

MINUTES OF THE MEETING
STATE ADMINISTRATION COMMITTEE
MONTANA STATE SENATE

January 22, 1979

The seventh meeting of the State Administration Committee was called to order by Vice Chairman George Roskie in the absence of Chairman Pete Story on the above date in Room 442 of the State Capitol Building at 10:00 A.M.

ROLL CALL: All present with the exception of Sen. Story who was late due to a prior meeting.

CONSIDERATION OF SENATE BILL No. 130: Vice Chairman Roskie called on Sen. Chet Blaylock, Senate District 35, Laurel, to present his testimony as sponsor of the Bill; however, in the absence of Senator Blaylock, it was decided to let the attorney for the Code Commissioner explain this bill as it was requested by the Code Commissioner.

Dave Cogley, Legislative Council, and the Code Commissioner, advised this law relates to military affairs and emergency services. The first major change is on page 1, line 25, where the words "were honorably discharged" were added.

At this point, Sen. Pat Ryan objected to the proceedings and moved that the Committee not hear any bills unless the sponsor was present. He objected to department bills being presented by attorneys.

Sen. Jergeson clarified that this is a Code Commissioner bill and Sen. Blaylock agreed to carry it because he is on the Legislative Council.

Sen. Ryan again stated he did not agree that bills should be presented without the proper sponsor.

Acting Chairman Roskie explained the basic difference with this bill is that it was prepared by the Legislative Council at our request.

Question was called for and the motion failed with Sen. Ryan being the only "yes" vote to 5 "no's".

At this point, the hearing on Senate Bill No. 130 was deferred at the request of Rep. John Scully to allow him to present his bill.

CONSIDERATION OF HOUSE BILL No. 83: Sen. Story assuming the chair, called on Representative John Scully, House District 76, Bozeman, to present his testimony as sponsor of the bill.

Rep. Scully explained this Bill was introduced at the request of the Attorney General and was fairly simple in that it asked for clarification of control over the Law Enforcement Academy. It has been under control of the Attorney General's office and also under the University System for certain functions, so, Pettit's office said it would be under the control of his office. This Bill would

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merely clarify it does not have to be at the University and that the person authorized to sign the graduate certificates is the director of the academy.

There being no further proponents and no opponents appearing, questions by the Committee were called for.

Sen. Brown questioned Montana State's position on this Bill, to which Rep. Scully replied that there was some problem about 4 years ago when dorms were used by the Law Enforcement Academy rather than MSU students. They tried moving to Western in order to fill the dorms, but they did not have the firing range or the chemistry labs at Western that they needed for their instruction. Also, the FBI agent who taught some of the courses would have a problem with travel time to Western. To solve the dorm problem at Bozeman, they have taken a modular unit set up and land was donated by Gallatin County; there would be no substantial change from past operations.

There being no further questions, the hearing on House Bill No. 83 carried by unanimous vote.

Discussion was held on the propriety of hearing bills without the sponsor being present. It was the majority opinion that all Code Commissioner bills could be heard without the sponsor present, and Senate Bill No. 112 also this time as Sen. Graham was attending a funeral in Billings.

Sen. Ryan commented that if these were innocuous little bills, then the Committee should consider putting them on the consent calendar also.

CONSIDERATION OF SENATE BILL No. 130: Reverting back to SB 130, the Chairman directed Dave Cogley to proceed.

Mr. Cogley presented the Committee with written explanation sheet of the changes from the present law and gave an oral summary of the reason for the change. Copy of summary sheet is attached hereto for further reference. Most changes related to up-dating the law to conform to present language or because it was obsolete.

There being no further proponents and no opponents appearing, the hearing was opened for questions by the Committee.

Sen. Brown questioned the succession provision on page 7, line 6, to which Mr. Cogley responded that some of the changes were made so it does not allow the county commissioners to call a legislative session.

There being no further questions, the hearing on Senate Bill No. 130 was closed.

CONSIDERATION OF SENATE BILL No. 131: This being a Code Commissioner bill also and sponsored by Sen. Blaylock who was absent, the Chairman called on the representative of the Legislative Council to present testimony.

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Joan Mayer, attorney for the Council, advised this was an act to revise and clarify the laws relating to human rights provisions. Page 3, line 11, contained the first major change where "investment company" was added to cover all financial institutions in Montana. She then went through the provisions of the Bill, section by section, explaining the proposed changes from the present law and the reasons for the change. Most of these were because the wordage was incorrect, obsolete or a duplication. Copy of summary sheet on which all changes are listed and reviewed is attached hereto and to which reference is hereby made for further particulars.

