

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By Chairman Diane Rice, on January 31, 2007 at
8:00 A.M., in Room 137 Capitol.

ROLL CALL

Members Present:

Rep. Diane Rice, Chairman (R)
Rep. Dave Gallik, Vice Chairman (D)
Rep. Ron Stoker, Vice Chairman (R)
Rep. Douglas Cordier (D)
Rep. Robyn Driscoll (D)
Rep. Bob Ebinger (D)
Rep. George Everett (R)
Rep. Julie French (D)
Rep. Rick Jore (C)
Rep. Krayton Kerns (R)
Rep. Roger Koopman (R)
Rep. Deborah Kottel (D)
Rep. Tom McGillvray (R)
Rep. Jesse O'Hara (R)
Rep. Ken Peterson (R)
Rep. Holly Raser (D)
Rep. John Ward (R)

Members Excused: None.

Members Absent: None.

Staff Present: David Niss, 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 375, HB 467, HB 323, HB 423,
1/24/2007
Executive Action: None

HEARING ON HB 323

Opening Statement by Sponsor:

00:01:23 Rep. Bill Thomas (D), HD 26, opened the hearing on HB 323, Rights pertaining to funeral and disposition arrangements.

[EXHIBIT\(juh21a01\)](#)

Proponents' Testimony:

00:03:27 Scott Gilligan, Chief Counsel, National Funeral Directors Association, Montana Funeral Directors Association

[EXHIBIT\(juh21a02\)](#)

00:15:08 Wayne Benson, Licensed Mortician/Embalmer, Missoula, Montana

00:18:38 Terry Stevenson, Licensed Funeral Director/Mortician

00:21:26 Todd Stevenson, Licensed Funeral Director/Mortician

00:24:37 Steve Schneider, Funeral Services Director

00:25:57 Julie Brigs, Licensed Mortician, Montana and Arizona

00:30:12 Steve Yeakel, Executive Director, Montana Funeral Directors Association

[EXHIBIT\(juh21a03\)](#)

[EXHIBIT\(juh21a04\)](#)

Opponents' Testimony:

00:35:09 Tom Wojowick, self

[EXHIBIT\(juh21a05\)](#)

00:38:07 Don Pfau, self, Central Montana Memorial Society

00:40:00 Debbie Stevens, Central Montana Memorial Society

00:44:25 Bill Spoja, Central Montana Crematorium, Inc.

[EXHIBIT\(juh21a06\)](#)

[EXHIBIT\(juh21a07\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

00:59:53__Rep. French

01:00:20 Mr. Yeakel

01:05:32 Mr. Gilligan

01:09:17 Rep. Koopman

01:10:46 Mr. Gilligan

01:17:57 Rep. French

01:18:44 Mr. Gilligan

01:24:02 Rep. Ebinger

01:25:10 Mr. Gilligan

01:25:16 Rep. Stoker
01:25:26 Mr. Gilligan
01:26:55 Mr. Spoja
01:28:41 Rep. O'Hara
01:29:00 Mr. Yeakel
01:30:24 Rep. Peterson
01:31:22 Mr. Spoja
01:33:07 Rep. McGillvray
01:33:31 Mr. Spoja

Closing by Sponsor:

01:34:56 Rep. Thomas

01:36:44 Break
01:49:12 Reconvene

HEARING ON HB 375

Opening Statement by Sponsor:

01:49:32 Rep. Llew Jones (R), HD 27, opened the hearing on HB 375, Allow insurance rate setting based on not-at-fault accidents.

Proponents' Testimony:

01:53:39 Dwight Easton, Farmers Insurance Group of Montana
[EXHIBIT\(juh21a08\)](#)
[EXHIBIT\(juh21a09\)](#)
02:03:47 Greg Van Horsen, State Farm Insurance
02:07:30 Jacqueline Lenmark, American Insurance Association

Opponents' Testimony:

02:09:55 Patrick Driscoll, Chief Counsel, State of Montana Auditor
02:15:55 Carol Roy, Deputy Insurance Commissioner, State of Montana Auditor
02:17:35 Jennifer Massman, Staff Attorney, State of Montana Auditor

Informational Testimony: None

Questions from Committee Members and Responses:

02:19:29 Rep. French
02:20:52 Mr. Driscoll
02:21:12 Ms. Roy

02:22:15 Ms. Lenmark
02:23:59 Rep. Everett
02:24:40 Mr. Easton
02:27:36 Rep. Kottel
02:28:12 Mr. Easton
02:33:25 Rep. McGillvray
02:34:05 Mr. Easton
02:36:24 Rep. Peterson
02:37:10 Mr. Easton
02:38:26 Rep. Stoker
02:39:29 Mr. Driscoll
02:39:49 Ms. Roy
02:40:54 Rep. Koopman
02:42:13 Mr. Easton
02:49:08 Rep. Cordier
02:50:10 Ms. Roy

Closing by Sponsor:

02:52:02 Rep. Jones

HEARING ON HB 423

Opening Statement by Sponsor:

02:56:53 Rep. Ken Peterson (R), HD 46, opened the hearing on HB 423, Increase license suspension period for refusing alcohol-drug test.

Proponents' Testimony:

03:03:18 Brenda Nordlund, Assistant Attorney General, Department of Justice

03:06:41 Jim Smith, Montana County Attorneys Association

03:08:16 Chris Menard, self

EXHIBIT(juh21a10)

03:09:51 Barry "Spook" Stang, Executive Director, Montana Motor Carriers Association

Opponents' Testimony:

03:11:30 Dan Flynn, International Brotherhood of Electrical Workers

Informational Testimony: None

Questions from Committee Members and Responses:

03:13:09 Rep. O'Hara

03:13:32 Mr. Flynn
03:14:32 Rep. French
03:15:04 Ms. Nordlund
03:19:57 Rep. Rice
03:20:27 Mr. Flynn

Closing by Sponsor:

03:21:06 Rep. Peterson

HEARING ON HB 467

Opening Statement by Sponsor:

03:23:39 Rep. Ken Peterson (R), HD 46, opened the hearing on HB 467, Revise medical-legal panel laws.

Proponents' Testimony:

03:29:40 Pat Melby, Montana Medical Association, General Counsel, Montana Medical-Legal Panel
03:32:40 Al Smith, Montana Trial Lawyers Association
03:34:47 Dr. Liz Rantz, Medical Director, Department of Corrections, State of Montana
03:39:19 Diana Koch, Chief Legal Counsel, Department of Corrections, State of Montana

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

03:41:29 Rep. French
03:42:24 Dr. Rantz
03:44:23 Rep. Kottel
03:44:51 Ms. Koch
03:45:53 Mr. Melby
03:47:15 Dr. Rantz
03:49:53 Mr. Smith
03:55:59 Rep. Gallik
03:56:29 Ms. Koch

Closing by Sponsor:

03:59:55 Rep. Peterson

ADJOURNMENT

Adjournment: 12:04 P.M.

REP. DIANE RICE, Chairman

PAM SCHINDLER, Secretary

DR/ps

Additional Exhibits:

EXHIBIT ([juh21aad.pdf](#))