

Alert Network Members:

Issue # 5, February 2, 2007

The legislative week five was completed on Friday February 2nd. It is the 23rd legislative day of the scheduled 90-day session. This week they will start the Saturday sessions which are floor sessions, no hearings. This gives them the opportunity to catch up on all the bills that have come out of committee. Transmittal date, Feb 28th, is just over 3 weeks away so the pace of the session will continue to pick up. Today was interesting for us. We had three bills to testify on, our Adoption tax credit bill, a constitutional amendment to constitutionally recognize that life begins at conception, and a bill to include sexual orientation and gender identity in certain laws. We needed to testify on all three bills, all were to be heard in committee at 8am, and all in different rooms. I recruited Suzanne to go with me, asked the committee chairs what the order of bills would be, and moved from room to room to testify. It worked this time, but these conflicts will become more prevalent as the session continues. I must admit, that up and down the stairs from room to room is great exercise. A hidden benefit of this job!

This week we were treated to the State of the Tribal Nations presented by Carl Venne, Chairman of the Crow Tribal Council. It was a great event, very colorful, and very well attended.

Our latest count of bill requests is 2,542, up 2 from last week. Of those bill requests, 1019 bills have been introduced, 587 in the house, and 432 in the Senate. Those bills that don't get out of draft this week will have a difficult time making the process through the chamber where they need to be passed.

We are still listing issues as review, watch and support or oppose. Review is still necessary since some of the bills are in draft stage, but many now have bill numbers attached and text available.

If issues are listed as **review** we are still waiting for the text to determine what our involvement will be. Those noted as **watch** we will be actively working, and those marked **support** or **oppose** are currently the highest priority. Status may change as the process continues, and action is taken of some bills.

**2007 Legislative Priorities
of the Montana Catholic Conference**

The Montana Catholic Conference evaluates its legislative priorities in relation to the rich tradition of Catholic social teaching.

PURSUING SOCIAL JUSTICE

“[They will say], ‘Lord, when did we see you hungry and feed you, or thirsty and give you drink? When did we see you a stranger and welcome you, or naked and clothe you? When did we see you ill or in prison, and visit you?’ And the king will say to them in reply, ‘Amen, I say to you, whatever you did for one of these least brothers of mine, you did for me.’” Matthew 25:37-40

Our faith reflects God’s special concern for the poor and vulnerable and calls us to make their needs our first priority in public life. Economic decisions and institutions must be assessed on whether they protect or undermine the dignity of the human person.

HEALTH INSURANCE/HEALTH CARE

SB 22 Expand CHIP eligibility to 175% of fed poverty level

This bill passed out of committee with a 7 to 3 vote. It went to the floor, was amended from 165% to 175%. It was then sent to Finance and Claims committee as amended and passed out of there 17-2. It should be back on the floor of the Senate next week.

SB 421 SCHIP coverage for pregnant women.

This bill is on its way to committee.

HB 157 Revise CHIP laws

This bill was heard this week and is waiting for executive action

MENTAL HEALTH

HB 414 Revise involuntary commitment of developmentally disabled.

This is the only bill that has come out of draft. It was heard Wednesday and is awaiting executive action.

POVERTY/HOUSING/FOOD/ENERGY

**Revise TANF (Temporary Assistance for Needy Families) laws:
watch/support**

HB 410 Restore TANF Benefits

This bill has been referred to Public Health and Welfare and is waiting a hearing date.

HB 410 Create task force on reducing poverty in Montana.

A hearing was held today in House appropriations.

SB 264 to Provide for Low income rates for local government utilities

This bill has been assigned to Local Government Committee Room 335, on February 8th at 3 pm. It addresses water and sewer rates in communities and allows them the flexibility to offer reduced rates to low-income persons. This bill could be a great benefit to low-income persons.

Revise affordable housing laws and funding: review/support

This bill is still on hold. I'm not sure if it will be brought out of draft.

Use of food stamps at farmers markets: watch/support

HB 391 and HB 396 allowing WIC vouchers and food stamps to be used at farmers markets. They were heard this week in committee, and are awaiting executive action.

