

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By **CHAIRMAN JESSE LASLOVICH**, on February 20, 2007
at 8:00 A.M., in Room 303 Capitol.

ROLL CALL

Members Present:

Sen. Jesse Laslovich, Chairman (D)
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)
Sen. David E. Wanzonried (D)

Members Excused:

Sen. Carol Williams (D)
Sen. Aubyn Curtiss (R)

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 454, 2/15/2007; SB 482,
2/15/2007; SB 471, 2/15/2007; SB
435, 2/15/2007; SB 486, 2/15/2007
Executive Action: None.

HEARING ON SB 454

Opening Statement by Sponsor:

00:01:52 SEN. CAROL JUNEAU (D), SD 8, opened the hearing on SB 454, Revise & change penalties for hate crimes.

[EXHIBIT\(jus38a01\)](#)

[EXHIBIT\(jus38a02\)](#)

[EXHIBIT\(jus38a03\)](#)

[EXHIBIT\(jus38a04\)](#)

Proponents:

00:10:05 Rep. Norma Bixby

00:14:22 Rep. Teresa Henry, Women's Caucus

00:14:50 Debra Wolfe

00:17:36 June Hermanson, Disability Action Alliance of Montana

00:19:42 Wilmot Collins

00:22:08 Bernadette Franks/Ongoy

00:32:46 Eve Malo, Murder Victim Families

00:37:49 Margaret Campbell, HD 31

00:38:30 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence

[EXHIBIT\(jus38a05\)](#)

00:40:15 Beth Brenneman, Montana Advocacy Program

00:42:28 Linda Gryczan, Montana Women's Lobbyist

[EXHIBIT\(jus38a06\)](#)

00:43:01 Wade Sikorski

00:43:21 Travis McAdam, Montana Human Rights Network (MHRN)

Opponents:

00:43:51 Patti Kanduch, Concerned Women for America

EXHIBIT(jus38a07)

00:46:40 Jeanette Zentgraf, Concerned Women for America

EXHIBIT(jus38a08)

00:51:16 Dallas Erickson, Montana Citizens through Decency Laws

EXHIBIT(jus38a09)

00:56:56 William Smith

00:58:34 Mike Kecskes

EXHIBIT(jus38a10)

01:01:25 Lynn Stumberg, Eagle Forum

01:03:11 Rachael Roberts, Montana Family Foundation

Informational Testimony:

01:06:21 Sally Hilander, Department of Corrections

Questions from Committee Members and Responses:

01:09:28 Sen. McGee to Sen. Juneau

EXHIBIT(jus38a11)

01:13:15 Sen. Shockley to Sen. Juneau

01:14:07 Sen. O'Neil to Sen. Juneau

01:15:50 Sen. O'Neil to Travis McAdam

01:19:20 Sen. Curtiss to Sen. Juneau

01:20:15 Sen. Moss to Sen. Juneau

01:22:14 Sen. Moss to Sally Hilander

Closing by Sponsor:

01:22:59 Sen. Juneau

HEARING ON SB 482

Opening Statement by Sponsor:

01:26:46 SEN. JEFF ESSMANN (R), SD 28, opened the hearing on SB 482, Geographical restrictions for certain sex offenders.

[EXHIBIT\(jus38a12\)](#)

[EXHIBIT\(jus38a13\)](#)

[EXHIBIT\(jus38a14\)](#)

[EXHIBIT\(jus38a15\)](#)

[EXHIBIT\(jus38a16\)](#)

[EXHIBIT\(jus38a17\)](#)

Proponents:

01:42:27 Dave Staton

01:49:26 Derek VonLechene, Ryan United

[EXHIBIT\(jus38a18\)](#)

Opponents:

01:57:06 Ali Bovington, Office of the Attorney General,
Department of Justice (DOJ)

[EXHIBIT\(jus38a19\)](#)

Informational Testimony:

