

MINUTES OF MEETING
SENATE JUDICIARY COMMITTEE
January 29, 1977

The meeting of this committee was called to order on the above date by Senator Turnage, Chairman, at 9:40 a.m. in Room 415 of the State Capitol Building.

ROLL CALL:

All members of the committee were present for this meeting.

WITNESSES PRESENT TO TESTIFY:

Tom Honzel - Deputy County Attorney, Lewis & Clark County
Senator Tom Hager - District 30

CONSIDERATION OF SENATE BILL 176:

Senator Murray, co-sponsor of this bill with Senator Regan, explained the purpose of the bill to the committee, saying that it would give a 20-day period after a divorce before it became final.

There were no proponents or opponents of the bill present to testify.

DISPOSITION OF SENATE BILL 176:

Senator Warden moved that Senate Bill 176 DO PASS. The motion carried unanimously.

CONSIDERATION OF SENATE BILL 180:

Senator Tom Hager, District 30, sponsor of this bill, told the committee that the county attorneys had assured him it was a simple bill.

Tom Honzel, Deputy County Attorney of Lewis & Clark County, representing the County Attorneys Association, said that the only thing this bill actually does is add the words "or concealment of merchandise" which should clarify the law.

Since there were no other proponents or opponents present to testify, the Chairman allowed the committee to ask questions of Mr. Honzel.

DISPOSITION OF SENATE BILL 180:

Senator Roberts moved to strike section 1 in its entirety and, as so amended, DO PASS.

Senator Regan moved as a substitute motion that S.B. 180 DO NOT PASS.

Senator Roberts then moved as a substitute motion for all motions pending that consideration be passed for the day. This motion carried unanimously.

CONSIDERATION OF SENATE BILL 119:

Joan Mayer, Legislative Council attorney, went over the amendments she had prepared on this bill.

Senator Ragen moved that the committee reconsider their previous action in passing S.B. 119 as amended. This motion carried unanimously.

DISPOSITION OF SENATE BILL 119:

Senator Ragen moved the adoption of the amendments prepared by Joan Mayer. The motion carried unanimously.

Senator Warden moved that S.B. 119 as amended DO PASS. The motion carried unanimously.

CONSIDERATION OF SENATE BILL 34:

The Legislative Council attorney, Joan Mayer, went over the amendment she had prepared to page 95 and the repealers for the committee.

Senator Towe moved the adoption of the repealers. Motion carried.

DISPOSITION OF SENATE BILL 34:

Senator Roberts moved that S.B. 34 as amended DO PASS. The motion carried unanimously.

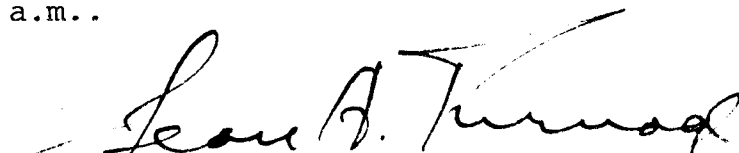
The attorney from the Council is to prepare all amendments passed on Senate Bill 34 in order that the committee may look them over before the Committee Report is filed.

The Chairman asked that Joan call Tom Stoll for his suggested amendments on S.B. 115 for Monday, January 31, 1977. He also tentatively set S.B. 156 consideration for Monday, along with further consideration of Senate Bills 27 and 33.

DISPOSITION OF SENATE BILL 23:

Senator Olson moved that S.B. 23 DO NOT PASS. The motion carried unanimously.

There being no further business before the committee, the committee adjourned at 10:55 a.m..


SENATOR JEAN A. TURNAGE, Chairman

ROLL CALL

JUDICIARY COMMITTEE

45th LEGISLATIVE SESSION - - 1977

Date: 1/27/77

NAME	PRESENT	ABSENT	EXCUSED
TURNAGE, Jean, Chairman	✓		
ROBERTS, Joe, Vice-Chairman	✓		
MURRAY, William	✓		
OLSON, Stuart	✓		
LENSINK, Everett	✓		
REGAN, Pat	✓		
TOWE, Tom	✓		
WARDEN, Margaret	✓		

Each day attach to minutes.