Revise and improve LIEP Funding process: review/support

One bill is waiting for a fiscal note to determine the cost to government.

TITLE LOANS

HB 29 A bill to Revise laws on Title and Pay Day loans by Representative John Parker. This bill has been heard, but has run into major problems. Perhaps the need for a database of clients is the greatest piece of resistance. Since this is an integral part of the bill I'm not sure it can be saved. There are other payday and title loan bills in the hopper. They will be difficult at best. There has been some movement with this bill this week. It is still doubtful, but it could go through a blast vote to get it out of committee and to the floor.

CORRECTIONS

A special subcommittee has been named to deal with the plethora of sexual offender bills introduced this session. The committee met for the first time Wednesday and began to work through the bills, trying to reduce them to a manageable number. They are also trying to consolidate bills to avoid conflicting policy.

Several other bills dealing with probation, parole, pre-release, training, treatment and other restorative justice programs have not made their way to the floor. We are supportive of restorative justice efforts which have proven to make our communities safer while respecting the dignity of those incarcerated in our prison system.

HB 475 Fund training opportunities at women's prison.

This bill has been sent to House Appropriations.

DRUG TREATMENT AND DRUG COURTS

Increasing drug treatment and mental health treatment in our prisons has not made it to committee. Drug courts are a very affective means of working with those convicted of non-violent drug offenses. Success has been very high in these courts.

HB 472 Appropriate funding of Drug Courts.

This bill requests \$2 million to fund Drug Courts in the state for the next biennium. It is scheduled for hearing in House Appropriations Tuesday Feb 6th.

IMMIGRATION

SB 258 Deny licenses and license renewal to illegal aliens.

This bill was heard in Business and labor and is awaiting executive action.

SB 346 Prohibiting certain contracts with illegal aliens.

A hearing is scheduled for Tuesday Feb 6th in Senate Judiciary at 8 am.

SB 260 Felony for illegal alien to register to vote.

This bill was sent to State Administration

HB 185 Injunction and license revocation procedures for hiring illegal aliens.

This bill will be heard in House Judiciary

PROTECTING HUMAN LIFE

“We must begin with a commitment never to intentionally kill, or collude in the killing, of any innocent human life, no matter how broken, unformed, disabled or desperate that life may seem.” USCCB, *Living the Gospel of Life*

Abortion:

State funding for family planning: **oppose**

Eliminate liability limits for abortion services for minors: **watch/support**

These bills are still in draft form.

HB 403 Constitutionally recognize life begins at conception: **support.**

This bill, sponsored by Rick Jore, requires a constitutional amendment. Passage in our state houses would put it on the ballot in the next election cycle. A hearing was held Friday Feb 2nd and the bill is awaiting executive action.

Ban embryonic stem cell research: **support**

This draft has been put on hold at the request of the sponsor

Encourage federal funding for stem cell research: **oppose**

This bill is currently in Executive Director review.

HB 321 Parental consent or judicial bypass for abortions.

This bill was scheduled for second reading Thursday Feb 1, but due to time constraints it was not heard. Rumor has it that it will be scheduled for 2nd reading on the house floor Saturday Feb 3rd.

HB 215 Ban human cloning research

This bill has been referred to the Public Health, Welfare, and Safety Committee in the Senate. No hearing date has been set. It is currently waiting amendments from the sponsor.

CAPITAL PUNISHMENT

SB 306 An act to eliminate the death penalty.

The hearing for this bill will be in Senate Judiciary Committee room 303, on February 7th at 8am. Our Coalition to Abolish the death penalty will host an event at Carroll College on February 6th to raise awareness the night before the hearing. Several nationally known figures will be speaking at the event: Gary Hilton, a former prison warden from New Jersey; Sam Millsap, a former prosecutor from Texas; David Kaczinski, the brother of “Unabomber” Ted Kaczinski, and director of New Yorkers Against the Death Penalty; Marietta Jaeger Lane from Three Forks, who lost her daughter in a kidnap and murder incident near Three Forks; and J.A. “Ziggy” Ziegler who lost his father to murder as a result of a botched robbery attempt in Los Angeles. (see the press release at the end of this update).