02:03:13 Pam Bunke, Department of Corrections

[EXHIBIT\(jus38a20\)](#)

Questions from Committee Members and Responses:

02:05:49 Sen. McGee to Pam Bunke

02:06:04 Sen. McGee to Sen. Essmann

02:07:50 Sen. McGee to Dave Staton

02:08:34 Sen. McGee to Sen. Essmann

02:10:35 Sen. McGee to Pam Bunke

02:11:22 Sen. McGee to David Carter, Deputy County Attorney,
Yellowstone County

02:16:12 Sen. Shockley to David Carter

02:19:52 Sen. Laslovich to Pam Bunke

Closing by Sponsor:

02:23:36 Sen. Essmann

HEARING ON SB 471

Opening Statement by Sponsor:

02:26:52 SEN. VERDELL JACKSON (R), SD 5, opened the hearing on
SB 471, Revise laws related to power generation water
rights.

[EXHIBIT\(jus38a21\)](#)

[EXHIBIT\(jus38a22\)](#)

Proponents:

02:43:27 Douglas Grob

Opponents:

02:50:13 Blair Strong, Avista Corporation

03:03:58 Holly Franz, PPL Montana

[EXHIBIT\(jus38a23\)](#)

03:04:31 Mike Murphy, Montana Water Rights Association

03:05:05 John Youngberg, Montana State Farm Bureau

03:05:19 Don Allen, Western Environmental Trade Association

03:05:35 Mark Aagenes, Montana Trout Unlimited

Informational Testimony: None.

Questions from Committee Members and Responses:

03:05:59 Sen. O'Neil to Blair Strong

03:14:46 Sen. Shockley to Sen. Jackson

03:15:23 Sen. Moss to Sen. Jackson

03:21:51 Sen. O'Neil to Blair Strong

[EXHIBIT\(jus38a24\)](#)

03:23:13 Sen. McGee to John Bloomquist

Closing by Sponsor:

03:25:06 Sen. Jackson

HEARING ON SB 435

Opening Statement by Sponsor:

03:28:21 SEN. VERDELL JACKSON (R), SD 5, opened the hearing on
SB 435, Subordinate power generation water rights.

[EXHIBIT\(jus38a25\)](#)

[EXHIBIT\(jus38a26\)](#)

Proponents:

03:45:08 Douglas Grob

Opponents:

03:47:03 Holly Franz, PPL Montana

[EXHIBIT\(jus38a27\)](#)

03:49:06 John Youngberg, Montana State Farm Bureau

03:50:32 Mike Murphy, Montana Water Rights Association

03:51:21 Tom Ebzery, PacifiCorp

03:51:43 Mark Aagenes, Montana Trout Unlimited

03:51:58 Don Allen, Western Environmental Trade Association

03:52:21 Blair Strong, Avista Corporation

[EXHIBIT\(jus38a28\)](#)

Informational Testimony: None.

Questions from Committee Members and Responses: None.

Closing by Sponsor:

03:54:05 Sen. Jackson

HEARING ON SB 486

Opening Statement by Sponsor:

03:58:01 SEN. JIM SHOCKLEY (R), SD 45, opened the hearing on SB 486, Revise aggravated assault law.

Proponents:

04:00:12 Judy Wang, Assistant City Attorney, Missoula

EXHIBIT(jus38a29)

04:03:21 Mike Brady, Detective, Missoula Police Department

04:04:08 David Carter, Yellowstone County Attorney's Office

04:05:12 Ali Bovingdon, Attorney General's Office

04:05:58 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence

Opponents: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

04:06:57 Sen. McGee to Sen. Shockley

04:09:00 Sen. Williams

Closing by Sponsor:

04:09:14 Sen. Shockley

ADJOURNMENT

Adjournment: 12:05 P.M.

SEN. JESSE LASLOVICH, Chairman

CAROL ANDERSEN, Secretary

JL/ca

Additional Exhibits:

EXHIBIT ([jus38aad.pdf](#))