

JUDICIARY COMMITTEE
EXECUTIVE SESSION
January 14, 1977

Following the regularly scheduled meeting the committee went into executive session in room 436, Capitol Building, Helena, Montana. Chairman Scully presided.

HOUSE BILL # 43:

This bill was brought up for consideration after being temporarily tabled. REPRESENTATIVE LORY made a motion to amend, page 32, section 28, line 10. The motion carried. REPRESENTATIVE HOLMES made a motion to amend page 16, section 13. The motion carried. REPRESENTATIVE HAND made the motion to "do pass as amended". The motion carried with the vote unanimous. (copy attached of amendments as passed).

HOUSE BILL # 46:

REPRESENTATIVE LORY moved to amend section 2, page 3, lines 8, 9, and 10, to reinstate the original language. He then made a substitute motion to strike everything after the period, following: "city or town". REPRESENTATIVE EUDAILY made a substitute motion to strike: "when open" on line 7, page 3, section 2. REPRESENTATIVE LORY made a motion to amend page 29, section 33, line 25. Page 30, section 33, line 1. The amendments carried with the vote unanimous. (copy of amendments attached).

REPRESENTATIVE LORY made a motion to "do pass as amended". The motion was seconded and the motion carried, with the following members voting "no". Representatives Holmes, Dussault and Seifert. (copy of the bill as amended attached).

CHARIMAN SCULLY appointed a committee to study the possibility of deleting exemptions now allowed when asked to serve on a jury. They could present this as a committee bill if done before the 30th legislative day.

HOUSE BILL # 81:

REPRESENTATIVE DUSSAULT made a motion "do pass". The motion was seconded by Representative Holmes. There was no discussion, the question was called and the motion carried with the vote unanimous.

The meeting adjourned at 12:05.

John Scully, Chairman

Mary Ellen Connelly, Secretary

STANDING COMMITTEE REPORT

January 14, 1977

MR. SPEAKER:

We, your committee on JUDICIARY

HOUSE

43

having had under consideration Bill No.

A BILL FOR AN ACT ENTITLED: "AN ACT FOR THE GENERAL REVISION
AND CLARIFICATION OF THE LAWS RELATING TO THE
LEGISLATURE AND THE LAWS."

Respectfully report as follows: That HOUSE Bill No. 43

introduced bill, be amended as follows:

1. Amend page 16, section 13.

Following: line 9

Insert: "(f) To the library of each custodial institution,
one copy;"

Renumber: all subsequent subsections

2. Amend page 32, section 29, line 10.

Following: "governor,"

Strike: "all other elected"

DO PASS AS AMENDED

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MR.SPEAKER.....

We, your committee on JUDICIARY

having had under consideration HOUSE Bill No. 46

A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE AND
CLARIFY THE LAWS RELATING TO THE JUDICIARY AND THE COURTS OF
THE STATE OF MONTANA."

Respectfully report as follows: That HOUSE Bill No. 46

introduced bill, be amended as follows:

1. Amend section 2, page 3, line 7.

Following: "established"

Strike: "--when open"

2. Amend section 2, page 3, lines 8 through 10.

Following: "town."

Strike: "The which court must always be open. ~~except-upon~~ On nonjudicial
days--~~and-upon-such-days~~ it may transact criminal business only."

3.3. Amend section 33, page 29, line 25.

Following: "No"

Strike: "justice, judge, or other elective"

4. Amend section 33, page 30, line 1.

Following: "judicial"

Strike: "official"

Insert: "officer"

DO PASS

DO PASS AS AMENDED