

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Terry Murphy, on April 19, 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. 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)

Members Excused: Sen. Shannon Augare (D)
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: SR 32, 4/11/2011

Executive Action: HB 14-Tabled, HB 490-Tabled, HB 631-Tabled, HB 627-Be
Concurred in as Amended

HEARING ON SR 32

(Sen. Hinkle assumes the role of Chairman)

Opening Statement by Sponsor:

00:03:37 Sen. Terry Murphy (R), SD 39, opened the hearing on SR 32, Confirm
Commissioner of Political Practices appointee.

Proponents' Testimony:

00:05:01 Jennifer Hensley, Candidate, Commissioner of Political Practices, State of
Montana

[EXHIBIT\(jus87a01\)](#)

[EXHIBIT\(jus87a02\)](#)

00:10:57 Vivian Hammill, Chief of Staff, Office of the Governor, State of Montana

00:12:30 Tom Ebzery, Attorney, Billings, Montana

00:14:58 Linda Stoll, Montana Association of Clerks and Recorders (MACR)

00:15:53 Mike Foster, self, also for Mary Foster

Opponents' Testimony:

00:17:58 Jake Eaton, self

Informational Testimony:

None

Questions from Committee Members and Responses:

00:23:25 Sen. Larsen

00:24:11 Ms. Hensley

00:29:38 Sen. Moss

00:30:09 Ms. Hensley

Closing by Sponsor:

00:31:37 Sen. Murphy

(Chairman Murphy resumes the Chairman's role)

00:32:30 Chairman Murphy

(Sen. Essmann and Sen. Peterson absent from the room)

EXECUTIVE ACTION ON HB 631

00:34:11 **Motion/Vote:** Sen. Hinkle moved that **HB 631 BE TABLED**. Motion carried 11-1 by roll call vote with Sen. Shockley voting no. Sen. Augare, Sen. Essmann, Sen. Peterson and Sen. Vincent voted by proxy.

EXECUTIVE ACTION ON HB 14

00:35:29 **Motion:** Sen. Blewett moved that **HB 14 BE CONCURRED IN**.

00:35:48 **Substitute Motion/Vote:** Sen. Hinkle made a substitute motion that **HB 14 BE TABLED**. Substitute Motion carried 9-3 by roll call vote with Sen. Blewett, Sen. Larsen and Sen. Shockley voting no. Sen. Augare, Sen. Essmann, Sen. Peterson and Sen. Vincent voted by proxy.

EXECUTIVE ACTION ON HB 490

00:37:03 **Motion:** Sen. Hinkle moved that **HB 490 BE CONCURRED IN**.

00:37:12 **Substitute Motion/Vote:** Sen. Moss made a substitute motion that **HB 490 BE TABLED**. Substitute Motion carried 8-4 by roll call vote with Sen. Hinkle, Sen. Hutton, Sen. Murphy and Sen. Vincent voting no. Sen. Augare, Sen. Essmann, Sen. Peterson and Sen. Vincent voted by proxy.

EXECUTIVE ACTION ON HB 627

00:38:51 **Motion:** Sen. Shockley moved that **HB 627 BE REMOVED FROM TABLED**.

Discussion:

00:39:09 Valencia Lane, Legislative Services Division (LSD)

00:40:07 Sen. Shockley

(Sen. Essmann entered room)

00:40:29 Sen. Moss

00:42:25 **Vote:** Motion carried 7-5 by roll call vote with Sen. Augare, Sen. Blewett, Sen. Jent, Sen. Larsen and Sen. Moss voting no. Sen. Augare, Sen. Peterson and Sen. Vincent voted by proxy.

00:42:28 **Motion/Vote:** Sen. Shockley moved that **HB 627 BE CONCURRED IN AS AMENDED**. (Amendments 62701.avi were added 4/13/11). Motion carried 7-5 by roll call vote with Sen. Augare, Sen. Blewett, Sen. Jent, Sen. Larsen and Sen. Moss voting no. Sen. Augare, Sen. Peterson and Sen. Vincent voted by proxy. Sen. Shockley will carry the bill.

ADJOURNMENT

Adjournment: 9:44 A.M.

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT([jus87aad.pdf](#))