Sen. Hafferman asked for a clarification of the term "government entities", to which Ms. Mayer responded that referred to all government departments, agencies and bureaus, and was used to make the terminology consistent. In the places where the full wordage has been left out, it refers back to the above section, so it was felt it was sufficient and to delete the full terminology and repetitive wordage saved time and confusion.

Sen. Ryan questioned the word "willfully" on page 11, line 14, which Joan explained was a typographical error. She then went on to explain the repealer sections.

Sen. Story questioned how this was tagged on to the human rights laws. Ms. Mayer stated this was an old definition in the law and something that must be determined on a case-by-case basis through judicial review.

Answering Sen. Brown's inquiry regarding the statute referring to unborn children, Ms. Mayer replied she thought it has been repealed previously and checked the code referring to this at Sec. 41-1-103.

There being no further proponents and no opponents appearing to testify, questions by the Committee were called for.

Sen. Hafferman commented that we now have sovereign immunity and now we are opening up for lawsuits by anyone and he didn't think this was the original intent. Ms. Mayer responded that there doesn't seem to be any hesitancy now as there have already been lawsuits filed.

Sen. Jergeson commented that if they wanted to change any of these bills, they should do it in another bill.

In response to Sen. Ryan's question on referring to "public work" being singular, Ms. Mayer stated that there is a saving statute which says if it referred to singular or plural, it was correct.

There being no further questions, the hearing on Senate Bill No. 131 was closed.

CONSIDERATION OF SENATE BILL No. 119: The Chairman noted that Sen. Pat Goodover, sponsor of the Bill, could not be present, but as this was a Code Commissioner bill also, the representative from the Council was called on to proceed.

Bob Pyfer, Legislative Council attorney, explained this Bill relates

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to the aeronautics laws and clarifies certain language, particularly with the penalty sections. The Code Commissioner Summary sheet on which all of the explanations and changes are listed and reviewed is attached hereto, to which reference is hereby made for further particulars. Basically, the changes were for clearer definitions, uniformity in application and to clarify wordage. Also, there had been an error made in quoting a section of the law, so, on page 17, line 8, this was corrected to refer to the correct statute.

There being no further testimony, no opponents to the Bill and no questions from the Committee, the hearing was closed on Senate Bill No. 119.

CONSIDERATION OF SENATE BILL No. 112: Senator Carroll Graham, sponsor of the Bill, not being present, but this bill being at the request of the Code Commissioner, Chairman Story called on the representative from the Legislative Council to present testimony.

Larry Weinberg, Legislative Council attorney, advised this Bill related to generally revising and clarifying election laws. There is another bill, SB 65, also dealing with election law revision and these will have to be coordinated upon passage, he stated, but they will bring the two bills together to work out the final revisions necessary. The Code Commissioner Summary sheet on which all of the proposed changes are listed and explained is attached hereto, to which reference is hereby made for further particulars. Proposed changes dealt with language conformity to bring it into conformity with the present statutes, clarification of the wordage and on page 3, line 6, to correct a reference so that it would refer to the proper board. He stated there was no substantive changes they made in the law.

During questioning by the Committee, Sen. Ryan asked for clarification on the ballot issue and the court case mentioned, to which Mr. Weinberg replied the district court had made a ruling which was appealed to the U.S. Court of Appeals which sustained the lower court and stated it was unconstitutional. The time is running out to appeal this to the U.S. Supreme Court, so this is why the change is proposed here to comply with the district court's decision. He did not feel it was premature as if passed, this would not become effective until July of 1979, and the time for appeal would have expired prior to that.

Sen. Brown questioned the provision on page 11, in Section 13, on ballot box stuffing, to which Mr. Weinberg answered that in checking the codes this is not a recount; it refers to after when someone has been elected and there is evidence that there was stuffed boxes.

There being no further questions, the hearing on Senate Bill No. 112 was closed.

There was discussion regarding the deadline for getting bills from the Council which Mr. Weinberg explained and mentioned that the deadline was tomorrow on such requests.

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Sen. Rasmussen questioned if the recodification procedure would be done after this session, to which Mr. Weiberg replied that it is a continuing process in order to keep the laws in conformity with changing situations and present legislation. Sometimes a change needs to be done after a bill is passed in order to have it conform with present situations.

