

MINUTES OF MEETING
SENATE JUDICIARY COMMITTEE
February 22, 1977

The meeting of this committee was called to order on the above date by Senator Turnage, Chairman, at 9:45 a.m. in Room 415 of the State Capitol Building.

ROLL CALL:

All committee members were present for this meeting.

WITNESSES PRESENT TO TESTIFY:

Representative Lory - District 99, Missoula
Greg Morgan - Montana Bar Association
Gerald Neeley - Montana Medical Association
Representative Huennekens - District 68, Billings

CONSIDERATION OF HOUSE JOINT RESOLUTION 5:

Rep. Lory of Missoula, sponsor of HJR 5 which has to do with the Administrative Procedure Act, said that this simply requests the Attorney General to bring the Model Rules uptodate. This is a duty of the Attorney General.

DISPOSITION OF HOUSE JOINT RESOLUTION 5:

Senator Towe moved that HJR 5 BE CONCURRED IN. The motion carried unanimously.

CONSIDERATION OF HOUSE JOINT RESOLUTIONS 2 AND 3:

Rep. Huennekens of Billings, sponsor of these two resolutions, said that they are the result of the Interim Judiciary Committee and express the opinion of the committee with respect to the problems they found with the Montana judicial system. He also said that they emphasize to the Supreme Court that we do need statistical information to deal with justice court problems. He further testified that the law clerks and secretaries in district courts could do the work better, and perhaps more efficiently, than the district court judges.

There were no opponents to the bills.

DISPOSITION OF SENATE BILL 402:

There was general discussion between the committee and Greg Morgan, Montana Bar Assn., regarding this bill. Amendments were discussed and moved by Senator Towe, all being unanimously adopted by the committee. However, the disposition of S.B. 402 was to be again considered and the proposal of amendments continued at the committee meeting on February 23, 1977.

There being no further time for this meeting, the committee adjourned at 11:00 a.m. to resume at 9:30 a.m. on February 23, 1977.


SENATOR JEAN A. TURNAGE, Chairman

JUDICIARY COMMITTEE

Date 2-22-77

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