

MINUTES OF MEETING
SENATE JUDICIARY COMMITTEE
March 3, 1981

The thirty-fourth meeting of the Senate Judiciary Committee was called to order by Mike Anderson, Chairman, on the above date in Room 331, at 10:00 a.m.

ROLL CALL:

All members were present except Senator B. Brown, who was excused.

CONSIDERATION OF HOUSE BILL 162:

TO CLARIFY THAT IT IS UNLAWFUL FOR A
PERSON TO DRIVE OR BE IN ACTUAL PHYSICAL
CONTROL OF A MOTOR VEHICLE WHILE UNDER
THE INFLUENCE OF ALCOHOL.

Rep. Gould presented the bill.

Mike McGrath, of the Attorney General's office, spoke in support of the bill and explained that the main problem it addresses is that of an intoxicated person apprehended in a parking lot. Because the parking lot is private property, not a highway, the law is not very specific on how to deal with the situation. Mr. McGrath said that this bill was not aimed at, and would not affect, the party held in a private camper parked on a public campground.

Captain Walt Miller, of the Montana Highway Patrol, pointed out that having the authority to arrest in a parking lot would help prevent the drunken driver from getting onto the highway. He stressed that the intent of the law would definitely eliminate the private party held in a campground.

Also speaking in support of the bill were Tom Honzel, representing the County Attorneys Association; Dan Mizner, Executive Director of the League of Cities and Towns, on behalf of the City Attorneys Association; and Senator Halligan, who presented a letter from the city attorney of Missoula (marked Exhibit A and attached to these minutes).

CONSIDERATION OF HOUSE BILL 138:

PREVENTING THE RELOCATION TO A NON-
CONTIGUOUS SITE OF CERTAIN BUSINESSES
SELLING ALCOHOL IN CLOSE PROXIMITY
TO A CHURCH OR SCHOOL.

Rep. Ellerd, District 75, presented the bill and explained that it had been amended many times. He stated that the purpose is to allow the few establishments currently existing within the six hundred foot limit to a church or school to remodel or move the bar to a new site within the building.

Bill Goggin, owner of the Ranch Motel in West Yellowstone, told of his problem in utilizing an attractive room in his establishment because the room is within six hundred feet of a church. Mr. Goggin left letters in support of his position and passage of the bill (attached Exhibits B through E).

Also speaking in support of the bill were Gordon Fix, owner of Five Valleys Bowling Alley; Dan Mizner, who told of receiving calls from cities across the state where churches have moved in next to bars, which prevents the bars' remodeling; and Rep. Pavlovich, of Butte, who felt that it would be helpful to the city of Butte.

CONSIDERATION OF HOUSE BILL 153:

TO AUTHORIZE THE BOARD OF COUNTY
COMMISSIONERS TO CONSTITUTE A
JUSTICE'S COURT IN CERTAIN CITIES.

Rep. Williams, District 70, presented the bill.

Larry Herman, Mayor of Laurel, presented written testimony, which has been included with the attached testimony sheets.

Walt Menello, a city judge at Laurel for thirteen years, presented written testimony which is attached to these minutes with the testimony sheets.

CONSIDERATION OF HOUSE BILL 220:

TO PRECLUDE CRIMINAL OR CIVIL
LIABILITY OF PERSONS DONATING FOOD,
ETC., FOR FREE DISTRIBUTION.

Rep. Harper, District 30, Helena, presented the bill, describing it as a "good Samaritan effort" to enable food distributors to give away food rather than letting it spoil, without being held liable for damages resulting from simple negligence. He said that similar legislation is now working in fifteen other states, and that this would be a first step in establishing Montana as a link in a food network for distributing excess food to the plates of the poor. He pointed out that food which is no longer salable still might retain its nutrition, and should not go to waste.

Jane Delage, coordinator for Rocky Mountain Development

that in cases where the client cannot afford to pay for a private investigation the state should retain the service. Mrs. Carlson agreed that this should be done.

DISPOSITION OF HOUSE BILL 162:

Senator Halligan moved that the bill BE CONCURRED IN, and his motion carried unanimously. Senator Mazurek moved that it be placed on the consent calendar, and his motion carried unanimously. Senator Halligan agreed to carry the bill.