Sen. Roskie requested that a Status Sheet listing the bills be put in each book; this will be done.

DISPOSITION OF SENATE BILL No. 28: The Chairman explained that he had consulted with the Legislative Council attorney on this Bill and it just merely changed terminology, not anything that would go into the statutes.

Sen. Roskie commented on possible amendments; short discussion followed.

Sen. Greg Jergeson moved that Senate Bill No. 28 DO PASS; motion carried by majority vote, with Sen. Ryan voting "no".

Sen. Roskie agreed to carry House Bill No. 83 on the floor.

DISPOSITION OF SENATE BILL No. 91: Sen. Jergeson suggested ordering a fiscal note in order to determine the cost figures on maintenance of the Historical building, which was discussed.

Sen. Jergeson moved that action on Senate Bill No. 91 be deferred until a fiscal note is received, and stated the reason why he felt a fiscal note was necessary.

Discussion on the figures which were given to the Committee by the various veterans groups was held, with Sen. Jergeson advising it takes about 6 days to get a fiscal note prepared.

Upon roll call vote, the motion failed, with all except Senators Brown and Jergeson voting "no".

Sen. Ryan moved that Senate Bill No. 91 DO NOT PASS.

Sen. Jergeson stated he was not prepared to vote at this time and felt that the veterans should be given the opportunity to be put back in the exempt status. He had a conflict with another meeting and stated he would not vote on this issue today.

Sen. Rasmussen had been considering this subject and suggested putting in a resolution to have all of these groups get together to work something out.

After some discussion, Sen. Brown made a substitute motion that the Committee delay action on Senate Bill No. 91 until the next executive session.

This resulted in further discussion, with Sen. Ryan commenting that they should try to solve some of their own problems. Sen. Roskie felt Sen. Blaylock had a good point in that anyone occupying

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state space for free doesn't mean that they shouldn't contribute to maintenance cost. The problem is what are we doing to the Historical Museum; we are not solving their problem.

Chairman Story stated he would hold up the committee report if they took a vote on this bill today and Sen. Brown's motion failed in order to accommodate Sen. Jergeson.

Upon roll call vote on the motion of Sen. Brown to delay action, on tie vote, it failed to pass, with Senators Story, Roskie and Ryan voting "no" and Sen. Jergeson being absent at this time.

Reverting back to Sen. Ryan's motion of DO NOT PASS, upon voting, the motion carried by unanimous vote of the members present, with Sen. Jergeson being absent at this time.

The Chairman directed that the Standing Committee Report on Senate Bill No. 91 will not be reported out until Sen. Jergeson has been satisfied on the issue.

At this time, Sen. Blaylock appeared to present a letter from K. Ross Toole explaining the problems he had at the time he was involved with the Historical Society.

DISPOSITION OF SENATE BILL No. 112: This was in regard to election laws, Sen. Story reminded the Committee.

Sen. Rasmussen moved that Senate Bill No. 112 DO PASS; motion carried by majority vote, with Sen. Ryan voting "no".

DISPOSITION OF SENATE BILL No. 119: This pertained to the aeronautics laws and was a Code Commissioner bill.

Sen. Roskie moved that Senate Bill No. 119 DO PASS, and the motion passed by unanimous vote.

DISPOSITION OF SENATE BILL No. 130: This dealt with revising the military affairs laws.

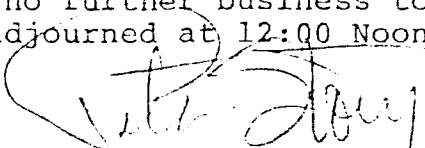
Sen. Bob Brown moved that Senate Bill No. 130 DO PASS; motion carried by unanimous vote.

DISPOSITION OF SENATE BILL No. 131: Revision of the human rights laws was the subject of this Code Commissioner Bill.

Sen. Rasmussen moved that Senate Bill No. 131 DO PASS, which motion carried by majority vote, with Senator Hafferman voting "no".

The Chairman directed that the hearing on Senate Bill No. 128 be rescheduled for January 29th.

ADJOURNMENT: There being no further business to bring before the Committee the meeting was adjourned at 12:00 Noon.



