

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
60th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON JUDICIARY

Call to Order: By Chairman Diane Rice, on February 2, 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 340, 292, 403, 459, 420,
1/25/2007
Executive Action: None

HEARING ON HB 340**Opening Statement by Sponsor:**

00:01:17 Rep. Jack Wells (R), HD 69, opened the hearing on HB 340, Citizen self-defense and firearms rights.

Proponents' Testimony:

00:03:37 Rep. Gordon Hendrick, HD 14

00:04:07 Gary Marbut, President, Montana Shooting Sports Association, Author, Firearms Instructor

[EXHIBIT \(juh23a01\)](#)

[EXHIBIT \(juh23a02\)](#)

[EXHIBIT \(juh23a03\)](#)

00:27:57 Harris Himes, Montana Family Values Alliance

00:28:47 Dan Hawkins, self

00:29:28 Randy Pinocci, self

00:31:12 Mary Jolley, self

00:33:23 Don Doig, self

00:35:52 Wayne Delzer, self

00:38:06 Erick Adolphson, self

00:38:15 Doug Nulle, self

00:43:55 Randy Pinocci, self

00:44:41 Rick Komenda, Chairman, Constitution Party of Montana

00:45:15 Brad Momber, self

Opponents' Testimony:

00:45:45 Mark Muir, Assistant Chief of Police, Missoula

[EXHIBIT \(juh23a04\)](#)

00:58:16 Mike Weber, President, Montana County Attorneys Association, Richland County Attorney

01:07:32 Jim Kembel, Montana Association of Chiefs of Police

01:11:25 Jim Smith, Montana Sheriffs and Peace Officers Association

01:15:11 Bruce Spencer, Montana Auto Dealers Association

01:15:26 Wade Sigorski, self

01:16:03 Geoff Feiss, Montana Telecommunications Association

Informational Testimony:

01:16:23 Randy Morris, Administrator, State Personnel Division, Department of Labor, State of Montana

01:16:46 Al Smith, Montana Trial Lawyers Association

Questions from Committee Members and Responses:

01:17:20 Rep. Everett
01:18:02 Mr. Marbut
01:18:19 Rep. Kottel
01:18:46 Mr. Marbut
01:27:45 Pam Bucy, Assistant Attorney General, Department of
Justice
01:32:11 Rep. Peterson
01:32:45 Mr. Marbut
01:36:13 Rep. Jore
01:37:15 Mr. Marbut
01:41:23 Rep. French
01:42:01 Mr. Marbut
01:43:14 Rep. Raser
01:44:05 Mr. Marbut
01:44:50 Mr. Muir
01:48:28 Rep. Stoker
01:48:45 Mr. Muir

Closing by Sponsor:

01:49:01 Rep. Wells

EXHIBIT (juh23a05)

Handed in at conclusion of hearing for HB 340

HEARING ON HB 420**Opening Statement by Sponsor:**

02:00:00 Rep. Roger Koopman (R), HD 70, opened the hearing on HB
420, Exempt Montana-made firearms, accessories,
ammunition from fed commerce clause.

EXHIBIT (juh23a06)**Proponents' Testimony:**

02:07:05 Gary Marbut, President, Montana Shooting Sports
Association
02:11:35 Doug Nulle, self
02:12:44 Doug Doig
02:13:40 Brad Momber, self
02:13:12 Roger Nelson, self

EXHIBIT (juh23a07)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:14:11 Rep. Kottel
02:14:15 Mr. Nulle
02:17:33 Rep. Kerns
02:17:40 Mr. Nulle
02:20:32 Rep. Gallik
02:20:40 Rep. Koopman
02:23:11 Rep. Peterson
02:23:16 Rep. Koopman

Closing by Sponsor:

02:25:57 Rep. Koopman

02:30:15 Break
02:39:45 Reconvene

HEARING ON HB 292

Opening Statement by Sponsor:

02:39:51 Rep. Wayne Stahl (R), HD 35, opened the hearing on HB 292, Revise local government leasing laws.

Proponents' Testimony:

02:41:12 Dave Reinhart, Valley County Commissioner
02:42:37 Cynthia Johnson, Vice-President, Montana Association of Counties, County Commissioner, Pondera County

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:44:01 Rep. Ward
02:44:05 Rep. Stahl

Closing by Sponsor:

02:44:25 Rep. Stahl

HEARING ON HB 459

Opening Statement by Sponsor:

02:45:35 Rep. Ralph Heinert (R), HD 1, opened the hearing on HB 459, Revise fetus transport for autopsy purposes.

