## HOUSE BILL NO. 915

## INTRODUCED BY CODY

## IN THE HOUSE

	IN THE HOUSE
FEBRUARY 18, 1991	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
	FIRST READING.
FEBRUARY 22, 1991	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
	POSTED ON CONSENT CALENDAR.
FEBRUARY 23, 1991	CONSENT CALENDAR, QUESTIONS AND ANSWERS.
	ENGROSSING REPORT.
FEBRUARY 26, 1991	THIRD READING, PASSED. AYES, 96; NOES, 3.
	TRANSMITTED TO SENATE.
	IN THE SENATE
FEBRUARY 26, 1991	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
	FIRST READING.
MARCH 22, 1991	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 23, 1991	SECOND READING, CONCURRED IN.
MARCH 25, 1991	THIRD READING, CONCURRED IN. AYES, 48; NOES, 0.
	RETURNED TO HOUSE.
	IN THE HOUSE
MARCH 25, 1991	RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

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1		House	BILL	NO.	915
2	INTRODUCED BY	Cada			
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A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND THE UNIFORM CRIMINAL EXTRADITION ACT TO APPLY TO INDIAN RESERVATIONS WITHIN THE STATE OF MONTANA; AMENDING SECTIONS 46-30-101 AND

7 46-30-301, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 46-30-101, MCA, is amended to read:

11 "46-30-101. Definitions. Where appearing in this 12 chapter, the term:

- (1) "governor" includes any person performing the functions of governor by authority of the law of this state;
- (2) "executive authority" includes the governor and any person performing the functions of governor in a state other than this state or the chairman of a recognized Indian tribe within the state of Montana;
- (3) "state", referring to a state other than this state, includes any other state or territory, organized or unorganized, of the United States of America or an Indian reservation within the state of Montana."
  - Section 2. Section 46-30-301, MCA, is amended to read:
- 24 "46-30-301. Arrest of accused without warrant. The 25 arrest of a person may be lawfully made also by any peace



1 officer or a private person without a warrant 2 reasonable information that the accused stands charged in 3 the courts of a state with a crime punishable by death or imprisonment for a term exceeding of 1 year or more. When so arrested under this section, the accused must be taken before a judge or magistrate with all practicable speed and 7 complaint must be made against him under oath setting forth Я the ground for the arrest as in 46-30-227. Thereafter After 9 the complaint is made, his answer shall must be heard as if 10 he had been arrested on a warrant."

-End-

effective on passage and approval.

NEW SECTION. Section 3. Effective date. [This act] is

INTRODUCED BILL
HB 915

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upon

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1	INTRODUCED BY Cady
2	INTRODUCED BY Cody
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4	A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND THE UNIFORM
5	CRIMINAL EXTRADITION ACT TO APPLY TO INDIAN RESERVATIONS
6	WITHIN THE STATE OF MONTANA; AMENDING SECTIONS 46-30-101 AND
7	46-30-301, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."
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9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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12	chapter, the term:
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16	person performing the functions of governor in a state other
17	than this state or the chairman of a recognized Indian tribe
18	within the state of Montana;
19	(3) "state", referring to a state other than this
20	state, includes any other state or territory, organized or

unorganized, of the United States of America or an Indian

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9	the complaint is made, his answer shall must be heard as i
10	he had been arrested on a warrant."
11	NEW SECTION. Section 3. Effective date. [This act] is

officer or a private person without a

effective on passage and approval.

-End-

-2-

Montana Legislative Coul

THIRD READING

HB 915

CONSENT CALENDAR

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1	HOUSE BILL NO. 915
2	INTRODUCED BY CODY
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4	A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND THE UNIFORM
5	CRIMINAL EXTRADITION ACT TO APPLY TO INDIAN RESERVATIONS
6	WITHIN THE STATE OF MONTANA; AMENDING SECTIONS 46-30-101 AND
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8	the ground for the arrest as in 46-30-227. Thereafter After
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10	he had been arrested on a warrant."
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