DISPOSITION OF HOUSE BILL 138:

Senator S. Brown moved that the bill BE CONCURRED IN, and carried by Senator Boylan. His motion carried unanimously.

DISPOSITION OF HOUSE BILL 153:

Senator S. Brown moved that the bill BE CONCURRED IN, and carried by Senator Blaylock, and his motion carried unanimously.

A handwritten signature in cursive script that reads "Mike Anderson". The signature is written in dark ink and is positioned above a horizontal line.

Mike Anderson
Chairman, Judiciary Committee

ROLL CALL

JUDICIARY COMMITTEE

47th LEGISLATIVE SESSION - - 1981

Date March 13, 1981

NAME	PRESENT	ABSENT	EXCUSED
Anderson, Mike, Chr. (R)	✓		
O'Hara, Jesse A. (R)	✓		
Olson, S. A. (R)	✓		
Brown, Bob (R)			✓
Crippen, Bruce D. (R)	✓		
Tveit, Larry J. (R)	✓		
Brown, Steve (D)	✓		
Berg, Harry K. (D)	✓		
Mazurek, Joseph P. (D)	✓		
Halligan, Michael (D)	✓		

Each day attach to minutes.

NAME: Walt Miller

DATE: 5-3-81

ADDRESS: Delena

PHONE: 419-3000

REPRESENTING WHOM? Shaham Dahan

APPEARING ON WHICH PROPOSAL: DB 162

DO YOU: SUPPORT? ✓ AMEND? OPPOSE?

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Tom Honye DATE: 3-3-81

ADDRESS: Helena

PHONE: 443-5584

REPRESENTING WHOM? County of Kern

APPEARING ON WHICH PROPOSAL: 5/162

DO YOU: SUPPORT? ✓ AMEND? OPPOSE?

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

34

NAME: W/ P. GOGGIN DATE: 3-3-81

ADDRESS: P.O. Box 717 West Yellowstone MT 59758

PHONE: 646-7388

REPRESENTING WHOM? SELF

APPEARING ON WHICH PROPOSAL: HB 138

DO YOU: SUPPORT? ✓ AMEND? OPPOSE?

COMMENTS: I AM TRYING TO BE ABLE TO
REMODEL MY BUILDING - BUT I CAN NOT UNLESS
THIS BILL PASSES.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

34

NAME: Gordon J. Fox DATE: 2-3

ADDRESS: 4529 N. Ave

PHONE: 549 6068

REPRESENTING WHOM? 5 valleys Band

APPEARING ON WHICH PROPOSAL: 138

DO YOU: SUPPORT? X AMEND? OPPOSE?

COMMENTS: Support Bill 138

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME:

DATE:

ADDRESS:

PHONE:

REPRESENTING WHOM?

APPEARING ON WHICH PROPOSAL:

DO YOU:

SUPPORT?

AMEND?

OPPOSE?

COMMENTS:

NAME: John H. ... DATE: _____

ADDRESS: 101 N. ...

PHONE: 1-28-8661

REPRESENTING WHOM? City of ...

APPEARING ON WHICH PROPOSAL: LB 115

DO YOU: SUPPORT? ✓ AMEND? _____ OPPOSE? _____

COMMENTS: _____

TESTIMONY BEFORE
SENATE JUDICIARY COMMITTEE
MARCH 3, 1981

Mr. Chairman, Members of the Senate Judiciary Committee:

My name is Larry Herman. I am the Mayor of the City of Laurel.

Housebill No. 153 concerns itself with the justice courts in counties and cities having a population over 5000. The establishment of the justice courts under Housebill No. 153 remains in the discretion of the Board of County Commissioners. Under present statute, the county is limited to the establishment of only two justice courts in a county, one of which must be in the county seat. Housebill No. 153 provides that, in addition, the Board of County Commissioners could establish a justice of peace in each city with a population exceeding 5000, upon resolution of the city requesting a justice of the peace. In addition, Housebill No. 153 provides that the office of city judge and justice of the peace may be combined upon ordinance of the city and county.

