

MONTANA STATE SENATE
JUDICIARY COMMITTEE
MINUTES OF THE MEETING

February 20, 1987

The thirty-third meeting of the Senate Judiciary Committee was called to order at 10:00 a.m. on February 20, 1987 by Vice Chairman Bruce Crippen in Room 325 of the Capitol Building.

ROLL CALL: All members were present.

CONSIDERATION ON SB 375: Senator Al Bishop of Billings introduced SB 375 on Wrongful Discharge, which was a committee requested bill from the Judiciary Committee. He explained that Keith Keller, Helena lawyer, will explain the bill.

PROPONENTS: Keith Keller, Helena, said the bill will not effect insurance rates. He said when a person dies in an accident, his heirs have a wrongful death action for the damages of losing what they might have gotten from the dead person. He said if the person survives for a while after an accident, there is an action called the survival action. He said the combination of these two actions have caused the problems, because the two action belong to two separate groups: the wrongful death action belongs to the heirs, and the survival action belongs to the estate of the person that might die. He said the damages over lap. He stated in the survival action the estate is entitled to the deceased's lost of earnings. He said what happens is multiple suits will come about if the person is surviving after the accident. He said a probate court and another court control these cases. He said the bill will combined the separate claims of wrongful death actions and survival actions into one. He said there can be only one law suit with this bill. He said the bill also makes the law suit be brought forward by a personal representative. He stated that at the present time the survival action must be brought forward by a personal representative, but the wrongful death action can be brought forward by the heirs. He explained the bill sets out the elements of damages that can be recovered in such action and eliminates the possibility of multiple recovery. He pointed out the bill takes the damages that are recoverable in the wrongful death action and combines those as they have been set out by the Montana Supreme Court. He said the bill also say the disposition of money must be controled by the probate court. He said at the current time the court that would handle the the wrongful death case would handle the disposition of the money under the wrongful death action. He said a probate court usually handles the survival action money. He stated this way one court will handle the money.

Jim Robischon, Montana Liability Coalition, supported the bill.

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OPPONENTS: Karl Englund, Montana Trial Lawyers Association, said if the purpose of the bill is not to allow "double recovery" when the two actions are combined, then he would agree to it. He said the bill on page 2 substantially limits the people that can recover. He said children that are not dependent to the deceased can not recover. He stated the bill eliminates the damages to compensate the estate for lost of enjoyment of life in the survival action. He commented that the bill needs a few amendments.

John Hoyt, Great Falls, commented that it is unfair for attorney to bring one case of wrongful death into one court and then bring another type of survival action in another court. He agreed with the combination of these two. He said the unworkable parts of the bill are having to still have two courts and two judges. He said the bill only needs the "joiner".

CONSIDERATION OF SB 363: Senator Judy Jacobson of Butte introduced SB 363 to the committee and stated that the stricken language on page 1 should be put back in because it is an "either or" situation. She explained the bill sets a minimum amount that can be deducted for child support. She pointed out in some cases the deduction is so high that it makes more sense to quit work than pay.

PROPONENTS: Noel Larrivee, attorney in Missoula echoed Senator Jacobson's statement about putting the stricken language back in. He said it gives flexibility to the court because it gives two methods, which are the amount necessary to pay current child support, or any delinquent amount. He said the delinquent amount that can be paid off in a two year period or the minimum amount of 25 percent disposable earnings up to the maximum allowed by federal garnishment law. He explained that amount would be 55 percent. He stated the problem is the judge is confronted with a person who applies through the court with a large delinquent amount and the judge has to impose the maximum amount of federal garnishment law. He explained on page 1, line 13, if its subparts (i) and (ii) do not apply, than the court must authorize the deduction of 55 percent. He said this causes delinquent fathers confronted with giving 55 percent of their earnings to child support, to quit work. He pointed out the judge can not give any less of a deduction because of the present, written statute.

DISCUSSION ON SB 363: Senator Halligan asked if the 25 percent in the bill came from new federal regulations. Mr. Larrivee replied it is consistent with that. Senator Halligan asked if it applies to just the department in terms of its administrative enforcement of the act or county attorneys as well. Mr. Larrivee answered it would apply to parties bringing an action under the Income Deduction Act.

ACTION ON SB 363: Senator Crippen called for a motion on the bill. Senator Halligan moved on page 1, lines 13 through 20 and lines 22 through 23 to reinsert the stricken language. The motion carried unanimously. Senator Halligan moved the bill AS AMENDED DO PASS. The motion carried unanimously.