PETE STORY, Chairman

Date June 25 1979

ROLL CALL

STATE ADMINISTRATION COMMITTEE

46th LEGISLATIVE SESSION - 1979

NAME	PRESENT	ABSENT	EXCUSED
Senator Pete Story, Chairman	✓		
Senator George F. Roskie, V. Chmn.	✓		
Senator Bob Brown	✓		
Senator A. T. (Tom) Rasmussen	✓		
Senator Patrick L. Ryan	✓		
Senator Greg Jergeson	✓		
Senator William F. Hafferman	✓		

Each Day Attach to Minutes.

SENATE STATE ADMINISTRATION COMMITTEE

BILL SB 112, 119, 130
& 131; HB 83

VISITORS' REGISTER

DATE Jan. 22-79

NAME	REPRESENTING	BILL #	(check one)	
			SUPPORT	OPPOSE
Larry Weinberg	Legis Council	SB 112	<input type="checkbox"/>	<input checked="" type="checkbox"/>
John Sulliv	Do. 76	HB 83	<input type="checkbox"/>	<input type="checkbox"/>
Bob Pfa	Code Commission	SB 119	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jack Mayer	" "	SB 131	<input type="checkbox"/>	<input type="checkbox"/>
Dave Cooney	" "	SB 130	<input type="checkbox"/>	<input type="checkbox"/>

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY

ROLL CALL VOTE RECORD

SENATE COMMITTEE STATE ADMINISTRATION

Date Jan. , 1979 HOUSE Bill No. 83 Time _____

In Conference

NAME	YES	NO
Senator Pete Story, Chairman	✓	
Senator George F. Roskie, V. Chairman	✓	
Senator Bob Brown	✓	
Senator A. T. (Tom) Rasmussen	✓	
Senator Patrick L. Ryan	✓	
Senator Greg Jergeson	✓	
Senator William F. Hafferman	✓	

Jennie L. Palmer
Secretary

Pete Story
Chairman

Motion: _____

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

January 23, 1979

MR. President

We, your committee on State Administration

having had under consideration HOUSE Bill No. 33

Respectfully report as follows: That HOUSE Bill No. 33,

Third Reading Bill,

DO PASS

BE CONCURRED IN

ROLL CALL VOTE RECORD

SENATE COMMITTEE STATE ADMINISTRATION

Date Jan. 22, 1979 SENATE Bill No. 28 Time _____

NAME	YES	NO
Senator Pete Story, Chairman	✓	
Senator George F. Roskie, V. Chairman	✓	
Senator Bob Brown	✓	
Senator A. T. (Tom) Rasmussen	✓	
Senator Patrick L. Ryan		✓
Senator Greg Jergeson	✓	
Senator William F. Hafferman	✓	

Jennie L. Palmer
Secretary

Pete Story
Chairman

Motion: _____

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

.....January 23..... 19 23.....

MR.President.....

We, your committee on.....State Administration.....

having had under considerationSENATE..... Bill No. 23.....

Respectfully report as follows: That.....SENATE..... Bill No. 23.....

Introduced Bill,

DO PASS

ROLL CALL VOTE RECORD

SENATE COMMITTEE STATE ADMINISTRATION

Date Jan. 22, 1979 SENATE Bill No. 112 Time _____

2:15 PM

NAME	YES	NO
Senator Pete Story, Chairman	✓	
Senator George F. Roskie, V. Chairman	✓	
Senator Bob Brown	✓	
Senator A. T. (Tom) Rasmussen	✓	
Senator Patrick L. Ryan	✓	✓
Senator Greg Jergeson	✓	
Senator William F. Hafferman	✓	

Jennie L. Palmer
Secretary

Pete Story
Chairman

Motion: _____

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

..... January 23 19 79

MR. President

We, your committee on State Administration

having had under consideration SENATE Bill No. 112

Respectfully report as follows: That SENATE Bill No. 112

Introduced Bill,

DO PASS

ROLL CALL VOTE RECORD

SENATE COMMITTEE STATE ADMINISTRATION

Date Jan. 27, 1979 SENATE Bill No. 119 Time _____

1st Floor

NAME	YES	NO
Senator Pete Story, Chairman	✓	
Senator George F. Roskie, V. Chairman	✓	
Senator Bob Brown	✓	
Senator A. T. (Tom) Rasmussen	✓	
Senator Patrick L. Ryan	✓	
Senator Greg Jergeson	✓	
Senator William F. Hafferman	✓	

Jennie L. Palmer
Secretary

Pete Story
Chairman

Motion: _____

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

.....January 23 19 79.....