Historically a justice court is regarded as of great importance to the people at large, because it opens the door of justice nearer their homes. It not only affords an inexpensive and speedy remedy for minor grievances as to the rights of property, but also renders substantial aid in the prevention and punishment of crime. The elimination of the justice court in each township, as it was under the original Montana Constitution, removes justice from cities within a county not a county seat. It is true that cities have a city court; however, the justice court differs widely in its functions from a city court. The jurisdiction of the city court is limited to: 1) Enforcement of municipal ordinances; 2) Enforcement of state misdemeanors within its city limits where the fine does not exceed \$500 or 6 months in jail; 3) Civil jurisdiction only where the city is a party to the action, and then limited to the sum of \$300.

The city court does not have civil jurisdiction between parties, other than the city, involving minor grievances, i.e. minor debts, landlord/tenant disputes, or property disputes. A city court can not enter a civil judgement except for money owed the city which does not exceed \$300.

The jurisdiction of the justice court is more extensive than a city court and is responsive to both civil and criminal grievances of the people. 1) The justice court has jurisdiction to enforce state misdemeanors where a fine or forfeiture does not exceed \$1500; 2) Enforce state misdemeanors which are punishable by fine not exceeding \$500 or imprisonment not to exceed 6 months in jail; 3) Enter civil judgment not to exceed \$1500 and have concurrent jurisdiction with the district court in forceful entry and unlawful detainer.

The justice court is responsive to the needs of the people by providing inexpensive and speedy remedy from minor grievances in small claims of less than \$750. The Board of County Commissioners can establish a small claims court within the justice court wherein the minor grievances are readily handled without the need of an attorney.

The justice court is not a court of record and has, unlike the city court, countywide civil jurisdiction.

Cities with a population in excess of 10,000 presently can create a municipal court which has concurrent jurisdiction with the justice court within a city. The municipal court, however, is a court of record and more costly to operate than a justice court. There is, however, no provision for cities with a population less than 10,000 in population.

Housebill No. 153 provides a means of establishing a justice court in cities with a population greater than 5000. Under Housebill No. 153 a city and county must both agree to the establishment of a justice court in the city. In addition, the justice court could act as city judge, in which case the cost of the justice court would be proportionately shared between the city and the county.

The City of Laurel is unique in that it has a population of over 5000. The City of Laurel is not a county seat, nor does it have a justice court responsive to the needs of the people. In fact, the City of Laurel is the only city of its size in the state with a population greater than 5000 which is not a county seat. The majority of county seats in the state have less than 5000 population.

Housebill No. 153 would permit the City of Laurel and the County of Yellowstone to jointly establish a justice court.

As a summary, Housebill No. 153 will: 1) Provide responsive justice to the people; 2) Reduce costs of justice by avoiding duplication of services; 3) Provide for the growth of Montana.

It should be stressed that Housebill No. 153 does not automatically establish a justice court in cities greater than 5000. It takes both city and county action. What it does do is provide a mechanism to establish a justice court in cities of a population greater than 5000, when the need arises.

NAME: Art Bunch DATE: _____

ADDRESS: 714 - 2 Ave Larch Mt

PHONE: 628-2982

REPRESENTING WHOM? Rev. William - St. L.

APPEARING ON WHICH PROPOSAL: 175 153

DO YOU: SUPPORT? ☒ AMEND? _____ OPPOSE? _____

COMMENTS: _____

City of Laurel

LAUREL, MONTANA 59044

P.O. BOX 6

PHONE: [REDACTED]

698-8791

CITY COURT

DEPARTMENT

REFERENCE TO HOUSE BILL 153

Mr. Chairman and Members of the Senate Judiciary Committee:

