

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By Chairman Diane Rice, on March 9, 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)

Members Excused: None.

Members Absent: Rep. John Ward (R)

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: SB 306, SB 83, SB 85, SB 104
3/6/2007
Executive Action: None

HEARING ON SB 85

Opening Statement by Sponsor:

00:01:11 Sen. Trudi Schmidt (D), SD 11, opened the hearing on SB 85, Revise offense of child endangerment.

Proponents' Testimony:

00:02:46 Sandra Wells, Physician, Biomedical Researcher,
University of Montana, Missoula, Montana

EXHIBIT(juh50a01)

00:08:18 Pam Bucy, Assistant Attorney General, Department of
Justice, State of Montana, Board Member, Montana
Alliance for Drug Endangered Children

EXHIBIT(juh50a02)

00:11:46 Craig Campbell, Police Officer, City of Helena,
Executive Director, Montana Narcotics Officers
Association, Board Member, Montana Alliance for Drug
Endangered Children

00:16:48 Harris Himes, Montana Values Alliance

00:17:22 Janie McCall, Montana Children's Initiative Provider
Program

Opponents' Testimony: None

Informational Testimony:

00:18:36 Shirley Brown, Division Administrator, Child and Family
Services, Department of Health and Human Services,
State of Montana

Questions from Committee Members and Responses:

00:21:32 Rep. McGillvray

00:21:39 Ms. Brown

00:21:49 Rep. Koopman

00:23:34 Dr. Wells

00:26:39 Rep. French

00:28:13 Mr. Campbell

00:31:46 Rep. Everett

00:32:21 Sen. Schmidt

00:33:18 Rep. Peterson

00:34:19 Ms. Bucy

00:37:40 Rep. Kottel

00:38:05 Ms. Bucy

00:39:39 Rep. Rice

00:40:01 Ms. Bucy

Closing by Sponsor:

00:42:57 Sen. Schmidt

HEARING ON SB 83

Opening Statement by Sponsor:

00:43:35 Sen. Trudi Schmidt (D), SD 11, opened the hearing on SB 83, Clarify state role for child placed with non-custodial parent.

Proponents' Testimony:

00:45:19 Shirley Brown, Division Administrator, Child and Family Services, Department of Health and Human Services, State of Montana

EXHIBIT(juh50a03)

00:52:21 Janie McCall, Montana Children's Initiative Provider Program

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:53:23 Rep. Gallik
00:54:15 Ms. Brown
00:57:02 Rep. Stoker
00:57:47 Ms. Brown
01:00:00 Rep. French
01:00:26 Ms. Brown
01:02:21 Rep. Peterson
01:03:02 Ms. Brown
01:05:57 Rep. Kottel
01:07:24 Ms. Brown

Closing by Sponsor:

01:09:59 Sen. Schmidt

01:10:30 Break

01:22:31 Reconvene

HEARING ON SB 306

Opening Statement by Sponsor:

01:22:52 Sen. Dan Harrington (D), SD 38, opened the hearing on
SB 306, Eliminate death penalty.

EXHIBIT(juh50a04)

Proponents' Testimony:

01:32:05 John C. Sheehy, Former Montana State Insurance
Commissioner, Montana State Representative, Montana
State Senator, Montana Supreme Court Justice

EXHIBIT(juh50a05)

01:37:30 Sen. Roy Brown, SD 25

EXHIBIT(juh50a06)

01:42:22 John Connor, Chief Criminal Counsel, Assistant Attorney
General, Department of Justice, State of Montana

01:53:06 Betsy Griffing, Legal Program Director, ACLU, Former
Chief of the Appellate Bureau, Department of Justice,
State of Montana

EXHIBIT(juh50a07)

02:00:47 Ed Sheehy Jr., Regional Public Defender, Office of
Public Defender, State of Montana, Death Penalty
Qualified Attorney

02:03:31 Jeffrey Renz, Professor, School of Law, University of
Montana, Missoula, Montana

