

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON JUDICIARY

**Call to Order:** Chair Ken Peterson, on March 23, 2011 at 8:00 AM, in Room 137 Capitol

#### ROLL CALL

**Members Present:**

Rep. Ken Peterson, Chairman (R)  
Rep. Krayton Kerns, Vice Chairman (R)  
Rep. Diane Sands, Vice Chairman (D)  
Rep. Liz Bangerter (R)  
Rep. Robyn Driscoll (D)  
Rep. Bill Harris (R)  
Rep. David Howard (R)  
Rep. Cleve J. Loney (R)  
Rep. Margaret (Margie) MacDonald (D)  
Rep. Mike Menahan (D)  
Rep. Michael (Mike) More (R)  
Rep. Jesse O'Hara (R)  
Rep. Joe Read (R)  
Rep. Keith Regier (R)  
Rep. Dan Skattum (R)  
Rep. Bob Wagner (R)  
Rep. Wendy Warburton (R)

**Members Excused:** Rep. Carolyn Pease-Lopez (D)

**Members Absent:** Rep. Kris Hansen (R)  
Rep. Ellie Boldman Hill (D)

**Staff Present:** Karen Armstrong, 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 97, 3/8/2011; SB 347, 3/18/2011

00:01:13 Chairman Peterson

**HEARING ON SB 347**

**Opening Statement by Sponsor:**

00:01:21 Sen. Bob Lake (R), SD 44, opened the hearing on SB 347, Revise the private property assessment act.

**Proponents' Testimony:**

00:04:13 Chuck Denowh, United Property Owners of Montana

00:07:58 Glen Oppel, Montana Association of Realtors

**EXHIBIT(juh65a01)**

00:11:08 Dustin Stewart, Executive Director, Montana Building Industry Association

**Opponents' Testimony:**

00:12:05 Candace West, Chief Counsel, Department of Natural Resources and Conservation (DNRC)

00:15:46 Rep. Driscoll exited.

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:18:36 Rep. O'Hara

00:18:57 Ms West, DNRC

00:20:08 Rep. Regier

00:20:25 Ms West

00:21:40 Rep. Regier

00:21:58 Ms West

00:22:53 Rep. MacDonald

00:23:50 Ms West

00:24:25 Rep. MacDonald

00:24:48 Ms West

00:25:16 Rep. Harris

00:25:56 Ms West

00:26:45 Rep. Harris

00:27:11 Ms West

00:27:48 Rep. Harris

00:28:28 Ms West

00:29:36 Rep. O'Hara

00:30:03 Sen. Lake

00:30:11 Rep. O'Hara

00:30:20 Sen. Lake

00:31:00 Rep. O'Hara

00:31:13 Sen. Lake

00:31:30 Rep. Bangerter

00:31:59 Ms West

00:33:03 Rep. Bangerter

00:33:29 Ms West

00:34:03 Rep. Driscoll returned.

00:34:20 Rep. Regier  
00:35:05 Sen. Lake  
00:35:14 Rep. Regier  
00:35:37 Sen. Lake  
00:36:03 Rep. Regier  
00:36:28 Sen. Lake  
00:36:43 Rep. Regier  
00:37:00 Sen. Lake  
00:37:26 Rep. MacDonald  
00:37:48 Sen. Lake  
00:38:16 Mr. Oppel  
00:38:36 Rep. MacDonald  
00:38:54 Mr. Oppel  
00:39:35 Rep. MacDonald  
00:40:01 Mr. Oppel  
00:40:19 Rep. MacDonald  
00:40:30 Mr. Oppel  
00:40:52 Rep. MacDonald  
00:41:21 Mr. Oppel  
00:41:40 Chairman Peterson  
00:42:19 Ms West  
00:43:13 Chairman Peterson  
00:43:37 Sen. Lake  
00:44:16 Rep. MacDonald  
00:44:42 Sen. Lake

**Closing by Sponsor:**

00:45:18 Sen. Lake

**HEARING ON SB 97**

**Opening Statement by Sponsor:**

00:47:07 Sen. Jim Shockley (R), SD 45, opened the hearing on SB 97, Revise parental notice of abortion and judicial bypass.

