

JUDICIARY COMMITTEE
EXECUTIVE SESSION
January 19, 1979

The executive session was called to order by Chairman Scully following the regular meeting at 9:40 a.m. in Room 436 on Friday, January 19, 1979. All members were present with the exception of Representative Holmes, excused because of illness.

HOUSE BILL NO. 184: Representative Keedy offered an amendment and explained his reasoning for it. On page 4, line 5, strike sub-section (2) in its entirety. Insert, "If the court grants without amendment a petition filed alleging abuse, neglect or dependency for the purpose of obtaining permanent custody of a child with the right to consent to adoption the court shall make no order requiring the parent or guardian to pay any of the costs thereof." A discussion followed as to whether this would apply if they were taking the child away to a permanent situation, or in what situation it would apply. The motion carried with the vote unanimous.

Representative Rosenthal passed out copies of amendments prepared by the social services. Mr. Scully explained the amendments and what effect they would have. Then followed general discussion and questions about the financial burden as applied in the bill and the voluntary and involuntary placements. Feeling was divided as to what the intent of the bill was.

Representative Scully appointed a sub-committee to study the bill, meet with witnesses and gather more facts and present it to the full committee on Tuesday, the 23rd. Sub-committee members appointed are Representative Keyser, Chairman, and Representatives Keedy, Daily, and Rosenthal. Further action will be taken at that time.

HOUSE BILL NO. 172: Representative Keyser moved to amend Page 4, following line 12, the addition of a repealer section, which had been inadvertently left off the bill. (attached) The motion carried with the vote unanimous.

Representative Keyser moved "do pass as amended". Representative Daily gave his objections to the bill, as did Representatives Teague, Day, and Kemmis. Talking in favor of the bill was Representatives Uhde, Keyser and Seifert. Most of the discussion centered around whether or not the cross-over vote would or could destroy the two party system.

Representative Scully told the committee about a phone call he had had concerning the Big Horn River and the possibility of its use for a coal slurry pipeline. He and Representative Day explained to the members about the water policy on the Yellowstone, what was included, etc.

The question was called on the motion "do pass as amended". The motion carried with a roll call vote of 11 to 6 and 1 abstaining. Yes: Anderson, Conroy, Curtiss, Iverson, Keedy, Keyser, Lory, Roth, Seifert, Uhde, Scully. No: Daily, Day, Eudaily, Kemmis, Pavlovich, Rosenthal and abstaining was Representative Teague. Representative Holmes was excused, because of illness.

SENATE BILL NO. 4: Representative Lory moved "do pass". Representative Seifert moved an amendment to page 4 lines 5 through 9, to change the count of the animals as follows "4 horses, 8 cows, 12 hogs, 100 fowl, 1 lamb, 2 turtle doves and a partridge in a pear tree." The motion to amend carried with the following Representatives voting "no", Curtiss, Lory, Rosenthal and Roth.

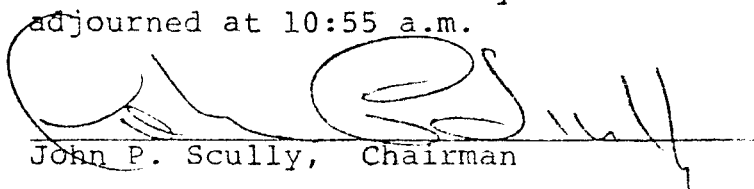
Representative Eudaily moved "do pass as amended". Discussion centered around mortgagor and mortgagee as amended by the Senate. The general feeling was that it could be interpreted two ways and it would be necessary for the committee to determine what was meant by the change. Larry Weinberg will check the section. He said it might pertain to the Bannock amendment, which was so old that it was not even dated.

Representative Day moved to amend page 5, line 16, strike "livery". After an explanation from Mr. Weinberg he withdrew the motion. It was decided to pass Senate Bill No. 4 for the day, in order to have more information about the section in question.

SENATE BILL NO. 25: Representative Seifert moved "do pass". The motion carried with the vote unanimous. Representative Kemmis moved to place the bill on the consent calendar. The motion carried with the vote unanimous.

HOUSE BILL NO. 182: Discussion about line 14, did the committee wish to add additional language. It was decided not. Representative Keyser moved "do pass". The motion carried with the vote unanimous. Representative Kemmis moved to place the bill on the consent calendar. The motion carried with the vote unanimous.

HOUSE BILL NO. 183: Will be held until Monday. The meeting adjourned at 10:55 a.m.


John P. Scully, Chairman

STANDING COMMITTEE REPORT

January 19, 1959
Journal

MR. Speaker:

We, your committee on Judiciary

having had under consideration House Bill No. 172

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING OPEN
BLANKET PRIMARIES; AMENDING SECTIONS 13-10-402, 13-17-206,
AND 13-18-103, MCA; AND REPEALING SECTIONS 13-10-209,
13-10-301, 13-10-311 THROUGH 13-10-314, 13-10-317, AND
13-10-318, MCA."

Respectfully report as follows: That House Bill No. 172

Introduced copy, be amended as follows:

- 1. Page 4.
Following: line 12
Insert: "Section 6. Repealer. Sections 13-10-209, 13-10-301,
13-10-311 through 13-10-314, 13-10-317, and 13-10-318,
MCA, are repealed."

AND AS AMENDED
DO PASS