

Montana State Legislature

2015 SESSION

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[Signed by Chairman]

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***Any other documents, which were submitted after the committee hearing has ended and/or was submitted late [within 48 hours], regarding information in the committee hearing.**

***Witness Statements that were not presented as exhibits.**

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2015 Legislative

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BUSINESS REPORT
MONTANA SENATE
64th LEGISLATURE - REGULAR SESSION

SENATE JUDICIARY COMMITTEE

Date: Wednesday, February 18, 2015
Place: Capitol

Time: 8:00 A.M.
Room: 303

BILLS and RESOLUTIONS HEARD:

HB 165 - Revise grandparent/grandchild contact laws - Rep. Keith Regier
HB 197 - Provide for an enhanced sentence for assault on a pregnant woman - Rep. Keith Regier
HB 207 - Prohibiting disclosure of media info from electronic communications services - Rep. Daniel Zolnikov
SB 315 - Make a third DUI a felony offense - Sen. Roger Webb

EXECUTIVE ACTION TAKEN:

SB 291-Tabled, SB 315-Tabled
HB 197-Be Concurred In
SR 9-Do Pass, SR 10-Do Pass, SR 11-Do Pass
SB 266-Do Pass
SB 219-Do Pass As Amended
SJ 3-Do Pass As Amended
SB 253-Do Pass
HB 232-Be Concurred In
HB 165-Be Concurred In

Comments:



SEN. Scott Sales, Chair

MONTANA STATE SENATE

2015 JUDICIARY COMMITTEE

ROLL CALL

DATE: 2/18/15

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
CHAIRMAN, SENATOR SCOTT SALES	/	
VICE CHAIRMAN, SENATOR JENNIFER FIELDER	/	
SENATOR DIANE SANDS	/	
SENATOR ROBYN DRISCOLL	/	
SENATOR KRISTEN HANSEN		/
SENATOR JEDEDIAH HINKLE	/	
SENATOR DOUG KARY	/	
SENATOR CLIFF LARSEN	/	
SENATOR MARY MCNALLY	/	
SENATOR MARY SHEEHY MOE	/	
SENATOR NELS SWANDAL	/	
SENATOR CHAS VINCENT		/



SENATE STANDING COMMITTEE REPORT

February 18, 2015

Page 1 of 1

Madame President:

We, your committee on **Judiciary** report that **House Bill 197** (third reading copy -- blue) **be concurred in.**

Signed: _____

A handwritten signature in cursive script, appearing to read "Scott Sales".

Senator Scott Sales, Chair

To be carried by Senator Robyn Driscoll

- END -

Committee Vote:

Yes 12, No 0

Fiscal Note Required X

HB0197001SC12924.spt



SENATE STANDING COMMITTEE REPORT

February 18, 2015

Page 1 of 1

Madame President:

We, your committee on **Judiciary** report that **Senate Resolution 9** (first reading copy -- white) **be adopted.**

Signed: _____

A handwritten signature in cursive script, appearing to read "Scott Sales".

Senator Scott Sales, Chair

- END -

Committee Vote:

Yes 12, No 0

Fiscal Note Required

SR0009003SC.spt



SENATE STANDING COMMITTEE REPORT

February 18, 2015

Page 1 of 1

Madame President:

We, your committee on **Judiciary** report that **Senate Resolution 10** (first reading copy -- white) **be adopted.**

Signed:


Senator Scott Sales, Chair

- END -

Committee Vote:

Yes 12, No 0

Fiscal Note Required

SR0010002SC.spt



SENATE STANDING COMMITTEE REPORT

February 18, 2015

Page 1 of 1

Madame President:

We, your committee on **Judiciary** report that **Senate Resolution 11** (first reading copy -- white) be adopted as amended.

Signed: _____

A handwritten signature in cursive script, appearing to read "Scott Sales".