DISCUSSION ON SB 375: Senator Halligan inquired if Mr. Robischon wanted to go beyond combining the two actions. Mr. Robischon said the bill sets out who would be entitled to recover and who would give the recovery, but there is more to be done. Senator Halligan asked who's idea was it to limit the action to be brought forward by a personal representative. Mr. Keller replied that they wanted to limit the bill to certain people because that is one of the bigger messes right now, because so many people try to get in on these cases. Mr. Keller suggested striking all new material in section 1 of the bill and all the new material in subsection 2 of section 4. He said this would please Mr. Hoyt.

Senator Crippen asked Karl Englund if he would agree to striking these sections. Mr. Englund said in addition to that there should be rewording on page 3, line 20, to fit in no "double recovery". Senator Crippen asked what Mr. Keller thought about that. He agreed.

Senator Crippen asked the lawyers to get together and work out language for this bill.

Senator Bishop closed.

CONSIDERATION OF SB 379: Senator Yellowtail of Wyola introduced SB 379, which gives irrigation districts authority to seek loans from the state. He said in order to seek loan, they have to get the loans just for improving irrigation systems.

PROPOSERS: Jo Brunner, Montana Water Development Association, favored the bill because the districts would like to enter into contracts with the state. She explained each section of the bill.

Ken Kelly, Montana Water Development Association, supported the bill (see witness sheet).

Ron Schofield, Helena Valley Irrigation Districts, stated the bill allows the districts to look at another avenue of funding because the federal money is gone and probably will not never be returned.

OPPOSERS: None

DISCUSSION ON SB 379: Senator Blaylock questioned where the state money will come from. Ms. Brunner did not know. Mr. Schofield felt it will

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come out of the Water Development Fund, which is in the Coal Tax money.

Senator Galt asked why the fund that this money would be taken from was not specified in the bill. Mr. Schofield said that is correct; it should be specified. Mr. Schofield said he would work on that in the back of the room.

Senator Yellowtail closed.

CONSIDERATION OF SB 380: Senator Pineseault of St. Ignatius introduced SB 380, which clarifies the law relating to products liability actions; defining two defenses available in a products liability case. He explained this was a Judiciary Committee bill request.

PROPOSERS: Keith Keller, Montana Association of Defense Counsel, said the most important change is to permit the assertion of defenses associated with users of the product. He said the only defense based on the product user conduct is subjective assumption of the risk. He said this bill will substitute for that subjective standard. He said misuse of the product is used as a defense in this bill and he said the idea of comparative fault with product liability has become law in other states.

Jim Robischon, Montana Liability Coalition, supported the bill.

OPPOSERS: Karl Englund, Montana Trial Lawyers Association, commented that he is concerned about the assumption of the risk. He stated that in the assumption of the risk, if the defect was an obvious danger, then one could say the consumer should obviously be aware of the obvious danger. He felt a misuse of a product is subpart of the assumption of the risk.

John Hoyt, Great Falls, thought on page 2, line 17, insert "(a) the user of the product discovered the defect or the defect was obvious and the user should of been aware of the danger". He said it becomes an objective point of view this way.

DISCUSSION ON SB 380: Senator Pineseault asked Mr. Keller is he agreed with Karl Englund's and John Hoyt's proposal. Mr. Keller said it changes the bill drastically, so he did not agree with their proposal.

The committee adjourned for executive action.

ACTION ON SB 338: Valencia presented amendments to the bill from the 7:00 a.m. meeting, which were revised (see Exhibit 6). Senator Yellowtail moved to strike all amendments that were passed in this bill and start with the original bill. The motion CARRIED. Senator Bishop moved the revised amendments. The motion CARRIED. Senator Yellowtail moved the bill DO PASS AS AMENDED. The motion CARRIED.

