



## Law and Justice Interim Committee

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### 62nd Montana Legislature

#### SENATE MEMBERS

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STEVE GALLUS  
GREG HINKLE  
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MIKE MENAHAN  
MICHAEL MORE  
KEN PETERSON

#### COMMITTEE STAFF

SHERI SCURR, Lead Staff  
DAVID NISS, Staff Attorney  
DAWN FIELD, Secretary

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## AGENDA

(as of 2/22/12)

**Day 2 - Friday, February 24, 2012**  
Room 172, Capitol Building, Helena  
*Please note: all times are approximate*

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- 7:30 a.m. 1. Roll Call
- 7:35 a.m. 2. Review of meeting materials, Sheri Scurr, LSD research analyst
- Medical Marijuana
- 7:40 a.m. 3. a. Sheri Scurr, LSD research analyst, SB 423 overview
- 7:55 a.m. b. Julianne Burkhardt, LSD attorney, Federal/State issues related to SB 423 on medical marijuana, pending litigation, initiative
- 8:05 a.m. c. Panel - law enforcement concerns about SB 423
- i. Ali Bovingdon, Attorney General's Office
  - ii. Lewis Smith, Powell County Attorney
  - iii. Wynn Meehan, Broadwater Co. Undersheriff, MSPOA
  - iv. Mark Murphy and Jerry Williams, MPPA
  - v. Ron Alsbury, Probation and Parole issues, Dept. of Corrections
- 9:00 a.m. d. Public Comment
- 9:15 a.m. e. Committee discussion and action  
***Action item:*** *What further information, if any, would the committee like for the next meeting concerning SB 423?*
- 9:30 a.m. BREAK
- Social host ordinances
- 9:45 a.m. 4. a. Sheri Scurr, LSD research analyst, overview of current law, previous work
- 10:00 a.m. b. Panel - various perspectives
- i. Cindy Larsen, Montana Common Sense Coalition
  - ii. Jim Smith, Mayor, Helena
  - iii. Luke Berger, Deputy City Attorney, Helena
  - iv. Andy Hunthausen, Lewis & Clark County Commissioner, MACo
- 10:45 a.m. c. Public comment
- 11:00 p.m. d. Committee discussion and action  
***Action item:*** *Does the committee want to request a preliminary bill draft on social host ordinances? If so, what should conceptually be included?*

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- 11:15 a.m. 5. Janice Reichelt - mother of mentally ill offender, recommendations for legislative action relating to mentally ill offenders
- 11:20 a.m. 6. **General Public Comment and Follow-up** on Department of Corrections issues and written comments received on topics not included on the agenda but under the LJIC's jurisdiction
- 11:45 noon WORKING LUNCH - pick-up catered lunch
- 12:00 noon **Continuation of General Public Comment** - including comment on emergency rule by Dept. of Justice and certification for breath tests

Eminent Domain

- 12:45 p.m. 7. a. Sonja Nowakowski, LSD research analyst, review of process, overview of 2011 legislation, overview of EQC activities
- 1:00 p.m. b. Helen Thigpen, LSD attorney, update on HB 198 litigation
- 1:15 p.m. c. Public comment
- 1:30 p.m. d. Committee discussion and action  
**Action item:** What further information, if any, would the committee like for the next meeting?
- 1:45 p.m. BREAK

Juvenile detention alternatives

- 2:00 p.m. 8. a. Sheri Scurr, LSD research analyst, overview of current law, previous work
- 2:15 p.m. b. Cil Robinson, Youth Justice Council, MBCC, white paper
- 2:30 p.m. c. Bob Peake, Youth Probation, Office of Court Administrator
- 2:45 p.m. d. Public comment
- 3:00 p.m. e. Committee discussion and action  
**Action item:** What further information or preliminary bill draft would the committee like, if any, for the next meeting?

Supreme Court Rules of Procedure

- 3:15 p.m. 9. a. Sheri Scurr, LSD, review of motion from last meeting and follow-up memorandum from David Niss
- b. Committee discussion and action  
**Action item:** Motion to expand the April hearing on the Supreme Court's rules of procedure to include appellate and district court rules of procedure?
- 3:30 p.m. 10. Next meeting, instructions to staff, adjournment

**Please Note:**

*If you plan to attend this meeting and will need services or accommodations, please contact Sheri Scurr (406-444-3596 or [sscurr@mt.gov](mailto:sscurr@mt.gov)) at least 5 working days before the meeting.*

*Meeting materials are available on the LJIC website at <http://leg.mt.gov/ljic>*