

## MINUTES

### MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON JUDICIARY

**Call to Order:** Chair Terry Murphy, on March 13, 2013 at 9:00 AM, in Room 303 Capitol

#### ROLL CALL

**Members Present:**

Sen. Terry Murphy, Chair (R)  
Sen. Scott Sales, Vice Chair (R)  
Sen. Shannon Augare (D)  
Sen. Anders Blewett (D)  
Sen. Scott Boulanger (R)  
Sen. Robyn Driscoll (D)  
Sen. Jennifer Fielder (R)  
Sen. Larry Jent (D)  
Sen. Cliff Larsen (D)  
Sen. Chas Vincent (R)  
Sen. Art Wittich (R)

**Members Excused:** Sen. John Brenden (R)

**Members Absent:** None

**Staff Present:** Julianne Burkhardt, 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 352, 3/6/2013; HB 330, 3/6/2013; HB 369, 3/6/2013; HB 374,  
3/6/2013  
Executive Action: HB 330-BE CONCURRED IN, HB 225-BE CONCURRED IN

**HEARING ON HB 330**

**Opening Statement by Sponsor:**

00:19:31 Rep. Steve Fitzpatrick (R), HD 20, opened the hearing on HB 330, Limit the collection of personal identification information in Montana courts.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:**

00:24:15 Amy Pfeifer, Child Support and Enforcement Division, Department of Public Health and Human Services (DPHHS), State of Montana

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

00:24:38 Rep. Fitzpatrick

**HEARING ON HB 352**

**Opening Statement by Sponsor:**

00:25:05 Rep. Steve Fitzpatrick (R), HD 20, opened the hearing on HB 352, Revise justice court laws.

**Proponents' Testimony:**

00:28:32 Mary Phippen, Montana Magistrates' Association (MMA)  
[EXHIBIT\(jus54a01\)](#)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:34:41 Sen. Blewett  
00:35:08 Ms. Phippen, MMA  
00:36:54 Sen. Blewett  
00:37:43 Rep. Fitzpatrick  
00:40:01 Sen. Jent  
00:40:48 Ms. Phippen

**Closing by Sponsor:**

00:42:28 Rep. Fitzpatrick

**HEARING ON HB 369**

**Opening Statement by Sponsor:**

00:43:04 Rep. Steve Fitzpatrick (R), HD 20, opened the hearing on HB 369, Revise laws for courts of limited jurisdiction.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:47:05 Sen. Blewett  
00:47:25 Rep. Fitzpatrick

**Closing by Sponsor:**

00:50:10 Rep. Fitzpatrick

**HEARING ON HB 374**

**Opening Statement by Sponsor:**

00:50:58 Rep. Steve Fitzpatrick (R), HD 20, opened the hearing on HB 374, Authorize individual legislator standing to intervene in certain civil actions.

[EXHIBIT\(jus54a02\)](#)

**Proponents' Testimony:** None

**Opponents' Testimony:** None

00:57:17 Al Smith, Montana Trial Lawyers Association (MTLA)  
[EXHIBIT\(jus54a03\)](#)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:05:45 Sen. Jent  
01:06:25 Rep. Fitzpatrick  
01:08:16 Sen. Jent  
01:08:42 Mr. Smith, MTLA

01:13:49 Sen. Larsen  
01:14:08 Rep. Fitzpatrick  
01:15:00 Sen. Blewett  
01:15:45 Rep. Fitzpatrick  
01:17:33 Sen. Fielder  
01:18:17 Mr. Smith  
01:19:39 Sen. Wittich  
01:20:06 Mr. Smith  
01:26:55 Sen. Wittich  
01:27:24 Rep. Fitzpatrick  
01:30:48 Sen. Blewett  
01:31:12 Rep. Fitzpatrick  
01:34:16 Sen. Wittich  
01:35:02 Rep. Fitzpatrick

**Closing by Sponsor:**

01:35:37 Rep. Fitzpatrick

**EXECUTIVE ACTION ON HB 330**

01:36:32 **Motion/Vote:** Sen. Larsen moved that **HB 330 BE CONCURRED IN**. Motion carried 12-0 by roll call vote. Sen. Brenden voted by proxy. Sen. Jent will carry the bill.

**EXECUTIVE ACTION ON HB 225**

01:38:40 **Motion:** Sen. Sales moved that **HB 225 BE CONCURRED IN**.

01:38:43 **Motion:** Sen. Blewett moved that **HB 225 BE AMENDED**.  
[EXHIBIT\(jus54a04\)](#)

**Discussion:**

01:40:34 Sen. Sales  
01:40:42 Sen. Blewett  
01:41:25 Sen. Jent

01:42:52 **Vote:** Motion failed 5-7 by roll call vote with Sen. Augare, Sen. Blewett, Sen. Driscoll, Sen. Jent and Sen. Larsen voting aye. Sen. Brenden voted by proxy.

(Sen. Wittich absent from hearing)

01:43:36 Sen. Blewett  
01:45:02 Sen. Sales  
01:45:23 Sen. Blewett  
01:47:34 Sen. Vincent  
01:47:44 Sen. Fielder  
01:48:18 Sen. Blewett  
01:50:24 Sen. Vincent

01:50:46 Julianne Burkhardt, Legislative Services Division (LSD)

01:51:23 Sen. Blewett

01:51:28 Ms. Burkhardt, LSD

01:53:11 **Vote:** Motion carried 7-5 by roll call vote with Sen. Augare, Sen. Blewett, Sen. Driscoll, Sen. Jent and Sen. Larsen voting no. Sen. Brenden and Sen. Wittich voted by proxy. Sen. Wittich will carry the bill.

01:53:21 Sen. Blewett

01:53:49 Sen. Vincent

**ADJOURNMENT**

Adjournment: 10:40 A.M.

---

Pam Schindler, Secretary

ps

Additional Documents:

**EXHIBIT([jus54aad.pdf](#))**