon Augare (D), Sen. John Brenden (R),
Sen. Chas Vincent (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 522, 3/18/13; HB 534, 3/18/13; SB 384, 3/18/13; SB 387,
3/19/13

HEARING ON HB 522

Opening Statement by Sponsor:

00:23:18 Rep. Nicholas Schwaderer (R), HD 14, opened the hearing on HB 522, Prohibit state cooperation with federal officials regarding indefinite detention.

Proponents' Testimony:

00:24:50 Niki Zupanic, American Civil Liberties Union (ACLU)

[EXHIBIT\(jus61a01\)](#)

00:27:15 Tim Ravndal, Montana Constitutional Defenders (MCD), Montana Oath Keepers (MOK), Montana 10th Amendment Center (M10AC), Townsend, Montana

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:28:54 Rep. Schwaderer

HEARING ON HB 534

Opening Statement by Sponsor:

00:29:24 Rep. Kathleen Williams (D), HD 65, opened the hearing on HB 534, Authorize social benefit corporations.

[EXHIBIT\(jus61a02\)](#)

[EXHIBIT\(jus61a03\)](#)

[EXHIBIT\(jus61a04\)](#)

[EXHIBIT\(jus61a05\)](#)

[EXHIBIT\(jus61a06\)](#)

Proponents' Testimony:

00:43:49 Webb Brown, Montana Chamber of Commerce (MCC)

Opponents' Testimony: None

Informational Testimony:

00:45:40 Al Smith, Montana Trial Lawyers Association (MTLA)

Questions from Committee Members and Responses:

00:47:51 Sen. Blewett
00:48:07 Mr. Smith, MTLA
00:49:00 Sen. Larsen
00:49:30 Mr. Smith
00:50:11 Sen. Fielder
00:50:38 Rep. Williams
00:54:39 Julianne Burkhardt, Legislative Services Division (LSD)
00:55:28 Sen. Wittich
00:56:22 Rep. Williams
01:06:43 Sen. Blewett
01:07:21 Mr. Smith

Closing by Sponsor:

01:08:15 Rep. Williams

HEARING ON SB 384

Opening Statement by Sponsor:

01:09:23 Sen. Tom Facey (D), SD 48, opened the hearing on SB 384, Revise laws related to the disclosure of an original birth certificate.

Proponents' Testimony:

01:11:42 Beth Jaffe, State Representative, Montana, American Adoption Congress (AAC), Board Member, Concerned United Birthparents (CUB)

[EXHIBIT\(jus61a07\)](#)

01:16:07 Moe Wosepka, Director, Montana Catholic Conference (MCC), also for Rosemary Miller, Montana Catholic Social Services (MCSS)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

01:20:27 Sen. Fielder
01:21:01 Sen. Facey

Closing by Sponsor:

01:21:59 Sen. Facey

[EXHIBIT\(jus61a08\)](#) Evan B. Donaldson Adoption Institute, submitted via email

HEARING ON SB 387**Opening Statement by Sponsor:**

01:23:41 Sen. Debby Barrett (R), SD 36, opened the hearing on SB 387, Generally revise commissioner of political practices and enforcement laws.

[EXHIBIT\(jus61a09\)](#)

Proponents' Testimony:

01:29:58 Tim Ravndal, Montana Constitutional Defenders (MCD), Montana Oath Keepers (MOK), Montana 10th amendment Center (M10AC), Townsend, Montana

01:33:02 Jim Brown, self, Attorney, Helena and Dillon, Montana

[EXHIBIT\(jus61a10\)](#)

01:41:43 Bill Gallagher, self, Attorney, Chairman, Public Service Commission (PSC), State of Montana

Opponents' Testimony: None**Informational Testimony:**

01:45:58 Julie Steab, Investigator, Commissioner of Political Practices (COPP), State of Montana

[EXHIBIT\(jus61a11\)](#)

01:48:25 Mary Baker, Program Supervisor, Commissioner of Political Practices (COPP), State of Montana

Questions from Committee Members and Responses:

01:51:25 Sen. Fielder
01:52:01 Ms. Baker, COPP
01:52:15 Sen. Wittich
01:53:24 Ms. Steab, COPP
01:54:19 Sen. Wittich
01:55:08 Ms. Baker
02:06:44 Sen. Sales
02:06:57 Ms. Baker
02:07:45 Sen. Fielder
02:08:32 Ms. Steab
02:09:54 Sen. Wittich
02:10:29 Ms. Steab
02:13:22 Sen. Wittich
02:14:12 Mr. Brown, self

Closing by Sponsor:

02:15:06 Sen. Barrett

ADJOURNMENT

Adjournment: 11:05 A.M.

Pam Schindler, Secretary

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Additional Documents:

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EXHIBIT([jus61aad.pdf](#))