

## MINUTES

### MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON JUDICIARY

**Call to Order:** Chair Scott Sales, on January 30, 2015 at 8:00 AM, in Room 303 Capitol

#### ROLL CALL

**Members Present:**

Sen. Scott Sales, Chair (R)  
Sen. Jennifer Fielder, Vice Chair (R)  
Sen. Robyn Driscoll (D)  
Sen. Jedediah Hinkle (R)  
Sen. Douglas (Doug) Kary (R)  
Sen. Cliff Larsen (D)  
Sen. Mary McNally (D)  
Sen. Mary Sheehy Moe (D)  
Sen. Diane Sands (D)  
Sen. Nels Swandal (R)  
Sen. Chas Vincent (R)

**Members Excused:** Sen. Kris Hansen (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: SB 179, 1/20/2015; HB 75,1/23/2015; HB 134,1/23/2015;  
HB 136, 1/23/2015  
Executive Action: SB 179-Tabled

**HEARING ON HB 75****Opening Statement by Sponsor:**

00:02:28 Rep. Stephanie Hess (R), HD 28, opened the hearing on HB 75, Authorize creation of sex assault prosecution unit in AG's office.

**Proponents' Testimony:**

00:04:08 Jon Bennion, assistant attorney general, Department of Justice (DOJ)  
[EXHIBIT\(jus21a01\)](#)

00:09:37 Derek Vanluchene, Ryan United

00:14:54 Larry Epstein, Montana County Attorneys Association (MCAA)

00:15:56 Sarah Corbally, administrator, Child and Family Services Division, Department of Public Health and Human Services (DPHHS)

00:17:00 Kelsen Young, executive director, Montana Coalition Against Domestic and Sexual Violence (MCADSV)

**Opponents' Testimony:**

None

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

00:18:32 Sen. Sands

00:19:44 Mr. Bennion, DOJ

00:21:44 Sen. Vincent

00:22:16 Mr. Bennion

00:25:12 Sen. Larsen

00:25:39 Mr. Bennion

00:26:24 Sen. Moe

00:27:05 Mr. Bennion

**Closing by Sponsor:**

00:28:01 Rep. Hess

**HEARING ON HB 134****Opening Statement by Sponsor:**

00:28:29 Rep. Jennifer Eck (D), HD 79, opened the hearing on HB 134, Prohibit a youth from being transferred to adult supervision without a felony.

**Proponents' Testimony:**

00:30:52      Adrienne Slaughter, Department of Corrections (COR)  
00:33:27      Larry Epstein, Montana County Attorneys Association (MCAA)

**Opponents' Testimony:**

None

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

00:34:51      Sen. Hinkle  
00:35:21      Rep. Eck  
00:35:39      Sen. Vincent  
00:35:52      Ms. Slaughter, COR

**Closing by Sponsor:**

00:37:14      Rep. Eck

**HEARING ON HB 136**

**Opening Statement by Sponsor:**

00:37:49      Rep. Jennifer Eck (D), HD 79, opened the hearing on HB 136, Allow victim notification via email or telephone.

**Proponents' Testimony:**

00:38:46      Adrian Slaughter, Department of Corrections (COR)  
00:39:27      Larry Epstein, Montana County Attorneys Association (MCAA)

**Opponents' Testimony:**

None

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

00:40:08      Sen. Swandal  
00:40:35      Sally Hilander, victims program manager, Department of Corrections (COR)  
00:42:53      Sen. Hinkle  
00:43:11      Ms. Slaughter, COR

00:46:49 Sen. Fielder  
00:47:01 Ms. Slaughter

**Closing by Sponsor:**

00:47:12 Rep. Eck  
00:48:32 Brief Recess  
01:00:30 Reconvene

**HEARING ON SB 179**

**Opening Statement by Sponsor:**

01:01:30 Sen. Christine Kaufmann (D), SD 40, opened the hearing on SB 179, Prohibit discrimination of gender identity/expression and sexual orientation.

**Proponents' Testimony:**

01:04:24 Niki Zupanic, public policy director, American Civil Liberties Union (ACLU)  
01:08:35 Denise Juneau, superintendent, Office Public Instruction (OPI), State of Montana  
01:10:00 Kevin Hamm, PRIDE, also for Linda Vaughey

**EXHIBIT(jus21a02)**

01:11:27 Susan Otey pastor, Christ United Methodist Church, Great Falls  
01:15:23 Matthew Schlosser, self  
01:19:31 Shawn Francis, self, Bozeman  
01:21:42 Bree Sutherland, Gender Expansion Project (GEP)  
01:23:08 Anna Doran, owner, Big Dipper Ice Cream  
01:23:57 Carl Deitchman, self  
01:25:37 Susan Hawthorne, self  
01:26:12 Connie Davis, self, Columbia Falls (is an opponent)  
01:26:52 Scott Lockwood, self  
01:28:18 John Ilgenfritz, self, Helena  
01:29:49 Debbie Schenk, self, Joliet  
01:31:00 Dick Weaver, United Church of Christ, Helena

**EXHIBIT(jus21a03)**

01:33:13 Kim Leighton, regional development organizer, PRIDE, also for Brianne Harrington