00:49:27 Rep. Pease-Lopez arrived.

00:53:44 Chairman Peterson exited.

**Proponents' Testimony:**

00:54:01 Gregg Trude, Executive Director, Right to Life Montana

00:56:32 Jeff Laszloffy, Montana Family Foundation

00:57:38 Rebecca Mastee, Montana Catholic Conference

00:58:26 Rep. Read exited.

01:02:16 Susan Gliko, Coordinator, Rachel's Hope

**EXHIBIT(juh65a02)**

**EXHIBIT(juh65a03)**

01:05:15 DeAnn Visser, Chief Executive Officer, La Vie Clinic, Billings

01:05:41 Rep. Hansen arrived.

01:07:31 Rep. Howard exited.

01:09:38 Nancy Frank, Executive Director, Options Women's Clinic  
01:12:17 Mimi Kirschman, self  
01:12:54 Margaret Mulally, self  
01:13:24 Harris Himes, Montana Eagle Forum  
01:14:21 Dallas Erickson, Montana Citizens for Decency through Law

**EXHIBIT(juh65a04)**

**Opponents' Testimony:**

01:16:18 Niki Zupanic, American Civil Liberties Union of Montana (ACLU)  
01:22:32 Rep. Bangerter exited.  
01:22:39 Rep. Hansen exited.  
01:23:46 Chairman Peterson returned.  
01:24:23 Rep. O'Hara exited.  
01:25:08 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence  
01:27:49 Rep. Pease-Lopez exited.  
01:30:35 Alex Corcoran, NARAL Pro-Choice Montana  
01:32:14 Lindsey Love, Planned Parenthood of Montana  
01:33:58 Rep. Loney exited.  
01:37:19 Anita Kuennen, RN, Blue Mountain Clinic, Missoula  
01:39:55 Rep. Loney returned.  
01:40:05 Beth Brennenman, Disability Rights Montana  
01:41:18 Rep. Pease-Lopez returned.  
01:42:14 Rep. Read returned.  
01:42:52 Jamee Greer, Montana Human Rights Network  
01:43:02 Rep. Bangerter returned.

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:43:37 Rep. Warburton  
01:43:58 Rep. O'Hara returned.  
01:44:56 Mr. Greer  
01:45:08 Rep. Warburton  
01:45:12 Mr. Greer  
01:45:31 Rep. Regier  
01:46:59 Ms Zupanic, ACLU  
01:47:29 Rep. Hansen returned.  
01:47:55 Rep. Harris  
01:48:59 Ms Zupanic  
01:49:47 Rep. Harris  
01:50:36 Chairman Peterson returned.  
01:51:14 Rep. Howard returned.  
01:51:22 Ms Zupanic  
01:52:03 Vice Chairwoman Sands  
01:52:54 Sen. Shockley  
01:53:16 Vice Chairwoman Sands  
01:54:11 Sen. Shockley  
01:55:18 Vice Chairwoman Sands  
01:55:45 Sen. Shockley  
01:55:51 Vice Chairwoman Sands

