

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES  
56th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON JUDICIARY**

**Call to Order:** By **CHAIRMAN ROBERT C. CLARK**, on March 15, 1999 at 8:00 A.M., in Room 312 - 1 Capitol.

**ROLL CALL**

**Members Present:**

Rep. Robert C. Clark, Chairman (R)  
Rep. Dan McGee, Vice Chairman (R)  
Rep. Diana Wyatt, Vice Chairman (D)  
Rep. Chris Ahner (R)  
Rep. Shiell Anderson (R)  
Rep. Paul Clark (D)  
Rep. Bill Eggers (D)  
Rep. Tom Facey (D)  
Rep. Steven Gallus (D)  
Rep. Gail Gutsche (D)  
Rep. Joan Hurdle (D)  
Rep. Rick Jore (R)  
Rep. Sam Kitzenberg (R)  
Rep. Brad Molnar (R)  
Rep. Mark Noennig (R)  
Rep. Jim Shockley (R)  
Rep. Loren Soft (R)  
Rep. Carol Williams (D)  
Rep. Cindy Younkin (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** John MacMaster, Legislative Branch  
Pam Schindler, Committee Secretary

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: SB 404, SB 320, SB 306, SB 416  
3/10/1999  
Executive Action: None

HEARING ON SB 404

Sponsor:

Senator McNutt presented SB 404.

*{Tape : 1; Side : A; Approx. Time Counter : 30 - 82}*

Proponents:

Keith Colbo, Montana Independent Bankers Association

*{Tape : 1; Side : A; Approx. Time Counter : 82 - 93}*

Opponents:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

*{Tape : 1; Side : A; Approx. Time Counter : 93 - 121}*

Closing by Sponsor:

Senator McNutt made closing statements.

*{Tape : 1; Side : A; Approx. Time Counter : 121 - 129}*

HEARING ON SB 320

Sponsor:

Senator Holden presented SB 320.

*{Tape : 1; Side : A; Approx. Time Counter : 129 - 219}*

Proponents:

Chris Gallus, Montana Chamber of Commerce

*{Tape : 1; Side : A; Approx. Time Counter : 219 - 251}*

Greg VanHorsen, State Farm Insurance

*{Tape : 1; Side : A; Approx. Time Counter : 251 - 282}*

Jacqueline Lenmark, American Insurance Companies Association

*{Tape : 1; Side : A; Approx. Time Counter : 282 - 350}*

Mark Baker, Montana Association of Independent Insurers

*{Tape : 1; Side : A; Approx. Time Counter : 350 - 359}*

Opponents:

Frank Cote, Deputy Insurance Commissioner

*{Tape : 1; Side : A; Approx. Time Counter : 359 - 460}*

Al Smith, Montana Trial Lawyers Association

*{Tape : 1; Side : A; Approx. Time Counter : 460 - 550}*

*{Tape : 1; Side : B; Approx. Time Counter : 0 - 133}*

**EXHIBIT (juh58a0**

1)

Carson Strege, Montana People's Action

*{Tape : 1; Side : B; Approx. Time Counter : 133 - 162}*

Russell Hill, City Auditor's Office

*{Tape : 1; Side : B; Approx. Time Counter : 162 - 203}*

Informational Testimony:

None

Questions from Committee Members and Responses:

*{Tape : 1; Side : B; Approx. Time Counter : 203 - 550}*

Closing by Sponsor:

Senator Holden made closing statements.

*{Tape : 2; Side : A; Approx. Time Counter : 0 - 92}*

HEARING ON SB 306

Sponsor:

Senator Grimes presented SB 306.

*{Tape : 2; Side : A; Approx. Time Counter : 92 - 230}*

Proponents:

Miriam Luse, Attorney

*{Tape : 2; Side : A; Approx. Time Counter : 230 - 371}*

**EXHIBIT (juh58a0**

2)

**EXHIBIT (juh58a0**

3)

**EXHIBIT (juh58a0**

4)

**EXHIBIT (juh58a0**

5)

Susan Gobbs, Montana Legal Services

*{Tape : 2; Side : A; Approx. Time Counter : 371 - 550}*

**EXHIBIT (juh58a0**

6)

Mary Lund, self

*{Tape : 2; Side : B; Approx. Time Counter : 0 - 36}*

Kim Sickerson, self  
{Tape : 2; Side : B; Approx. Time Counter : 36 - 76}  
Micca Mitchell, self  
{Tape : 2; Side : B; Approx. Time Counter : 76 - 96}  
Rita Pickering, self and Guardian Ad Litem  
{Tape : 2; Side : B; Approx. Time Counter : 96 - 124}  
Paulette Kohman, mediator  
{Tape : 2; Side : B; Approx. Time Counter : 124 - 198}  
Holly Franz, Women's Law Section  
{Tape : 2; Side : B; Approx. Time Counter : 198 - 254}

Opponents:

Corbin Howard, Attorney  
{Tape : 2; Side : B; Approx. Time Counter : 254 - 378}  
**EXHIBIT** (juh58a0  
7)  
**EXHIBIT** (juh58a0  
8)

Stephanie Bousleman, self  
{Tape : 2; Side : B; Approx. Time Counter : 378 - 426}  
**EXHIBIT** (juh58a0  
9)

Sara Baxter, Clinical Psychologist  
{Tape : 2; Side : B; Approx. Time Counter : 426 - 550}  
John Summers-Flanagan, Clinical Psychologist  
{Tape : 3; Side : A; Approx. Time Counter : 0 - 56}  
Gail Galeen, Attorney  
{Tape : 3; Side : A; Approx. Time Counter : 56 - 151}  
Terry McCumber, Attorney  
{Tape : 3; Side : A; Approx. Time Counter : 151 - 259}  
**EXHIBIT** (juh58a1  
0)

Informational Testimony:

None

Questions from Committee Members and Responses:

{Tape : 3; Side : A; Approx. Time Counter : 259 - 550}  
{Tape : 3; Side : B; Approx. Time Counter : 0 - 394}

Closing by Sponsor:

Senator Grimes made closing statements.  
{Tape : 3; Side : B; Approx. Time Counter : 394 - 550}

**HEARING ON SB 416**

**Sponsor:**

**Senator Grosfield** presented SB 416.

*{Tape : 4; Side : A; Approx. Time Counter : 0 - 66}*

**Proponents:**

**Greg Petesch**, Code Commissioner

*{Tape : 4; Side : A; Approx. Time Counter : 66 - 87}*

**Opponents:**

None

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

*{Tape : 4; Side : A; Approx. Time Counter : 87 - 97}*

**Closing by Sponsor:**

**Senator Grosfield** made closing remarks.

*{Tape : 4; Side : A; Approx. Time Counter : 97 - 135}*

Meeting adjourned.

**ADJOURNMENT**

Adjournment: 11:23 A.M.

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REP. ROBERT C. CLARK, Chairman

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PAM SCHINDLER, Secretary

RC/PS

**EXHIBIT (juh58aad)**