EXHIBIT(juh50a08)

02:11:54 Rep. Joey Jayne, HD 15

02:14:00 Ron Waterman, Attorney

EXHIBIT(juh50a09)

02:18:34 Doug Lowney, self

02:18:57 Sue Dubree, Montana Association of Churches

EXHIBIT(juh50a10)

02:19:12 Beth Brenneman, Montana Advocacy Program

02:19:21 James Ziegler, self

EXHIBIT(juh50a11)

02:19:58 Moe Wosepka, Montana Catholic Conference

EXHIBIT(juh50a12)

EXHIBIT(juh50a13)

EXHIBIT(juh50a14)

02:20:25 Amanda Arnold, Montana Human Rights Network

EXHIBIT(juh50a15)

02:20:41 Rev. Brady Vardemann, Montana Association of Churches

EXHIBIT(juh50a16)

02:21:13 Bob Kolar, self

EXHIBITS RECEIVED AT COMPLETION OF PROPONENTS TESTIMONY:

[EXHIBIT\(juh50a17\)](#)

[EXHIBIT\(juh50a18\)](#)

[EXHIBIT\(juh50a19\)](#)

[EXHIBIT\(juh50a20\)](#)

[EXHIBIT\(juh50a21\)](#)

[EXHIBIT\(juh50a22\)](#)

[EXHIBIT\(juh50a23\)](#)

[EXHIBIT\(juh50a24\)](#)

[EXHIBIT\(juh50a25\)](#)

Opponents' Testimony:

02:21:50 Rep. Janna Taylor, self, also for former Sen. Ethel
Harding

02:27:48 Harris Himes, Montana Values Alliance

Informational Testimony: None

Questions from Committee Members and Responses:

02:43:28 Rep. French
02:44:20 Mr. Waterman
02:48:29 Rev. Vardemann
02:51:09 Rep. McGillvray
02:51:13 Rep. French
02:51:16 Rep. Kottel
02:53:00 Mr. Connor
02:56:48 Rep. O'Hara
02:57:09 Mr. Connor
02:59:47 Rep. McGillvray
03:00:02 Mr. Connor
03:01:13 Rep. Koopman
03:03:25 Mr. Connor
03:09:25 Sen. Brown
03:13:58 Mr. Renz
03:16:56 Rep. Kottel
03:17:26 Mr. Sheehy, Jr.
03:25:32 Mr. Himes
03:29:49 Rep. Cordier
03:30:43 Mr. Waterman
03:36:28 Rep. Peterson
03:38:01 Mr. Connor
03:45:20 Rep. Raser
03:45:58 Mr. Connor
03:48:21 Ms. Griffing
03:51:03 Rep. Gallik
03:51:43 Mr. Renz

03:52:01 Mr. Sheehy, Jr.
03:53:10 Mr. Renz
04:01:19 Rep. Rice
04:01:34 Mr. Connor

Closing by Sponsor:

04:03:50 Sen. Harrington

HEARING ON SB 104

Opening Statement by Sponsor:

04:09:43 Sen. Carolyn Squires (D), SD 48, opened the hearing on SB 104, Extend statute of limitations for certain sex crimes.

Proponents' Testimony:

04:13:48 Pam Bucy, Assistant Attorney General, Department of Justice, State of Montana

EXHIBIT(juh50a26)

04:15:28 Jennifer Hill-Hart, Montana Coalition Against Domestic and Sexual Violence

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

04:16:21 Rep. Koopman
04:17:18 Ms. Bucy
04:18:11 Rep. Peterson
04:18:32 Ms. Bucy
04:20:32 Rep. Kottel
04:21:29 Ms. Bucy

Closing by Sponsor:

04:21:45 Sen. Squires

ADJOURNMENT

Adjournment: 12:24 P.M.

REP. DIANE RICE, Chairman

PAM SCHINDLER, Secretary

DR/ps`

Additional Exhibits:

EXHIBIT ([juh50aad.pdf](#))