

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Terry Murphy, on March 28, 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. Jim Peterson (R)
Sen. Chas Vincent (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: HB 490, SB 421, 3/21/2011
Executive Action on: SB 421-Do Pass

HEARING ON HB 490**Opening Statement by Sponsor:**

00:01:45 Rep. Wendy Warburton (R), HD 34, opened the hearing on HB 490,
Constitutional amendment to define person.

[EXHIBIT\(jus69a01\)](#)

Proponents' Testimony:

00:05:20 Annie Bukacek, Physician, President, Montana Pro-Life Coalition (MPLC)

[EXHIBIT\(jus69a02\)](#)

[EXHIBIT\(jus69a03\)](#)

00:06:46 Dan McGee, self, former Montana State Senator

[EXHIBIT\(jus69a04\)](#)

00:12:24 William B. Wise, retired, physician

00:14:08 Dr. Patrick Johnston, Founder, Association of Pro-Life Physicians

[EXHIBIT\(jus69a05\)](#)

00:21:09 Rebecca Kiessling, Attorney, Personhood, USA

[EXHIBIT\(jus69a06\)](#)

00:26:05 Johanna Dasteel, American Life League

00:31:54 Victoria Wojciechowski, self

[EXHIBIT\(jus69a07\)](#)

00:35:24 Anne Marie Mangialardo, self

[EXHIBIT\(jus69a08\)](#)

00:38:18 LeeAnn Bear, self, MPLC

[EXHIBIT\(jus69a09\)](#)

00:39:59 Tim Schroeder, self

00:40:51 Lisa Wamsley, self

00:44:02 Jean Ruppert, self

00:44:14 Margaret Mullaly

00:44:28 Harris Himes, Montana Eagle Forum (MEF)

00:44:32 Mike Espy, self

00:44:49 Wayne Beckman, self

00:44:57 Becky Stockton, self

00:45:05 Mark Seitz, Pastor, Church of the Nazarene

00:45:15 Richard Boyd Roth, self

[EXHIBIT\(jus69a10\)](#)

00:45:23 Jill Guthrie, self

00:45:33 Maria Portanova, self, MPLC

00:45:36 William Biernat

00:45:50 Lori Page, self

00:45:55 Abby Mangialardo

00:46:05 Delores Smith

00:46:17 Lori Wegner, self

00:46:27 Lynn Marie Portanova, self, MPLC

00:46:37 Kerry Paulson, self

00:46:50 Sierra Chambers, self

00:46:57 Jill Shepherd, self

Opponents' Testimony:

00:47:20 Niki Zupanic, American Civil Liberties Union (ACLU)
00:53:16 Julianna Crowley, Executive Director, NARAL Pro-Choice Montana
00:57:41 Sarah Rossi, Montana Coalition Against Domestic and Sexual Violence
(MCADSV)
00:58:52 Lindsay Love, Planned Parenthood Montana (PPM)
01:04:24 Rita Blouke, Vice President, Helena Area League of Women Voters, also for
League of Women Voters of Montana
01:07:04 Don Judge, Montana Nurses Association (MNA)
EXHIBIT(jus69a11)
01:10:00 Beth Brenneman, Disability Rights Montana (DRM)
01:13:52 Eddie Zimpel, self, Butte, Montana
01:15:42 Stacey Anderson, Director of Public Affairs, Planned Parenthood of Montana
(PPM)

Informational Testimony:

None

Questions from Committee Members and Responses:

01:17:24 Sen. Hinkle
01:18:06 Ms. Love
01:19:15 Sen Hinkle
01:19:50 Mr. McGee
01:21:28 Sen. Hinkle
01:22:03 Ms. Zupanic
01:24:24 Sen. Shockley
01:24:51 Ms. Anderson
01:25:52 Sen. Shockley
01:26:06 Mr. McGee
01:27:11 Sen. Larsen
01:27:51 Ms. Zupanic
01:31:09 Sen. Vincent
01:31:49 Mr. McGee
01:34:55 Sen. Moss
01:35:37 Ms. Zupanic

Closing by Sponsor:

01:39:22 Rep. Warburton

HEARING ON SB 421

Opening Statement by Sponsor:

01:42:40 Sen. Jim Shockley (R), SD 45, opened the hearing on SB 421, Revise animal welfare laws.

Proponents' Testimony:

01:45:35 Ingrid Rosenquist, Yellowstone County Attorney

EXHIBIT(jus69a12)

01:48:19 Jim Smith, Montana County Attorneys Association (MCAA)

01:49:07 Stuart Doggett, Montana Veterinary Medical Association (MVMA)

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

None

Closing by Sponsor:

01:49:40 Sen. Shockley

(Sen. Blewett, Essmann, Hinkle, Larsen, and Peterson absent from the room)

EXECUTIVE ACTION ON SB 421

01:50:33 **Motion/Vote:** Sen. Augare moved that **SB 421 DO PASS**. Motion carried unanimously by roll call vote. Sen. Blewett, Sen. Essmann, Sen. Hinkle, Sen. Larsen and Sen. Peterson voted by proxy.

EXHIBIT(jus69a13)

Written Testimony from Gualberto Garcia Jones in support of HB 490

ADJOURNMENT

Adjournment: 9:55 A.M.

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT([jus69aad.pdf](#))