ACTION ON SB 375: The two sides could not agree on a compromise. Mr. Keller suggested deleting all new material in section 1. Mr. Englund objected because he wanted to make sure there was no double recovery. Mr. Keller said that was the only objection he had with Karl's idea. Mr. Englund said his language would be in section 2's place. Senator Mazurek asked if it is clear what double recovery means. Mr. Englund said one can't recover for the same elements of damage in the same case. Senator Halligan asked why the first section material has to be stricken. Mr. Keller said the existence of the survival statute, which is necessary for all other kind of law suits, has resulted in a separate claim for death. He said that is the purpose for subsection 2 of this bill is to eliminate a survival action when there is a death. Mr. Englund said section 1 limits who can bring forth a wrongful death action. Senator Mazurek asked about a frequently visiting father. Mr. Hoyt said there are some cultures, like the Native American culture, where the grandparents take care of the children. He said this law will eliminate that kind of life because those children will not be able to recover. Senator Halligan can't understand under a public policy that a child living independent from a family can't recover. Mr. Keller said in subsection 2 all the probate code language could be eliminated. Senator Mazurek asked if it would be alright to say just surviving spouse and heirs. Mr. Englund said under the probate code heir means somebody that is entitled to the property of the deceased. Senator Mazurek asked if surviving spouse and other family members would be better. Mr. Hoyt inquired why the bill can't join the two actions and just say not to have any double recovery. Senator Mazurek read from a case called Swanson vs Champion International. He said the case wanted a joiner. Senator Mazurek asked if the bill allows punitive damages. Mr. Keller said punitive damages are not awarded for a death, there has to be some damage about the death to cause that. Senator Halligan moved to combine the two actions and prevent double recovery. Senator Crippen made a substitute motion to delete the language on page 1, line 21 to page 3, line 3. He also included in his motion to delete the language on page 4, lines 16 through 20. The motion carried. Senator Halligan withdrew his motion.

Senator Mazurek said something has to be done with (2) on page 3; it has to remain like it is or adopt the other purposal to bring the two actions together and state there can be no double recovery. Senator Halligan moved to strike (2) and say that one couldn't recover the same damages twice. Valencia said she would work on the technical language for this motion. Senator Halligan included in his motion to delete the language on page 3, lines 6 and 7. The motion CARRIED. Senator Bishop moved the bill DO PASS AS AMENDED. The motion CARRIED.

ACTION ON SB 379: Senator Yellowtail presented amendments to the committee, which the interested groups worked out in the back of the room (see Standing Committee Report). He stated that the bill will specifically

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say where the funding will come from. Senator Galt moved the amendments. The motion CARRIED. Senator Yellowtail moved the bill DO PASS AS AMENDED. The motion CARRIED.

ACTION ON SB 380: Senator Crippen moved the bill DO PASS. Senator Yellowtail made a substitute motion to adopt Karl Englund's and John Hoyt's language that he presented during the meeting. Karl stated that misuse of a product has become a defense in this bill and it never was before. The amendment and substitute motion FAILED. The motion to pass the bill CARRIED.

The committee adjourned at 12:00 p.m.


Chairman

ROLL CALL

Judiciary

COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date Feb. 20th
10:00am

NAME	PRESENT	ABSENT	EXCUSED
<u>Senator Joe Mazurek, Chairman</u>	X		
<u>Senator Bruce Crippen, Vice Chairman</u>	X		
<u>Senator Tom Beck</u>	X		
<u>Senator Al Bishop</u>	X		
<u>Senator Chet Blaylock</u>	X		
<u>Senator Bob Brown</u>	X		
<u>Senator Jack Galt</u>	X		
<u>Senator Mike Halligan</u>	X		
<u>Senator Dick Pinsoneault</u>	X		
<u>Senator Bill Yellowtail</u>	X		

Each day attach to minutes.

February 20, 1987

MR. PRESIDENT:

WE, YOUR COMMITTEE ON JUDICIARY HAVING HAD UNDER CONSIDERATION
SENATE BILL NO. 361, ATTACH THE FOLLOWING STATEMENT OF INTENT:

STATEMENT OF INTENT

SB Bill No. 361

A statement of intent is required for this bill because the purpose of this bill is to allow the department of social and rehabilitation services to develop rules for identifying youth who are emotionally disturbed. The department shall use a nationally recognized classification system such as the Diagnostic and Statistical Manual of Mental Disorders, 3rd Edition (DSM-III) to identify mental health problems used to define "emotionally disturbed child".

SB338 IS AMENDED AS FOLLOWS:

10:00 am

10:00
am
EXE.
3/20/87

1. Page 1, line 18.

Following: "test"

Insert: ", except for employment in hazardous work environments or in jobs that involve security, public safety, or fiduciary responsibility"

2. Page 1, lines 20 and 21.

Following: "unless" on line 20Strike: the remainder of line 20 through "(i)" on line 21

3. Page 1, line 21.

Following: "employer"Strike: "has demonstrable evidence"

Insert: "believes"

4. Page 1, line 23.

Following: "use"

Strike: " ; "

Insert: " . "

