

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Gerald (Jerry) Bennett, on February 10, 2015 at 8:00 AM, in Room 137 Capitol

ROLL CALL

Members Present:

Rep. Gerald (Jerry) Bennett, Chair (R)
Rep. Virginia Court, Vice Chair (D)
Rep. Alan Doane, Vice Chair (R)
Rep. Seth Berglee (R)
Rep. Jennifer Eck (D)
Rep. Clayton Fiscus (R)
Rep. Stephanie Hess (R)
Rep. Ellie Boldman Hill (D)
Rep. Kathy Kelker (D)
Rep. Sarah Laszloffy (R)
Rep. Margaret (Margie) MacDonald (D)
Rep. Theresa Manzella (R)
Rep. Nate McConnell (D)
Rep. G. Bruce Meyers (R)
Rep. Matthew Monforton (R)
Rep. Carolyn Pease-Lopez (D)
Rep. Zac Perry (D)
Rep. Andrew Person (D)
Rep. Randall Pinocci (R)
Rep. Keith Regier (R)
Rep. Kirk Wagoner (R)

Members Excused: None

Members Absent: None

Staff Present: McKenzie Chambers, Committee Secretary
Helen Thigpen, 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: HB 317, 2/4/2015; HB 328, 2/4/2015; HB 365, 2/4/2015; HB 369, 2/4/2015

00:01:41 Chair J. Bennett

HEARING ON HB 328

Opening Statement by Sponsor:

00:03:09 Rep. Brad Tschida (R), HD 97, opened the hearing on HB 328, Provide that consent is not a defense for physician assisted suicide.

Proponents' Testimony:

00:08:29 Gregg Trude, Right to Life of Montana

[EXHIBIT\(juh30a01\)](#)

00:11:10 Jeff Laszloffy, Montana Family Foundation (MFF)

[EXHIBIT\(juh30a02\)](#)

00:13:00 Bradley Williams, Montanans Against Assisted Suicide (MAAS)

[EXHIBIT\(juh30a03\)](#)

[EXHIBIT\(juh30a04\)](#)

00:15:53 Thomas Warr, Self

[EXHIBIT\(juh30a05\)](#)

00:18:28 Chris Gilbert, Self

[EXHIBIT\(juh30a06\)](#)

00:20:54 Jennifer Gilbert, Self

[EXHIBIT\(juh30a07\)](#)

00:23:34 Dr. Craig Treptow, Self

00:25:48 Dr. Robin Lynn Treptow, Self

[EXHIBIT\(juh30a08\)](#)

00:28:18 Bobbie Hafer, Self

[EXHIBIT\(juh30a09\)](#)

00:32:57 David Hafer, Self

[EXHIBIT\(juh30a10\)](#)

00:37:40 Sandy Wedel, Self

[EXHIBIT\(juh30a11\)](#)

00:41:04 Berniece Stulc, Self

[EXHIBIT\(juh30a12\)](#)

00:41:43 Helen Mears, Self

[EXHIBIT\(juh30a13\)](#)

00:42:00 Matt Brower, Montana Catholic Conference (MCC)

[EXHIBIT\(juh30a14\)](#)

00:42:16 Ted Friesen, Self

[EXHIBIT\(juh30a15\)](#)

00:42:31 Dick Pence, Billings Family Action Group

[EXHIBIT\(juh30a16\)](#)

00:42:47 Mellda Freeman, Self

[EXHIBIT\(juh30a17\)](#)

[EXHIBIT\(juh30a18\)](#)

00:43:17 John Meyer, Self

00:43:30 Christina Hayden, Self

[EXHIBIT\(juh30a19\)](#)

00:43:49 Myrna Summers, Self
00:44:08 Derek Skees, Self
00:44:19 Nancy Pence, Self

[EXHIBIT\(juh30a20\)](#)

[EXHIBIT\(juh30a21\)](#)

[EXHIBIT\(juh30a22\)](#)

[EXHIBIT\(juh30a23\)](#)

Opponents' Testimony:

00:45:08 Mark Connell, Self

00:57:38 Roberta King, Self

01:00:18 Ethel Byrnes, Self

01:04:59 Eric Kress, Self

[EXHIBIT\(juh30a24\)](#)

01:13:57 Barbara Kirkland, Self

01:16:48 Bonnie Kelley, Self

01:19:39 Doris Fischer, Self

[EXHIBIT\(juh30a25\)](#)

01:19:56 Dan Lourie, Self

01:20:13 Niki Zupanic, Montana ACLU

01:20:30 Linda Gryczan, Self

[EXHIBIT\(juh30a26\)](#)

[EXHIBIT\(juh30a27\)](#)

01:20:54 Christiana Schweitzer, Self

01:21:10 Jane Hamman, Self

01:21:24 Jane Jelinski, Self

[EXHIBIT\(juh30a28\)](#)

01:21:36 Ron Waterman, Self

[EXHIBIT\(juh30a29\)](#)

01:21:51 Mary Douglass, Self

01:22:15 Jane Muller, Self

01:22:28 Tom Heyes, Self

[EXHIBIT\(juh30a30\)](#)

01:22:42 Mignon Waterman, Self

01:22:58 David Cooper, Self

01:23:20 Robert Zimorino, Self

01:23:37 Robert Errichello, Self

[EXHIBIT\(juh30a31\)](#)

01:24:07 Maren Keener, Self

01:24:30 Janet Hess-Herbert, Self

01:24:46 Tim Speyer, Self

01:25:02 Emily Bentley, Montana Compassion & Choices

[EXHIBIT\(juh30a32\)](#)

[EXHIBIT\(juh30a33\)](#)

Informational Testimony:

