

**MINUTES**

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

**COMMITTEE ON JUDICIARY**

**Call to Order:** By CHAIRMAN BOB CLARK, on March 20, 1997, at  
8:00 AM, in Room 312-1.

**ROLL CALL**

**Members Present:**

Rep. Bob Clark, Chairman (R)  
Rep. Daniel W. McGee, Vice Chairman (Majority) (R)  
Rep. Diana E. Wyatt, Vice Chairman (Minority) (D)  
Rep. Shiell W. Anderson (R)  
Rep. Ellen Bergman (R)  
Rep. William E. Boharski (R)  
Rep. Aubyn A. Curtiss (R)  
Rep. Jon Ellingson (D)  
Rep. Duane Grimes (R)  
Rep. H.S. "Sonny" Hanson (R)  
Rep. Joan Hurdle (D)  
Rep. Deb Kottel (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. Chris Ahner  
Rep. "Sonny" Hanson excused until 9:20 AM.  
Rep. Linda McCulloch excused until 9:00 AM.

**Members Absent:** Rep. Duane Grimes absent until 10:30 AM.  
Rep. Liz Smith absent until 8:40 AM.

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

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: SB 201, SB 219, SB 263, SB 270  
POSTED 3/6/97

**HEARING ON SB 270**

**Opening Statement by Sponsor:** SEN. STEVE BENEDICT  
{Tape: 1; Side: A; Approx. Time Count: 0.1; Comments: This set of  
minutes is recorded on four 60-minute tapes.}

Proponents' Testimony:

TOM HOPGOOD, Health Insurance Association of America  
{Tape: 1; Side: A; Approx. Time Count: 4.0}

GREG VanHORSSEN, State Farm Insurance  
{Tape: 1; Side: A; Approx. Time Count: 4.1}

EXHIBIT 1

VERNER BERTELSEN, Montana Senior Citizens' Association  
{Tape: 1; Side: A; Approx. Time Count: 4.7}

Questions From Committee Members and Responses:

{Tape: 1; Side: A; Approx. Time Count: 5.8-18.2}

Closing by Sponsor: SEN. BENEDICT

{Tape: 1; Side: A; Approx. Time Count: 18.3}

Proponents' Testimony:

SUSAN GOOD, Montana Life Underwriters' Association  
{Tape: 1; Side: A; Approx. Time Count: 20.1; Comments: This  
proponent arrived late and was allowed to testify as a proponent  
for SB 270.}

HEARING ON SB 219

Opening Statement by Sponsor: SEN. EVE FRANKLIN  
{Tape: 1; Side: A; Approx. Time Count: 21.0}

EXHIBIT 2

Proponents' Testimony:

MIKE VOELLER, Lee Newspapers; Montana Newspaper Association;  
Montana Broadcasters {Tape: 1; Side: A; Approx. Time Count: 25.4}

TIM SHANKS, Montana Police Protective Association  
{Tape: 1; Side: A; Approx. Time Count: 26.1}

EXHIBIT 3

JOHN CONNOR, Department of Justice; Montana County Attorneys'  
Association {Tape: 1; Side: A; Approx. Time Count: 29.0}

JIM OBERHOFER, Montana Bureau of Crime Control  
{Tape: 1; Side: B; Approx. Time Count: 3.1}

LAURENCE HUBBARD, State Fund  
{Tape: 1; Side: B; Approx. Time Count: 4.2}

BECKY MALENSEK  
{Tape: 1; Side: B; Approx. Time Count: 4.9}

EXHIBIT 4

MARY CRAGLE, Department of Corrections  
{Tape: 1; Side: B; Approx. Time Count: 7.4}

Questions From Committee Members and Responses:

{Tape: 1; Side: B; Approx. Time Count: 8.8-Tape 2; Side A; 3.1}

Closing by Sponsor: SEN. FRANKLIN

{Tape: 2; Side: A; Approx. Time Count: 3.2}

HEARING ON SB 263

Opening Statement by Sponsor: SEN. AL BISHOP

{Tape: 2; Side: A; Approx. Time Count: 5.3}

Proponents' Testimony:

KRISTEN JURAS, Montana Bar, Legislative Committee

EXHIBIT 5

{Tape: 2; Side: A; Approx. Time Count: 6.5}

SHERRY MEADOR, Supreme Court Assessment Program

{Tape: 2; Side: A; Approx. Time Count: 9.9; Comments: This proponent spoke to section 2 of the bill.}

BOB PYFER, Montana Credit Unions' League

{Tape: 2; Side: A; Approx. Time Count: 10.5; Comments: This proponent spoke to sections 3, 4, and 5 of the bill.}

DAVID DENNIS, General Counsel, D.A. Davidson Company

{Tape: 2; Side: A; Approx. Time Count: 14.0; Comments: This proponent spoke to section 7 of the bill.}

JOHN CADBY, Montana Bankers' Association

{Tape: 2; Side: A; Approx. Time Count: 18.8; Comments: This proponent did not sign in.}

Questions From Committee Members and Responses:

{Tape: 2; Side: A; Approx. Time Count: 19.4-Tape 2; Side B; 15.6}

Closing by Sponsor: SEN. BISHOP

{Tape: 2; Side: B; Approx. Time Count: 15.7}

HEARING ON SB 201

Opening Statement by Sponsor: SEN. WILLIAM GLASER

EXHIBIT 6

{Tape: 2; Side: B; Approx. Time Count: 16.9; Comments: The sponsor requested that the press not use the name of the victim referred to.}

Proponents' Testimony:

REP. DEB KOTTEL

{Tape: 2; Side: B; Approx. Time Count: 27.3}

Opponents' Testimony:

RONALD WATERMAN

{Tape: 3; Side: A; Approx. Time Count: 7.5}

WILLIAM HOOKS, Montana Appellate Defenders' Office

{Tape: 3; Side: A; Approx. Time Count: 14.2}

SHARON HOFF, Montana Catholic Conference

EXHIBITS 7 & 7A

{Tape: 3; Side: A; Approx. Time Count: 21.1}

SCOTT CRICHTON, ACLU

EXHIBITS 8 & 8A

{Tape: 3; Side: A; Approx. Time Count: 24,9}

BETTY WADDELL, Montana Association of Churches

{Tape: 3; Side: B; Approx. Time Count: 2.5; Comments: REP. WYATT assumed the chair.}

Questions From Committee Members and Responses:

EXHIBIT 9

{Tape: 3; Side: B; Approx. Time Count: 11.8-Tape 4; Side A; 9.4

Comments: Part of question and answer period was lost due to a faulty tape which broke during REP. KOTTEL'S answers which are reflected, in part, in Exhibit 9.}

Closing by Sponsor: SEN. GLASER

{Tape: 4; Side: A; Approx. Time Count: 9.5}

MOTION/VOTE: REP. McGEE moved to adjourn. The motion carried by unanimous voice vote.

ADJOURNMENT

**Adjournment:** The meeting was adjourned at 11:05 AM.



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REP. BOB CLARK, Chairman



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JOANNE GUNDERSON, Secretary

BC/jg