Senator Scott Sales, Chair

And, that such amendments read:

1. Title, page 1, line 5.
Strike: "APPOINTMENTS"
Insert: "APPOINTMENT"
Strike: "AND ASSOCIATE WATER JUDGE"
2. Page 1, line 9.
Strike: "appointments"
Insert: "appointment"
3. Page 1, line 10.
Strike: "have"
Insert: "has"
4. Page 1, line 12.
Strike: "(1)"
5. Page 1, line 14 through line 15.
Strike: line 14 through line 15 in their entirety
6. Page 1, line 19.
Strike: "appointments"
Insert: "appointment"

- END -

Committee Vote:

Yes 12, No 0

Fiscal Note Required

SR0011002SC.spt



SENATE STANDING COMMITTEE REPORT

February 18, 2015

Page 1 of 1

Madame President:

We, your committee on **Judiciary** report that **Senate Bill 266** (first reading copy -- white) do **pass**.

Signed: _____

A handwritten signature in cursive script, appearing to read "Scott Sales", written over a horizontal line.

Senator Scott Sales, Chair

- END -

Committee Vote:

Yes 12, No 0

Fiscal Note Required

SB0266001SC.spt



SENATE STANDING COMMITTEE REPORT

February 18, 2015

Page 1 of 1

Madame President:

We, your committee on **Judiciary** report that **Senate Bill 219** (first reading copy -- white) do **pass as amended**.

Signed:

A handwritten signature in cursive script, appearing to read "Scott Sales".

Senator Scott Sales, Chair

And, that such amendments read:

1. Title, page 1, line 5.

Following: "SENTENCE"

Insert: "FOR A FELONY CONVICTION"

2. Page 1, line 11.

Following: "imposition."

Insert: "(1)"

3. Page 1, line 13.

Following: "46-18-203"

Strike: ", "

Insert: ": (a) for a felony conviction,"

4. Page 1, line 16.

Following: "filed"

Strike: "."

Insert: "; or (b) for a misdemeanor conviction, upon motion of the court, the defendant, or the defendant's attorney, the court may allow the defendant to withdraw a plea of guilty or nolo contendere or may strike the verdict of guilty from the record and order that the charge or charges against the defendant be dismissed.

(2)"

- END -

Committee Vote:

Yes 12, No 0

Fiscal Note Required X

SB0219001SC.spt



SENATE STANDING COMMITTEE REPORT

February 18, 2015

Page 1 of 1

Madame President:

We, your committee on **Judiciary** report that **Senate Joint Resolution 3** (first reading copy -- white) **do pass as amended.**

Signed: _____


Senator Scott Sales, Chair

And, that such amendments read:

1. Page 1, line 11 through line 23.

Strike: "WHEREAS," on line 11 through "facility; and" on line 23

2. Page 1, line 24.

Following: "Department"

Insert: "of Corrections"

- END -

Committee Vote:

Yes 11, No 1

Fiscal Note Required

SJ0003001SC.spt



SENATE STANDING COMMITTEE REPORT

February 18, 2015

Page 1 of 1

Madame President:

We, your committee on **Judiciary** report that **Senate Bill 253** (first reading copy -- white) **do pass.**

Signed: _____

A handwritten signature in cursive script, appearing to read "Scott Sales".

Senator Scott Sales, Chair

- END -

Committee Vote:

Yes 10, No 2

Fiscal Note Required

SB0253001SC.spt



SENATE STANDING COMMITTEE REPORT

February 18, 2015

Page 1 of 1

Madame President:

We, your committee on **Judiciary** report that **House Bill 232** (third reading copy -- blue) be **concurrent in**.

Signed: _____

A handwritten signature in cursive script, appearing to read "Scott Sales".

Senator Scott Sales, Chair

To be carried by Senator Cliff Larsen

- END -

Committee Vote:

Yes 12, No 0

Fiscal Note Required X

HB0232001SC13681.spt



SENATE STANDING COMMITTEE REPORT

February 18, 2015

Page 1 of 1

Madame President:

We, your committee on **Judiciary** report that **House Bill 165** (third reading copy -- blue) **be concurred in.**

Signed: _____

A handwritten signature in cursive script, appearing to read "Scott Sales", written over a horizontal line.

