

MINUTES

MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Scott Sales, on January 29, 2015 at 9:00 AM, in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Scott Sales, Chair (R)
Sen. Jennifer Fielder, Vice Chair (R)
Sen. Robyn Driscoll (D)
Sen. Jedediah Hinkle (R)
Sen. Douglas (Doug) Kary (R)
Sen. Mary McNally (D)
Sen. Mary Sheehy Moe (D)
Sen. Nels Swandal (R)

Members Excused: Sen. Kris Hansen (R)
Sen. Cliff Larsen (D)
Sen. Diane Sands (D)
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 32, HB 143, SB 137, 1/23/2015
Executive Action: SB 137-Tabled, SB 165-Tabled, SB 143-Do Pass, HB 32-Be
Concurred In

HEARING ON HB 143

00:00:42 Chairman Sales postponed the hearing for HB 143 and re-scheduled HB 143 for February 4, 2015 per sponsor's request.

HEARING ON SB 137

Opening Statement by Sponsor:

00:01:05 Sen. Roger Webb (R), SD 23, opened the hearing on SB 137, Generally revise laws related to endangerment and welfare of children.

Proponents' Testimony:

00:02:21 Juli Pierce, chief deputy attorney, Yellowstone County Attorney's Office, Billings
00:07:09 Teague Westrope, domestic violence prosecutor, Billings City Attorney's Office,
00:10:46 Abigail St. Lawrence, Montana Association of Christians/Churches (MAC)
00:12:48 Anna Saverud, domestic violence prosecutor, Bozeman City Attorney's Office,
00:14:44 Mark Murphy, Montana County Attorneys Association (MCAA)
00:15:11 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence
(MCADSV)

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

00:16:38 Sen. Moe
00:17:29 Ms. Pierce, attorney
00:19:46 Sen. Swandal
00:20:14 Ms. Pierce
00:23:02 Sen. Hinkle
00:23:14 Ms. Pierce
00:24:46 Sen. Kary
00:25:08 Sen. Webb
00:25:30 Ms. Pierce

Closing by Sponsor:

00:29:57 Sen. Webb

HEARING ON HB 32

Opening Statement by Sponsor:

00:32:22 Rep. Kirk Wagoner (R), HD 75, opened the hearing on HB 32, Criminalize the misuse of official criminal justice information.

Proponents' Testimony:

00:33:43 Jon Bennion, assistant attorney general, Department of Justice (DOJ)
[EXHIBIT\(jus20a01\)](#)

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

00:37:12 Sen. Fielder
00:37:39 Mr. Bennion, DOJ

Closing by Sponsor:

00:38:29 Rep. Wagoner

Committee Business:

00:39:00 Chairman Sales
00:40:55 Recess
00:54:35 Reconvene

EXECUTIVE ACTION ON HB 32

00:55:12 **Motion/Vote:** Sen. Fielder moved that **HB 32 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Hansen, Sen. Larsen, Sen. Sands and Sen. Vincent voted by proxy. Sen. Swandal will carry the bill.

EXECUTIVE ACTION ON SB 165

00:56:09 **Motion:** Sen. Driscoll moved that **SB 165 DO PASS.**

Discussion:

00:56:18 Sen. Fielder
00:57:38 Sen. Hinkle
00:58:23 Sen. Swandal
00:59:06 Sen. Hinkle
00:59:29 Sen. McNally

01:00:21 **Vote:** Motion failed 6-6 by roll call vote with Sen. Driscoll, Sen. Larsen, Sen. McNally, Sen. Moe, Sen. Sands and Sen. Swandal voting aye. Sen. Hansen, Sen. Larsen, Sen. Sands and Sen. Vincent voted by proxy.

01:01:22 **Motion/Vote:** Sen. Fielder moved that **SB 165 BE TABLED AND THE VOTE REVERSED.** Motion carried 7-5 by roll call vote with Sen. Driscoll, Sen. Larsen, Sen. McNally, Sen. Moe and Sen. Sands voting no. Sen. Hansen, Sen. Larsen, Sen. Sands and Sen. Vincent voted by proxy.

EXECUTIVE ACTION ON SB 143

01:02:29 **Motion:** Sen. Swandal moved that **SB 143 DO PASS.**

Discussion:

01:02:43 Sen. Hinkle
01:05:05 Sen. McNally
01:08:02 Sen. Swandal
01:08:55 Sen. Fielder
01:10:45 Sen. Moe

01:14:29 **Vote:** Motion carried 7-5 by roll call vote with Sen. Driscoll, Sen. Larsen, Sen. McNally, Sen. Moe and Sen. Sands voting no. Sen. Hansen, Sen. Larsen, Sen. Sands and Sen. Vincent voted by proxy.

01:15:18 Chairman Sales
[EXHIBIT\(jus20a02\)](#)

EXECUTIVE ACTION ON SB 137

01:15:43 **Motion:** Sen. Fielder moved that **SB 137 DO PASS.**

Discussion:

01:16:29 Sen. Swandal

01:17:43 **Vote:** Motion failed 5-7 by roll call vote with Sen. Driscoll, Sen. Larsen, Sen. McNally, Sen. Moe and Sen. Sands voting aye. Sen. Hansen, Sen. Larsen and Sen. Sands and Sen. Vincent voted by proxy.

01:18:01 **Motion/Vote:** Chairman Sales moved that **SB 137 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote. Sen. Hansen, Sen. Larsen, Sen. Sands and Sen. Vincent voted by proxy.

Committee Business:

01:18:33 Chairman Sales

01:18:50 Sen. Swandal

ADJOURNMENT

Adjournment: 10:20 A.M.

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT([jus20aad.pdf](#))