MY NAME IS WALT MENELLO AND I HAVE BEEN THE CITY JUDGE AT LAUREL FOR THE PAST 13 YEARS, 6 OF WHICH HAS BEEN SERVED AS THE J. P. YELLOWSTONE COUNTY, LAUREL TOWNSHIP. ABOUT 6 YEARS AGO A CHANGE IN THE LAW ELIMINATED THE J.P.'S IN TOWNSHIPS BUT CREATED SMALL CLAIMS COURTS. THIS CHANGE, IN EFFECT, INCREASED THE CASE LOAD AND REDUCED THE NUMBER OF JUDGES TO HANDLE IT. THE PRESENT LAW ALLOWS ONE JUDGE TO PRESIDE AT THE COUNTY SEAT AND A SECOND ONE IF APPROVED BY THE COUNTY COMMISSIONERS TO PRESIDE AT ANOTHER LOCATION WITHIN THE COUNTY. HOWEVER, DUE TO THE HEAVY CASE LOAD IN THE JUSTICE COURT, THE COMMISSIONERS DECIDED TO LOCATE BOTH JUDGES AT THE COUNTY SEAT IN BILLINGS. IN VISITING WITH THESE JUDGES AT SOME OF OUR TRAINING SESSIONS, THEY ADVISE THAT THEY ARE VERY BUSY. AS MATTER OF FACT THEY REQUESTED AN ADDITIONAL COURTROOM WHICH WAS DENIED BY THE COMMISSIONERS NOT BECAUSE THE NEED DID NOT EXIST BUT BECAUSE THEY DID NOT HAVE THE SPACE FOR IT. WE CAN FILL THIS NEED IN LAUREL SINCE A NEW FACILITY WAS COMPLETED IN OCTOBER OF LAST YEAR.

AT THE TIME I WAS SERVING AS J.P. IN THE TOWNSHIP. I PROCESSED ABOUT 150 CITATIONS A MONTH FROM ALL ENFORCEMENT AGENCIES. A FEW DAYS AGO I HAD THE OCCASION TO CALL THE G.V.W. SCALES WHICH

City of Laurel

LAUREL, MONTANA 59044

P.O. BOX 6

PHONE: [REDACTED]

698-8791

CITY COURT

DEPARTMENT

REFERENCE TO HOUSE BILL 153

PAGE TWO - CONTINUED

ARE LOCATED JUST 3 MILES EAST OF LAUREL AND THEY INFORM ME THAT THESE STATIONS ALONE WRITE BETWEEN 100-125 CITATIONS A MONTH. THIS WILL GIVE YOU SOME IDEA OF THE GROWTH FACTOR. THE ENFORCEMENT AGENCIES FOUND IT CONVENIENT TO COME TO LAUREL WITH THEIR VIOLATIONS AND WE HAD A GOOD RELATIONSHIP WITH THEM BUT THE REAL REASON WHY I THINK WE SHOULD GIVE THE YELLOWSTONE COUNTY COMMISSIONERS THE OPTION TO CONSTITUTE A JUSTICE COURT IN LAUREL IS FOR THE CONVENIENCE OF THE PUBLIC, ESPECIALLY IN THE AREA OF CIVIL CASES. LAUREL IS UNIQUE TO HAVE A POPULATION OVER 8000 IN ITS JURISDICTIONAL AREA LOCATED JUST 13 MILES FROM THE COUNTY SEAT OF BILLINGS. I BELIEVE GIVING THE COMMISSIONERS AUTHORITY TO ESTABLISH A JP COURT IN LAUREL IS A WORTHWHILE CONSIDERATION. THANK YOU LADIES AND GENTLEMEN.

24

NAME: Tone Deane DATE: 3/5/81

ADDRESS: Box 221 Hiram

PHONE: 402-552

REPRESENTING WHOM? Community and Home Visitation Project

Rocky Mountain Development Council
APPEARING ON WHICH PROPOSAL: 44-225

DO YOU: SUPPORT? X AMEND? OPPOSE?

COMMENTS: They are looking for ways to increase the
employment of handicapped people. This would increase
the self-esteem and confidence of many
handicapped people.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Jim Jensen DATE: 3-3-81

ADDRESS: Helena

PHONE: 443-1630

REPRESENTING WHOM? LISCA

APPEARING ON WHICH PROPOSAL: HB 220

DO YOU: SUPPORT? X AMEND? _____ OPPOSE? _____

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

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NAME: Mike Mayo DATE: 3/3/81

ADDRESS: Securities Bldg, Hw.

PHONE: 442 2442

REPRESENTING WHOM? Mont. Trial Lawyers Assoc.

APPEARING ON WHICH PROPOSAL: HB 220

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? ☒

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

(34)

NAME: JUDITH H. CARLSON DATE: 3/3/81

ADDRESS: 111 No SANDERS

PHONE: 5622

REPRESENTING WHOM? SIRS

APPEARING ON WHICH PROPOSAL: HB 246

DO YOU: SUPPORT? X AMEND? OPPOSE?

