

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By **CHAIRMAN ROBERT C. CLARK**, on January 20, 1999
at 8:00 A.M., in Room 312 - 1 Capitol.

ROLL CALL

Members Present:

Rep. Robert C. Clark, Chairman (R)
Rep. Dan McGee, Vice Chairman (R)
Rep. Diana Wyatt, Vice Chairman (D)
Rep. Chris Ahner (R)
Rep. Shiell Anderson (R)
Rep. Paul Clark (D)
Rep. Bill Eggers (D)
Rep. Tom Facey (D)
Rep. Steven Gallus (D)
Rep. Gail Gutsche (D)
Rep. Joan Hurdle (D)
Rep. Rick Jore (R)
Rep. Sam Kitzenberg (R)
Rep. Brad Molnar (R)
Rep. Mark Noennig (R)
Rep. Jim Shockley (R)
Rep. Loren Soft (R)
Rep. Carol Williams (D)
Rep. Cindy Younkin (R)

Members Excused: Rep. Aubyn A. Curtiss (R)

Members Absent: None.

Staff Present: John MacMaster, Legislative Branch
Pam Schindler, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing Date: 1/20/1999HB 278, HB279, HB233, HB251
Date Posted: 1/15/1999
Executive Action: None taken

HEARING ON HB 278Sponsor:

Rep. Hurdle presented HB 278.

{Tape : 1; Side : A; Approx. Time Counter : 51 - 84}

Proponents:

Jerry Lowney, Priest and Criminology professor at Carroll College

{Tape : 1; Side : A; Approx. Time Counter : 84 - 206}

Marietta Yeager, self

{Tape : 1; Side : A; Approx. Time Counter : 206 - 288}

Ron Waterman, attorney

{Tape : 1; Side : A; Approx. Time Counter : 288 - 466}

Father Pins, Montana State Prison Chaplain

{Tape : 1; Side : A; Approx. Time Counter : 466 - 550}

{Tape : 1; Side : B; Approx. Time Counter : 0 - 40}

John Sheehy, self

{Tape : 1; Side : B; Approx. Time Counter : 40 - 80}

Eve Malo, Amnesty International

{Tape : 1; Side : B; Approx. Time Counter : 80 - 83}

Ward Shanahan, attorney

{Tape : 1; Side : B; Approx. Time Counter : 83 - 86}

Mary Moe, self

{Tape : 1; Side : B; Approx. Time Counter : 86 - 91}

Betty Waddell, Montana Association of Churches

{Tape : 1; Side : B; Approx. Time Counter : 91 - 94}

Ken Moore, 1st Christian Church

{Tape : 1; Side : B; Approx. Time Counter : 94 - 96}

Jim Raney, attorney

{Tape : 1; Side : B; Approx. Time Counter : 96 - 108}

Ariette Roundish, self

{Tape : 1; Side : B; Approx. Time Counter : 108 - 109}

Sharon Off, Montana Catholic Conference

{Tape : 1; Side : B; Approx. Time Counter : 109 - 111}

Christine Kaufmann, Human Rights

{Tape : 1; Side : B; Approx. Time Counter : 111 - 114}

Al Smith, Montana Trial Lawyers Association

Scott Crackdown, ACLU

{Tape : 1; Side : B; Approx. Time Counter : 114 - 120}

Ward Shanahan, Montana Catholic Conference

{Tape : 1; Side : B; Approx. Time Counter : 120 - 180}

Eve Malo, Amnesty International

{Tape : 1; Side : B; Approx. Time Counter : 180 - 230}

Sharon Off, Montana Catholic Conference

{Tape : 1; Side : B; Approx. Time Counter : 230 - 255}

Scott Crackdown, ACLU

{Tape : 1; Side : B; Approx. Time Counter : 255 - 302}

Jim Raney, Attorney

{Tape : 1; Side : B; Approx. Time Counter : 302 - 336}

Al Smith, Montana Trial Lawyers Association

{Tape : 1; Side : B; Approx. Time Counter : 336 - 352}

EXHIBIT(juh15a01) EXHIBIT(juh15a02) EXHIBIT(juh15a03) EXHIBIT(juh15a04) EXHIBIT(juh15a05) EXHIBIT(juh15a06) EXHIBIT(juh15a07) EXHIBIT(juh15a08) EXHIBIT(juh15a09) EXHIBIT(juh15a10) EXHIBIT(juh15a11)

Opponents:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

{Tape : 1; Side : B; Approx. Time Counter : 352 - 429}

Closing by Sponsor:

Rep. Hurdle made closing statements

{Tape : 1; Side : B; Approx. Time Counter : 429 - 550}

HEARING ON HB 279

Sponsor:

Rep. Hurdle presented HB 279.