The second bill, to be introduced by Representative Joey Jayne, D, Arlee, is to form a study commission to determine if the death penalty in Montana has any value. There is a great deal of information on the national level, but very little information specific to Montana. This study would provide us with that information so we can make good informed decisions. We support repeal of the death penalty as part of our unwavering commitment to life from conception to natural death. This bill is in draft form and a fiscal note is being prepared.

PROMOTING FAMILY LIFE

“As the family goes, so goes the nation and so goes the whole world in which we live.”
Pope John Paul II

ADOPTION/FOSTER CARE

HB 490 Adoption tax credit

This bill was heard in House Taxation at 8am, Friday Feb 2nd. It will correct the inadvertent tax penalty that occurs in Montana if adoptive parents take the tax credit offered by the federal government. Joe Shevlin, Catholic Social Services Board President, and Rosemary Miller Executive Director of Catholic Social Services testified on the bill. No opponents testified and the committee asked no questions. That is usually a good sign. Executive action should take place next week.

FAMILY

HB 312 Amend the constitution to establish a parental bill of rights, introduced by Representative Michael Lange R Billings. This bill was amended and sent back to Judiciary Committee

HB 118 Revise law on dispensing contraceptives

This bill was sent to committee on January 5th and no hearing has been set. Chances are good this bill is dead.

SEXUAL ORIENTATION

Establish Domestic partnerships: **oppose**

SB 371 Include sexual orientation and gender identity in certain laws

This bill was heard this morning Friday Feb 2nd in Senate Judiciary. A full house was there to testify for and against. It is a very difficult, emotional bill. The hearing was lengthy and the bill currently awaits executive action.

Include sexual orientation in hate crimes law.

This bill is still in draft stage but is ready for delivery. We could see it as early as next week.

We oppose both of these bills not because we oppose protections to these specific classes of persons, but because we oppose discrimination against any person, and feel it is bad public policy to continue to add classes to the current list. We feel in order to be inclusive (covering all persons) as opposed to being exclusive (covering only those persons on a list) we must say it is wrong to discriminate against any person.

PURSUIT OF THE COMMON GOOD

In order for all of us to have an opportunity to grow and develop fully, a certain social fabric must exist within society. This is the common good. Numerous social conditions – economic, political, material, and cultural – impact our ability to realize our human dignity and reach our full potential.

RURAL LIFE/ECONOMIC DEV

HB 451 Small town renewal program

This bill was heard Wed. Jan 3rd in House Appropriations. It is sponsored by Julie French of Scobey and will encourage the use and reuse of sound buildings in need of renovation and rehabilitation in Montana's small towns with state funds which would generate an equal amount of leveraged funds from the federal government, foundations and endowments, and the private sector. Expectations are that this bill could bring \$1 million each year into Montana's small towns with populations of less than 2,500. This is

an economic development bill for our rural areas and we support its passage. It currently is awaiting executive action.

CATHOLIC HOSPITALS

Procedure for nonprofit hospital conversion to other status.

This bill is in the drafting process.

SB 118 Eliminate sunset for hospital bed tax.

This bill could have a major impact on our Catholic Hospitals and others in the state. The bill was heard Friday Feb 2nd and is awaiting executive action.

OTHER/CHURCH/NON PROFITS

Extend charitable endowment tax credit.

This bill has been introduced but it does not have the option for building projects. Department representatives indicate the reason is the overuse of that provision by the University system, and they cannot afford to continue that part. Some amendments are being considered that may help religious organizations. We will have to wait and see.

Revise tax-exempt status of certain nonprofit entities.

This bill is awaiting Executive Director review.