5. Page 1, lines 24 and 25.

Strike: subsection (ii) in its entirety

Insert: "(d) Prior to the administration of a drug test, the person, firm, corporation, or other business entity or its representative shall adopt a written drug testing procedure and make it available to all persons subject to drug testing. A drug testing procedure must provide for the:

(i) collection of a blood or urine specimen in a manner that minimizes invasion of personal privacy while ensuring the integrity of the collection process;

(ii) collection of a quantity of specimen sufficient to ensure the administration of several tests;

(iii) collection, storage, and transportation of the specimen in tamper proof containers;

(iv) adoption of chain-of-custody documentation procedures identifying how the specimen was handled and tested;

(v) verification of drug test results by two or more different testing procedures before judging a drug test positive; and

(vi) prohibition of the release of drug test results, except as authorized by the person tested or as required by a court of law.

6. Page 2, line 1.

Following: page 1

Strike: "(iii) the employer gives the employee"

Insert: "(e) The person, firm, corporation, or other business entity or its representative shall provide a copy of drug test results to the person tested and provide him"

7. Page 2, line 2.

Following: "the"

Strike: "employer's"

Following: "expense"

Insert: "of the person requiring the test"

8. Page 2, line 3.

Following: "laboratory"

Strike: ";

Insert: "selected by the person tested"

9. Page 2, line 4.

Following: line 3

Strike: "(iv)"

Following: "the"

Strike: "employee"

Insert: "person tested"

10. Page 2, line 6.

Following: "against"

Strike: "an"

Insert: "a"

11. Page 2, line 7.

Following: line 6

Strike: "employee"

Insert: "person"

Following: "under"

Strike: "subsection"

Insert: "subsections (1)(b),"

Following: "(1)(c)"

Insert: ", and (1)(e)"

Following: "if the"

Strike: "employee"

Insert: "person tested"

C:\LANE\WP\AMDSB338.

SENATE JUDICIARY

EXHIBIT NO. 6

DATE 2-20-87

BILL NO. S.B. 338

10:00 a.m.

SENATE JUDICIARY

EXHIBIT NO. 6

DATE 2-20-87

BILL NO. S.B. 338

10 am

Adopted BILL NO. 338
Ernest Ruppel *Vernum* *Stolt*

(c) The person, firm, corporation, or other business entity or its representative shall provide a copy of drug test results to the person tested and provide him

1 ~~that the employer gives the employee the opportunity,~~
2 ~~of the person requiring the test~~
3 ~~at the employee's expense, to obtain a confirmatory test of~~
4 ~~the blood or urine by an independent laboratory, and~~
5 ~~that the employee is given the opportunity to rebut or~~
6 ~~explain the results of either test or both tests.~~

7 ~~person tested~~
8 ~~person tested~~
9 ~~person tested~~
10 ~~person tested~~
11 ~~person tested~~
12 ~~person tested~~
13 ~~person tested~~
14 ~~person tested~~

(2) Adverse action may not be taken against a person tested under subsections (1)(b), (1)(c), and (1)(e) if the employee presents a reasonable explanation or medical opinion indicating that the results of the test were not caused by illegal drug use.

(3) A person who violates this section is guilty of a misdemeanor.

(2) This section shall not apply to public law enforcement agencies."

-End-

A BILL FOR AN ACT ENTITLED: "AN ACT REGULATING THE TESTING OF BLOOD AND URINE OF EMPLOYEES AND PROSPECTIVE EMPLOYEES; AND AMENDING SECTION 39-2-304, MCA."

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

Section 1. Section 39-2-304, MCA, is amended to read:
"39-2-304. Lie detector tests prohibited -- exception regulation of blood and urine testing. (1) No person, firm, corporation, or other business entity or representative thereof shall require:

(a) as a condition for employment or continuation of employment, any person to take a polygraph test or any form of a mechanical lie detector test;

(b) as a condition for employment, any person to submit to a blood or urine test; and environments or in jobs that involve security, public safety, or fiduciary responsibility

(c) as a condition for continuation of employment, any employee to submit to a blood or urine test unless

the employer has demonstrable evidence that the employee's faculties are impaired on the job as a result of illegal drug use.

the employee's impairment presents a direct and

present danger to his own safety or the safety of others

hazardous work that involve security, public safety, or fiduciary responsibility

Insert amendment #5 here (d) Prior



NAME: K. M. Kelly DATE: 2/20/54

ADDRESS: 11605 Glass Mines Helena, Mt. 59601

PHONE: 409-5961

REPRESENTING WHOM? Water Development Board of Ind. Irrigation

APPEARING ON WHICH PROPOSAL: SB 379

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS:

The enabling legislation is both desirable and necessary for the reason that funds from the Federal Government are no longer available even in the event of Reservoir rehabilitation projects.