COMMENTS: SEE ATTACHED

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

Testimony on H. B. 246 - An Act to Delete Reference to the
County Welfare Department as a Potential Investigator in Custody Disputes

The Department of Social and Rehabilitation Services requested introduction of this bill. Its purpose is to assist the department in making the best use of the time of county social workers. Because the county welfare department is mentioned in the statutes, many attorneys throughout the state recommend to judges that the social worker be the investigator in custody disputes - regardless of the income of the parents. As a result, publicly supported social workers are spending alot of time doing work for attorneys and judges which could be paid by the private parties involved. Most cases of disputed custody arise in middle and upper income families. Sometimes, though seldom, low income families do have disputes over which parent will have custody, but more than likely the issue of custody is settled prior to acourt action.

What is the extent of this problem? We cannot say for sure on a statewide basis. Some courts do not use county social workers for these investigations at all. Others use them extensively. For example, we know that in Gallatin County there are 50-60 court-ordered investigations a year. The time involved is roughly 15-20 hours per investigation resulting in one-half time for one social worker. In Missoula County last year there were 24 court-ordered investigations or roughly one-fourth of a social worker's time. In lewis and Clark County, one social worker has been assigned full time for custody dispute investigations.

Why do we have to come to the Legislature with what seems to be an internal management problem? As long as the county welfare is mentioned as a potential investigator in the statutes, attorneys will continue to make recommendations to judges for these investigations because they save their clients money and it is an easy way out. Even though, with passage of this

H. B. 246

law, judges could continue to order an investigation by a county social worker, it would be less likely. And as long as it is spelled out that the court may order investigations to be paid by the parties involved, they would be more likely to do so.

If county social workers don't do the investigations, who will? This problem is most prevalent in the more urban counties. There are other people in those counties who are qualified by profession to do investigations - persons in private practice, college professors, clergy or psychologists, as well as social workers. SRS is willing and able to furnish lists to the court of persons we consider qualified. Those persons would then be paid directly by the parents according to the final court order.

In these days of belt-tightening, of making the very best use of the limited staff we have, we need to look at every way to use that staff on the most critical social problems. The number one priority of the department for its social work staff has to be the protection of children, the disabled, and the elderly - persons for whom the state has a clear responsibility, persons who have no one else to protect them. The less time devoted to situations which could be handled by someone else in the private sector, the more time we will have to carry out our primary responsibility.

The Department of Social and Rehabilitation Services urges your favorable consideration of this bill.

Judith H. Carlson
Deputy Director

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TO: LEGISLATORS

FROM: JIM NUGENT, MISSOULA CITY ATTORNEY

RE: HOUSE BILL NO. 162

DATE: JANUARY 15, 1981

Dear Legislators:

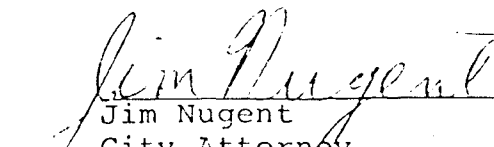
The City of Missoula supports House Bill No. 162 which is intended to clarify that it is unlawful for a person to drive or be in actual physical control of a motor vehicle anywhere within this state while under the influence of alcohol.

This bill recognizes that the dangerous menace imposed by the driver under the influence of alcohol exists whether the property on which he or she is driving or in control of a motor vehicle is publicly owned or privately owned. House Bill No. 162 allows law enforcement officials to prosecute drivers under the influence of alcohol who are operating a motor vehicle on all property, including the following properties: parking lots, shopping centers, service stations, drive-in banks, drive-in title insurance companies, drive-in fast food services, etc.

Pursuant to existing law, as a result of a 1979 legislative amendment, law enforcement officials may only prosecute drivers under the influence of alcohol who are driving upon the highways of this state. Thus, pursuant to existing law, if a driver under the influence of alcohol is discovered with his vehicle in the ditch, or in someone's yard, or crashed into someone's house or other building, or in a parking lot, etc., the driver cannot be prosecuted for driving under the influence of alcohol unless there are witnesses who saw the individual operating the vehicle on the highway or the driver admits operating the vehicle upon a highway.

House Bill No. 162 is a good bill because it allows the regulation of drivers under the influence of alcohol who are operating their motor vehicles on property other than a public highway. Individuals under the influence of alcohol who are either operating or who are in control of a motor vehicle are a serious threat to life and property no matter where they are operating the motor vehicle. Therefore, I strongly urge each of you to support and vote for House Bill No. 162.

