

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES  
55th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON JUDICIARY**

**Call to Order:** By CHAIRMAN BOB CLARK, on January 8, 1997, at  
8:00 AM, in Room 312-1

**ROLL CALL**

**Members Present:**

Rep. Robert C. Clark, Chairman (R)  
Rep. Daniel W. McGee, Vice Chairman (Majority) (R)  
Rep. Diana E. Wyatt, Vice Chairman (Minority) (D)  
Rep. Chris Ahner (R)  
Rep. Shiell W. Anderson (R)  
Rep. Ellen Bergman (R)  
Rep. William E. Boharski (R)  
Rep. Aubyn A. Curtiss (R)  
Rep. Jon Ellingson (D)  
Rep. H.S. "Sonny" Hanson (R)  
Rep. Joan Hurdle (D)  
Rep. Linda McCulloch (D)  
Rep. Brad Molnar (R)  
Rep. Gerald Pease (D)  
Rep. Diane Sands (D)  
Rep. Liz Smith (R)  
Rep. Loren L. Soft (R)  
Rep. Bill Tash (R)

**Members Excused:**

Rep. Duane Grimes (R)  
Rep. Deb Kottel (D)

**Staff Present:** John MacMaster, Legislative Services Division  
Joanne Gunderson, Committee Secretary

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: HB 38, POSTED 1/3/97

**HEARING ON HB 38**

**Motion/Vote:**

{Tape: 1; Side: A; Approx. Time Count: 3.8 - 4.2; Comments: Rep. McGee moved to reopen HB 38, seconded and carried unanimously.}

1997

Sponsor: REP. JOHN "SAM" ROSE

{Tape: 1; Side: A; Approx. Time Count: 4.2 - 7.0; Comments: Rep. Rose reopened HB 38 and reviewed the intent of the bill.}

Opponents:

ROBIN MORRIS, HELP COMMITTEE - EXHIBIT 1

{Tape: 1; Side: A; Approx. Time Count: 7.3 - 13.1}

MONA JAMISON, MONTANA LUNG ASSOCIATION

{Tape: 1; Side: A; Approx. Time Count: 13.2 - 19.7}

JEROME ANDERSON, ATTORNEY - EXHIBIT 2

{Tape: 1; Side: A; Approx. Time Count: 19.8 - 22.6}

MARK STAPLES, MONTANA WHOLESALE DISTRIBUTORS AND MONTANA TAVERN ASSOCIATION - EXHIBIT 3

{Tape: 1; Side: A; Approx. Time Count: 22.7 - 28.0}

JOHN DELANO, PHILLIP MORRIS COMPANY

{Tape: 1; Side: B; Approx. Time Count: 0.3 - 0.5}

BRAD GRIFFIN, MONTANA RETAIL ASSOCIATION

{Tape: 1; Side: B; Approx. Time Count: 0.6 - 0.8}

DAVID OWEN, MONTANA CHAMBER OF COMMERCE

{Tape: 1; Side: B; Approx. Time Count: 0.9 - 1.4}

R. ALEXANDER, MONTANA PETROLEUM MARKETERS

{Tape: 1; Side: B; Approx. Time Count: 1.5 - 2.3}

LARRY AKEY, R J REYNOLDS COMPANY

{Tape: 1; Side: B; Approx. Time Count: 2.5 - 4.1}

JEFF MILLER, DEPARTMENT OF HEALTH AND HUMAN SERVICES, DHHS

{Tape: 1; Side: B; Approx. Time Count: 4.3 - 5.1}

DARRYL BRUNO, DHHS

{Tape: 1; Side: B; Approx. Time Count: 5.5 - 5.9}

QUESTIONS FROM THE COMMITTEE:

{Tape: 1; Side: B; Approx. Time Count: 6.2 - 7.7 Comments: Rep. Tash clarified Exhibit 2 with the presenter.}

Closing by Sponsor: REPRESENTATIVE ROSE

{Tape: 1; Side: B; Approx. Time Count: 7.8 - 9.1; Comments: Sponsor closed.}

Motion/Vote:

REP. DANIEL MC GEE MOVED TO ADJOURN, REP. DIANA WYATT SECONDED.  
THE MOTION CARRIED BY UNANIMOUS VOTE.

1997

ADJOURNMENT

**Adjournment:** The meeting was adjourned at 10:15 AM.

*Bob Clark*

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REP. BOB CLARK, Chairman

*Joanne Gunderson*

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JOANNE GUNDERSON, Secretary

BC/jg