Senator Scott Sales, Chair

To be carried by Senator Mary Sheehy Moe

- END -

Committee Vote:

Yes 12, No 0

Fiscal Note Required

HB0165001SC16522.spt

BILL TABLED NOTICE

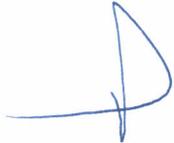
SENATE JUDICIARY COMMITTEE

The **SENATE JUDICIARY COMMITTEE** TABLED

SB 291 - Revise laws on use of seatbelts and child safety restraints; primary enforcement - Sen. Bradley Hamlett

SB 315 - Make a third DUI a felony offense - Sen. Roger Webb

by motion, on **Wednesday, February 18, 2015** (PLEASE USE THIS ACTION DATE IN LAWS BILL STATUS).



(For the Committee)



(For the Secretary of the Senate)

12:00 / 2/18
(Time) (Date)

February 18, 2015 (10:47am)

Pam Schindler, Secretary

Phone: 444-4618

MONTANA STATE SENATE
ROLL CALL VOTE
2015 JUDICIARY COMMITTEE

DATE 2/18/15 BILL NO SB29 MOTION NO. 1

MOTION:

Table

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR CHAS VINCENT	/		/
VICE CHAIRMAN, SENATOR JENNIFER FIELDER	/		
SENATOR DIANE SANDS		/	
SENATOR CLIFF LARSEN		/	
SENATOR ROBYN DRISCOLL		/	
SENATOR MARY MCNALLY		/	
SENATOR MARY SHEEHY MOE		/	
SENATOR KRISTEN HANSEN	/		/
SENATOR JEDEDIAH HINKLE	/		
SENATOR DOUG KARY	/		
SENATOR NELS SWANDAL	/		
CHAIRMAN, SENATOR SCOTT SALES	/		

7/5

MONTANA STATE SENATE
ROLL CALL VOTE
2015 JUDICIARY COMMITTEE

DATE 2/18/18 BILL NO. 53 MOTION NO. 2

MOTION: concur

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR CHAS VINCENT	—		—
VICE CHAIRMAN, SENATOR JENNIFER FIELDER		—	
SENATOR DIANE SANDS	—		
SENATOR CLIFF LARSEN	—		
SENATOR ROBYN DRISCOLL	—		
SENATOR MARY MCNALLY	—		
SENATOR MARY SHEEHY MOE	—		
SENATOR KRISTEN HANSEN		—	—
SENATOR JEDEDIAH HINKLE	—		
SENATOR DOUG KARY	—		
SENATOR NELS SWANDAL	—		
CHAIRMAN, SENATOR SCOTT SALES	—		

10/2

MONTANA STATE SENATE
ROLL CALL VOTE
2015 JUDICIARY COMMITTEE

DATE 2/18/15 BILL NO. SB3/S MOTION NO. 1

MOTION: table

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR CHAS VINCENT	—		—
VICE CHAIRMAN, SENATOR JENNIFER FIELDER	—		
SENATOR DIANE SANDS	—		
SENATOR CLIFF LARSEN	—		
SENATOR ROBYN DRISCOLL	—		
SENATOR MARY MCNALLY	—		
SENATOR MARY SHEEHY MOE	—		
SENATOR KRISTEN HANSEN	—		—
SENATOR JEDEDIAH HINKLE		—	
SENATOR DOUG KARY		—	
SENATOR NELS SWANDAL	—		
CHAIRMAN, SENATOR SCOTT SALES	—		

10/2

(Sen Hinkle requested his vote be changed from NO to Table to AYE to Table; time stamp 2:00:28)

MONTANA STATE SENATE
ROLL CALL VOTE
2015 JUDICIARY COMMITTEE

DATE 2/18/15 BILL NO 233 MOTION NO. 1

MOTION:

Dotrus

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR CHAS VINCENT		—	—
VICE CHAIRMAN, SENATOR JENNIFER FIELDER	—		
SENATOR DIANE SANDS	—		
SENATOR CLIFF LARSEN	—		
SENATOR ROBYN DRISCOLL	—		
SENATOR MARY MCNALLY	—		
SENATOR MARY SHEEHY MOE	—		
SENATOR KRISTEN HANSEN	—		—
SENATOR JEDEDIAH HINKLE	—		
SENATOR DOUG KARY	—		
SENATOR NELS SWANDAL	—		
CHAIRMAN, SENATOR SCOTT SALES		—	

10/2

SENATE PROXY

I, Senator CHAS VINCENT, hereby authorize Senator Scott Sals to vote my proxy before the Senate JUDICIARY meeting held on 2/18, 2015.