**EXHIBIT(jus21a04)**

**EXHIBIT(jus21a05)**

01:34:59 Linda Gryczan, self  
01:35:41 Garrett Lankford, Associated Students, Montana State University (MSU), Bozeman  
01:36:05 Alissa Snow, Western Native Vice  
01:38:03 David Andersen, pastor, Alders Days United Church, Butte  
01:39:11 Tate Chamberlain, self

01:39:52 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence (MCADSV)  
01:40:34 Chris Cavazes, AFL-CIO  
01:41:04 Kim Abbott, Montana Human Rights Network (MHRN) also for Sarah Warbelow

[EXHIBIT\(jus21a06\)](#)

01:42:03 Maggie Moran, NARAL Pro-Choice Montana  
01:42:33 Sarah Howell, executive director, Montana Women Vote (MWV)  
01:42:57 Robert Filipovich, self  
01:43:20 Pat Kemp, self  
01:44:09 Molly Severtson, self  
01:44:31 Audra Shropshire, self, Helena  
01:45:06 Judy Fjell, self  
01:46:09 Natt Walden, waiter  
01:47:18 David Otey, self, Great Falls

**Opponents' Testimony:**

01:48:48 Jeff Laszloffy, Montana Family Foundation (MFF)  
01:51:59 Dawnette Osen, self, Bozeman  
01:52:51 Dale Stewart, self  
02:01:38 Jeanette Zentgraf, self

[EXHIBIT\(jus21a07\)](#)

02:05:34 John Meyer, self  
02:05:53 Jean Ruppert, self

[EXHIBIT\(jus21a08\)](#)

02:10:11 Dallas Erickson, Montana Citizens for Decency Through Law

[EXHIBIT\(jus21a09\)](#)

02:16:02 Brad Wright, self  
02:17:18 Kari Zeier, Concerned Women of America/Montana (CWA/MT)  
02:18:54 Steve Boettger, self, pastor, First Baptist Church  
02:22:07 Kyndall Miler, self  
02:23:16 Edna Bjork, pastor  
02:25:04 Rachel Roberts-Boyd, self

[EXHIBIT\(jus21a10\)](#)

02:28:30 Elaine Bridge, self  
02:31:15 Ed Halland, self, Bridger  
02:33:53 Tom Eggebrecht, self, Covallis  
02:34:14 Matthew Brower, executive director, Montana Catholic Conference (MCC)

[EXHIBIT\(jus21a11\)](#)

02:34:26 Dick Pence, coordinator, Big Sky Worldview Forum

[EXHIBIT\(jus21a12\)](#)

02:34:42 Fred Miller, pastor, Cascade  
02:34:57 Derek Skees, self, Kalispell  
02:35:03 Chris Pummel, self  
02:35:32 Robert Williamson, self, Conrad  
02:35:34 Ann Morren, Conrad  
02:35:48 Becky Stockton, self  
02:36:00 Ronalee Skees, self  
02:36:15 Arlene DeBoer, self, Laurel Ladies Bible Study  
02:36:34 Jeff Phillips, Great Falls  
02:36:42 Jonathon McVeda, self  
02:37:03 Pat Plowman, self

**EXHIBIT(jus21a13)**

02:37:19 Don DeBoer, self  
02:37:32 Judy Tankink, self, Great Falls  
02:37:43 Rudolf Tankink, self, Great Falls  
02:37:52 Connie Davis, self, Columbia Falls  
02:38:04 Paul Peck, self, Dillon  
02:38:16 Ken Schaible, self  
02:38:33 Craig Drunkenmiller, self  
02:38:53 Nancy Pendergast, self, Hamilton  
02:39:15 Amanda Peabody, self, Corvallis  
02:39:22 Christopher McVeda, self, Great Falls  
02:39:29 Melissa McVeda, self, Great Falls  
02:39:34 Janet Pendergast, self, Hamilton  
02:39:44 Monte Peabody, self

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

02:39:58 Sen. Sands  
02:40:38 Sen. Hinkle  
02:41:30 Mr. Walden, waiter  
02:43:33 Sen. McNally  
02:44:23 Ms. Zupanic, ACLU  
02:47:14 Sen. Larsen  
02:47:35 Ms. Zupanic  
02:48:43 Sen. McNally  
02:49:25 Ms. Zupanic  
02:51:38 Sen. Hinkle  
02:52:41 Sen. Kaufmann

**Closing by Sponsor:**

02:54:57 Sen. Kaufmann

03:00:40 Brief Recess

03:10:13 Reconvene

**EXECUTIVE ACTION ON SB 179**

03:10:28 **Motion:** Sen. Larsen moved that **SB 179 DO PASS.**

**Discussion:**

03:10:40 Sen. Sands

03:11:17 **Vote:** Motion failed 5-7 by roll call vote with Sen. Driscoll, Sen. Larsen, Sen. McNally, Sen. Moe and Sen. Sands voting aye. Sen. Hansen voted by proxy.

03:11:56 **Motion/Vote:** Chairman Sales moved without objection that **SB 179 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote. Sen. Hansen voted by proxy.

**ADJOURNMENT**

Adjournment: 11:13 A.M.

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Pam Schindler, Secretary

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Additional Documents

Additional Documents:

**EXHIBIT([jus21aad.pdf](#))**