

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: CHAIRMAN GARY L. PERRY, on January 22, 2009 at 8:00 A.M., in Room 303 Capitol.

ROLL CALL

Members Present:

Sen. Gary L. Perry, Chairman (R)
Sen. Jim Shockley, Vice Chairman (R)
Sen. Aubyn Curtiss (R)
Sen. John Esp (R)
Sen. Greg Hinkle (R)
Sen. Carol C. Juneau (D)
Sen. Cliff Larsen (D)
Sen. Jesse Laslovich (D)
Sen. Dan McGee (R)
Sen. Lynda Moss (D)
Sen. Terry Murphy (R)

Members Excused: Sen. Larry Jent (D)

Members Absent: None.

Staff Present: Valencia Lane, 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 223, 1/14/2009

Executive Action: None

Presentation by U.S. Attorney Bill Mercer to the Joint Senate and House Judiciary Committees.

00:00:31 Bill Mercer, U. S. Attorney

[EXHIBIT\(jus15a01\)](#)

[EXHIBIT\(jus15a02\)](#)

Questions from Committee Members and Responses:

00:28:06 Sen. McGee
00:28:40 Mr. Mercer
00:30:22 Sen. McGee
00:30:28 Mr. Mercer
00:30:49 Rep. Peterson
00:31:15 Mr. Mercer
00:32:07 Rep. Peterson
00:32:27 Mr. Mercer
00:33:38 Rep. Warburton
00:33:58 Mr. Mercer
00:34:13 Rep. Warburton
00:34:21 Mr. Mercer
00:35:19 Rep. Menahan
00:35:57 Mr. Mercer
00:38:21 Rep. McDonald
00:38:40 Mr. Mercer
00:38:56 Sen. Juneau
00:40:29 Mr. Mercer
00:41:47 Sen. Juneau
00:42:48 Mr. Mercer
00:43:50 Sen. Larsen
00:44:11 Mr. Mercer
00:45:19 Sen. Shockley
00:46:16 Mr. Mercer
00:47:44 Rep. Stoker

00:48:34 break

HEARING ON SB 223

Opening Statement by Sponsor:

01:04:01 **SEN. CAROL JUNEAU (D), SD 8**, opened the hearing on **SB 223**, Revise hate crimes law.

[EXHIBIT\(jus15a03\)](#)

[EXHIBIT\(jus15a04\)](#)

[EXHIBIT\(jus15a05\)](#)

Proponents' Testimony:

01:13:09 Randall Cochran, self

EXHIBIT(jus15a06)

01:21:21 Rachel Carroll, Montana Human Rights Network

01:22:43 Anne Potter, self

EXHIBIT(jus15a07)

01:26:23 Holly Franz, Attorney

01:29:02 Linda Kryczan, Montana Human Rights Network

01:32:00 Peter Shober, University Congregational Church, United
Church of Christ, Missoula Ministerial Association,
Progressive Clergy Alliance

01:34:48 Rep. Franke Wilmer, HD 62, Bozeman, Montana

EXHIBIT(jus15a08)

01:39:51 Bernedette Kneffe, Licensed Social Worker

(Sen. Jent enters room.)

01:43:18 Nancy Staigmilller, self

EXHIBIT(jus15a09)

01:48:12 Jim Rogers, self, retired school teacher, Polson,
Montana

01:50:22 Kelsen Young, Montana Coalition Against Domestic and
Sexual Violence

01:52:01 Rev. Gina Hartung, Metropolitan Community Church, Great
Falls, Montana

01:53:53 Kathy McGowan, for Glacier County Attorney, Larry
Epstein

01:54:12 Kevin Crouch, Rev. United Church of Christ, PFLAG,
Montana Safe School Coalition

01:55:02 Anita Roessmann, Disability Rights of Montana

EXHIBIT(jus15a10)

01:56:37 Stacey Emerson, Planned Parenthood of Montana

01:57:29 Brian Lewis, Social Justice of Montana

02:00:43 break

Opponents' Testimony:

02:10:22 Gene Williams, self

[EXHIBIT\(jus15a11\)](#)

02:16:09 Patti Kanduch, State Director, Concerned Women for
America of Montana

[EXHIBIT\(jus15a12\)](#)

02:23:27 Jeanette Zentgraf, Concerned Women for America of
Montana

[EXHIBIT\(jus15a13\)](#)

02:28:30 Richard Bennett, self

[EXHIBIT\(jus15a14\)](#)

02:32:06 Jeff Laszloffy, Montana Family Foundation

[EXHIBIT\(jus15a15\)](#)

[EXHIBIT\(jus15a16\)](#)

02:35:31 Dr. Anne Bukacek, Physician, Libby, Montana

[EXHIBIT\(jus15a17\)](#)

02:39:50 Harris Himes, Pastor, Big Sky Christian Center

02:41:59 Dallas Erickson, Montana Citizens for Decency through
Law (MCDL)

[EXHIBIT\(jus15a18\)](#)

[EXHIBIT\(jus15a19\)](#)

[EXHIBIT\(jus15a20\)](#)

02:45:10 William Wise, retired Physician

[EXHIBIT\(jus15a21\)](#)

02:49:27 Morissa Stockton, self

02:50:20 Tammi Kanduch, self

02:51:36 Becky Stockton, self

[EXHIBIT\(jus15a22\)](#)

02:52:56 Susanna Pyron, self

02:53:33 Melinda Albers, self

Informational Testimony:

02:54:07 Ray Peck, Montana Association of Churches (MAC)

Questions from Committee Members and Responses:

02:56:39 Sen. Curtiss

02:57:19 Sen. Juneau

02:58:37 Sen. Moss

02:59:22 Sen. Juneau

03:01:20 Sen. Moss

03:01:45 Mr. Peck

03:03:03 Sen. McGee

03:04:08 Sen. Juneau

03:20:14 Sen. McGee

03:21:03 Ms. Young

Closing by Sponsor:

03:26:22 Sen. Juneau

03:32:33 Sen. Perry

ADJOURNMENT

Adjournment: 11:33 A.M.

PAM SCHINDLER, Secretary

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Additional Documents:

EXHIBIT ([jus15aad.pdf](#))