Proponents' Testimony:

02:48:11 Rachel Roberts, Montana Family Foundation

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

02:49:41 Rep. Everett
02:49:50 Rep. Heinhart
02:50:10 Rep. O'Hara
02:50:23 Rep. Heinhart
02:51:46 Rep. Jore
02:51:09 Rep. Heinert

Closing by Sponsor:

02:52:53 Rep. Heinert

HEARING ON HB 403

Opening Statement by Sponsor:

02:54:19 Rep. Rick Jore (C), HD 12, opened the hearing on HB 403, Constitutionally recognize life begins at conception.

Proponents' Testimony:

03:02:11 James Patrick Johnston, Physician, Founder, Association of Pro-Life Physicians

[EXHIBIT \(juh23a08\)](#)

03:18:20 The following Opponents just stated their name and organization:
Beth Reese, self
Greg Trude, Right To Life
Rachel Roberts, Montana Family Foundation
Mary Nelson, self

Steven Wagner, Covenant Community Church
 Jonathon Martin, Chairman, Constitution Party of
 Montana

EXHIBIT (juh23a09)

_____ Jeanette Zentgraf, Concerned Women of America
 _____ Garrett Bacon, self
 _____ Gary Hopkins, self

EXHIBIT (juh23a10)

_____ Justin Michaels, Whitefish community church of God
 _____ Rick Komenda, Constitution Party of Montana
 _____ Moe Wosepka, Montana Catholic Conference

EXHIBIT (juh23a11)

_____ Bruceen Fleenor, self
 _____ Roger Nelson, self

EXHIBIT (juh23a12)

_____ Tammie Kanduch, Concerned Women of America, Montana
 _____ Harris Himes, Montana Family Values Alliance
 _____ Hannah Koljonen, self
 _____ Tammy Kandish, self, Youth Group
 _____ Norman Sollid, self
 _____ Christopher McVeda, self
 _____ Jonathon McVeda, self
 _____ Jeff Phillips, self
 _____ Jennifer Sollid, self
 _____ Dave McVeda, self
 _____ Jeff LaMotte, self
 _____ Tim Sollid, self
 _____ Abigail Koljonen, self
 _____ Katie McVeda,
 _____ Thory Sollid, self
 _____ Raimie Havbrich, self

Opponents' Testimony:

03:34:14 Beth Brenneman, Montana Advocacy Program
 03:38:54 Kelsen Young, Executive Director, Montana Coalition
 Against Domestic and Sexual Violence
 03:40:15 Olivia Riutta, Working for a Quality and Equal Life
 (WEEL)
 03:43:21 Abigail St. Lawrence, self
 03:45:45 Debbie Smith, ACLU

EXHIBIT (juh23a13)

03:50:23 Rita Blouke, Vice President, League of Women Voters,
 Helena
 03:53:57 F. Vernon Wright V., Minister, Plymouth Congregational
 Church
 03:57:29 Allyson Hagen, NARAL of Montana
 03:57:37 Katie Redd, Planned Parenthood of Montana

EXHIBIT (juh23a14)

03:59:30 Jessica Rhoades, Montana Democratic Party

03:59:41 Wade Sikorski, self

EXHIBIT (juh23a15)

04:00:41 Stacey Anderson, Planned Parenthood of Montana

Informational Testimony: None

Questions from Committee Members and Responses:

04:02:21 Rep. Driscoll

04:02:00 Rep. Jore

04:03:11 Rep. Peterson

04:04:42 Rep. Koopman

04:05:50 Rev. Wright

04:08:43 Ms. Smith

04:12:45 Rep. Jore

04:12:09 Rep. Gallik

04:13:10 Rep. Koopman

04:14:30 Mr. Johnston

04:17:25 Rep. French

04:17:10 Rep. Kottel

04:18:06 John Connor, Chief Criminal Prosecutor, Assistant
Attorney General, Department of Justice

Closing by Sponsor:

04:21:08 Rep. Jore

ADJOURNMENT

Adjournment: 12:23 P.M.

REP. DIANE RICE, Chairman

PAM SCHINDLER, Secretary

DR/ps

Additional Exhibits:

EXHIBIT ([juh23aad.pdf](#))