

HOUSE OF REPRESENTATIVES
JUDICIARY COMMITTEE
EXECUTIVE SESSION
January 15, 1979

Following the regular meeting the committee went in to executive session to take action on bills pending. The meeting was called to order by Chairman Scully in room 436 of the Capitol Building on Monday, January 15 at 8:30 a.m. All members were present except Representative Holmes, excused.

HOUSE BILL NO. 12: Representative Day moved to amend on page 2, line 20, following "official" insert: ", other than the Attorney General," The motion carried with the vote unanimous.

There was discussion about the meaning of "full-time" on page 2, line 18.

There was discussion about line 17 on page 5, the legal assistance program.

Representative Kemmis moved to amend on page 5, lines 18 through 20, insert "assessment of the availability of " and following : "receiving" insert "a". The motion carried with Representative Keyser voting "no".

Representative Keedy moved to amend page 5, line 10, to insert a new sentence. The motion failed.

There was discussion on page 2, lines 19 and 20.

Representative Eudaily moved to reconsider the amendment on page 2, line 20. The motion carried with Representative Day voting "no".

Representative Lory moved to withdraw the amendment, and the motion carried with the vote unanimous.

There was discussion about how the pool would be paid for. The Attorney General will hire the pool. If the agencies feel the pool is not competent enough they will hire their own people.

There was discussion about whether there would have to be showing of cause because the pool attorney could be fired because they would not be on the pay plan.

There was discussion about the amount of experience needed in the pool.

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Representative Lory moved "do pass as amended". The motion carried with the vote unanimous.

HOUSE BILL NO. 90:

Representative Day moved "do pass". There was discussion about the five ways to get a road; petition, use, affidavit, certificate of survey, and plat. Then followed discussion whether encroachment was a usurpation of authority.

The motion "do pass" carried with Representatives Roth, Curtiss, Conroy, and Seifert voting "no".

HOUSE BILL NO. 88:

Larry Weinberg explained about the word "minor" as related to child or children. Discussion followed.

There was discussion about amending the title, line 5 and page 1, line 23, to strike "minor". The motion was made by Representative Lory and the motion carried with the vote unanimous.

Representative Seifert moved "do not pass as amended". Representative Daily moved a substitute motion "do pass as amended". The motion carried with Representatives Conroy, Seifert, Roth and Eudaily voting "no".

HOUSE BILL NO. 96:

Representative Keyser moved "do pass", and the motion carried with Representative Uhde voting "no".

HOUSE BILL NO. 95:

Representative Scully suggested there should be an amendment on page 2, lines 4 and 5. Representative Day moved to strike "shall" and insert "may". The motion carried with the vote unanimous.

Representative Eudaily moved to amend page 1, line 12, by striking "all beverages and on line 15 by striking "code" and inserting "chapter". The motion carried.


Representative Roth moved to amend the title, line 6, following: "MCA" to make the section applicable to all licenses under the liquor code;" and on line 6, following: "to remove" insert "language relating to". On line 8, following: "applicant", insert "and to provide for denial or revocation of licenses whenever false statements are made in license applications". The motion carried with the

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vote unanimous. Representative Eudaily moved "do pass as amended".
The motion carried with the vote unanimous.

There was discussion about the bills
that would be heard the following day.

The meeting adjourned at 10:45 a.m.



John P. Scully, Chairman

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