

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chairman Gary L. Perry, on March 9, 2009 at 9:00
A.M., in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Gary L. Perry, Chairman (R)
Sen. Jim Shockley, Vice Chairman (R)
Sen. Aubyn Curtiss (R)
Sen. John Esp (R)
Sen. Greg Hinkle (R)
Sen. Larry Jent (D)
Sen. Carol C. Juneau (D)
Sen. Cliff Larsen (D)
Sen. Jesse Laslovich (D)
Sen. Dan McGee (R)
Sen. Lynda Moss (D)
Sen. Terry Murphy (R)

Members Excused: None

Members Absent: None

Staff Present: Valencia Lane, 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 55, HB 133, HB 149, HB 177,
3/2/2009

Executive Action: HB 149-Be Concurred In

HEARING ON HB 133

Opening Statement by Sponsor:

00:02:44 Rep. Ron Stoker (R), HD 87, opened the hearing on HB 133, Streamline child support enforcement.

Proponents' Testimony:

00:04:11 Amy Pfeifer, Child Support Enforcement Division,
Department of Public Health and Human Services (DPHHS)

00:20:24 Lonnie Olson, Administrator, Child Support Enforcement
Division, DPHHS

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

00:24:55 Sen. McGee
00:25:44 Ms. Pfeifer
00:30:28 Sen. Shockley
00:31:41 Mr. Olson
00:34:44 Sen. Juneau
00:35:23 Ms. Pfeifer
00:41:42 Sen. McGee
00:42:37 Ms. Pfeifer
00:45:38 Sen. Perry
00:45:58 Ms. Pfeifer

Closing by Sponsor:

00:47:31 Rep. Stoker

HEARING ON HB 55

Opening Statement by Sponsor:

00:48:13 Rep. Ray Hawk (R), HD 90, opened the hearing
on HB 55, Geographical restrictions on juvenile sexual
offenders.

Proponents' Testimony:

00:49:37 Ali Bovington, Assistant Attorney General, Department
of Justice (DOJ)
00:52:14 Bob Vogel, Montana School Boards Association (MSBA)

Opponents' Testimony:

00:53:02 Scott Crichton, ACLU
[EXHIBIT\(jus52a01\)](#)

Informational Testimony:

None

Questions from Committee Members and Responses:

00:55:49 Sen. McGee
00:56:50 Rep. Hawk
00:56:56 Sen. Larsen
00:58:08 Ms. Bovington
00:58:30 Steve Gibson, Administrator, Youth Services Division,
Department of Corrections
01:00:56 Sen. Laslovich
01:01:12 Mr. Gibson
01:08:52 Sen. Laslovich
01:09:10 Mr. Vogel
01:10:08 Sen. Laslovich
01:10:56 Ms. Bovington
01:16:35 Sen. Shockley
01:17:10 Mr. Gibson
01:20:22 Sen. Shockley
01:20:30 Ms. Bovington
01:22:02 Sen. Murphy
01:22:36 Mr. Vogel
01:25:17 Sen. Murphy
01:25:55 Mr. Gibson

01:29:26 Sen. Murphy
01:29:54 Mr. Crichton
01:33:14 Sen. Shockley
01:33:31 Lois Menzies, Court Administrator, Montana Supreme
Court

EXHIBIT(jus52a02)

01:36:23 Sen. Shockley
01:36:33 Bob Peake, Court Administrator, Juvenile Court
Parole/Probation Division, Montana Supreme Court
01:36:49 Sen. Perry
01:36:52 Mr. Peake
01:38:30 Sen. McGee
01:39:27 Mr. Peake
01:41:31 Sen. Moss
01:42:11 Mr. Vogel
01:42:49 Sen. Moss
01:43:08 Mr. Gibson
01:43:43 Sen. Perry
01:44:15 Mr. Peake
01:47:18 Sen. Perry
01:47:24 Mr. Gibson
01:49:30 Sen. Perry
01:49:40 Ms. Bovingdon
01:51:11 Sen. Perry
01:51:16 Mr. Gibson
01:51:59 Sen. Perry
01:52:12 Mr. Crichton

Closing by Sponsor:

01:57:01 Rep. Hawk
01:57:34 break

HEARING ON HB 149

Opening Statement by Sponsor:

02:10:27 Rep. Mike Menahan (D), HD 82, opened the hearing on HB
149, Restitution and probationary supervision fees.

Proponents' Testimony:

02:19:04 Rhonda Schaffer, Administrator, Financial and
Administrative Services, Department of Corrections
(COR)

EXHIBIT(jus52a03)

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

None

Closing by Sponsor:

02:19:54 Rep. Menahan

HEARING ON HB 177

Opening Statement by Sponsor:

02:20:20 Rep. Deborah Kottel (D), HD 20, opened the hearing on HB 177, Define conditional discharge of an imposed sentence.

Proponents' Testimony:

02:22:09 Ron Alsbury, Administrator, Probation/Parole Division, COR
02:24:49 Craig Thomas, Executive Director, Board of Pardons and Parole, COR
02:25:24 Jill Cape, Volunteer, Opening Doors, Great Falls
02:26:32 Steve Cape, Chairman, Opening Doors, Great Falls
02:29:25 Jerry McKinney, retired FBI agent; Vice President, Opening Doors, Great Falls

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

02:30:57 Sen. Hinkle
 02:31:34 Rep. Kottel
 02:32:22 Sen. McGee
 02:33:01 Rep. Kottel
 02:35:27 Sen. Laslovich
 02:36:02 Rep. Kottel
 02:41:38 Sen. Laslovich
 02:42:00 Mr. Alsbury
 02:43:36 Sen. Shockley
 02:43:59 Rep. Kottel
 02:44:51 Sen. Perry
 02:46:51 Mr. Alsbury

Closing by Sponsor:

02:48:14 Rep. Kottel

EXECUTIVE ACTION ON HB 149

02:49:56 **Motion:** Sen. Esp moved that **HB 149 BE CONCURRED IN.**

Discussion:

02:50:05 Sen. McGee
 02:50:52 Valencia Lane, Legislative Services Division
 02:51:13 Sen. Shockley
 02:51:44 Sen. McGee
 02:52:43 Sen. Shockley
 02:52:56 Ms. Lane
 02:53:13 Sen. Laslovich

02:53:23 **Vote:** Motion that **HB 149 BE CONCURRED IN** carried unanimously by voice vote. Sen. Jent voted by proxy. Sen. Esp will carry HB 149 on the Senate floor.

EXECUTIVE ACTION ON HB 133

02:54:07 Sen. Perry
 (no action taken)

02:54:22 Sen. Shockley
 02:54:38 Ms. Lane

EXECUTIVE ACTION ON HB 177

02:55:07 Sen. McGee
02:55:15 Sen. Shockley
(no action taken)

Committee Business

02:55:53 Sen. Perry

ADJOURNMENT

Adjournment: 11:55 A.M.

Pam Schindler, Secretary

ps

Additional Documents:

EXHIBIT ([jus52aad.pdf](#))