

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Jim Shockley, on January 14, 2011 at 9:00 AM, in Room 405
Capitol

ROLL CALL

Members Present:

Sen. Jim Shockley, Chair (R)
Sen. Terry Murphy, Vice Chair (R)
Sen. Shannon Augare (D)
Sen. Anders Blewett (D)
Sen. Greg Hinkle (R)
Sen. Rowlie Hutton (R)
Sen. Larry Jent (D)
Sen. Cliff Larsen (D)
Sen. Lynda Moss (D)

Members Excused: None

Members Absent: Sen. Jim Peterson (R)
Sen. Chas Vincent (R)

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: SB 4, 1/5/2011

Informational Presentation by the Department of Corrections and
by the Office of the Public Defender

Executive Action: SB 4-Do Pass
SB 67-Do Pass

HEARING ON SB 4

Opening Statement by Sponsor:

00:00:42 Sen. Dave Lewis (R), SD 42, opened the hearing on SB 4, Provide immunity from civil liability for sports officials.

Proponents' Testimony:

00:03:29 Steve Hadden, attorney, Football Official, Montana Officials Association (MOA)

00:07:13 Tom Lorang, Regional Director, MOA

00:12:29 Jock Anderson, Montana High School Association (MHSA)

EXHIBIT(jus11a01)

00:14:44 Eddie Black, Referee, Montana School Boards Association

00:16:11 Scott Lockwood, Referee, Regional Director, United State Soccer Federation

00:17:40 Neil Peterson, self, Football Referee, Supervisor, Frontier Conference of Football Referees

Opponents' Testimony:

00:18:27 Al Smith, Montana Trial Lawyers Association

EXHIBIT(jus11a02)

Informational Testimony:

None

Questions from Committee Members and Responses:

00:25:27 Sen. Blewett

00:25:56 Mr. Anderson, MHSA

00:27:18 Sen. Larsen

00:27:50 Mr. Smith

00:28:46 Sen. Hinkle

00:29:08 Mr. Hadden

00:30:57 Sen. Blewett

00:31:24 Mr. Hadden

00:32:08 Sen. Shockley

00:32:14 Mr. Hadden

00:32:19 Sen. Blewett

00:33:21 Mr. Lewis

Closing by Sponsor:

00:35:00 Sen. Lewis

(Sen. Peterson and Sen. Vincent absent)

EXECUTIVE ACTION ON SB 4

00:36:21 **Motion:** Sen. Murphy moved that **SB 4 DO PASS**.

Discussion:

00:36:26 Sen. Blewett

00:37:34 **Vote:** Motion carried 6-5 by roll call vote with Sen. Augare, Sen. Blewett, Sen. Jent, Sen. Larsen and Sen. Moss voting no. Sen. Peterson and Sen. Vincent voted by proxy.

EXECUTIVE ACTION ON SB 67

(Vice Chairman Murphy assumes Chair's duties)

00:39:11 **Motion/Vote:** Sen. Shockley moved that **SB 67 DO PASS**. Motion carried unanimously by roll call vote. Sen. Peterson and Sen. Vincent voted by proxy.

(Chairman Shockley resumes Chair's duties)

00:41:12 Sen. Jent
00:42:11 Sen Shockley
00:42:36 Sen. Moss
01:01:04 Sen. Shockley

Presentation from the Department of Corrections-Intensive Supervision Program (ISP)

Presenter:

01:01:30 Mike Ferriter, Director, Montana Department of Corrections
[EXHIBIT\(jus11a03\)](#)

Questions from the Committee:

01:19:55 Sen. Larsen
01:20:22 Mr. Ferriter
01:21:22 Sen. Murphy
01:21:41 Mr. Ferriter
01:23:36 Sen. Shockley
01:24:01 Mr Ferriter
01:26:32 Sen. Hinkle
01:26:58 Mr. Ferriter

Presentation from the Office of Public Defender-Dependent and Neglected Children

Presenter:

01:29:20 Randi Hood, Chief Public Defender

[EXHIBIT\(jus11a04\)](#)

01:37:51 Corbitt Harrington, Attorney, Child Abuse and Neglect, Yellowstone County

01:43:22 Sen. Shockley

01:44:44 Michelle Haver, Montana Legal Services

[EXHIBIT\(jus11a05\)](#)

Questions from the Committee:

01:47:26 Sen. Shockley

01:47:52 Ms. Haver

Presenter:

01:50:27 Lois Menzies

[EXHIBIT\(jus11a06\)](#)

Presenter:

01:54:07 Fritz Gillespie, Chairman, Public Defender Commission

Questions from the Committee:

01:58:27 Sen. Shockley

01:59:05 Mr. Gillespie

02:00:19 Harry Freeborn, Administrative Director, Office of the Public Defender

02:01:23 Sen. Shockley

02:02:28 Mr. Gillespie

02:07:13 Mr. Harrington

02:08:17 Sen. Shockley

02:09:23 Ms. Hood

Presenter:

02:11:34 Al Crichton, American Civil Liberties Union (ACLU)

Questions from the Committee:

02:16:29 Sen. Shockley

02:16:45 Mr. Crichton

02:20:31 Mr. Gillespie

Received from Court Appointed Special Advocates (CASA) at the completion of the hearing

[EXHIBIT\(jus11a07\)](#)

ADJOURNMENT

Adjournment: 11:21 AM

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT([jus11aad.pdf](#))