Yours truly,



Jim Nugent
City Attorney

JN/jd

Sheet B

COMMUNITY PROTESTANT CHURCH

(United Presbyterian)

Telephone:

Home: (406) 646-9334

Office: (406) 646-7509

P. O. Box 255 277

West Yellowstone, Montana 59758

Reverend ~~Larry E. Kunter~~
Iain Wilson

Year Around Ministry
To Serve You



March 2, 1981.

TO WHOM IT MAY CONCERN

This will confirm that the Session of the Community Protestant Church (United Presbyterian), of West Yellowstone, Montana, meeting on January 19, 1981, agreed unanimously that there is no objection on the part of the Church to the removal of the license privileges from one part of the Ranch Motel, West Yellowstone, to another part of the Motel buildings.

Iain Wilson

Iain Wilson, Minister.

Exhibit C

West Yellowstone, Montana Chamber of Commerce

P.O. Box 458 West Yellowstone, Montana 59758 • (406) 644-7528

Jan. 10, 1981

TO: Montana House of Representatives

Dear Sirs:

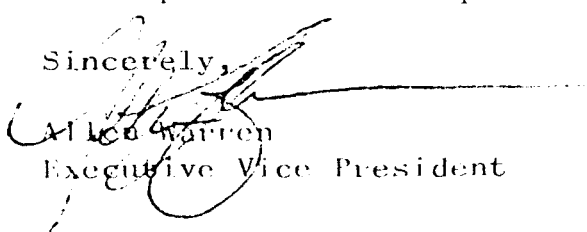
The Chamber of Commerce of West Yellowstone strongly supports Mr. Goggin's request to be able to use his liquor license in his upstairs club room as well as the bar downstairs.

The Ranch is one of our finest dining establishments and the undue hardship imposed upon it by "the letter of the law" seems highly unreasonable.

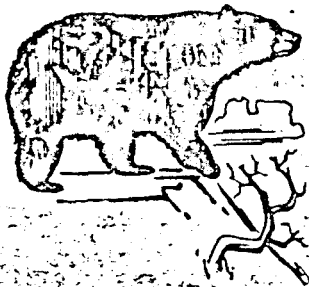
To be able to serve alcoholic beverages in one part of an establishment and not in another under the same roof makes no sense at all.

The City of West Yellowstone will benefit from more frequent and easier use of the room in question since it will provide our tourist industry with another first class facility for small parties and banquets.

Sincerely,


Alice Warren

Executive Vice President



WEST YELLOWSTONE POLICE DEPARTMENT

January 16, 1981

To Whom It May Concern:

It has been brought to my attention that the "Ranch Motel, Restaurant and Lounge" has requested a variance in the regulations concerning the distance a liquor establishment may be located in relationship to a House of Worship, School etc.

The Ranch presently operates a Lounge within the allowable distance. The owner, Mr William Goggin, is asking to be allowed to move his license from the lower floor lounge upstairs to a proposed new lounge. As the Police Chief of West Yellowstone I can see no problem with his proposal. The upstairs location would keep the license within the Police Departments regular beat as required.

I have known Mr. Goggin for almost a year and find his present operation a very "clean" one as far as the Police Department is concerned. Mr. Goggin has always been very co-operative with law enforcement in West Yellowstone. The Police Department is seldom called on any matters which require Police attention as Mr. Goggin's establishment draws a more mature crowd and his employees handle operations always in a professional manner. Since my appointment as Police Chief in May 1979 we have not had a single complaint involving noise or disturbance called in by neighbors of the Ranch.

I am sure if the variance were allowed Mr Goggin's establishment would continue to operate as in the past, with no foreseeable problems for law enforcement. Thanking you in advance for considering my views, I remain:

Respectfully,

Craig Mathews, Chief of Police

TOWN OF WEST YELLOWSTONE

Box 579

WEST YELLOWSTONE, MONTANA 59758

Telephone 406 646-7795

Exhibit E

January 15, 1981

Re: To amend the law in support of having a lounge
within 600 feet of a church.