01:56:11 Sen. Shockley  
01:57:14 Vice Chairwoman Sands  
01:57:32 Sen. Shockley  
01:57:39 Rep. Loney  
01:57:47 Rep. Driscoll exited.  
01:58:09 Vice Chairwoman Sands  
01:58:13 Rep. Loney  
01:58:22 Chairman Peterson  
01:58:30 Ms Zupanic  
01:59:50 Rep. O'Hara  
02:00:40 Mr. Trude  
02:02:18 Rep. Driscoll returned.  
02:02:38 Rep. Wagner  
02:02:42 Rep. Hill arrived  
02:03:15 Ms Zupanic  
02:03:40 Rep. Wagner  
02:03:48 Ms Zupanic  
02:03:56 Rep. Wagner  
02:04:24 Ms Zupanic  
02:04:37 Rep. Wagner  
02:05:17 Ms Zupanic  
02:05:50 Rep. Wagner  
02:05:54 Ms Zupanic  
02:06:20 Rep. Wagner  
02:06:56 Ms Zupanic  
02:07:02 Rep. Wagner  
02:07:21 Ms Zupanic  
02:07:34 Rep. Wagner  
02:07:45 Ms Zupanic  
02:07:54 Rep. Wagner  
02:08:08 Vice Chairwoman Sands  
02:08:19 Rep. Wagner  
02:08:31 Ms Zupanic  
02:08:47 Rep. Wagner  
02:10:49 Ms Zupanic  
02:11:00 Vice Chairman Kerns exited.  
02:11:14 Rep. Warburton  
02:11:58 Ms Zupanic  
02:12:11 Rep. Warburton  
02:12:27 Ms Zupanic  
02:12:38 Rep. Warburton  
02:13:17 Ms Zupanic  
02:13:52 Rep. Driscoll  
02:14:49 Sen. Shockley  
02:14:53 Rep. Howard exited.  
02:15:30 Rep. Bangerter  
02:15:55 Ms Mastee  
02:16:23 Rep. Bangerter  
02:16:28 Ms Mastee  
02:16:39 Rep. More

02:17:04 Ms Corcoran, NARAL  
02:17:11 Rep. More  
02:17:22 Ms Corcoran  
02:17:52 Rep. O'Hara exited.  
02:18:00 Rep. More  
02:18:29 Ms Corcoran  
02:18:35 Rep. More  
02:18:54 Rep. Wagner returned.  
02:19:07 Ms Corcoran  
02:19:42 Rep. More  
02:20:06 Ms Corcoran  
02:20:11 Rep. Skattum  
02:20:38 Ms Zupanic  
02:21:12 Rep. MacDonald  
02:22:03 Ms Kuennen  
02:22:17 Rep. O'Hara returned.  
02:23:44 Rep. MacDonald  
02:24:06 Ms Kuennen  
02:24:27 Rep. Bangerter  
02:24:49 Ms Kuennen  
02:25:30 Rep. Bangerter  
02:26:02 Ms Kuennen  
02:26:09 Rep. Warburton  
02:26:48 Ms Mastee  
02:27:06 Rep. Warburton  
02:27:18 Ms Mastee  
02:27:44 Vice Chairwoman Sands  
02:28:10 Ms Zupanic  
02:28:57 Rep. Hill  
02:29:38 Ms Zupanic  
02:30:40 Rep. MacDonald  
02:31:21 Sen. Shockley  
02:31:50 Rep. Wagner  
02:32:25 Ms Love  
02:32:34 Rep. Wagner  
02:33:54 Ms Love  
02:34:19 Rep. Wagner  
02:34:53 Ms Love  
02:35:04 Chairman Peterson  
02:35:44 Ms Zupanic  
02:35:55 Chairman Peterson  
02:36:03 Ms Zupanic  
02:36:46 Chairman Peterson  
02:37:00 Ms Zupanic  
02:37:08 Chairman Peterson  
02:38:08 Ms Zupanic  
02:38:50 Chairman Peterson  
02:39:15 Ms Zupanic  
02:39:24 Chairman Peterson  
02:39:42 Ms Zupanic

02:40:37 Chairman Peterson  
02:41:05 Ms Mastee  
02:41:10 Rep. Howard returned.  
02:41:45 Chairman Peterson  
02:42:02 Sen. Shockley  
02:42:22 Chairman Peterson  
02:42:36 Sen. Shockley  
02:42:57 Chairman Peterson  
02:43:12 Sen. Shockley  
02:43:28 Chairman Peterson

**Closing by Sponsor:**

02:43:42 Sen. Shockley  
  
02:49:06 Chairman Peterson  
02:50:41 Rep. Hill

**ADJOURNMENT**

02:51:21      Adjournment

---

Karen Armstrong, Secretary

ka

**Additional Exhibit:**  
**[EXHIBIT\(juh65a05\)](#)**

Additional Documents:

**[EXHIBIT\(juh65aad.pdf\)](#)**