

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By **CHAIRMAN ROBERT C. CLARK**, on March 11, 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(s) & Date(s) Posted: SB 215, SB 503, SB 163, SB 326, 3/4/1999
Executive Action: None

HEARING ON SB 215

Sponsor:

Senator Bartlett presented SB 215.

{Tape : 1; Side : A; Approx. Time Counter : 31 - 73}

Proponents:

Mike McGrath, Montana County Attorneys Association

{Tape : 1; Side : A; Approx. Time Counter : 73 - 126}

Dennis Paxinos, Yellowstone County Attorney

{Tape : 1; Side : A; Approx. Time Counter : 126 - 155}

Marty Lambert, Gallatin County Attorney

{Tape : 1; Side : A; Approx. Time Counter : 155 - 169}

Opponents:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

{Tape : 1; Side : A; Approx. Time Counter : 169 - 414}

Closing by Sponsor:

Senator Bartlett made closing statements.

{Tape : 1; Side : A; Approx. Time Counter : 414 - 550}

{Tape : 1; Side : B; Approx. Time Counter : 0 - 12}

HEARING ON SB 503

Sponsor:

Senator Ellingsen presented SB 503.

{Tape : 1; Side : B; Approx. Time Counter : 12 - 56}

Proponents:

Mike Donahoe, Attorney

{Tape : 1; Side : B; Approx. Time Counter : 56 - 104}

John Sheehy, self-Attorney

{Tape : 1; Side : B; Approx. Time Counter : 104 - 147}
Jim Ranney, self-Attorney
{Tape : 1; Side : B; Approx. Time Counter : 147 - 210}
Ron Waterman, self-Attorney
{Tape : 1; Side : B; Approx. Time Counter : 210 - 267}
Bill Houks, Public Defender-Helena
{Tape : 1; Side : B; Approx. Time Counter : 267 - 324}
Al Smith, self-Attorney
{Tape : 1; Side : B; Approx. Time Counter : 324 - 368}
Scott Creighton, ACLU
{Tape : 1; Side : B; Approx. Time Counter : 368 - 373}
Betty Waddell, Montana Association of Churches
{Tape : 1; Side : B; Approx. Time Counter : 373 - 381}
Sharon Hoff, Montana Catholic Conference
{Tape : 1; Side : B; Approx. Time Counter : 381 - 385}
Christine Kaufman, Montana Human Rights Network
{Tape : 1; Side : B; Approx. Time Counter : 385 - 399}
Arletta Randash, self
{Tape : 1; Side : B; Approx. Time Counter : 399 - 405}
Bruce Day, self
{Tape : 1; Side : B; Approx. Time Counter : 405 - 418}

Opponents:

John Connor, Attorney Generals Office & Montana County Attorney Associations
{Tape : 1; Side : B; Approx. Time Counter : 418 - 518}
{Tape : 2; Side : A; Approx. Time Counter : 0 - 196}
Marty Lambert, Gallatin County Attorney
{Tape : 2; Side : A; Approx. Time Counter : 196 - 278}
Dennis Paxinos, Yellowstone County Attorney
{Tape : 2; Side : A; Approx. Time Counter : 278 - 359}
Ed Sheehy, self
{Tape : 2; Side : A; Approx. Time Counter : 359 - 550}
{Tape : 2; Side : B; Approx. Time Counter : 0 - 38}

Informational Testimony:

None

Questions from Committee Members and Responses:

{Tape : 2; Side : B; Approx. Time Counter : 38 - 550}
{Tape : 3; Side : A; Approx. Time Counter : 0 - 109}

Closing by Sponsor:

Senator Ellingson made closing statements.

{Tape : 3; Side : A; Approx. Time Counter : 109 - 281}

HEARING ON SB 163

Sponsor:

Senator Mahlum presented SB 163.

{Tape : 3; Side : A; Approx. Time Counter : 281 - 370}

Proponents:

Russ Ritter, Montana Rail Link

{Tape : 3; Side : A; Approx. Time Counter : 370 - 550}

{Tape : 3; Side : B; Approx. Time Counter : 0 - 48}

EXHIBIT (juh55a0

1)

Steve Wade, BNSF Railroad

{Tape : 3; Side : B; Approx. Time Counter : 48 - 104}

Fran Marceau, United Transportation Workers Union

{Tape : 3; Side : B; Approx. Time Counter : 104 - 120}

Craig Gilchrist, Brotherhood of Locomotive Engineers

{Tape : 3; Side : B; Approx. Time Counter : 120 - 143}

Bill Wilson, Railroad Engineer, also Senator Wilson

{Tape : 3; Side : B; Approx. Time Counter : 143 - 226}

Kathleen Galvin-Halcro, House of Representatives, self

{Tape : 3; Side : B; Approx. Time Counter : 226 - 240}

Opponents:

Dave Fischer, Public Service Commission

{Tape : 3; Side : B; Approx. Time Counter : 240 - 283}

EXHIBIT (juh55a02)

Al Smith, Montana Trial Lawyer's Association

{Tape : 3; Side : B; Approx. Time Counter : 283 - 370}

EXHIBIT (juh55a03)

Informational Testimony:

None

Questions from Committee Members and Responses:

{Tape : 3; Side : B; Approx. Time Counter : 370 - 550}

{Tape : 4; Side : A; Approx. Time Counter : 0 - 550}

{Tape : 4; Side : B; Approx. Time Counter : 0 - 102}

Closing by Sponsor:

Senator Mahlum made closing statements.

{Tape : 4; Side : B; Approx. Time Counter : 102 - 215}

HEARING ON SB 326

Sponsor:

Senator Tester presented SB 326.

{Tape : 4; Side : B; Approx. Time Counter : 215 - 280}

Proponents:

Ron Ostberg, Montana Independent Telecommunicators Systems

{Tape : 4; Side : B; Approx. Time Counter : 280 - 302}

Mike Batista, Dept. of Justice

{Tape : 4; Side : B; Approx. Time Counter : 302 - 325}

Opponents:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

{Tape : 4; Side : B; Approx. Time Counter : 325 - 428}

Closing by Sponsor:

Senator Tester made closing statements.

{Tape : 4; Side : B; Approx. Time Counter : 428 - 437}

Meeting adjourned.

HOUSE COMMITTEE ON JUDICIARY

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ADJOURNMENT

Adjournment: 12:07 P.M.

REP. ROBERT C. CLARK, Chairman

PAM SCHINDLER, Secretary

RC/PS

EXHIBIT (juh55aad)