

# Montana State Legislature

**2015 SESSION**

## **ADDITIONAL DOCUMENTS**

**May include the following:**

**Business Page**

[Signed by Chairman]

**Roll Call**

**Standing Committee Reports**

**Tabled Bills**

**Fiscal Reports**

**Rolls Call Votes**

**Proxy Forms**

**Visitor Registrations**

**\* Any other documents, which were submitted after the committee hearing has ended and/or was submitted late [within 48 hours], regarding information in the committee hearing.**

**\* Witness Statements that were not presented as exhibits.**

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**2015 Legislative**

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**BUSINESS REPORT**  
**MONTANA SENATE**  
**64th LEGISLATURE - REGULAR SESSION**  
**SENATE JUDICIARY COMMITTEE**

**Date:** Tuesday, March 31, 2015  
**Place:** Capitol

**Time:** 9:00 AM  
**Room:** 303

**BILLS and RESOLUTIONS HEARD:**

HB 89 - Generally revise human trafficking laws - Rep. Kimberly Dudik

**EXECUTIVE ACTION TAKEN:**

HB 378-Be Concurred In  
HB 587-Be Concurred In  
HB 477-Tabled  
HB 89-Be Concurred In, Motion Withdrawn, further discussion needed

**Comments:**



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SEN. Scott Sales, Chair

# MONTANA STATE SENATE

## 2015 JUDICIARY COMMITTEE

# ROLL CALL

DATE: 3/31/15

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
CHAIRMAN, SENATOR SCOTT SALES	—	
VICE CHAIRMAN, SENATOR JENNIFER FIELDER		—
SENATOR DIANE SANDS	—	
SENATOR ROBYN DRISCOLL	—	
SENATOR KRISTEN HANSEN		—
SENATOR JEDEDIAH HINKLE	—	
SENATOR DOUG KARY	—	
SENATOR CLIFF LARSEN	—	
SENATOR MARY MCNALLY	—	
SENATOR MARY SHEEHY MOE	—	
SENATOR NELS SWANDAL	—	
SENATOR CHAS VINCENT		—



SENATE STANDING COMMITTEE REPORT

March 31, 2015

Page 1 of 1

Madame President:

We, your committee on **Judiciary** report that **House Bill 378** (third reading copy -- blue) be **concurrred in**.

Signed: \_\_\_\_\_

*Senator Scott Sales, Chair*

To be carried by Senator Douglas (Doug) Kary

- END -

**Committee Vote:**

**Yes 7, No 5**

Fiscal Note Required  X

HB0378001SC12606.spt

## BILL TABLED NOTICE

### SENATE JUDICIARY COMMITTEE

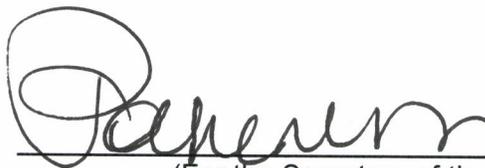
The **SENATE JUDICIARY COMMITTEE** TABLED

**HB 477 - Clarify offense of aiding or soliciting suicide - Rep. Gerald (Jerry) Bennett**

by motion, on **Tuesday, March 31, 2015** (PLEASE USE THIS ACTION DATE IN LAWS BILL STATUS).



\_\_\_\_\_  
(For the Committee)



\_\_\_\_\_  
(For the Secretary of the Senate)

1:30, 3/31

(Time) (Date)

March 31, 2015 (11:09am)

Pam Schindler, Secretary

Phone: 444-4618



SENATE STANDING COMMITTEE REPORT

March 31, 2015

Page 1 of 1

Madame President:

We, your committee on **Judiciary** report that **House Bill 587** (third reading copy -- blue) be **concurrred in**.

Signed: \_\_\_\_\_

A handwritten signature in cursive script, appearing to read "Scott Sales", written over a horizontal line.