To whom it may concern:

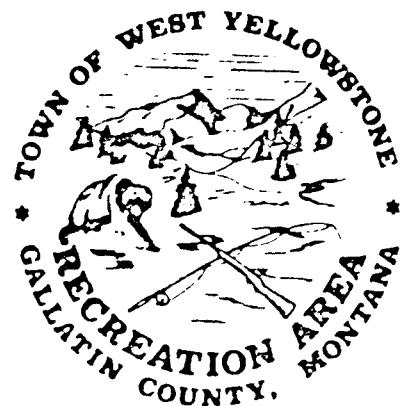
This letter is to express the opinion of the Town of West Yellowstone, favoring a change in the current Montana Law, which would provide anyone holding a liquor license for a lounge, may move the location of their lounge, within the same building, even if it is within 600 feet of a church.

West Yellowstone is a unique resort community and the entire townsite is considered commercial. Therefore, we feel that any restrictions regarding a liquor license or a lounge location are not necessary due to the nature and status of Town.

The Town would appreciate your consideration in changing the law that would allow a lounge to be within 600 feet on a street where there is a church.

Sincerely

Lawrence Binfet
Lawrence Binfet, Mayor



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Friendship Center of Helena, Inc.

Jill Kennedy, Director

Exhibit F

442-6800

"Maybe We Can Help You . . . Give Us a Try"

1503 Gallatin
Helena, Montana 59601

March 3, 1981

To: Senate Judiciary Committee
Mike Anderson, Chairman

From: Friendship Center of Helena, Inc.
Linda Erickson, Assistant Director

Topic: HB 220

Friendship Center of Helena, Inc. wishes to urge your support of HB 220.

One of the Center's primary services is distributing emergency food orders to families in need. Last year, 461 families were served a three days supply of food. This included 788 adults and 975 children. To maintain this program, we rely heavily on food donations from the community. With passage of HB 220, our food supply would be allowed to greatly increase, thereby supplementing the food orders that we distribute.

Again, we strongly urge your support of HB 220.

DATE March 3, 1981

HB 138 COMMITTEE ON JUDICIARY

HB 153 HB 220

HB 162 HB 246

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppo
W. Boyer	Self	138	✓	
Robert Carruthers		162		
Reginald Black	Self	162-220	✓	
David Kane	Self	162-220	✓	
James Wilkins				
Carolyn Jones				
David M. Martin	Mont League of Women	138 162	✓	✓
Susan Kaper	Montana Democrats			
Helen Johnson	Bozeman			
Garnett Wyman	"			
Linda Whitman	Self			
Therese Stuckey	Self			
Shirley Shier	Self			
Mike M. Gert	ATTY GEN OFFICE	162	X	
Sue Quigley	Self			
Margaret Davis	W of Montana	HE 153		

STANDING COMMITTEE REPORT

March 3 19 21

MR. PRESIDENT:

We, your committee on JUDICIARY

having had under consideration HOUSE Bill No. 153
Williams (Elaylock)

Respectfully report as follows: That HOUSE Bill No. 153

DO PASS
BE CONCURRED IN

STANDING COMMITTEE REPORT

March 3 1991

MR. PRESIDENT:

We, your committee on JUDICIARY

having had under consideration HOUSE Bill No. 162

Gould (Malligan)

Respectfully report as follows: That HOUSE Bill No. 162

A MOTION WAS MADE AND PASSED UNANIMOUSLY TO PLACE HOUSE BILL 162
ON THE CONSENT CALENDAR.

BE CONCURRED IN
DO PASS

STANDING COMMITTEE REPORT

March 4, 19 91

MR. PRESIDENT:

We, your committee on JUDICIARY

having had under consideration HOUSE Bill No. 301

MATSKO (O'HARA)

Respectfully report as follows: That HOUSE Bill No. 301

be amended as follows:

1. Page 2, line 24.
Following: "mischief"
Strike: "shall"
Insert: "may"

And, as so amended,

~~DO PASS~~
BE CONCURRED IN

JRF

STANDING COMMITTEE REPORT

March 3, 1961

MR. PRESIDENT:

We, your committee on JUDICIARY

having had under consideration HOUSE Bill No. 138

Ellers (Coyle)

Respectfully report as follows: That HOUSE Bill No. 138

~~DO PASS~~
BE CONCURRED IN

30

34