

## MINUTES

### MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON JUDICIARY

**Call to Order:** Chair Scott Sales, on April 14, 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. Cliff Larsen (D)  
Sen. Mary McNally (D)  
Sen. Mary Sheehy Moe (D)  
Sen. Diane Sands (D)  
Sen. Nels Swandal (R)  
Sen. Chas Vincent (R)

**Members Excused:** Sen. Kris Hansen (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 219, 4/8/2015; HB 612, 4/8/2015; HB 627, 4/8/2015

Executive Action: HB 219-Be Concurred In, HB 612-Be Concurred In,  
HB 627-Be Concurred In

**HEARING ON HB 627**

(Chairman Sales left the hearing room; Vice Chair Fielder assumed the role as chair)

**Opening Statement by Sponsor:**

00:00:50 Rep. Randy Brodehl (R), HD 9, opened the hearing on HB 627, Task force to study the office of public defender.

**Proponents' Testimony:**

00:03:48 Mark Murphy, Montana County Attorneys Association (MCAA)  
00:10:16 Rep. Kimberly Dudik, HD 94

**Opponents' Testimony:**

None

**Informational Testimony:**

00:12:16 William Hooks, chief public defender, Office of Public Defender (OPD)

**Questions from Committee Members and Responses:**

00:12:59 Sen. Sands  
00:13:16 Rep. Brodehl  
00:16:16 Sen. Sands  
00:16:40 Mr. Murphy, MCAA  
00:19:55 Vice Chair Fielder  
00:20:08 Mr. Murphy  
00:20:42 Vice Chair Fielder  
00:20:53 Rep. Brodehl  
00:22:21 Sen. Sands  
00:22:55 Rep. Brodehl

**Closing by Sponsor:**

00:25:05 Rep. Brodehl

**HEARING ON HB 612**

**Opening Statement by Sponsor:**

00:28:05 Rep. Kimberly Dudik (D), HD 94, opened the hearing on HB 612, Establish child abuse court diversion pilot project.

(Chairman Sales returned to the hearing room and re-assumed the role as chair)

**Proponents' Testimony:**

00:31:55 Rep. Randy Brodehl, HD 9  
00:33:59 Beth McLaughlin, court administrator, Montana Supreme Court (MSC)  
00:36:09 Jim Ahrens, Montana Children's Initiative (MCI)  
00:36:55 Mark Murphy, Montana County Attorneys Association (MCAA)  
00:39:55 Sarah Corbally, administrator, Child and Family Services Division, Department of Public Health and Human Services (DPHHS) (initially gave her testimony as informational; Chairman Sales ruled her testimony as a proponent)

**Opponents' Testimony:**

None

**Informational Testimony:**

00:41:33 William Hooks, chief public defender, Office of Public Defender (OPD)

**Questions from Committee Members and Responses:**

00:42:02 Sen. Vincent  
00:42:25 Rep. Dudik  
00:44:41 Sen. Vincent  
00:45:03 Ms. McLaughlin, MSC  
00:48:13 Rep. Brodehl  
00:50:55 Sen. Moe  
00:51:09 Rep. Dudik  
00:51:35 Ms. McLaughlin  
00:52:34 Sen. Moe  
00:52:48 Rep. Dudik  
00:55:16 Sen. Sands  
00:55:58 Rep. Dudik  
00:58:45 Sen. Swandal  
00:59:02 Rep. Dudik

**Closing by Sponsor:**

00:59:25 Rep. Dudik

**HEARING ON HB 219****Opening Statement by Sponsor:**

01:01:21 Rep. Jeff Essmann (R), HD 54, opened the hearing on HB 219, Geographic restrictions for sex offenders.

**Proponents' Testimony:**

None

**Opponents' Testimony:**

None

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

01:08:49 Sen. Sands  
01:09:22 Rep. Essmann  
01:11:40 Sen. Driscoll  
01:12:11 Rep. Essmann  
01:12:50 Sen. Fielder  
01:13:18 Rep. Essmann  
01:14:21 Sen. Fielder  
01:14:28 Julianne Burkhardt, Legislative Services Division (LSD)  
01:15:06 Sen. Vincent  
01:15:38 Rep. Essmann  
01:16:53 Sen. Sands  
01:17:20 Rep. Essmann  
01:18:54 Sen. Moe  
01:19:55 Rep. Essmann

**Closing by Sponsor:**

01:20:46 Rep. Essmann

**Committee Discussion:**

01:21:29 Sen. Sands  
01:21:51 Ms. Burkhardt, LSD

**EXECUTIVE ACTION ON HB 219**

01:23:37 **Motion:** Sen. Fielder moved that **HB 219 BE CONCURRED IN.**

**Discussion:**

01:23:43 Sen. Driscoll  
01:24:28 Sen. Fielder  
01:26:39 Sen. Swandal  
01:28:05 Sen. Moe  
01:28:36 Sen. Swandal  
01:29:05 Sen. Vincent  
01:29:38 Sen. Moe

01:30:10 **Vote:** Motion carried 8-4 by roll call vote with Sen. Driscoll, Sen. Larsen, Sen. Moe and Sen. Sands voting no. Sen. Hansen voted by proxy. Sen. Hinkle will carry the bill.

**EXECUTIVE ACTION ON HB 612**

01:30:59 **Motion:** Sen. Fielder moved that **HB 612 BE CONCURRED IN.**

**Discussion:**

01:31:08 Sen. Moe  
01:31:27 Sen. Larsen  
01:31:54 Sen. Swandal  
01:32:20 Chairman Sales

01:33:44 **Vote:** Motion carried 9-3 by roll call vote with Sen. Hinkle, Sen. Sales and Sen. Vincent voting no. Sen. Hansen voted by proxy. Sen. Moe will carry the bill.

**EXECUTIVE ACTION ON HB 627**

01:34:27 **Motion:** Sen. Fielder moved that **HB 627 BE CONCURRED IN.**

**Discussion:**

01:34:35 Sen. McNally

01:34:47 **Vote:** Motion carried 10-2 by roll call vote with Sen. Sales and Sen. Swandal voting no. Sen. Hansen voted by proxy. Sen. Hansen will carry the bill.

**Committee Business:**

01:35:53 Sen. Sands  
01:36:15 Chairman Sales

**ADJOURNMENT**

Adjournment: 10:38 A.M.

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Pam Schindler, Secretary

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Additional Documents:

**EXHIBIT([jus75aad.pdf](#))**