Chas Vincent
 Senator Signature (Sen. Vincent)

2/18/15
 Date

Said authorization is as follows: *(mark only one)*

- All votes, including amendments.
- All votes as directed below on the listed bills, and all other votes.
- Votes only as directed below.

Bill No./Amendment No.	Aye	No
HB 197 - Belongue In	X	
SB 9 - Dotars (Belongue)	X	
SB 10 - " (Belongue)	X	
SB 11 - " (Belongue)	X	
SB 291 - Table	X	
SB 219 - Amend	X	
SB 219 - Dotars Amend	X	
SB 3 - Amend	X	
SB 3 - Dotars Amend	X	
SB 315 - Table	X	
SB 253 - Dotars		X
HB 232 - Belongue In	X	
HB 165 - Belongue In	X	
SB 266 - Dotars	X	

SENATE PROXY

I, Senator K. Hansen, hereby authorize Senator S. Fielder to vote my proxy before the Senate meeting held on 2/18, 2015.

[Signature]
 Senator Signature

2/18/15
 Date

Said authorization is as follows: *(mark only one)*

- All votes, including amendments.
- All votes as directed below on the listed bills, and all other votes.
- Votes only as directed below.

Bill No. / Amendment No.	Aye	No
HB 197 - <i>Be Concurred In</i>	X	
SR9 - <i>Dotaw (Be Adopted)</i>	X	
SB 10 - <i>vv (Be Adopted)</i>	X	
SB 11 - <i>vv (Be Adopted)</i>	X	
SB 291 - <i>Tabled</i>	X	
SB 219 - <i>amend</i>	X	
SB 219 - <i>Dotaw Amend</i>	X	
SS3 - <i>amend</i>		X
SS3 - <i>Rotaw Amend</i>		X
SB 315 - <i>Tabled</i>	X	
SB 253 - <i>Dotaw</i>	X	
HB 232 - <i>Be Concurred In</i>	X	
HB 165 - <i>Be Concurred In</i>	X	
SB 266 - <i>Dotaw</i>	X	

MONTANA STATE SENATE
Visitors Register
SENATE JUDICIARY COMMITTEE

Wednesday, February 18, 2015

HB 165 - Revise grandparent/grandchild contact laws

Sponsor: Rep. Keith Regier

PLEASE PRINT

Name	Representing	Support	Oppose	Info
Katharine Donnelley	self		X	
Laura Thueckert	self	X		X
George Thueckert	self	X		X
Constance Levesque	self	X		
Susie Hamilton	self	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA STATE SENATE
Visitors Register
SENATE JUDICIARY COMMITTEE

Wednesday, February 18, 2015

HB 197 - Provide for an enhanced sentence for assault on a pregnant woman

Sponsor: Rep. Keith Regier

PLEASE PRINT

Name	Representing	Support	Oppose	Info
Kuben Young	MCATSSV	X		
Matt Brower	MT Catholic Conference	X		
Jon Beunion	MFF	X		
Jon Beunion	DOT	X		
MAGGIE MORAN	NARAL MT	x		
Susie Hamilton	Self	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA STATE SENATE
Visitors Register
SENATE JUDICIARY COMMITTEE

Wednesday, February 18, 2015

SB 315 - Make a third DUI a felony offense

Sponsor: Sen. Roger Webb

PLEASE PRINT

Name	Representing	Support	Oppose	Info
Nade Zolinski	Office of the Public Def.			X
Jane Hamman	MTEA	✓		
Kara Speru	Corrections			X
Kevin Olson	Corrections			✓
Amy Blum	MCAA			X

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.