

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Terry Murphy, on January 21, 2011 at 9:00 AM, in Room 303
Capitol

ROLL CALL

Members Present:

Sen. Terry Murphy, Chair (R)
Sen. Jim Shockley, 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: Sen. Jim Peterson (R)
Sen. Chas Vincent (R)

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: SB 114, 1/14/2011

Executive Action: SB 106-Do Pass

HEARING ON SB 114

Opening Statement by Sponsor:

00:01:19 Sen. Greg Hinkle (R), SD 7, opened the hearing on SB 114, Sheriff must authorize federal employee arrest, search, or seizure.

Proponents' Testimony:

00:03:58 Gary Marbut, President, Montana Shooting Sports Association (MSSA)

00:09:06 Tom Rummel, Sheriff, Sanders County

EXHIBIT(jus16a01)

00:10:34 Eric Walla, self

00:12:04 Steve Kendley, self

00:13:03 Garrett Bacon, self

00:13:30 Judy Woolley, self

EXHIBIT(jus16a02)

00:14:33 Charles Woolley, self

EXHIBIT(jus16a03)

00:15:57 Gerald Cuvillier, self

EXHIBIT(jus16a04)

00:17:23 Kevin McCauley, self

00:18:50 Lloyd Phillips, self, MSSA, Outdoors Network

00:20:42 Lisa Wamsley, self

00:22:37 Sen. Murphy

00:22:52 Ms. Wamsley

00:23:31 Linda Johnson, self

00:24:58 Tim Ravndal, Executive Director, Lewis and Clark Conservative Tea Party

00:26:25 Vince Vaccaro, self

00:28:13 Alan Wright, self

00:29:21 Zac Taylor, self

00:30:32 Steven McNeil, self

00:32:08 Ben Stormes, Montanans for Multiple Use

00:34:31 Lincoln Dziekonski

00:35:12 Lark Chadwick, self

EXHIBIT(jus16a05)

00:37:05 Julie Wolf, self

00:37:40 Connie Gress, self

00:38:05 Peter Young, self, Covenant Community Church

00:40:38 Alexander Dziekonski, self

00:42:01 Patrick Legard, self

00:42:32 Richard A. Royal, self

00:42:57 Phil Johnson, self

00:44:28 Beverly Cuvillier, self

EXHIBIT(jus16a06)

Exhibits mailed and distributed to the Committee Members in support of SB 114

[EXHIBIT\(jus16a07\)](#)

[EXHIBIT\(jus16a08\)](#)

Opponents' Testimony:

00:45:30 Marty Lambert, Gallatin County Attorney, Montana County Attorneys Association (MCAA)

[EXHIBIT\(jus16a09\)](#)

00:57:09 Jim Smith, Montana Sheriffs and Peace Officers Association (MSPOA)

01:03:00 Jim Cashell, Gallatin County Sheriff, MSPOA

01:11:03 Larry Epstein, MCAA, Montana Police Officers Association (MPOA)

01:13:59 Nikki Zupanic, American Civil Liberties Union (ACLU)

01:19:50 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence

01:20:22 Jaimie Greer, Montana Human Rights Network

[EXHIBIT\(jus16a10\)](#)

Informational Testimony:

None

Questions from Committee Members and Responses:

01:22:45 Sen. Shockley

01:23:06 Mr. Marbut

01:25:07 Sen. Blewett

01:25:18 Sen. Shockley

01:25:36 Mr. Marbut

01:28:41 Sen. Murphy

01:28:49 Mr. Marbut

01:29:11 Sen. Moss

01:31:11 Mr. Lambert

01:32:30 Sen. Blewett

01:32:47 Mr. Lambert

01:35:05 Sen. Jent

01:35:20 Mr. Marbut

01:37:53 Sen. Larsen

01:38:45 Sheriff Rummel

01:39:08 Sen. Augare

01:40:53 Mr. Marbut

Closing by Sponsor:

01:43:07 Sen. Hinkle

(Committee in Recess)

EXECUTIVE ACTION ON SB 106

02:02:32 **Motion:** Sen. Hinkle moved that **SB 106 DO PASS.**

Discussion:

02:04:25 Sen. Moss

EXHIBIT(jus16a11)

02:05:12 Sen. Jent

02:07:46 Valencia Lane, Legislative Services Division (LSD)

02:08:28 Sen. Jent

02:08:51 Ms. Lane

02:09:31 Sen. Jent

02:10:18 Sen. Murphy

02:10:39 Sen. Shockley

02:13:25 Sen. Larsen

02:14:13 Sen. Augare

02:17:07 Sen. Shockley

02:17:23 Sen. Augare

02:17:48 Ms. Lane

02:19:59 Sen. Murphy

02:20:25 Sen. Priest SD 30

EXHIBIT(jus16a12)

02:22:58 Sen. Blewett

02:24:04 Sen. Shockley

02:26:23 Sen. Hinkle

02:26:33 Sen. Moss

02:27:47 **Vote:** Motion carried 6-5 by roll call vote with Sen. Augare, Sen. Blewett, Sen. Jent, Sen. Larsen and Sen. Moss voting no. Sen. Blewett, Sen. Peterson and Sen. Vincent voted by proxy.

ADJOURNMENT

Adjournment: 11:29 A.M.

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT([jus16aad.pdf](#))