{Tape : 2; Side : A; Approx. Time Counter : 0 - 53}

EXHIBIT(juh15a12)

Proponents:

Ron Waterman, Attorney

{Tape : 2; Side : A; Approx. Time Counter : 53 - 79}

Jim Raney, Attorney

{Tape : 2; Side : A; Approx. Time Counter : 79 - 156}

Betty Waddell, Montana Association of Churches

{Tape : 2; Side : A; Approx. Time Counter : 156 - 213}

Al Smith, Montana Trial Lawyers Association

{Tape : 2; Side : A; Approx. Time Counter : 213 - 231}

Bill Hooks, Attorney

{Tape : 2; Side : A; Approx. Time Counter : 231 - 296}

Eve Malo, Amnesty International

{Tape : 2; Side : A; Approx. Time Counter : 296 - 325}

Sharon Off, Montana Catholic Conference

{Tape : 2; Side : A; Approx. Time Counter : 325 - 330}

Ed Sheehy, Jr., ACLU

{Tape : 2; Side : A; Approx. Time Counter : 330 - 365}

Opponents:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

{Tape : 2; Side : A; Approx. Time Counter : 365 - 550}

{Tape : 2; Side : B; Approx. Time Counter : 0 - 550}

Closing by Sponsor:

Rep. Hurdle made closing statements.

{Tape : 3; Side : A; Approx. Time Counter : 0 - 22}

HEARING ON HB 233

Sponsor:

Rep. Schmidt presented HB 233.

{Tape : 3; Side : A; Approx. Time Counter : 22 - 45}

Proponents:

Dave Gliko, City of Great Falls

{Tape : 3; Side : A; Approx. Time Counter : 45 - 215}

EXHIBIT (juh15a13)

EXHIBIT (juh15a14)

EXHIBIT (juh15a15)

Jane McCall, City of Billings

{Tape : 3; Side : A; Approx. Time Counter : 215 - 239}

Alec Hansen, Cities and Towns

{Tape : 3; Side : A; Approx. Time Counter : 239 - 281}

Jeff Koch, Montana Collector's Association

{Tape : 3; Side : A; Approx. Time Counter : 281 - 323}

EXHIBIT (juh15a16)

Robert Throssell, Montana Magistrates Association

{Tape : 3; Side : A; Approx. Time Counter : 323 - 361}

Opponents:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

{Tape : 3; Side : A; Approx. Time Counter : 361 - 550}

{Tape : 3; Side : B; Approx. Time Counter : 0 - 234}

Closing by Sponsor:

Rep. Schmidt made closing statements.

{Tape : 3; Side : B; Approx. Time Counter : 234 - 239}

HEARING ON HB 251

Sponsor:

Rep. Jore presented HB 251.

{Tape : 3; Side : B; Approx. Time Counter : 239 - 480}

Proponents:

Jack Schilla, self

{Tape : 3; Side : B; Approx. Time Counter : 480 - 550}

{Tape : 4; Side : A; Approx. Time Counter : 0 - 56}

Opponents:

Kathy Sewell, Montana Coalition Against Domestic Violence

{Tape : 4; Side : A; Approx. Time Counter : 56 - 112}

EXHIBIT(juh15a17)

Gordon Howard, Attorney

{Tape : 4; Side : A; Approx. Time Counter : 112 - 172}

Ron Waterman, Attorney

{Tape : 4; Side : A; Approx. Time Counter : 172 - 271}

Kathy Welch, Montana Women's Lobby

{Tape : 4; Side : A; Approx. Time Counter : 271 - 320}

EXHIBIT(juh15a18)

EXHIBIT(juh15a19)

Rep. Wyatt for Susan Cook, self

{Tape : 4; Side : A; Approx. Time Counter : 320 - 371}

EXHIBIT(juh15a20)

Scott Marshall, Attorney

{Tape : 4; Side : A; Approx. Time Counter : 371 - 442}

Gail Goheen, Attorney

{Tape : 4; Side : A; Approx. Time Counter : 442 - 550}

{Tape : 4; Side : B; Approx. Time Counter : 0 - 26}

Kerry Newcomer, self

{Tape : 4; Side : B; Approx. Time Counter : 26 - 51}

Informational Testimony:

None

Questions from Committee Members and Responses:

{Tape : 4; Side : B; Approx. Time Counter : 51 - 104}

Closing by Sponsor:

Rep. Jore made closing statements.

Rep. Soft made motion to adjourn, motion passed.

ADJOURNMENT

Adjournment: 12:10 P.M.

REP. ROBERT C. CLARK, Chairman

PAM SCHINDLER, Secretary

RC/PS

EXHIBIT (juh15aad)