COMMITTEE ON

Judiciary

DATE

1-29-77

Sen. BILL NO

176 + 189

VISITOR'S REGISTER

Please Note Bill No.

NAME

REPRESENTING

Check One

Support

Oppose

Tom Honyel
Tom Honyel

County Attorneys
Sponsor of bill

180

180

STANDING COMMITTEE REPORT

January 29, 1977

MR. PRESIDENT:

We, your committee on JUDICIARY

having had under consideration Senate Bill No. 119

A BILL FOR AN ACT ENTITLED: "AN ACT TO ENABLE PEACE OFFICERS TO RETAIN ALL PRIVILEGES AND IMMUNITIES FROM LIABILITY, AND ALL PENSION, INSURANCE, SALARY, AND OTHER BENEFITS TO WHICH THEY ARE NORMALLY ENTITLED WHEN RESPONDING TO OR PROVIDING ASSISTANCE TO ANY OTHER PEACE OFFICER WHO HAS CALLED FOR ASSISTANCE AND PROVIDING GUIDELINES FOR REIMBURSEMENT OF ENTITIES WHOSE EMPLOYEES ASSIST OTHER ENTITIES UNDER THIS ACT."

Respectfully report as follows: That Senate Bill No. 119 introduced bill, be amended as follows:

1. Amend page 1, section 1, line 17.
Following: "municipality or"
Insert: "a"

2. Amend page 2, section 3, line 8.
Following: "shall"
Strike: "pay"
Insert: "make"

3. Amend page 2, section 3, line 9.
Following: "payments"
Strike: ", claims"
Insert: "and payments"
Following: "equipment"
Strike: ", "
Insert: "due to the officer as a result of the rendering of assistance"
Following: "and"
Insert: "shall pay any"
~~DO PASS~~ (Continued on page 2)

SENATE

January 29, 1977

COMMITTEE ON JUDICIARY AMENDMENT TO SENATE BILL NO. 119

4. Amend page 2, section 3, line 10
Following: "by"
Strike: "its personnel"
Insert: "the officer"
5. Amend page 2, section 3, line 11
Following: "assistance"
Insert: "for which the officer is not otherwise entitled to reimbursement
by operation of law or a contract"
6. Amend page 2, section 3, line 12
Following: "shall"
Insert: ", if it so requests,"
7. Amend page 2, section 3, line 13
Following: "services"
Strike: "out of which the payments arose"
Insert: "for all payments made for wages and damage to clothing and
equipment and for any medical expense for which neither the employing
entity nor the officer is otherwise entitled to reimbursement by
operation of law or a contract."
8. Amend page 2, section 4, lines 19 and 20
Following: "act]"
Strike: "is also liable for any liability or obligation to"
Insert: "shall"

AND AS SO AMENDED, DO PASS.

PA.

and as amended,
XXXXXXXXXXXX
DO PASS
XXXXXXXXXXXX

~~SEN. JEAN A. TURNAGE, Chairman~~

STANDING COMMITTEE REPORT

January 29, 19 77

MR. PRESIDENT:

We, your committee on JUDICIARY

having had under consideration SENATE Bill No. 23

Respectfully report as follows: That SENATE Bill No. 23

DO NOT PASS

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STANDING COMMITTEE REPORT

January 29, 19 77

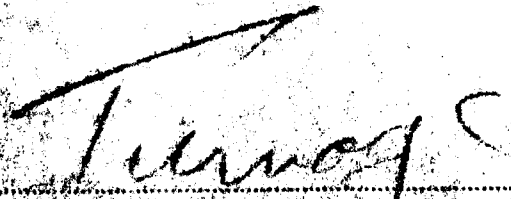
MR. **PRESIDENT**:

We, your committee on **JUDICIARY**

having had under consideration **SENATE** Bill No. **176**

Respectfully report as follows: That **SENATE** Bill No. **176**

J.A.



SEN. JEAN A. TURNAGE Chairmen.

DO PASS