

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chairman Ron Stoker, on March 26, 2009 at 8:05
A.M., in Room 137 Capitol

ROLL CALL

Members Present:

Rep. Ron Stoker, Chairman (R)
Rep. Deborah Kottel, Vice Chairman (D)
Rep. Ken Peterson, Vice Chairman (R)
Rep. Arlene Becker (D)
Rep. Gerald Bennett (R)
Rep. Anders Blewett (D)
Rep. Robyn Driscoll (D)
Rep. Bob Ebinger (D)
Rep. Krayton Kerns (R)
Rep. Margaret MacDonald (D)
Rep. Edith (Edie) McClafferty (D)
Rep. Mike Menahan (D)
Rep. Michael More (R)
Rep. Keith Regier (R)
Rep. Diane Sands (D)
Rep. Bob Wagner (R)
Rep. Wendy Warburton (R)

Members Excused: Rep. David Howard (R)

Members Absent: None

Staff Present: Jennifer Eck, Committee Secretary
David Niss, Legislative Branch

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 406, 3/20/2009

Executive Action: None

HEARING ON SB 406**Opening Statement by Sponsor:**

00:01:17 Sen. Dan McGee (R), SD 29, opened the hearing on SB 406, Constitutionally define person.

00:15:43 Chairman Stoker

Proponents' Testimony:

00:17:59 Bob Harper

00:18:55 Jeff Laszloffy, Montana Family Foundation

00:21:07 Gail Asbury

EXHIBIT (juh67a01)

00:24:59 Tim Schroeder

00:26:17 Rep. Michael More, HD 70, Gallatin Gateway

00:28:21 Rita Senklar

EXHIBIT (juh67a02)

00:31:35 Annie Bukacek, Montana Pro-Life Coalition

00:32:16 Rita Senklar

00:33:00 Roger Koopman, Montana Pro-Life Coalition

00:38:57 Chairman Stoker

00:39:05 Ms. Bukacek

EXHIBIT (juh67a03)

00:40:55 Matt Zemacke

00:43:08 Julie Zdenek

00:44:22 Vivian McNeme

EXHIBIT (juh67a04)

00:47:03 Linda Heffernan with her daughter, Mattea Heffernan

EXHIBIT (juh67a05)

00:50:18 Jill Guthrie

00:53:11 Jeannette Zentgraf, Montana Pro-Life Coalition

EXHIBIT (juh67a06)

00:55:40 Rick Jore

EXHIBIT (juh67a07)

00:57:12 Sen. Verdell Jackson, SD 5, Kalispell

00:58:34 Roland Horst, Montana Pro-Life Coalition

EXHIBIT (juh67a08)

01:02:08 Roger Kelleher

EXHIBIT (juh67a09)

01:09:06 Lee Ann Bear, Montana Pro-Life Coalition

EXHIBIT (juh67a10)

01:10:20 Cheryl Roller

EXHIBIT (juh67a11)

01:10:42 Kim Coleman

01:13:20 Betty Harris

01:15:27 Freda Miller

01:15:42 Mike Kecskes

EXHIBIT (juh67a12)

01:16:27 Rep. Wendy Warburton, HD 34, Havre

EXHIBIT (juh67a13)

01:20:22 Suzanne Brooks, Montana Pro-Life Coalition

01:20:50 Becky Stockton, Montana Pro-Life Coalition

01:21:05 R.C. "Bobby" Lane, Montana Pro-Life Coalition

01:21:36 B.G. Stumburg, pastor, Canyon Ferry Road Baptist Church

01:21:50 Diane Rotering

01:22:14 Harris Himes, pastor, Big Sky Christian Center

01:22:47 Mike Hyatt, Calvary Baptist Church

01:23:03 Gregory Depuydt, Queen of Victory Radio

01:23:40 Danny Aarons, pastor, Miracle Place of the Rockies

01:24:15 Bob Christensen

01:24:30 Michael Corazzini

EXHIBIT (juh67a14)

01:24:50 Scott Kerr

01:25:01 Marissa Stockton, Eagle Forum

01:25:12 Adrianna McNeme

01:25:20 Tim Bernard

EXHIBIT (juh67a15)

01:25:50 Dallas Erickson, Montana Citizens for Decency Through
Law

EXHIBIT (juh67a16)

01:26:28 Dave Cobb, Operation Life Montana

01:26:46 Jill Shepard

01:28:06 Recess

01:33:51 Reconvene

Opponents' Testimony:

