

## MINUTES

### MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON JUDICIARY

**Call to Order:** Chair Terry Murphy, on March 28, 2013 at 8:00 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. Chas Vincent (R)  
Sen. Art Wittich (R)

**Members Excused:** Sen. Shannon Augare (D) 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 391, 3/18/2013  
Executive Action: SB 387-DO PASS AS AMENDED, SB 37-TABLED

**HEARING ON HB 391****Opening Statement by Sponsor:**

00:20:59 Rep. Gerald (Jerry) Bennett (R), HD 1, opened the hearing on HB 391, Requiring parental consent prior to an abortion for a minor.

**Proponents' Testimony:**

00:22:27 Jeff Laszoffy, Executive Director, Montana Family Foundation (MFF)  
00:29:18 Tonya Shellnutt, Concerned Women of America (CWA)  
00:31:09 Tracey Ullrey, Executive Director, Options Women's Clinic (OWC), Helena, Montana

**[EXHIBIT\(jus67a01\)](#)**

00:34:08 Moe Wosepka, Executive Director, Montana Catholic Conference (MCC)

**Opponents' Testimony:**

00:35:08 Niki Zupanic, Public Policy Director, American Civil Liberties Union (ACLU)

**[EXHIBIT\(jus67a02\)](#)**

00:44:13 Sarah Rossi, Public Policy Director, Montana Coalition Against Domestic and Sexual Violence (MCADSV)  
00:47:45 Lindsey Love, Planned Parenthood Advocates/Montana (PPA/MT)  
00:51:28 Linda Gryczan, Montana Women's Lobby (MWL)  
00:52:48 Lynsey Bourke, Director of Development and Outreach, Blue Mountain Clinic, Missoula, Montana  
00:55:51 Grace Kushner, self  
00:57:27 JoAnn Secrist, self, Attorney  
01:00:05 Kim Leighton, NARAL/Pro-Choice Montana (NARAL/PCMT)

**[EXHIBIT\(jus67a03\)](#)**

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:02:19 Sen. Fielder  
01:02:42 Ms. Leighton, NARAL  
01:03:05 Sen. Larsen  
01:03:40 Rep. Bennett  
01:05:23 Mr. Laszloffy, MFF

**Closing by Sponsor:**

01:06:12 Rep. Bennett

**[EXHIBIT\(jus67a04\)](#)**

01:10:04 Brief Recess

01:14:55 Reconvene

(Sen. Vincent absent from the hearing)

**EXECUTIVE ACTION ON SB 37**

01:15:11 **Motion/Vote:** Sen. Sales moved that **SB 37 BE TABLED**. Motion carried 11-1 by roll call vote with Sen. Blewett voting no. Sen. Augare, Sen. Brenden and Sen. Vincent voted by proxy.

**EXECUTIVE ACTION ON SB 387**

01:17:13 **Motion:** Sen. Wittich moved that **SB 387 DO PASS**.

01:17:36 **Motion:** Sen. Sales moved that **SB 387 BE AMENDED**.  
[EXHIBIT\(jus67a05\)](#)

**Discussion:**

01:18:44 Sen. Wittich

01:20:06 Sen. Larsen

01:20:39 Sen. Wittich

01:21:16 Rachel Weiss, Legislative Services Division (LSD)

(Sen. Vincent returned to hearing)

01:22:23 **Vote:** Motion carried 12-0 by roll call vote. Sen. Augare and Sen. Brenden voted by proxy.

01:23:11 **Motion:** Sen. Wittich moved that **SB 387 BE AMENDED**.  
[EXHIBIT\(jus67a06\)](#)

**Discussion:**

01:25:51 Sen. Fielder

01:27:06 **Vote:** Motion carried 9-3 by roll call vote with Sen. Blewett, Sen. Jent and Sen. Larsen voting no. Sen. Augare and Sen. Brenden voted by proxy.

01:27:17 **Motion:** Sen. Wittich moved that **SB 387 BE AMENDED**.  
[EXHIBIT\(jus67a07\)](#)

**Discussion:**

01:31:18 Sen. Blewett

01:32:03 Sen. Wittich

01:32:38 Sen. Blewett

01:32:44 Julie Steab, Investigator, Commissioner of Political Practices (COPP), State of Montana

01:35:02 **Vote:** Motion carried 9-3 by roll call vote with Sen. Driscoll, Sen. Jent and Sen. Larsen voting no. Sen. Augare and Sen. Brenden voted by proxy.

01:35:11 **Motion:** Sen. Wittich moved that **SB 387 DO PASS AS AMENDED.**

**Discussion:**

01:35:36 Julianne Burkhardt, Legislative Services Division (LSD)

01:36:09 Sen. Blewett

01:36:48 Sen. Fielder

01:37:48 Sen. Wittich

01:40:11 **Vote:** Motion carried 7-5 by roll call vote with Sen. Augare, Sen. Blewett, Sen. Driscoll, Sen. Jent and Sen. Larsen voting no. Sen. Augare and Sen. Brenden voted by proxy.

**ADJOURNMENT**

Adjournment: 9:25 A.M.

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Pam Schindler, Secretary

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**Additional Documents:**

Additional Documents:

**EXHIBIT([jus67aad.pdf](#))**