You understand the Helena Valley Irrigation District est. in 1902 has been in operation well over 50 years and is in dire need of repairs and maintenance such as lining canals, repair of headgates and other subject material required (enclosures). This condition exists in most irrigation districts. *K. M. Kelly*

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

STANDING COMMITTEE REPORT

February 20

37

..... 19.....

MR. PRESIDENT

SENATE JUDICIARY

We, your committee on.....

having had under consideration..... **SENATE BILL** No. **94**.....

first reading copy (white)
color

Requiring oral inquiry into organ donation when issuing driver's license.

Respectfully report as follows: That..... **SENATE BILL** No. **94**.....

DO PASS

~~DO NOT PASS~~

..... **Senator Mazurek**
Chairman.

ROLL CALL VOTE

SENATE COMMITTEE JUDICIARY

Date Feb. 20 1987 Bill No. SB 380 Time 12:05

NAME	YES	NO
Senator Joe Mazurek, Chairman		X
Senator Bruce Crippen, Vice Chairman		X
*Senator Tom Beck		X
Senator Al Bishop	X	
Senator Chet Blaylock		
Senator Bob Brown		X
Senator Jack Galt		X
Senator Mike Halligan	X	
Senator Dick Pineseault		X
Senator Bill Yellowtail	X	

Secretary _____

Chairman _____

Motion: Amendments on SB 380

STANDING COMMITTEE REPORT

February 20

87

19.....

MR. PRESIDENT

We, your committee on **SENATE JUDICIARY**

having had under consideration.....

SENATE BILL

338

No.....

first reading copy (X white,

color

Regulate tests of blood and urine of employees and prospective employees.

Respectfully report as follows: That.....

SENATE BILL

338

No.....

BE AMENDED AS FOLLOWS:

1. Page 1, line 18.

Following: "test"

Insert: ", except for employment in hazardous work environments or in jobs that involve security, public safety, or fiduciary responsibility"

2. Page 1, lines 20 and 21.

Following: "unless" on line 20

Strike: the remainder of line 20 through "(1)" on line 21

3. Page 1, line 21.

Following: "employer"

Strike: "has demonstrable evidence"

Insert: "believes"

4. Page 1, line 23.

Following: "use"

Strike: ". "

Insert: ". "

~~88 PAGES~~

~~88 PAGES~~

CONTINUED

.....
Chairman.

SENATOR MAZUREK

5. Page 1, lines 24 and 25.

Strike: subsection (ii) in its entirety

Insert: "(2) Prior to the administration of a drug test, the person, firm, corporation, or other business entity or its representative shall adopt a written drug testing procedure and make it available to all persons subject to drug testing. A drug testing procedure must provide for the:

(a) collection of a blood or urine specimen in a manner that minimizes invasion of personal privacy while ensuring the integrity of the collection process;

(b) collection of a quantity of specimen sufficient to ensure the administration of several tests;

(c) collection, storage, and transportation of the specimen in tamperproof containers;

(d) adoption of chain-of-custody documentation procedures indentifying how the specimen was handled and tested;

(e) verification of drug test results by two or more different testing procedures before judging a drug test positive; and

(f) prohibition of the release of drug test results, except as authorized by the person tested or as required by a court of law."

6. Page 2, line 1.

Following: page 1

Strike: "(iii) the employer gives the employee"

Insert: "(3) The person, firm, corporation, or other business entity or its representative shall provide a copy of drug test results to the person tested and provide him"

Renumber: subsequent subsections

7. Page 2, line 2.

Following: "the"

Strike: "employer's"

Following: "expense"

Insert: "of the person requiring the test

8. Page 2, line 3.

Following: "laboratory"

Strike: "; and"

Insert: "selected by the person tested"

9. Page 2, line 4.

Following: line 3

Strike: "(iv) the employee is"

Insert: "The person tested must be"

10. Page 2, line 6.

Following: "against"

Strike: "so"

Insert: "a"

CONTINUED

11. Page 2, line 7.
Following: line 6
Strike: "employee"
Insert: "person"
Following: "under"
Strike: "subsection"
Insert: "subsections (1)(b),"
Following: "(1)(c)"
Insert: ", and (1)(e)"
Following: "if the"
Strike: "employee"
Insert: "person tested"

AND AS AMENDED
DO PASS

STANDING COMMITTEE REPORT

February 20

37

19.....

