

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By **CHAIRMAN JESSE LASLOVICH**, on March 28, 2007 at 8:00 A.M., in Room 303 Capitol.

ROLL CALL

Members Present:

Sen. Jesse Laslovich, Chairman (D)
Sen. Aubyn Curtiss (R)
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)

Members Excused:

Sen. Larry Jent (D)
Sen. Jim Shockley (R)
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: HB 340, 3/23/2007; HB 420,
3/23/2007; HB 215, 3/26/2007
Executive Action: None.

HEARING ON HB 340

Opening Statement by Sponsor:

00:01:30 REP. JACK WELLS (R), HD 69, opened the hearing on HB 340, Citizen self-defense and firearms rights.

Proponents:

00:05:24 Gary Marbut, President, Montana Shooting Sports Association

00:15:40 Stuart Carlson

EXHIBIT(jus66a01)

00:16:28 Garrett Bacon, Prickley Pear Sports Association

00:17:10 Bud Dziekonski

00:19:35 Doug Nulle

00:24:55 Nicole Smart

00:26:27 Harvey Hollandsworth, former Deputy Sheriff

00:28:42 Mike Fellows, Libertarian Party, Missoula

EXHIBIT(jus66a02)

EXHIBIT(jus66a03)

EXHIBIT(jus66a04)

00:29:55 Randy Pinocci, National Rifle Association, Blackpowder Shooters, Great Falls Shooting Sports, and various other shooting associations.

00:33:11 Don Doig

00:33:42 James Schell

00:34:18 Joe Reeder

00:36:40 Fred Easy, Veteran

00:37:52 Bruce Reid

00:38:02 Brad Momber

00:38:23 David Anderson, Yellowstone Constitution Party

00:41:32 Lincoln Dziekonski

00:42:25 Serge Myers

00:43:07 George Niland, Montana Shooting Sports

00:43:20 Jay Wiese

00:43:55 Franklin Elias Shook, Former Marine

Opponents:

00:46:50 Dennis Paxinos, Yellowstone County Attorney

EXHIBIT(jus66a05)

EXHIBIT(jus66a06)

EXHIBIT(jus66a07)

EXHIBIT(jus66a08)

01:15:10 Marty Lambert, Gallatin County Attorney

01:22:44 Rep. Dave Gallik

01:25:29 Jim Cashell, Gallatin County Sheriff

01:28:56 Rube Wrightsman, Sanders County Undersheriff

01:30:22 Leo Dutton, Lewis & Clark County Undersheriff

01:32:14 Daryl Anderson, Sheriff, Lincoln County

01:32:48 Jennifer Hill-Hart, Montana Coalition Against Domestic
and Sexual Violence

EXHIBIT(jus66a09)

01:36:25 Fred Van Valkenberg, Former Senator, Missoula County
Attorney

01:45:24 Sen. Frank Smith

01:46:34 Mike Weber, President, Montana County Attorneys
Association

01:49:18 Jim Kembel, Montana Association of Chiefs of Police,
and City of Billings

Informational Testimony:

01:49:56 Pam Bucy, Assistant Attorney General, Department of Justice

Questions from Committee Members and Responses:

01:51:51 Sen. Jent to Gary Marbut, MSSA

01:53:11 Sen. O'Neil to Dennis Paxinos

01:54:15 Sen. O'Neil to Rep. Wells

01:55:02 Sen. Moss to Dennis Paxinos

01:57:00 Sen. Moss to Randy Pinocci, National Rifle Association and various Montana shooting sports.

EXHIBIT(jus66a10)

02:01:19 Sen. Moss to Former Sen. Van Valkenberg

02:05:17 Sen. Curtiss to Gary Marbutt

02:08:51 Sen. Juneau to Dennis Paxinos

02:13:10 Sen. O'Neil to Dennis Paxinos

02:13:30 Sen. McGee to Pam Bucy

Closing by Sponsor:

02:14:43 Rep. Wells

HEARING ON HB 420

Opening Statement by Sponsor:

02:26:19 REP. ROGER KOOPMAN (R), HD 70, opened the hearing on HB 420, Exempt Montana-made firearms, accessories, ammunition from fed commerce clause.

EXHIBIT(jus66a11)

Proponents:

02:39:44 Gary Marbut, Montana Shooting Sports Association
02:40:34 Garrett Bacon, Prickly Pear Sports Association
02:40:52 Randy Pinocci, prospective fire arms manufacturer
02:41:17 Surge Meyers
02:41:31 Doug Nulle
02:42:39 Mike Fellows
02:42:52 Harvey Hollandsworth, former Deputy Sheriff
02:43:12 George Niland, Montana Shooting Sports
,
02:43:31 David Anderson, Yellowstone Constitution Party
02:44:20 Nicole Smart
02:44:50 Don Doig
02:45:04 James Wiese
02:45:24 Brad Wompler
02:45:34 Lincoln Dziekonski
02:45:54 Bud Dziekonski
02:46:15 Joe Reeder
02:46:21 Franklin Elias Shook

Opponents: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

02:47:03 Sen. Moss to Gary Marbut
02:49:30 Sen. Moss to Rep. Koopman
02:52:11 Sen. O'Neil to Rep. Koopman

02:53:48 Sen. McGee to Rep. Koopman

02:54:37 Sen. Shockley to Rep. Koopman

02:56:03 Sen. McGee to Sen. Shockley

Closing by Sponsor:

02:56:22 Rep. Koopman

HEARING ON HB 215

Opening Statement by Sponsor:

02:59:55 **REP. KRAYTON KERNS (R), HD 58**, opened the hearing on **HB 215**, Ban human cloning research.

Proponents:

03:17:55 Rachel Roberts, Montana Family Foundation

[**EXHIBIT\(jus66a12\)**](#)

Opponents:

03:19:46 John D. Lynch, Biotechnology Industry Organization

03:29:21 Cathy Day, American Civil Liberties Union (ACLU)

[**EXHIBIT\(jus66a13\)**](#)

[**EXHIBIT\(jus66a14\)**](#)

03:29:35 Amanda Arnold, Montana Human Rights Network

Informational Testimony: None

Questions from Committee Members and Responses:

03:33:14 Sen. O'Neil to Rep. Kerns

03:34:06 Sen. McGee to Rep. Kerns

03:36:24 Sen. Shockley to Rep. Kerns

03:39:47 Sen. Moss to Sen. Lind

03:42:23 Sen. Curtiss to John D. Lynch

03:44:16 Sen. McGee to Amanda Arnold

03:45:26 Sen. McGee to Cathy Day

Closing by Sponsor:

03:49:06 Rep. Kerns

EXHIBIT(jus66a15)

03:52:24 Sen. Shockley

ADJOURNMENT

Adjournment: 11:55 AM.

SEN. JESSE LASLOVICH, Chairman

CAROL ANDERSEN, Secretary

JL/ca

Additional Exhibits:

EXHIBIT ([jus66aad.pdf](#))