MR.President.....

We, your committee onState Administration.....

having had under considerationSENATE Bill No.119....

Respectfully report as follows: That.....SENATE Bill No.119....

Introduced Bill,

DO PASS

ROLL CALL VOTE RECORD

SENATE COMMITTEE STATE ADMINISTRATION

Date Jan. 27, 1979 SENATE Bill No. 130 Time _____
Do Pass

NAME	YES	NO
Senator Pete Story, Chairman	✓	
Senator George F. Roskie, V. Chairman	✓	
Senator Bob Brown	✓	
Senator A. T. (Tom) Rasmussen	✓	
Senator Patrick L. Ryan	✓	
Senator Greg Jergeson	✓	
Senator William F. Hafferman	✓	

Jennie L. Palmer
Secretary

Pete Story
Chairman

Motion: _____

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

January 23, 1977

MR. President

We, your committee on State Administration

having had under consideration Senate Bill No. 130

Respectfully report as follows: That Senate Bill No. 130

Introduced bill,

DO PASS

ROLL CALL VOTE RECORD

SENATE COMMITTEE STATE ADMINISTRATION

Date Jan. 22, 1979 SENATE Bill No. 131 Time 1:00 PM

NAME	YES	NO
Senator Pete Story, Chairman	✓	
Senator George F. Roskie, V. Chairman	✓	
Senator Bob Brown	✓	
Senator A. T. (Tom) Rasmussen	✓	
Senator Patrick L. Ryan	✓	
Senator Greg Jergeson	✓	
Senator William F. Hafferman		✓

Jennie L. Palmer
Secretary

Pete Story
Chairman

Motion: _____

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

January 23 1979

MR. President

We, your committee on State Administration

having had under consideration SENATE Bill No. 131

Respectfully report as follows: That SENATE Bill No. 131

Introduced Bill,

DO PASS

etc

(3)

ROLL CALL VOTE RECORD

SENATE COMMITTEE STATE ADMINISTRATION

Date 01-22-79 Bill No. 1091 Time _____

DO NOT PASS

NAME	YES	NO
Senator Pete Story, Chairman	✓	
Senator George F. Roskie, V. Chairman	✓	
Senator Bob Brown	✓	
Senator A. T. (Tom) Rasmussen	✓	
Senator Patrick L. Ryan	✓	
Senator Greg Jergeson <i>absent</i>		
Senator William F. Hafferman	✓	

Jennie L. Palmer
Secretary

Pete Story
Chairman

Motion: _____

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

.....January 23, 1972.....

MR.President.....

We, your committee onState Administration.....

having had under considerationSENATE Bill No. 21.....

Respectfully report as follows: That.....SENATE Bill No. 21.....

Introduced Bill

~~DO PASS~~ DO NOT PASS

ROLL CALL VOTE RECORD

SENATE COMMITTEE STATE ADMINISTRATION

Date 1-22-77 Bill No. 11 Time _____
(1) Substitute Motion to Discontinue Session until 1978 speaker revision.

NAME	YES	NO
Senator Pete Story, Chairman		<input checked="" type="checkbox"/>
Senator George F. Roskie, V. Chairman		<input checked="" type="checkbox"/>
Senator Bob Brown	<input checked="" type="checkbox"/>	
Senator A. T. (Tom) Rasmussen	<input checked="" type="checkbox"/>	
Senator Patrick L. Ryan		<input checked="" type="checkbox"/>
Senator Greg Jergeson <i>Absent</i>		
Senator William F. Hafferman	<input checked="" type="checkbox"/>	

Motioned

Jennie L. Palmer
Secretary

Pete Story
Chairman

Motion: _____

(include enough information on motion--put with yellow copy of committee report.)

①

ROLL CALL VOTE RECORD

SENATE COMMITTEE STATE ADMINISTRATION

Date Jan. 22, 1979 Senate Bill No. 91 Time _____

② motion to defer action &
ask for filed vote

NAME	YES	NO
Senator Pete Story, Chairman		✓
Senator George F. Roskie, V. Chairman		✓
Senator Bob Brown	✓	
Senator A. T. (Tom) Rasmussen		✓
Senator Patrick L. Ryan		✓
Senator Greg Jergeson ^{5'}	✓	
Senator William F. Hafferman		✓

Filed

Jennie L. Palmer
Secretary

Pete Story
Chairman

Motion: _____

(include enough information on motion--put with yellow copy of committee report.)

