

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Terry Murphy, on March 4, 2011 at 8:00 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. Jeff Essmann (R)
Sen. Greg Hinkle (R)
Sen. Rowlie Hutton (R)
Sen. Larry Jent (D)
Sen. Cliff Larsen (D)
Sen. Lynda Moss (D)
Sen. Jim Peterson (R)
Sen. Chas Vincent (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 114, 2/21/2011; HB 235, 2/21/2011; HB 360, 2/21/2011

Executive Action: HB 96-Be Concurred In, HB 114-Be Concurred In, HB 71-Be Concurred In, HB 106-Be Concurred In

**MEDICAL MARIJUANA PRESENTATION TO THE COMMITTEE MEMBERS REGARDING
BILLS CURRENTLY IN THE LEGISLATIVE SESSION:**

00:02:11 Sue O'Connell, Research Analyst Legislative Services Division (LSD)

[EXHIBIT\(jus49a01\)](#)

[EXHIBIT\(jus49a02\)](#)

[EXHIBIT\(jus49a03\)](#)

00:24:30 Sen. Shockley

00:24:47 Ms. O'Connell

00:24:58 Sen. Murphy

00:25:05 Ms. O'Connell

00:26:29 Sen. Hinkle

00:26:51 Ms. O'Connell

00:28:02 Sen. Larsen

00:28:28 Ms. O'Connell

00:31:05 Sen. Shockley

00:31:13 Ms. O'Connell

00:31:53 Sen. Peterson

00:32:51 Ms. O'Connell

00:34:18 Chairman Murphy

Recess

HEARING ON HB 114

Opening Statement by Sponsor:

01:01:15 Rep. Jesse O'Hara (R), HD 18, opened the hearing on HB 114, Amend Montana crime victims compensation act.

Proponents' Testimony:

01:02:40 Ali Bovingdon, Assistant Attorney General, Department of Justice (DOJ), State of Montana

[EXHIBIT\(jus49a04\)](#)

01:05:44 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

01:07:33 Sen. Moss

01:08:01 Ms. Bovingdon

Closing by Sponsor:

01:08:55 Rep. O'Hara

EXHIBIT(jus49a05)

Exhibit from Harold Blattie, self, regarding HB 114

HEARING ON HB 235

Opening Statement by Sponsor:

01:09:47 Rep. Steve Fitzpatrick (R), HD 20, opened the hearing on HB 235, Allow parties to liens to enter into arbitration.

Proponents' Testimony:

None

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

01:12:23 Sen. Shockley
01:12:39 Rep. Fitzpatrick
01:13:46 Sen. Blewett
01:14:31 Rep. Fitzpatrick

Closing by Sponsor:

01:16:07 Rep. Fitzpatrick

(Recess)

(Sen. Essmann, Sen. Hutton, Sen. Peterson, and Sen. Hinkle absent from the room)

EXECUTIVE ACTION ON HB 96

01:22:20 **Motion/Vote:** Sen. Shockley moved that **HB 96 BE CONCURRED IN**. Motion carried 11-1 by roll call vote with Sen. Vincent voting no. Sen. Essmann, Sen. Hinkle, Sen. Hutton and Sen. Peterson voted by proxy. Sen. Shockley will carry the bill.

HEARING ON HB 360

Opening Statement by Sponsor:

01:24:17 Rep. Daniel Salomon (R), HD 12, opened the hearing on HB 360, Criminalize passengers failure to report certain motor vehicle accidents.

[EXHIBIT\(jus49a06\)](#)

Proponents' Testimony:

01:28:29 Rep. Janna Taylor, HD 11

01:29:50 Joan Sherman, mother of daughter, Jami, killed in a hit and run accident July 1, 2006

[EXHIBIT\(jus49a07\)](#)

01:32:43 Mark Murphy, Montana County Attorneys Association (MCAA)

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

01:35:26 Sen. Larsen

01:35:56 Rep. Salomon

01:36:05 Rep. Kris Hansen

01:37:25 Sen. Augare

01:40:46 Sen. Shockley

Closing by Sponsor:

01:45:36 Rep. Salomon

(Sen. Hinkle returned to the room)

EXECUTIVE ACTION ON HB 114

01:47:03 **Motion/Vote:** Sen. Moss moved that **HB 114 BE CONCURRED IN**. Motion carried unanimously by roll call vote Sen. Hutton, Sen. Peterson and Sen. Essmann voted by proxy. Sen. Moss will carry the bill.

COMMITTEE BUSINESS REGARDING: EXECUTIVE ACTION ON HB 235

01:47:55 Sen. Blewett

EXECUTIVE ACTION ON HB 360

01:48:01 Valencia Lane, Legislative Services Division (LSD)
01:48:55 Sen. Jent
01:52:45 Ms. Bovingdon
01:53:53 Sen. Murphy
01:53:57 Sen. Jent
01:54:12 Sen. Shockley
01:54:42 Valencia Lane, LSD
01:55:02 Chairman Murphy , postponed Executive Action on HB 360

EXECUTIVE ACTION ON HB 71

01:56:18 Sen. Blewett
01:56:33 Sen. Murphy
01:56:55 Sen. Shockley

01:57:52 **Motion:** Sen. Hinkle moved that **HB 71 BE CONCURRED IN**.

01:58:04 Sen. Augare
01:59:31 Sen. Blewett
02:02:01 Sen. Shockley

02:03:08 **Vote:** Motion carried 7-5 by roll call vote with Sen. Augare, Sen. Jent, Sen. Larsen, Sen. Moss and Sen. Murphy voting no. Sen. Essmann, Sen. Hutton and Sen. Peterson voted by proxy. Sen. Hinkle will carry the bill.

EXECUTIVE ACTION ON HB 106

02:04:37 **Motion/Vote:** Sen. Shockley moved that **HB 106 BE CONCURRED IN**. Motion carried unanimously by roll call vote. Sen. Essmann, Sen. Hutton and Sen. Peterson voted by proxy. Sen. Jent will carry the bill.

ADJOURNMENT

Adjournment: 10:07 A.M.

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT([jus49aad.pdf](#))