

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Terry Murphy, on March 25, 2011 at 8:00 A.M., in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Terry Murphy, Chair (R)
Sen. Jim Shockley, Vice Chair (R)
Sen. Shannon Augare (D)
Sen. Anders Blewett (D)
Sen. Jeff Essmann (R)
Sen. Greg Hinkle (R)
Sen. Rowlie Hutton (R)
Sen. Larry Jent (D)
Sen. Cliff Larsen (D)
Sen. Lynda Moss (D)
Sen. Chas Vincent (R)

Members Excused: Sen. Jim Peterson (R)

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 423, 3/23/2011

HEARING ON SB 423

Opening Statement by Sponsor:

00:02:39 Sen. Jeff Essmann (R), SD 28, opened the hearing on SB 423, Generally revise laws relating to use of marijuana.

EXHIBIT(jus67a01)

Proponents' Testimony:

00:38:26 Rep. Diane Sands, HD 95, Missoula, Montana, also, Chairman, Interim Committee on Children and Family Health Services
 00:44:48 Lewis Smith, Powell County Attorney, Deer Lodge, Montana
 00:46:22 Rebecca Sturdevant, Mothers Against Drunk Driving (MADD)
 00:47:11 Candace Payne, Rimrock Foundation, Billings, Montana
 00:50:31 Jim Smith, Montana Sheriffs and Peace Officers Association (MSPOA)
 00:55:42 Mark Murphy, Montana County Attorneys Association (MCAA), Montana Chiefs of Police (MCOP), Montana Police Protective Association (MPPA)
 00:59:19 Ali Bovingdon, Assistant Attorney General, Department of Justice (DOJ), State of Montana
 01:02:38 Rep. Trudi Schmidt, HD 22, Great Falls, Montana, also, member, Interim Committee on Child and Family Services
 01:03:58 Erin MacLean, Montana Medical Association (MMA)
 01:09:35 Mike Foster, Catholic Hospitals of Montana
 01:10:26 Aimee Gromljev, Billings Clinic, Billings, Montana
 01:12:07 Pat Keim, Columbia Grain Incorporated
 01:14:02 Mark Long, Montana Narcotics Officers Association (MNOA)
 01:14:45 Jon Bennion, Montana Chamber of Commerce (MCC)
 01:18:02 Bob Faw, self, Big Timber, Montana
 01:20:39 Tom Daubert, Patients and Families United (PFU)
 01:22:30 Sen. Vincent
 01:22:39 Mr. Daubert

EXHIBIT(jus67a02)

01:24:41 William Hund, Happy Farmers Caregivers, Butte, Montana

01:26:31 Jock Williams, Anaconda, Montana

EXHIBIT(jus67a03)

Opponents' Testimony:

01:30:52 Tayln Lang, self
 01:37:42 Bill Gallagher, Chairman, Public Service Commission (PSC), State of Montana
EXHIBIT(jus67a04)
 01:44:16 Kate Cholewa, Alliance for Cannabis Science
 01:48:16 Susan Smith, Safe Communities Safe Kids, Billings, Montana
 01:53:09 Laura Needham, Co-chair, Safe Communities Safe Kids, Billings, Montana
 01:55:17 Barbi McLaws, Safe Communities Safe Kids, Billings, Montana
 01:57:01 Barb Trego, self
 01:59:29 Tawnya LaFond, The Patch Caregivers
 02:00:36 Travis Greene, Lionheart Caregivers, Butte, Montana

02:02:53 Brendan McQuillan, Attorney
 02:08:19 John Masterson, Director, Montana Chapter, National Organization for the
 Reform of Marijuana Laws (NORML)
 02:10:47 Chairman Murphy
 02:10:51 Mr. Masterson
 02:12:47 Misty Kerry, Mary Jane's Kitchen, Bozeman, Montana
 02:17:24 Rose Habib, CannabAnalysis Laboratory, Missoula, Montana
 02:20:31 John Schnabel, Butte, Montana
 02:23:23 Cherrie Brady, Billings, Montana
 02:28:05 Sandi Lane, self, caregiver, Plains, Montana
 02:30:42 James Kingery, Executive Director, Montana Medical Growers Association
 (MMGA)
 02:38:44 Brendan Olsen, self
 02:40:28 David Max, caregiver, Missoula, Montana
 02:47:02 Anthony Smith, self, Gallatin County
 02:49:50 Bo Stuart, Pastor, Covenant Community Church, Whitehall, Montana
 02:51:58 Jeff Laszloffy, Montana Family Foundation (MFF)
 02:53:40 Jenna Wilkins, Green Heart Caregivers, Missoula, Montana

Informational Testimony:

02:56:46 Carole Erickson, Montana Board of Medical Examiners

EXHIBIT(jus67a05)

Questions from Committee Members and Responses:

02:58:26 Sen. Jent
 02:59:07 Sen. Essmann
 02:59:54 Sen. Shockley
 03:01:03 Ms. Brady
 03:02:50 Sen. Shockley
 03:03:05 Mr. Murphy
 03:05:00 Sen. Shockley
 03:05:32 Mr. McQuillan
 03:08:25 Sen. Moss
 03:09:16 Sen. Essmann
 03:12:56 Sen. Hinkle
 03:13:30 Sen. Essmann
 03:14:44 Sen. Hinkle
 03:15:02 Mr. Gallagher
 03:15:41 Sen. Blewett
 03:16:30 Mr. Gallagher
 03:16:47 Jim Paine, Attorney, PSC
 03:19:56 Valencia Lane, Legislative Services Division (LSD)
 03:20:40 Sen. Blewett
 03:21:00 Mr. Paine
 03:22:12 Sen. Larsen
 03:22:52 Mr. Paine
 03:23:20 Sen. Larsen
 03:23:54 Sen. Essmann

03:28:31 Sen. Murphy
03:29:29 Brad Molnar, Commissioner, PSC

Closing by Sponsor:

03:32:52 Sen. Essmann

EXHIBIT(jus67a06)

Letter from Gail Gutsche, Commissioner, PSC in opposition to SB 423

ADJOURNMENT

Adjournment: 11:39 A.M.

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT([jus67aad.pdf](#))