

Alert Network Members: Issue # 4, January 27, 2007

The legislative week four was completed on Friday, January 26, which was also day 18 of a scheduled 90 day session. The normal procedure is to continue floor actions on Saturdays, but Senate and House leadership has decided not to hold Saturday sessions just yet. Their decision pushes the final transmittal date up to Wednesday, February 28th. They will make up the day by shortening the transmittal break. Legislators will be out from March 1st to March 4th, and back in their desks on Monday the 5th.

The major event this past week was the State of the State address by Governor Schweitzer. The Governor outlined the progress made in Montana in the past two years since our last legislative session and outlined his priorities for the current biennium. Most Reverend George Leo Thomas, Bishop of the Diocese of Helena gave the invocation and benediction.

Our latest count of bill requests is 2,540, up from 2,530 last week. The deadline has passed and the paper work is caught up so I don't expect the number to increase again.

Eight hundred ninety three bills have been introduced, with 512 of those in the House and 381 in the Senate. Hearings are running longer as more bills are introduced. Floor agendas are full also. As we move toward transmittal, the work days will get longer because every bill, with few exceptions, needs to be sent to the other chamber before March 1st or it is dead. With 1,600 bills still in the hopper the scramble will be on to get them drafted, introduced, through the hearing and 3 floor votes by February 28th.

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 165% of fed poverty level

This bill passed out of committee with a 7 to 3 vote. It is probably the most watch CHIP bill in the early part of the session. It is on its way to the Senate floor for 2nd reading. We support CHIP efforts to provide health insurance coverage for low income families. We are watching several other CHIP bills, in addition to several other bills regarding health insurance for families. As other bills make their way through the hearing process, we will report their progress. Another bill we are watching is **HB 270** by Representative Michael Lange. This is a bill to provide tax credits for health insurance purchase. It has been heard but no executive action has been taken.

MENTAL HEALTH

Suicide and other crisis intervention in our communities has been lacking for some time. Several bills are working to correct this deficiency.

POVERTY/HOUSING/FOOD/ENERGY

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

Bills affecting welfare are moving slow. A couple are ready to be introduced so we may have more on them next week. **SB 264** by Mike Cooney to provide for low-income rates for local government utilities, has been assigned to Local Government Committee Room 335, on February 8th at 3 pm. More on that as we get closer to that date.

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.

3 bills authorizing use of food stamps at farmers markets watch/support

Two bills are to be heard this week. **HB 391** and **HB 396** allowing WIC vouchers and food stamps to be used at farmers markets will be heard in Room 472 at 3 pm.

2 bills to improve LIEP Funding process review/support

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

TITLE LOANS

HB29 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 data base 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 pay day and title loan bills in the hopper. They will be difficult at best. No Change has occurred this week.

CORRECTIONS

The majority of bills coming through from the corrections standpoint are dealing with sexual offenders. Most of these are to increase penalties and sentences. Public safety is certainly an issue and one we support fully. However, mandatory sentencing in some of these bills is so broad it seems one size penalty fits all. We need to be careful we do not mandate penalties that do not match with the crime. We also need to spend time and money helping the victims of these crimes. The Senate leadership has realized the difficulty with so many corrections bills that they have formed a special subcommittee to work through these bills and decide which ones overlap and which ones could be combined. They meet for the first time on Wednesday January 31st, Room 303 at 9am.

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.

DRUG TREATMENT AND DRUG COURTS

Funding for Drug Courts is beginning to make its way to the floor. One bill has been heard, but the primary funding bill has not been introduced. Increasing drug treatment and mental health treatment in our prisons has not made it to committee. We support efforts to provide treatment and training in the correctional system. Recent studies have shown 49% of our prison population is mentally ill. In addition, over 90% have chemical and alcohol addictions. We need to treat these conditions or the incarceration will have little affect on how these individuals cope when returned to the streets.

IMMIGRATION

Several bills regarding immigration have been submitted and they are making their way through committee. They all seem to be very punitive. They create felony offenses for aliens registering to vote and for employers who hire illegal. They also restrict social service providers and schools from providing assistance. Immigration is a major issue with the US Catholic Conference of Bishops so we will be watching them closely.

