

MINUTES

MONTANA SENATE 63rd LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Terry Murphy, on March 26, 2013 at 8:00 A.M., in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Terry Murphy, Chair (R)
Sen. Scott Sales, Vice Chair (R)
Sen. Shannon Augare (D)
Sen. Anders Blewett (D)
Sen. Scott Boulanger (R)
Sen. Robyn Driscoll (D)
Sen. Jennifer Fielder (R)
Sen. Larry Jent (D)
Sen. Cliff Larsen (D)
Sen. Chas Vincent (R)
Sen. Art Wittich (R)

Members Excused: Sen. John Brenden (R)

Members Absent: None

Staff Present: Julianne Burkhardt, 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 505, 3/13/2013; SB 377, 3/13/2013

HEARING ON SB 377**Opening Statement by Sponsor:**

00:12:51 Sen. David Wanzenried (D), SD 49, opened the hearing on SB 377, Generally revise medical marijuana laws and regulate industry.

[EXHIBIT\(jus65a01\)](#)

[EXHIBIT\(jus65a02\)](#)

Proponents' Testimony:

00:22:35 Katy Heitstuman, ACLU of Montana

00:24:16 Shawn Palmer, self, Montana Coalition for Rights (MCR)

[EXHIBIT\(jus65a03\)](#)

[EXHIBIT\(jus65a04\)](#)

[EXHIBIT\(jus65a05\)](#)

[EXHIBIT\(jus65a06\)](#)

[EXHIBIT\(jus65a07\)](#)

00:29:14 Nathan Pierce, Montana Coalition for Rights (MCR)

(Please Note: Rep. Rae Peppers (D), HD 41, Lame Deer, Montana, came into the hearing after the Proponents' Testimony was completed. Chairman Murphy stated he would list her as a Proponent).

Opponents' Testimony:

00:31:58 Col. Kenton Hicketier, Montana Highway Patrol (MHP), Department of Justice (DOJ), State of Montana, Montana Narcotics Officers Association (MNOA)

00:33:12 Susan Smith, self, Safe Communities Safe Kids (SCSK), Billings, Montana

00:40:42 Pat Keim, Alternatives Inc. (AI), Billings, Montana

00:44:12 Jeff Laszloffy, Executive Director, Montana Family Foundation (MFF)

00:47:13 Dave Ponte, self

00:52:43 Cherrie Brady, Chairman, Safe Communities Safe Kids (SCSK), Billings, Montana

00:56:37 Candace Payne, Rimrock Foundation (RF), Billings, Montana

[EXHIBIT\(jus65a08\)](#)

[EXHIBIT\(jus65a09\)](#)

Informational Testimony:

01:05:53 Steve Zabawa, self, Billings, Montana

Questions from Committee Members and Responses:

01:06:46 Sen. Jent

01:07:06 Mr. Zabawa, self

01:10:15 Sen. Jent

01:10:37 Julianne Burkhardt, Legislative Services Division (LSD)

01:10:54 Sen. Fielder
01:11:25 Sen. Wanzenried

Closing by Sponsor:

01:13:52 Sen. Wanzenried

01:17:23 Brief Recess
01:25:30 Reconvene

HEARING ON HB 505

Opening Statement by Sponsor:

01:26:01 Rep. Krayton Kerns (R), HD 58, opened the hearing on HB 505, Clarify offense of aiding or soliciting suicide.

[EXHIBIT\(jus65a10\)](#)

Proponents' Testimony:

01:29:17 Dr. Paul Gorsuch, Neurosurgeon, Great Falls, Montana

[EXHIBIT\(jus65a11\)](#)

01:33:19 Margaret Dore, Attorney, Seattle, Washington

[EXHIBIT\(jus65a12\)](#)

[EXHIBIT\(jus65a13\)](#)

[EXHIBIT\(jus65a14\)](#)

01:39:36 Elizabeth Poiana, self, High School Student, Seattle, Washington

01:41:55 Dr. Annie Bukacek, Physician, Kalispell, Montana

[EXHIBIT\(jus65a15\)](#)

01:43:30 Mike Moe, self, Great Falls, Montana

01:50:32 Jeremiah Daniel Laurin, self

01:51:53 Dr. David Hafer, Surgeon, Great Falls, Montana

[EXHIBIT\(jus65a16\)](#)

01:56:13 Phillip Tummarello, self, Stevensville, Montana

[EXHIBIT\(jus65a17\)](#)

[EXHIBIT\(jus65a18\)](#)

