

## MINUTES

### MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON JUDICIARY

**Call to Order:** Chair Terry Murphy, on April 17, 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. 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. Anders Blewett (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: HJ 20, 4/16/2013; SJ 34 4/16/2012  
Executive Action: SJ 34-TABLED, HJ 20-BE CONCURRED IN/FAILED-TIE VOTE

**HEARING ON SJ 34**

**Opening Statement by Sponsor:**

00:17:12 Sen. Jonathan Windy Boy (D), SD 16, opened the hearing on SJ 34, Interim study on suicide.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:20:52 Sen. Fielder

00:21:23 Sen. Windy Boy

**Closing by Sponsor:**

00:23:54 Sen. Windy Boy

**HEARING ON HJ 20**

**Opening Statement by Sponsor:**

00:25:00 Rep. Kimberly Dudik (D), HD 99, opened the hearing on HJ 20, Study resolution on public defender operations and funding.

**Proponents' Testimony:**

00:28:08 Beth McLaughlin, Montana Judges Association (MJA)

00:29:47 Ed Bartlett, State Bar Association of Montana (SBA/MT)

**Opponents' Testimony:** None

**Informational Testimony:**

00:30:38 Fritz Gillespie, Chairman, Public Defender Commission, Office of Public Defender (OPD), State of Montana

00:30:54 Wade Zolynski, Chief Appellate Defender, Office of Public Defender (OPD), State of Montana

00:31:18 Mark Murphy, Montana County Attorneys Association (MCAA)

**Questions from Committee Members and Responses:**

00:32:00 Sen. Fielder

00:32:21 Rep. Dudik

00:35:02 Sen. Sales

00:35:36 Rep. Dudik

00:37:21 Sen. Murphy  
00:37:48 Mr. Bartlett, SBA/MT  
00:38:58 Sen. Murphy  
00:39:09 Mr. Murphy, MCAA  
00:41:21 Sen. Driscoll  
00:41:50 Rep. Dudik  
00:43:09 Sen. Sales  
00:43:21 Mr. Murphy  
00:49:49 Sen. Fielder  
00:50:36 Mr. Gillespie, OPD  
00:52:20 Sen. Jent  
00:53:10 Ms. McLaughlin , MJA  
00:53:32 Mr. Gillespie  
00:54:54 Chairman Murphy  
00:55:01 Julianne Burkhardt, Legislative Services Division (LSD)  
00:55:26 Sen. Jent  
00:55:43 Mr. Gillespie

**Closing by Sponsor:**

00:56:21 Rep. Dudik

(Sen. Vincent left the hearing)

**EXECUTIVE ACTION ON SJ 34**

00:59:12 **Motion/Vote:** Sen. Fielder moved that **SJ 34 BE TABLED**. Motion carried 10-2 by roll call vote with Sen. Augare and Sen. Blewett voting no. Sen. Augare, Sen. Blewett, Sen. Brenden and Sen. Vincent voted by proxy.

**EXECUTIVE ACTION ON HJ 20**

(Sen. Vincent entered hearing)

01:00:45 **Motion:** Sen. Driscoll moved that **HJ 20 BE CONCURRED IN**.

**Discussion:**

01:00:56 Sen. Jent  
01:03:05 Sen. Larsen  
01:04:33 Sen. Fielder  
01:05:16 Rep. Dudik  
01:05:51 Sen. Fielder  
01:05:55 Chairman Murphy  
01:06:21 Sen. Wittich

01:09:00 **Vote:** Motion failed 6-6 by roll call vote with Sen. Augare, Sen. Blewett, Sen. Driscoll, Sen. Jent, Sen. Larsen and Sen. Murphy voting aye. Sen. Augare, Sen. Blewett and Sen. Brenden voted by proxy.

**ADJOURNMENT**

Adjournment: 9:50 A.M.

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Pam Schindler, Secretary

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Additional Documents:

**EXHIBIT([jus81aad.pdf](#))**