

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chairman Gary L. Perry, on February 11, 2009 at 9:00 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. Larry Jent (D)
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: None.

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 46, 2/4/2009

Executive Action: None

HEARING ON SB 46

Opening Statement by Sponsor:

00:04:59 Sen. Dan McGee (R), SD 29, opened the hearing on SB 46,
Protection of unborn life as compelling state interest.
[EXHIBIT\(jus32a01\)](#)

Proponents' Testimony:

00:25:01 Gregg Trude, Executive Director, Right to Life of
Montana

00:25:22 Dr. Annie Bukacek, Physician; President, Montana
ProLife Coalition

[EXHIBIT\(jus32a02\)](#)

[EXHIBIT\(jus32a03\)](#)

00:30:32 Rick Jore, self; board member, Montana ProLife
Coalition

00:32:06 Rita Senkler, self

[EXHIBIT\(jus32a04\)](#)

00:33:56 Roger Koopman, board member, Montana ProLife Coalition

[EXHIBIT\(jus32a05\)](#)

00:40:28 Becky Stockton, self; Montana ProLife Coalition

[EXHIBIT\(jus32a06\)](#)

00:42:36 Beth Ries, self; Montana ProLife Coalition

[EXHIBIT\(jus32a07\)](#)

00:45:56 R. J. Christensen, self

00:47:45 Brittani Hansen, self

00:49:24 Moe Wosepka, Executive Director, Montana Catholic
Conference

00:50:23 Matt Zemacke, self; Physician Assistant, Kalispell

00:51:57 Marybeth Adams, Family Nurse Practitioner, Belgrade

[EXHIBIT\(jus32a08\)](#)

00:58:12 Jeff Laszloffy, President, Montana Family Foundation

01:00:01 Kandi Matthew-Jenkins, self, Missoula

[EXHIBIT\(jus32a09\)](#)

01:04:20 Robert Snyder, Vice-Chairman, Montana ProLife
Coalition

[EXHIBIT\(jus32a10\)](#)

01:06:11 Gregory Depuydt, self, Butte

01:07:05 Vivian McNeme, self; Montana ProLife Coalition, Hungry
Horse

[EXHIBIT\(jus32a11\)](#)

01:11:03 Lee Ann Bear, Montana ProLife Coalition, Kalispell

[EXHIBIT\(jus32a12\)](#)

01:15:32 break

01:24:59 Suzanne Brooks, self; Montana ProLife Coalition,
Whitefish

01:30:56 Kathy Sipes, self; Montana ProLife Coalition, Kalispell

01:33:35 Benjamin Wiersma, self, Kalispell

01:34:14 Tim Schroeder, Montana ProLife Coalition; Lutherans for
Life

01:35:46 Gail Asbury, self, Helena

EXHIBIT(jus32a13)

01:39:55 Robert "Bobby" C. Lane, Montana ProLife Coalition,
Kalispell

EXHIBIT(jus32a14)

01:42:29 Gene Williams, self, Hamilton

01:45:06 Bill Meyers, Bigfork

01:48:45 Daniel Cox, self

01:49:32 Susanna Pyron, self, Florence

01:49:55 Bob Adney, self; Montana ProLife Coalition

01:50:37 Christina Pfarr Hayden, self; Silent No More Awareness
Campaign, Butte

EXHIBIT(jus32a15)

01:53:42 Marilyn Hatch, self

EXHIBIT(jus32a16)

EXHIBIT(jus32a17)

EXHIBIT(jus32a18)

01:57:06 Raymee Haubrich, self

EXHIBIT(jus32a19)

02:00:08 Jonene Bernhardt, self

EXHIBIT(jus32a20)

02:01:21 Rick Komenda, self; Montana ProLife Coalition; Montana
Constitution Party

02:02:34 Charlotte Komenda, self

02:03:19 Jeremy Hofer, Montana ProLife Coalition

02:03:42 Roland Horst, Montana ProLife Coalition

02:05:27 Diane Nugent, Montana ProLife Coalition, Kalispell

02:05:51 Tim Bernard, self

EXHIBIT(jus32a21)

02:08:16 Patricia Wood, self

02:09:45 Dallas Erickson, Montana Citizens for Decency Through
Law

EXHIBIT(jus32a22)

02:10:44 Dr. William D. Wise, retired Physician

02:11:10 Harris Himes, Pastor, Big Sky Christian Center

02:11:53 Trevis Butcher, Montana ProLife Coalition

02:12:23 Sen. Joe Tropila, SD 13

02:13:03 John Kershaw, self

02:14:31 William Biernat, Montana ProLife Coalition, Lewistown

02:15:51 Pam Worthy, self; Licensed Practical Nurse
02:17:12 Melinda Albers, self
02:18:41 Phyllis Lamping, self
02:19:45 Caroline Robinson, self

**Proponent's Information Distributed to Committee Members during
break regarding SB 46:**

[EXHIBIT\(jus32a23\)](#)

[EXHIBIT\(jus32a24\)](#)

[EXHIBIT\(jus32a25\)](#)

Opponents' Testimony:

02:20:17 Nikki Zupanic, Public Policy Director, ACLU
02:27:41 Kelsen Young, Executive Director, Montana Coalition
Against Domestic and Sexual Violence

[EXHIBIT\(jus32a26\)](#)

02:30:42 Jenny Kaleczyc, self

[EXHIBIT\(jus32a27\)](#)

02:35:08 Ann Kron, self

02:38:06 Beth Brenneman, Disability Rights of Montana

02:43:36 Rita Blouke, Vice-President, Helena Area League of
Women Voters (LWV)

[EXHIBIT\(jus32a28\)](#)

02:47:07 Judy Reel, self

[EXHIBIT\(jus32a29\)](#)

02:52:47 Stacie Anderson, Director of Public Affairs, Planned
Parenthood of Montana

02:58:18 Angie Wagenhals, NARAL, Pro-Choice of Montana

03:00:23 Jamee Greer, Montana Human Rights Network

03:00:48 Stacie James, Chief Executive Officer, Planned
Parenthood of Montana

Informational Testimony:

none

Questions from Committee Members and Responses:

03:01:41 Sen. Shockley
03:03:03 Mr. Himes
03:04:45 Sen. Moss
03:05:16 Ms. Zupanic
03:06:51 Sen. Moss
03:07:10 Ms. James
03:08:10 Sen. Moss

03:08:19 Sen. McGee
03:09:58 Sen. Moss
03:10:29 Ms. Reel
03:11:17 Sen. Shockley
03:11:50 Ms. Brenneman
03:14:25 Sen. Juneau
03:15:27 Ms. Young

Closing by Sponsor:

03:18:49 Sen. McGee

**Opponents Information Distributed to Committee after hearing SB
46:**

[EXHIBIT\(jus32a30\)](#)

ADJOURNMENT

Adjournment: 12:31 P.M.

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT ([jus32aad.pdf](#))