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 recognizes 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 is scheduled for Friday, Feb 2nd room 403 at 8am.

**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 introduced by Representative Tom McGillvray was heard Tuesday Jan 23rd. It is a very good bill and one that we support. It is currently awaiting executive action.

HB 215 Ban human cloning research introduced by Representative Krayton Kerns, R, Laurel, passed 3rd reading 79-19. It has been referred to the Public Health Welfare and Safety Committee in the Senate. No hearing date has been set.

Capital Punishment

SB 306 An act to eliminate the death penalty was introduced by Senator Dan Harrington and has been referred to Senate Judiciary Committee for a hearing on February 7th. 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. Speakers include: Gary Hilton, a former prison warden from New Jersey; Sam Millsap a former prosecutor from Texas; David Kaczinski, the brother of unibomber 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 JA “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

Adoption tax credit will be introduced by Representative Julie French, D Scobey. This bill is to correct the tax penalty that occurs in Montana if adoptive parents take the tax credit offered by the federal government. The bill is designed to correct the inadvertent tax penalty, and create a small incentive, or a thank you, to adoptive families. This is a bill proposed by Catholic Social Services of Montana. We expect the bill to be introduced this week.

FAMILY

HB 312 Amend the constitution to establish a parental bill of rights, introduced by Representative Michael Lange R Billings. A hearing was conducted last Tuesday and the bill is currently awaiting executive action.

Encourage teaching of positive attributes of marriage review

HB 118 Revise law on dispensing contraceptives by Representative Theresa Henry from Missoula amends current law to make the following changes:

- (f) the dispensing of factory prepackaged ~~oral~~ contraceptives by a registered nurse employed by a family planning clinic under contract with the department of public health and human services if the dispensing is in accordance with: (i) a physician's written protocol specifying the circumstances under which dispensing is appropriate; and (ii) the drug labeling, storage, and recordkeeping requirements of the board of pharmacy;

This bill has been referred to committee but no hearing date has been set.

SEXUAL ORIENTATION

Establish Domestic partnerships

oppose

Include sexual orientation and gender identity in certain laws

oppose

Both of these bills are still in the drafting process.

SB 371 Include sexual orientation in hate crimes law

oppose

SB 371, sponsored by Senator Christine Kaufman, has been drafted and assigned to the Judiciary Committee. No hearing date has been set. This bill will attempt to add gender identity or expression, and sexual orientation to the currently protected classes of race, creed, religion, color, physical or mental disability, age, or national origin to protected status under civil rights laws. We oppose this bill not because we oppose protections to these specific classes of persons, but that 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 DEVELOPMENT

HB 451 Small town renewal program support

This bill, sponsored by Representative Julie French of Scobey, will encourage the use and reuse of sound buildings in need of renovation and rehabilitation in Montana's small towns with state funds that 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.

CATHOLIC HOSPITALS

Procedure for nonprofit hospital conversion to other status review

This bill is in the drafting process.

SB 118 Eliminate sunset for hospital bed tax support

This bill could have a major impact on our Catholic Hospitals and others in the state. A hearing has been scheduled for Feb 2nd.

OTHER/CHURCH/NON PROFITS

Extend charitable endowment tax credit watch/support

This bill draft is currently on hold.

Revise tax exempt status of certain nonprofit entities review

This bill is awaiting a fiscal note.

Alerts for Week of January 29- Feb 2

Hearings of interest

Tuesday, January 30th:

HB 391 Food Stamp redemption at farmers markets: Room 472 at 3pm

HB 396 WIC voucher use at Farmers Markets: Room 472 at 3pm

Thursday Feb 1st

SB 22 Expand CHIP eligibility to 165% of poverty level: Room 317B at 5 pm.

Friday Feb 2nd

HB 403 Constitutionally recognize life begins at conception: Room 137 at 8 am.

Events for Week of January 29- Feb 2

Wednesday, January 31st

State of the Tribal Nations Message delivered by Carl Venne, Chairman of the Crow Tribal Council. The House and Senate will be in joint session for the event which will be held in the House Chambers at 1pm.

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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