*Senator Scott Sales, Chair*

To be carried by Senator Kris Hansen

- END -

**Committee Vote:**

**Yes 7, No 5**

Fiscal Note Required  X

HB0587001SC12600.spt

# MONTANA STATE SENATE

## ROLL CALL VOTE

### 2015 JUDICIARY COMMITTEE

DATE 3/2/15 BILL NO HB378 MOTION NO. 1

MOTION: amend

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR CHAS VINCENT	—		—
VICE CHAIRMAN, SENATOR JENNIFER FIELDER	—		—
SENATOR DIANE SANDS		—	
SENATOR CLIFF LARSEN		—	
SENATOR ROBYN DRISCOLL		—	
SENATOR MARY MCNALLY		—	
SENATOR MARY SHEEHY MOE		—	
SENATOR KRISTEN HANSEN	—		—
SENATOR JEDEDIAH HINKLE	—		
SENATOR DOUG KARY		—	
SENATOR NELS SWANDAL		—	
CHAIRMAN, SENATOR SCOTT SALES	—		

S/7

# MONTANA STATE SENATE

## ROLL CALL VOTE

### 2015 JUDICIARY COMMITTEE

DATE 3/31/15 BILL NO H8378 MOTION NO. 1

MOTION: Balance and In

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR CHAS VINCENT		—	—
VICE CHAIRMAN, SENATOR JENNIFER FIELDER		—	—
SENATOR DIANE SANDS	—		
SENATOR CLIFF LARSEN	—		
SENATOR ROBYN DRISCOLL	—		
SENATOR MARY MCNALLY	—		
SENATOR MARY SHEEHY MOE	—		
SENATOR KRISTEN HANSEN		—	—
SENATOR JEDEDIAH HINKLE		—	
SENATOR DOUG KARY	—		
SENATOR NELS SWANDAL	—		
CHAIRMAN, SENATOR SCOTT SALES		—	

7/5

# MONTANA STATE SENATE

## ROLL CALL VOTE

### 2015 JUDICIARY COMMITTEE

DATE 3/31/15 BILL NO <sup>HB</sup>477 MOTION NO. 1

MOTION: Reconvened in

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR CHAS VINCENT		—	—
VICE CHAIRMAN, SENATOR JENNIFER FIELDER	—		—
SENATOR DIANE SANDS		—	
SENATOR CLIFF LARSEN		—	
SENATOR ROBYN DRISCOLL		—	
SENATOR MARY MCNALLY		—	
SENATOR MARY SHEEHY MOE		—	
SENATOR KRISTEN HANSEN	—		—
SENATOR JEDEDIAH HINKLE	—		
SENATOR DOUG KARY	—		
SENATOR NELS SWANDAL		—	
CHAIRMAN, SENATOR SCOTT SALES	—		

5/7 (Rev Table)

# MONTANA STATE SENATE

## ROLL CALL VOTE

### 2015 JUDICIARY COMMITTEE

DATE 3/31/15 BILL NO HBS87 MOTION NO. Y

MOTION: Be Concurred In

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR CHAS VINCENT	—		—
VICE CHAIRMAN, SENATOR JENNIFER FIELDER	—		—
SENATOR DIANE SANDS		—	
SENATOR CLIFF LARSEN		—	
SENATOR ROBYN DRISCOLL		—	
SENATOR MARY MCNALLY		—	
SENATOR MARY SHEEHY MOE		—	
SENATOR KRISTEN HANSEN	—		—
SENATOR JEDEDIAH HINKLE	—		
SENATOR DOUG KARY	—		
SENATOR NELS SWANDAL	—		
CHAIRMAN, SENATOR SCOTT SALES	—		

