

MINUTES

**MONTANA SENATE
60th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON JUDICIARY

Call to Order: By **VICE CHAIRWOMAN LYNDA MOSS**, on March 21, 2007
at 8:00 A.M., in Room 303 Capitol.

ROLL CALL

Members Present:

Sen. Lynda Moss, Vice Chairwoman (D)
Sen. Aubyn Curtiss (R)
Sen. Carol C. Juneau (D)
Sen. Dan McGee (R)
Sen. Gerald Pease (D)
Sen. Gary L. Perry (R)
Sen. Jim Shockley (R)
Sen. David E. Wanzenried (D)

Members Excused:

Sen. Jesse Laslovich, Chairman (D)
Sen. Larry Jent (D)
Sen. Jerry O'Neil (R)
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: HB 35, 3/16/2007; HB 310,
3/16/2007; HB 467, 3/16/2007; HB
695, 3/16/2007
Executive Action: HB 467

HEARING ON HB 35

Opening Statement by Sponsor:

00:01:16 **REP. JIM KEANE (D), HD 75**, opened the hearing on **HB 35**, Assistance to victims of identity theft.

Proponents:

00:02:12 Kelsen Young, Self

EXHIBIT(jus60a01)

00:09:52 Pam Bucy, Department of Justice

00:10:52 Bruce Spencer, Montana Automobile Association

00:11:22 Aimee Grmoljez, Montana Bankers Association

00:12:01 Janet Harper, Montana Credit Union Association

00:13:04 Steve Yeakel, Montana Independent Bankers

00:13:32 Del Lonquist, AARP Montana

EXHIBIT(jus60a02)

Opponents: None.

Informational Testimony: None.

Questions from Committee Members and Responses: None.

Closing by Sponsor:

00:14:38 Rep. Keane

HEARING ON HB 310

Opening Statement by Sponsor:

00:15:22 **REP. ERNIE DUTTON (R), HD 56**, opened the hearing on **HB 310**, Authorize beneficiary deeds.

Proponents:

00:19:02 Dan McLean, Estate Planning Attorney

00:22:00 Aimee Grmoljez, Montana Bankers Association

Opponents: None.

Informational Testimony: None.

00:23:15 Jeff Buska, Quality Assurance Administrator,
Department of Public Health and Human Services, (DPHHS)

Questions from Committee Members and Responses:

00:24:04 Sen. McGee to Rep. Dutton

00:25:35 Sen. Juneau to Dan McLean

00:27:54 Sen. Juneau to Jeff Buska

Closing by Sponsor:

00:31:08 Rep. Dutton

HEARING ON HB 467

Opening Statement by Sponsor:

00:41:03 **REP. KEN PETERSON (R), HD 46**, opened the hearing on **HB 467**, Revise medical-legal panel laws.

Proponents:

00:47:32 Pat Melby, Montana Medical Association

00:51:51 Brenda Elias, Attorney, Department of Corrections

00:54:35 Dr. Liz Rantz, Medical Director, Department of
Corrections

01:00:55 Al Smith, Montana Trial Lawyers Association

Opponents: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

01:02:20 Sen. Juneau to Pat Melby

01:06:24 Sen. Juneau to Brenda Elias
01:10:15 Sen. Wanzenried to Brenda Elias
01:14:28 Deferred to Dr. Rantz
01:16:23 Sen. McGee to Pat Melby
01:18:03 Deferred to Dr. Rantz
01:18:37 Sen. Juneau to Pat Melby

Closing by Sponsor:

01:22:50 Rep. Peterson
01:27:08 Break
01:42:17 Resume

HEARING ON HB 695

Opening Statement by Sponsor:

01:42:35 **REP. WALTER MCNUTT (R), HD 37**, opened the hearing on **HB 695**, Require deduction of economic consumption from medical malpractice award.

Proponents:

01:45:35 Dr. Mike Priddy, Missoula Family Practice Physician
02:01:40 Dr. Jerry Speer, Great Falls Family Practice Physician
02:09:00 Ray Gibbons, Teton Medical Center

EXHIBIT (jus60a03)

02:13:09 Kevin Twidwell, Missoula Lawyer

EXHIBIT (jus60a04)

02:22:17 Mark Taylor, General Counsel, Montana Hospital Association

EXHIBIT (jus60a05)

02:27:03 Aimee Grmoljez, Utah Medical Insurance Association

02:29:30 Tom Ebzery, Attorney, Billings Area Hospitals

02:30:40 Greg Van Horssen, State Farm Insurance

02:31:18 Jani McCall, Billings Clinic

Opponents:

02:31:46 Al Smith, Montana Trial Lawyers Association

[EXHIBIT \(jus60a06\)](#)

[EXHIBIT \(jus60a07\)](#)

03:03:30 John Amsden, Attorney

[EXHIBIT \(jus60a08\)](#)

[EXHIBIT \(jus60a09\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

03:12:35 Sen. Shockley to Al Smith

03:15:19 Sen. Shockley to Ray Gibbons

03:17:24 Sen. Shockley to Dr. Priddy

03:19:37 Sen. Williams to Dr. Priddy

03:20:36 Sen. Williams to Al Smith

03:21:21 Sen. McGee to Al Smith

03:23:32 Sen. Perry to Ray Gibbons

03:29:28 Sen. Wanzenried to Mark Taylor

03:30:27 Sen. Wanzenried to Rep. McNutt

Closing by Sponsor:

03:32:47 Rep. McNutt

EXECUTIVE ACTION ON HB 467

03:37:32 **Motion:** SEN. PERRY moved that HB 467 BE CONCURRED IN.

Discussion:

03:37:59 Sen. O'Neil

03:39:17 Al Smith, Montana Trial Lawyers Association

03:40:05 Sen. Shockley

03:40:20 Al Smith

03:41:23 Sen. Laslovich

03:42:10 Valencia Lane, LSD

03:44:12 Sen. Shockley

03:45:22 Valencia Lane

03:45:45 Sen. O'Neil

03:46:40 Sen. Perry

03:48:20 Sen. Shockley

03:48:50 **SEN. PERRY withdrew his Motion that HB 467 BE CONCURRED IN.**

ADJOURNMENT

Adjournment: 11:50 A.M.

SEN. JESSE LASLOVICH, Chairman

CAROL ANDERSEN, Secretary

JL/ca

Additional Exhibits:

EXHIBIT ([jus60aad.pdf](#))