ALERTS FOR FEBRUARY 5-9

Hearings of interest

	Room	Time
Monday Feb 5 th		
HB 452 Achievement credit for parolees	137	9am
HB 215 Ban human cloning	317A	3pm
Tuesday Feb 6 th		
HB 472 Appropriate funding for drug courts	102	Upon Adj
HB 198 Increase CHIP dental benefit	102	Upon Adj
HB 435 Prohibit criminals from profiting from their own crimes	137	8am
SB 382 Establish Mental Health Courts	303	8am
SB 346 Prohibiting certain contracts with illegal aliens	303	8am
Wednesday Feb 7 th		
SB 306 Eliminate the Death Penalty	303	8am
Thursday Feb 8 th		
Subcommittee on sexual offenders	303	9am
SB 264 Low income rates for local government utilities	335	3pm
Friday Feb 9 th		
Special Joint Session of Senate and House or Representatives	House Chambers	

State of Education by Superintendent of Schools Linda McCulloch

EVENTS FOR FEBRUARY 5-9

Press Release for Death Penalty Forum at Carroll College

Kaczynski, Hilton, Millsap, Ziegler & Lane to Address Death Penalty Forum

Helena, Mont.—David Kaczynski, brother of the “Unabomber” Ted Kaczynski; Gary Hilton, former warden of the New Jersey State Prison; Sam Millsap, a former Texas prosecutor; [Marietta Jaeger Lane](#), mother of a murder victim; and [J.A. "Ziggy" Ziegler](#), son of a murder victim will address a public forum on the death penalty to be held February 6, 2007 in Helena. The event is sponsored by the Montana Abolition Coalition, a coalition of organizations opposed to the death penalty.

In 1996, David Kaczynski turned in his brother, Ted, to the authorities after suspecting Ted might be the infamous “Unabomber” who had killed three and injured 23 people with mail bombs. Soon thereafter, David was horrified to find that the authorities whom he had so recently helped were charging Ted with a capital crime for which he could face death.

“It didn’t seem to concern prosecutors that my brother was mentally ill with schizophrenia, or that executing him would discourage other families from following our example in the future,” David Kaczynski said. David Kaczynski now serves as Executive Director of New Yorkers Against the Death Penalty.

Gary Hilton was a warden with the New Jersey Department of Corrections for 33 years before his retirement in 1998. At the beginning of his career, he firmly believed in the death penalty but over the course of his career, he came to believe “that execution is not sound or proper public policy. The irreversible reality of execution must be a major consideration.” From his experience as a warden, Hilton now believes the harsh realities of prisoners living out their normal lives in a maximum security prison without any chance of parole serves justice in a more equitable way for all parties, including victims’ families and prisoners.

As a Texas District Attorney, Sam Millsap prosecuted Ruben Cantu, who was executed in 1993. After Cantu’s execution, the *Houston Chronicle* uncovered evidence proving Cantu’s likely innocence. Millsap says Cantu “received a perfect trial. And yet, we have determined 21 years later that he may well have been innocent. Whether he was innocent or not, the system failed him completely. The system as it relates to capital murder is simply broken,” Millsap said.

[The panel will also include two relatives of murder victims, including J.A. "Ziggy" Ziegler, whose father was murdered in Los Angeles. Ziegler, a former Yellowstone County Commissioner, now conducts a prison ministry with inmates in Montana](#) and assists in the rehabilitation of released inmates.

The mother of a murder victim, [Marietta Jaeger Lane](#), will also participate in the panel. Her [seven-year-old daughter was abducted and subsequently murdered in 1973. "In my case, my own daughter was such a gift of joy and sweetness and beauty, that to kill someone in her name would have been to violate and profane the goodness of her life; the idea is offensive and repulsive to me."](#) Marietta is a co-founder of [Journey of Hope, an organization which conducts public education speaking tours and addresses alternatives to the death penalty.](#)

The Montana Legislature is considering a bill to abolish the death penalty. The legislation's hearing is slated for 8:00 a.m., Wednesday, February 7, 2007, before the Senate Judiciary located in Room 303 of the Montana State Capitol Building.

The Montana Abolition Coalition is comprised of the Montana Association of Churches, Montana Catholic Conference, Amnesty International, the Montana Human Rights Network, and the ACLU of Montana. The Public Forum is to be held in the Carroll College Commons. The forum is free and open to the public.

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