7/5







**MONTANA STATE SENATE**  
**Visitors Register**  
**SENATE JUDICIARY COMMITTEE**

Tuesday, March 31, 2015

HB 89 - Generally revise human trafficking laws

Sponsor: Rep. Kimberly Dudik

PLEASE PRINT

Name	Representing	Support	Oppose	Info
Patricia Freeland	Traffick Refuge	✓		
Richard Freeland	Traffick Refuge	✓		
BRADLEY WILLIAMS	self	✓		
Diane Yarus	SI of Whitefish	✓		
Katharina Werner	YWCA Missoula	✓		
Sandi Benson	Scroptimist/Self	✓		
<del>XXXXXXXXXX</del>	<del>XXXXXXXXXX</del>	✓		
Spook Shaw	MEM	X		
Matt Brower	MT Catholic Conference	X		
TIM FOX	MT AG	X		
Robert Tunney	MEMOR	✓		
STEPHANIE ANDERSON	Traffick Refuge	✓		
Bryan Cockerle	BOJ 1064	✓		
Mary Cochenour	DOJ / Atty General's office	✓		
GUY BAHEIR	LAW ENFORCEMENT	✓		
MARK MURPHY	MCAA MACOP MPPA	✓		
Sarah Corbally	DPHHS - CFSD	✓		
Amee Grosser	Billings Clinic	✓		
Jessica Marts	Refuge Centerline	✓		
Susie Hamilton	Self	✓		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Date: 3/31/15

Bill No. HB 477

My name is LtCol Robert Welzel, US Marine Corps, Ret; from Kalispell and I am here in support of HB 477

The first time I heard about Physician assisted suicide was in the context of a terribly sick person agonizingly suffering and longing for the slight hope of relief in death. An argument was made that a doctor could humanely end the suffering by helping the poor soul quietly pass from despair to death. Almost sounds good doesn't it. In fact, almost every talking-point I hear rattled off regarding Physician Assisted Suicide portrays a poor, downtrodden, suffering soul longing for the relief that only a legislature can provide through legitimizing killing one's self.

These story make us want to help, but the emotions tugging at our heart strings are far from the cold finality of death. The actual role of the legislature in a republic isn't to satisfy the masses, but rather to protect the individual from the masses. Imagine for a moment 999 suffering souls endlessly chanting "give me liberty by giving me death" and a single helpless, infirm (and rich) individual plagued by a manipulative, deceptive relative who convinces them that they are just too much of a burden to take care of and that it would be so much better for the entire family if they just took the little black pill and stopped being a hassle for them all. Wouldn't the responsibility of the legislature be to protect the one?

It takes courage to resist the tyranny of the many to protect the few, but that is exactly what we expect from our leaders. Polls, surveys and heart wrenching stories aren't enough to overcome the fact that even a single life is worth protecting.

We already know of instances in Oregon where elder abuse resulted in death by legal suicide, and a trend from organizations to compensate for suicide, but not for life-enhancing treatment. But more insidious is the fact that when the legislature puts it's stamp of approval on Physician Assisted Suicide, then they have legitimized suicide, a practice that has been anathema in the civilized world for most of recorded history.

As a 26 year veteran, this legitimization is what concerns me most. Suicide amongst veterans is EPIDEMIC without legitimizing the practice. Studies in Oregon prove that non-physician assisted suicides ALWAYS increase when the state legalizes and legitimizes the practice.

I would like to close with some observations specifically about veterans:

<http://www.cbsnews.com/news/suicide-epidemic-among-veterans-13-11-2007/>

Unintended consequences always accompany any legislative action. Right now veterans are counseled and queried about quality of life issues with questions like:

1. How much satisfaction do I get out of my life?
2. How much satisfaction do I get from my health and physical condition?
3. How much satisfaction do I get from my family life, my friends, my relationships?

If you legitimize suicide, exactly how long do you think it will take before some bureaucrat decides to ask veterans if they would like assistance with suicide.

Worse, in these days of fiscal austerity, just how long will it take before a bureaucrat suggests that since suicide is legal, then a doctor has an ethical responsibility to counsel a young veterans on the false alternative of suicide.

Imagine for a second if 31.9/100,000 (or MORE) of the veterans returning from WWII committed suicide. How many captains of industry, education, medicine and government would be DEAD? Physician Assisted Suicide isn't just an abhorrent moral concept it truly is also a bankrupt legislative concept. I stand in SUPPORT of HB 47/