SENATE MEMBERS

CARROLL GRAHAM
CHAIRMAN

FRANK HAZELBAKER
VICE CHAIRMAN

PAT BLAYLOCK

PAT M. GOODOVER

DIANA S. DOWLING
EXECUTIVE DIRECTOR
CODE COMMISSIONER

ELEANOR ECK
ADMINISTRATIVE ASSISTANT

ROBERTA MOODY
DIRECTOR, LEGISLATIVE SERVICES



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Helena, 59601

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OSCAR KVAALEN

J.O. LYNCH

ROBERT L. MARKS

H. DAVID COGLEY
DIRECTOR, LEGAL SERVICES

ROBERT PERSON
DIRECTOR, RESEARCH

LC 0034

1979 Legislature
Code Commissioner Bill -- Summary

Sen. Bill No. 130

AN ACT TO GENERALLY REVISE AND CLARIFY THE LAWS RELATING TO MILITARY AFFAIRS AND DISASTER AND EMERGENCY SERVICES; REPEALING SECTIONS 11-4301 THROUGH 11-4304, 77-605, AND 77-606, R.C.M. 1947.

(This summary does not include discussion of routine form or grammatical changes.)

Section 1. 10-2-202. Relocated "after January 31, 1955" to clarify. Added "were honorably discharged" which was inadvertently omitted in 1977 code commissioner bill. An honorable discharge is not the same as separation upon conditions other than dishonorable. That distinction is retained.

Section 2. 10-2-211. Changed "land or naval forces" to "armed forces" to include the air force. In (1) changed "and" to "or" and in (1)(c) added "or". Activation could be for training alone. Arguably, service includes training and "training" could be deleted.

Section 3. 10-2-213. See section 2.

Section 4. 10-2-221. See section 2. Rearranged to clarify. Struck "provided however that such" and "as provided herein" as redundant.

Section 5. 10-2-312. In (2) changed "this section" to "subsection (1)", in (3) inserted "under subsection (1)", and in (5) inserted "under subsection (4)" to clarify term of eligibility for each category of eligible persons.

Section 6. 10-3-602. Added "as provided in Title 2, chapter 16, part 5" and deleted everything after "extended" in subsection 1, to refer to the general method for filling a vacancy in the governorship.

Section 7. Repealer. 11-4301 through 11-4304, R.C.M. 1947. Ch. 335, L. 1977, codified as Title 10, chapter 3, part 4,

SENATE MEMBERS

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FRANK HAZELBAKER
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H. DAVID COGLEY
DIRECTOR, LEGAL SERVICES
ROBERT PERSON
DIRECTOR, RESEARCH

LC 0047

1979 Legislature
Code Commissioner Bill - Summary

Sen Bill No. 131

AN ACT TO GENERALLY REVISE AND CLARIFY THE LAWS RELATING TO HUMAN RIGHTS.

(This summary does not include discussion of routine form or grammatical changes.)

Section 1. 49-1-101. Right of protection from personal injury. Added "other statutes" to clarify. Note that the R.C.M. version read "this code", referring to the Civil Code of 1895.

Section 2. 49-2-101. Definitions. Reworded subsection (3) to clarify. In subsection (8) changed "accommodation" to "accommodations" to clarify. In subsection (10) deleted "mutual" in two places, "cooperative bank", and "homestead association", which are undefined in Montana statutes, and added "investment company", a major category in Montana banking law, to correct an apparent oversight. In subsection (12) added "and" to clarify. In subsection (15) changed "unincorporated employees" to "unincorporated employees' associations" to correct an apparent error. Rewrote subsection (17) to clarify and improve sentence structure.

Section 3. 49-2-202. Authority to require posted notice. Added "or" to correct grammar; added "or institution" to clarify that "education institution" and "financial institution" are included whether or not they are included in the definition of "person".

Section 4. 49-2-301. Retaliation prohibited. In subsection (1) added "educational institution, financial institution, or governmental entity or agency" to clarify and for consistency with the rest of chapter 2; deleted subsection (2) as redundant with subsection (1).

Section 16. 49-3-204. Licensing. See second change in Section 15 (49-3-203).

Section 17. 49-3-205. Governmental services. See second change in Section 15 (49-3-203).

Section 18. 49-3-207. Nondiscrimination provision in all public contracts. Changed "and" to "or" to clarify.