02:02:53 Zel Brooks, Psychotherapist, self

02:04:11 Dr. Craig Treptow, Family Practice Physician, Great Falls, Montana

02:05:52 Bradley Williams, President, Montanans Against Assisted Suicide (MAAS)

[EXHIBIT\(jus65a19\)](#)

[EXHIBIT\(jus65a20\)](#)

[EXHIBIT\(jus65a21\)](#)

02:08:41 Christina Hayden, self, Butte, Montana

[EXHIBIT\(jus65a22\)](#)

02:10:09 John Meyer, self

02:13:08 Garnett Rope, self, Vaughn, Montana

[EXHIBIT\(jus65a23\)](#)

02:14:53 Robin Treptow, Licensed Psychologist, Great Falls, Montana

02:16:02 Bernice Stule, self, Belgrade, Montana

[EXHIBIT\(jus65a24\)](#)

02:18:13 Bobbie Hafer, self, Dayton, Montana

02:23:37 Shirley Herrin, self, Helena, Montana

02:25:07 Helen Mears, self, Great Falls, Montana

02:25:53 Holly Olszewski, self

[EXHIBIT\(jus65a25\)](#)

02:28:08 Jeff Laszloffy, Executive Director, Montana Family Foundation (MFF)

02:29:56 Mary McCracken, self, Kalispell, Montana

02:30:13 Leonard Falk, self, Kalispell, Montana

02:31:50 Moe Wosepka, Executive Director, Montana Catholic Conference (MCC)

[EXHIBIT\(jus65a26\)](#)

02:32:17 Cort Freeman, self, Butte, Montana

[EXHIBIT\(jus65a27\)](#)

02:33:20 Phyllis Lamping, self

(Vice Chairman Sales assumes Chairman's role)

Opponents' Testimony:

02:34:26 Roberta King, self

02:37:44 Dr. Eric Kress, Family Physician, Missoula, Montana

[EXHIBIT\(jus65a28\)](#)

(Chairman Murphy resumes Chairman's role)

02:49:57 Mark Connell, Attorney, Missoula, Montana, also for Ron Waterman, Attorney,
Helena, Montana

[EXHIBIT\(jus65a29\)](#)

02:58:25 Dr. Tom Roberts, Internist/Geriatric Physician, President and Medical Director,
Western Montana Clinic, Missoula, Montana

[EXHIBIT\(jus65a30\)](#)

03:04:14 Barbara Holter Kirkland, self

03:07:01 Sen. Dick Barrett (D), SD 47, Missoula, Montana, also for Rep. David (Doc)

Moore (R), HD 91, Missoula, Montana

[EXHIBIT\(jus65a31\)](#)

03:16:48 Dr. Stephen Speckart, Oncologist, former Director, Missoula Hospice, Missoula, Montana

03:30:00 Harry Israel, self

03:31:09 Doris Fischer, self, Sheridan, Montana

[EXHIBIT\(jus65a32\)](#)

03:34:31 Tom Heyes, self

[EXHIBIT\(jus65a33\)](#)

03:36:36 Walter Knight, self, Helena, Montana

[EXHIBIT\(jus65a34\)](#)

03:38:26 Jane Hamman, self, Helena, Montana

[EXHIBIT\(jus65a35\)](#)

03:39:44 Bob Errichello, self, Townsend, Montana

03:41:54 Jane Jelinski, self, Bozeman, Montana

[EXHIBIT\(jus65a36\)](#)

03:43:08 Mignon Waterman, self, Helena, Montana

03:45:30 Thomas Scanlin, self, Bozeman, Montana

[EXHIBIT\(jus65a37\)](#)

03:47:28 Janet Hess-Herbert, self

03:48:24 Katy Heitstuman, ACLU

03:48:43 Jane Muller, self

03:51:15 Phil Campbell, self, Helena, Montana

Informational Testimony:

03:51:44 Gregg Trude, Director, Right to Life/Montana (RTL/MT)

Questions from Committee Members and Responses:

03:52:26 Sen. Sales

03:52:58 Dr. Kress, self

03:53:17 Sen. Sales

03:53:28 Mr. Tummarello, self

03:56:36 Sen. Murphy

03:56:52 Mr. Moe, self

03:56:59 Sen. Murphy

03:57:10 Mr. Trude, RTL/MT

03:58:39 Sen. Larsen

03:58:58 Mr. Connell, Attorney, self

Closing by Sponsor:

04:01:57 Rep. Kerns

ADJOURNMENT

Adjournment: 11:55

Pam Schindler, Secretary

ps

Additional Documents:

Additional Documents:

EXHIBIT([jus65aad.pdf](#))