01:34:25 Niki Zupanic, American Civil Liberties Union of Montana

01:43:02 Kelsen Young, Montana Coalition Against Domestic and
Sexual Violence

01:45:07 Angie Wagenhals, NARAL Pro-Choice Montana

01:46:25 Tannis Hargrove

01:46:51 Angel Nordquist

01:47:26 Beth Brenneman, Disability Rights Montana

01:50:53 Stacey Anderson, Planned Parenthood of Montana

01:55:13 Richard Weaver, minister, Plymouth Congregational
United Church of Christ

01:56:14 Rita Blouke, Helena Area League of Women Voters

01:59:49 Jaimee Greer, Montana Human Rights Network

02:00:10 Lindsey Love

EXHIBIT (juh67a17)

Informational Testimony:

02:02:13 William Wise, retired physician

02:04:18 Rep. Ebinger

02:04:27 Rep. Wagner

Questions from Committee Members and Responses:

02:04:44 Rep. Wagner

02:05:00 Chairman Stoker

02:05:15 Rep. Wagner

02:05:26 Ms. Zupanic

02:05:27 Rep. Wagner

02:05:40 Ms. Zupanic

02:05:55 Rep. Wagner

02:06:14 Ms. Zupanic

02:06:58 Rep. Wagner

02:07:38 Rep. Sands

02:07:49 Ms. Zupanic

02:08:19 Rep. Wagner

02:08:24 Rep. Regier

02:08:30 Ms. Zupanic

02:08:31 Rep. Regier

02:08:51 Ms. Zupanic

02:09:37 Rep. Regier

02:09:47 Ms. Zupanic

02:10:01 Rep. Regier

02:10:05 Rep. Warburton

02:10:13 Ms. Zupanic

02:10:14 Rep. Warburton

02:10:48 Ms. Zupanic

02:11:09 Rep. Bennett

02:12:03 Ms. Bucacek

02:12:44 Rep. Bennett

02:12:56 Chairman Stoker

02:13:01 Rep. Bennett

02:13:07 Chairman Stoker

02:13:34 Rep. Bennett

02:13:54 Ms. Bucacek

02:14:11 Rep. Bennett

02:14:19 Rep. More

02:14:34 Ms. Blouke

02:14:36 Rep. More

02:14:56 Ms. Blouke

02:15:08 Rep. More

02:15:27 Ms. Blouke

02:15:45 Chairman Stoker

02:15:46 Rep. More

02:16:02 Ms. Blouke
02:16:21 Rep. More
02:16:28 Rep. Warburton
02:17:00 Mr. Kelleher
02:19:39 Rep. Peterson
02:19:51 Ms. Zupanic
02:20:00 Rep. Peterson
02:20:28 Ms. Zupanic
02:21:21 Rep. Peterson
02:21:44 Ms. Zupanic
02:22:05 Rep. Peterson
02:22:30 Ms. Zupanic
02:22:44 Rep. Peterson
02:22:52 Ms. Zupanic
02:23:10 Rep. Peterson
02:23:21 Chairman Stoker

Closing by Sponsor:

02:24:00 Sen. McGee

[EXHIBIT \(juh67a18\)](#)

02:41:01 Chairman Stoker

ADJOURNMENT

02:41:40 Adjournment

Jennifer Eck, Secretary

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Additional Exhibits:

- EXHIBIT (juh67a19)** Copy of an email pertaining to Butte plane crash
- EXHIBIT (juh67a20)** Letter from Megan McLean in opposition to SB 406
- EXHIBIT (juh67a21)** Letter from Laura Olsonoski in opposition to SB 406
- EXHIBIT (juh67a22)** Article and poem submitted by Rita Senkler
- EXHIBIT (juh67a23)** Written testimony by Rick Komenda in support of
SB 406 and SB 46
- EXHIBIT (juh67a24)** Written testimony by Charlotte Komenda in support of
SB 406 and SB 46
- EXHIBIT (juh67a25)** Written testimony by Jonene Bernhardt in support of
SB 406
- EXHIBIT (juh67a26)** Written testimony by Suzanne Brooks in support of
SB 406
- EXHIBIT (juh67a27)** Letter from Rachel Lopez in opposition to SB 406 and
SB 46
- EXHIBIT (juh67a28)** Written testimony by John Kershaw in support of
SB 406
- EXHIBIT (juh67a29)** Letter from Doug Engelhardt in support of SB 406 and
SB 46
- EXHIBIT (juh67a30)** Letter from Shirley Harryman in opposition to SB 406
and SB 46
- EXHIBIT (juh67a31)** Letter from Cathy Billie in opposition to SB 406 and
SB 46
- EXHIBIT (juh67a32)** Packet on SB 406 by Senator Dan McGee

Additional Documents:

EXHIBIT ([juh67aad.pdf](#))