01:25:55 Phillip Tummarello, Self

Questions from Committee Members and Responses:

01:26:24 Rep. Regier
01:26:39 Emily Bentley, Montana Compassion & Choices
01:27:02 Rep. Regier
01:27:37 Ron Waterman, Self
01:28:30 Rep. Regier
01:28:39 Ron Waterman, Self
01:29:21 Rep. Hill
01:29:41 Emily Bentley, Montana Compassion & Choices
01:30:35 Rep. MacDonald
01:30:42 Chair J. Bennett
01:30:53 Rep. Kelker
01:31:29 Ron Waterman, Self
01:32:23 Rep. Kelker
01:32:43 Ron Waterman, Self
01:33:30 Rep. McConnell
01:34:07 Ron Waterman, Self

Closing by Sponsor:

01:36:09 Rep. Tschida

01:41:55 Chair J. Bennett

01:42:07 Recess
01:57:35 Reconvened

01:57:39 Chair J. Bennett

HEARING ON HB 369**Opening Statement by Sponsor:**

01:57:54 Rep. Clayton Fiscus (R), HD 43, opened the hearing on HB 369, Require losing party in litigation to pay litigation costs in certain lawsuits.

[EXHIBIT\(juh30a34\)](#)

Proponents' Testimony:

[EXHIBIT\(juh30a35\)](#)

02:14:50 Chair J. Bennett

Opponents' Testimony:

02:14:57 Al Smith, Montana Trial Lawyers Association (MTLA)
02:20:51 Lee Bruner, Montana Defense Trial Lawyers (MDTL)
02:22:36 John Fitzpatrick, NorthWestern Energy (NWE)
02:25:49 Julia Altemus, Montana Wood Products Association (MWPA)
02:27:55 Mark Lambrecht, Treasure State Resource Industry Association (TSRIA) and representing Dave Galt, Montana Petroleum Association (MPA)
02:29:44 Greg Van Horssen, State Farm Insurance Company and representing Jacqueline Lenmark, American Insurance Association (AIA)

02:31:40 Bruce Spencer, Property Casualty Insurers Association of America (PCIAA),
Allstate Insurance Company and representing Dwight Easton, Farmers
Insurance Group
02:35:10 Mona Jamison, The Doctors Company
02:36:34 Chair J. Bennett

Informational Testimony: None

Questions from Committee Members and Responses:

02:37:05 Rep. Monforton
02:37:50 Rep. Fiscus
02:38:29 Rep. Monforton
02:38:55 Rep. Fiscus
02:39:24 Rep. Monforton
02:39:47 Al Smith, MTLA
02:40:17 Rep. Monforton
02:40:49 Al Smith, MTLA

Closing by Sponsor:

02:41:29 Rep. Fiscus

HEARING ON HB 365

Opening Statement by Sponsor:

02:45:16 Rep. David (Doc) Moore (R), HD 92, opened the hearing on HB 365, Generally
revise indecency laws.

[EXHIBIT\(juh30a36\)](#)

Proponents' Testimony:

02:51:04 Jesse Dunn, Opportunity Resources, Inc. (ORI)
02:56:11 Walt Hill, Self

[EXHIBIT\(juh30a37\)](#)

02:58:48 Wally Melcher, Self
03:00:59 John Quandt, Self

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

03:02:42 Rep. Wagoner
03:03:36 Rep. Moore
03:04:14 Rep. Wagoner
03:04:19 Rep. Moore
03:04:23 Rep. Wagoner
03:04:28 Rep. Berglee
03:04:35 Rep. Manzella
03:05:00 Rep. Moore
03:05:38 Rep. Person
03:06:18 Rep. Moore

03:06:25 Rep. Person
03:06:27 Rep. Moore
03:07:16 Rep. McConnell
03:07:58 Rep. Moore
03:08:51 Rep. Court
03:09:19 Rep. Moore
03:09:50 Rep. Court
03:10:04 Rep. Moore
03:10:19 Rep. Eck
03:10:49 Rep. Moore
03:11:22 Rep. Eck
03:11:48 Rep. Moore
03:12:25 Rep. Wagoner
03:13:09 Rep. Moore

Closing by Sponsor:

03:13:45 Rep. Moore

HEARING ON HB 317

Opening Statement by Sponsor:

03:15:23 Rep. Ellie Boldman Hill (D), HD 90, opened the hearing on HB 317, Provide for offense of cyberbullying.

[EXHIBIT\(juh30a38\)](#)

Proponents' Testimony:

03:28:13 Jim Smith, Montana Sheriffs and Peace Officers Association (MSPOA)
03:29:42 Ken Hughes, Bikers Against Bullies USA (BAB)
03:31:05 Justin Johnson, Self
03:34:03 Fred Van De Perre, Bikers Against Bullies USA (BAB)

[EXHIBIT\(juh30a39\)](#)

03:39:19 Mariela Petroski, Self
03:48:05 Tuilanna Adams, Self
03:51:11 Adina Wing, Self
03:52:27 Mark Murphy, Montana County Attorneys Association (MCAA) and Montana Police Protective Association (MPPA)
03:53:20 Bob Volgel, Montana School Boards Association (MTSBA)
03:53:48 Jim Smith, Montana Rural Education Association (MREA)
03:54:30 John Quandt, Self

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

03:57:06 Rep. Person
03:57:44 Rep. Hill
03:57:54 Mark Murphy, MCAA and MPPA

Closing by Sponsor:

03:58:57 Rep. Hill

04:00:31 Chair J. Bennett

ADJOURNMENT

Adjournment: 04:02:05

McKenzie Chambers, Secretary

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Additional Documents:

EXHIBIT([juh30aad.pdf](#))