Section 19. 49-3-208. Public accommodations laws. Changed "department, board, or agency" to "governmental agency" for consistent terminology. (See definition in 49-3-101(1)).

Section 20. 49-3-301. Cooperation with commission for human rights. Added "governmental" for consistent terminology (see definition in 49-3-101(1)); changed "request" to "requests" to clarify; deleted "for human rights" as redundant; and changed "education" to "educational" to correct grammar.

Section 21. 49-3-302. Annual reports to governor. Made terminology consistent with definition in 49-3-101(1).

Section 22. 49-4-211. Right to use public places and accommodations. In subsection (2) deleted redundancies and added references to the definitions of the general terms ("common carrier" and "public accommodation") to clarify.

Section 23. 49-4-214. Right to be accompanied by a guide dog. In subsection (1) clarified list of places.

Section 24. 49-4-216. Duty and civil liability of pedestrian or driver approaching blind person. In subsection (1) changed "wholly" to "totally" for consistency with subsection (2). In subsection (2) changed "such pedestrian" to "the totally or partially blind person" to clarify; deleted "accommodations, or conveyances" and "totally or partially blind" as redundant.

Section 25. Repealer. 64-104, R.C.M. 1947. Useless, inaccurate, and obsolete definition of persons of unsound mind.

SENATE MEMBERS

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VICE CHAIRMAN

ET BLAYLOCK

AT M. GOODOVER

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H. DAVID COGLEY
DIRECTOR, LEGAL SERVICES

ROBERT PERSON
DIRECTOR, RESEARCH

LC 0037

1979 Legislature
Code Commissioner Bill -- Summary

Sen Bill No. 119

AN ACT TO GENERALLY REVISE AND CLARIFY THE LAWS RELATING TO AERONAUTICS.

(This summary does not include discussion of routine form or grammatical changes.)

Section 1. 67-1-105. Added "unless otherwise provided", to reflect an exception in chapter 1, part 2; changed "[this act]" to "chapters 1 through 3" to clarify and provide uniformity in application.

Section 2. 67-10-101. Changed "[act]" to "chapter" consonant with the legislative intent expressed in 67-10-104 to make uniform the laws and regulations of this state and of the government of the United States in regard to municipal airports. "Chapter" includes former sections 1-801 through 1-804 and 1-807, in addition to those sections which were part of the "act". However, all of the material in chapter 10, Title 67, deals with municipal airports, so it is appropriate to reference the entire chapter.

Section 3. 67-10-103. See section 2 explanation.

Section 4. 67-10-104. See section 2 explanation.

Section 5. 67-10-201. See section 2 explanation.

Section 6. 67-10-203. See section 2 explanation.

Section 7. 67-10-204. See section 2 explanation.

Section 8. 67-10-207. See section 2 explanation.

Section 9. 67-10-221. See section 2 explanation.

Section 10. 67-10-222. See section 2 explanation.

Section 11. 67-10-231. See section 2 explanation.

Section 12. 67-10-303. See section 2 explanation.

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1979 Legislature
Code Commissioner Bill - Summary

Sen Bill No. 112

AN ACT TO GENERALLY REVISE AND CLARIFY THE LAWS RELATING TO ELECTIONS.

(This summary does not include discussion of routine form or grammatical changes.)

Section 1. 13-2-402. In subsection (4), the language is rewritten to conform to Article IV, section 2, of the Montana Constitution.

Section 2. 13-13-102. In Subsection (3)(b), the list of sections which must be displayed on cards is revised for simplicity. Reference to section 13-35-205 and 13-35-207 were dropped entirely as the offenses which these sections address are not appropriate for voters.

Section 3. 13-13-104. In subsection (1), "a cross (x)" is changed to "an 'x'" for consistency.

Section 4. 13-13-108. Minor changes are made in subsections (3) and (5) for clarity.

Section 5. 13-15-501. In subsection (1), "clerk" is changed to "clerk of the board of county canvassers" for clarity. Chapter 15 deals with the county canvass and the activities of the county board of canvassers.

Sections 6 through 11. 13-16-301, 13-16-304, 13-16-305, 13-16-307, 13-16-402, and 13-16-403. In all sections, references to the county canvassing body are changed to the county recount board for clarity and consistency. Chapter 16 deals with recounts and the activities of the county recount board (see 13-16-101), not the board of county canvassers.