

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By **CHAIRMAN JESSE LASLOVICH**, on January 31, 2007
at 8:00 A.M., in Room 303 Capitol.

ROLL CALL

Members Present:

Sen. Jesse Laslovich, Chairman (D)
Sen. Aubyn Curtiss (R)
Sen. Larry Jent (D)
Sen. Carol C. Juneau (D)
Sen. Dan McGee (R)
Sen. Lynda Moss (D)
Sen. Jerry O'Neil (R)
Sen. Gerald Pease (D)
Sen. Gary L. Perry (R)
Sen. Jim Shockley (R)

Members Excused:

Sen. David E. Wanzenried (D)
Sen. Carol Williams (D)

Members Absent: None.

Staff Present: Carol Andersen, Committee Secretary
Valencia Lane, Legislative Branch

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 342, 1/25/2007; SB 309,
1/25/2007
Executive Action: SB 266, SB 263, SB 330

HEARING ON SB 342

Opening Statement by Sponsor:

00:01:50 SEN. CAROLYN SQUIRES (D), SD 48, opened the hearing on SB 342, Fingerprint criminal background checks for social workers and counselors.

[EXHIBIT\(jus21a01\)](#)

Proponents:

00:13:41 Gloria Hermanson, Clinical Mental Health Council

Opponents: None.

Informational Testimony:

00:14:21 Ali Bovingdon, Department of Justice

00:17:01 Cyndi Breen, Board of Social Examiners

Questions from Committee Members and Responses:

00:17:51 Sen. Curtiss to Sen. Squires

00:20:37 Sen. McGee to Ali Bovingdon

00:23:00 Sen. Perry to Ali Bovingdon

00:29:42 Sen. Laslovich to Sen. Squires

00:35:35 Mark Cadwallader, Staff Attorney, Department of Justice

00:38:29 Sen. Laslovich to Mark Cadwallader

Closing by Sponsor:

00:39:41 Sen. Squires

EXECUTIVE ACTION ON SB 266

00:42:59 **Motion:** SEN. SHOCKLEY moved that SB 266 DO PASS.

Discussion:

00:44:05 Sen. Perry

00:44:50 Sen. Shockley
00:46:13 Sen. O'Neil to Sen. Shockley
00:47:07 Sen. Laslovich
00:48:27 Sen. Jent
00:50:41 Sen. Shockley
00:52:43 Sen. McGee
00:53:39 Sen. Jent
00:56:17 Sen. McGee
00:56:32 Sen. Shockley
00:58:10 Sen. McGee
00:58:19 Sen. Perry
01:00:31 **SEN. SHOCKLEY withdrew his motion.**

HEARING ON SB 309

Opening Statement by Sponsor:

01:01:15 **SEN. JOE BALLYEAT (R), SD 34**, opened the hearing on **SB 309**, Prohibit confiscation of firearms during period of declared emergency.

[EXHIBIT\(jus21a02\)](#)

[EXHIBIT\(jus21a03\)](#)

Proponents:

01:06:32 Gary Marbut, President, Montana Shooting Sports Association (MSSA)
01:14:08 Garrett Bacon, Prickley Pear Sportsmen's Association
01:15:21 Wayne Delzer, resident
01:15:47 Doug Nulle, self

Opponents: None.

Informational Testimony:

01:18:11 Dan McGowan, Administrator, Emergency and Disaster
Services Agency

Questions from Committee Members and Responses:

01:24:37 Sen. Laslovich to Sen. Balyeat

EXHIBIT(jus21a04)

01:27:24 Deferred to Gary Marbut

01:28:06 Sen. Laslovich to Sen. Balyeat

01:30:12 Sen. McGee to Dan McGowan

01:44:34 Sen. Moss to Dan McGowan

01:49:44 Sen. Perry to Gary Marbut

01:51:50 Sen. Perry to Sen. Balyeat

01:55:11 Sen. Laslovich to Dan McGowan

01:56:02 Sen. Laslovich to Jim Smith

01:56:45 Sen. Laslovich to Sen. Balyeat

Closing by Sponsor:

02:01:37 Sen. Balyeat

EXECUTIVE ACTION ON SB 263

02:08:25 **Motion/Vote:** SEN. MCGEE moved that SB 263 BE TABLED on
request of sponsor. Motion carried unanimously by voice
vote. SEN. WILLIAMS and SEN. WANZENRIED voted aye by
proxy.

EXECUTIVE ACTION ON SB 330

02:09:48 **Motion:** SEN. O'NEIL moved that SB 330 DO PASS.

Discussion:

02:10:05 Sen. O'Neil

02:10:47 Sen. Perry

02:12:21 Sen. Shockley

02:13:08 **Motion/Vote:** SEN. JUNEAU CALLED THE QUESTION ON SB 330. Motion failed 3-9 by roll call vote with SEN. CURTISS, SEN. MCGEE, and SEN. O'NEIL voting aye.

02:13:26 **Motion/Vote:** SEN. LASLOVICH moved that SB 330 BE TABLED AND THE VOTE REVERSED. Motion carried.

02:13:30 Sen. O'Neil

ADJOURNMENT

Adjournment: 10:15 A.M.

SEN. JESSE LASLOVICH, Chairman

CAROL ANDERSEN, Secretary

JL/ca

Additional Exhibits:

EXHIBIT ([jus21aad.pdf](#))