MR. PRESIDENT

SENATE JUDICIARY

We, your committee on.....

SENATE BILL

363

having had under consideration.....

No.....

first

white

reading copy (.....)

color

Set minimum garnishable amount under child support income diduction act.

Respectfully report as follows: That.....

SENATE BILL

363

No.....

BE AMENDED AS FOLLOWS:

1. Page 1, line 13.

Following: "+"

Insert: ";

xx

2. Page 1, line 20.

Following: "(b)"

Insert: "(a) (i) the amount of money necessary to pay current install-
ments of child support as they become due and payable; plus

(ii) the amount of money which, when deducted in equal amounts
each payday, will pay off all outstanding child support payments delinquent
within 2 years; or

(b)"

3. Page 1, line 23.

Following: "amount"

Insert: "if the sum provided in subsection (1)(a) exceeds that amount"

AND AS AMENDED

DO PASS

XXXXXXXXXX
DO NOT PASS

Senator ~~MAZUREK~~ Mazurek

Chairman.

STANDING COMMITTEE REPORT

February 20

37

19.....

MR. PRESIDENT

We, your committee on SENATE JUDICIARY

having had under consideration SENATE BILL No. 375

first reading copy (white)
color

Revise wrongful death actions.

Respectfully report as follows: That SENATE BILL No. 375

BE AMENDED AS FOLLOWS:

1. Title, lines 9 and 10.

Following: "ANOTHER;" on line 9

Strike: the remainder of line 9 through "DEATH;" on line 10

2. Title, lines 12 and 13.

Following: "ESTATE;" on line 12

Strike: the remainder of line 12 through "ACTIONS" on line 13

Insert: "PROVIDING THAT DAMAGES MAY BE RECOVERED ONLY ONCE"

3. Page 1, line 21 through page 3, line 3.

Following: "just." on line 21

Strike: the remainder of line 21 through "death." on page 3, line
3

4. Page 3, lines 6 and 7.

Following: "An" on line 6

Strike: the remainder of line 6 through "an" on line 7

Insert: "An"

5. Page 3, lines 20 and 21.

Strike: subsection (2) in its entirety

Insert: "(2) Actions brought under this section and 27-1-513 must
be combined in one legal action and any element of damages
may be recovered only once."

~~DO NOT PASS~~

BE CONTINUED

~~DO NOT PASS~~

.....
Senator Mazurek

Chairman.

Senate Judiciary
SB 375
Page 2

6. Page 4, line 8.

Strike: "(1)"

7. Page 4, lines 15 through 20.

Following: "person." on line 16

Strike: the remainder of line 15 through "law." on line 20

7051d/LIJEJA\WP:jj

AND AS AMENDED
DO PASS

.....
Senator Mazurek

STANDING COMMITTEE REPORT

February 20

19 87

MR. PRESIDENT

We, your committee on SENATE JUDICIARY

having had under consideration SENATE BILL No. 379

first reading copy (white)
color

Allow irrigation districts to contract with the state for a loan of money.

Respectfully report as follows: That SENATE BILL No. 379

BE AMENDED AS FOLLOWS:

1. Title, line 7.

Following: "PROJECTS"

Insert: "FROM THE COAL SEVERANCE TAX BONDING PROGRAM PROVIDED FOR IN TITLE 17, CHAPTER 5, PART 7"

2. Page 1, line 22.

Following: "obtaining"

Strike: "from the state"

3. Page 1, line 23.

Following: "money"

Insert: "from the coal severance tax bonding program provided for in Title 17, chapter 5, part 7,"

4. Page 4, lines 2 and 3.

Following: "from the" on line 2

Strike: the remainder of line 2 through "Montana" on line 3

Insert: "coal severance tax bonding program provided for in Title 17, chapter 5, part 7,"

AND AS AMENDED

DO PASS

~~DO NOT PASS~~

.....
Senator Masurek

.....
Chairman.

STANDING COMMITTEE REPORT

February 20

87

19.....

MR. PRESIDENT

SENATE JUDICIARY

We, your committee on.....

having had under consideration..... **SENATE BILL** No. **330**

first reading copy (white)
color

~~Clarify law of products liability.~~

Clarify law of products liability.

Respectfully report as follows: That..... **SENATE BILL** No. **330**

DO PASS

~~XXXXXXXXXX~~
DO NOT PASS

.....
Senator Mazurek

Chairman.