

MINUTES OF THE MEETING  
JUDICIARY COMMITTEE  
50TH LEGISLATIVE SESSION  
HOUSE OF REPRESENTATIVES

January 13, 1987

The meeting of the Judiciary Committee was called to order by Chairman Earl Lory on January 13, 1987, at 8:00 a.m. in Room 312-D of the State Capitol.

ROLL CALL: All members were present with the exception of Rep. Grady who was excused.

HOUSE BILL NO. 77: Rep. Jan Brown, District No. 46, Helena, stated in 1975, federal legislation was passed, part of the Social Security Act. It provided for child support enforcement. In Montana, these duties are carried out through the Department of Revenue. This bill allows a paternity action to be brought by a state agency until the child attains the age of majority but would limit the recoupment of the public assistance payments.

PROPOSERS: John McRae, Staff Attorney for the Child Support Enforcement Program with the Department of Revenue, stated the U.S. Supreme Court and the Montana Supreme Court has held that the two year statute of limitations is unconstitutional as applied in the Uniform Maternity Act. It violates the rights of the child to find who the father is. As a result of the Supreme Court decision, states have reassessed statute of limitations around the country. Some have removed them all together and some have extended the time periods. He stated the Montana Supreme Court, in throwing out the statute of limitations, held that the state limitations did apply to actions being brought by a state agency. Because of decisions like the state of Montana made in extending the statute of limitations rather than removing them, Congress passed a requirement that as a condition of A.F.D.C. benefits, the state must establish paternity at any time up to the child's age of majority. The office of child support in the Department of Health and Human Services, have declared that Montana is not in compliance with the child support enforcement amendments of 1984. This bill changes the language around, somewhat, by stating the paternity can be established at any time until the child's majority, but liability for the past expenses are limited to the two years prior to commencement of the action. This way the federal requirements are met because paternity is established without any limitations and the liability is taken care of. He urged passage of this bill.

PROPOSERS: Antonina Vaznelis, attorney from Helena, submitted written testimony stating the Department of Revenue has proposed amendments to bring the UPA in line with federal requirements that permit paternity to be established at any time prior to a child's 18th birthday. The UPA, as written, assumes only the DOR will prosecute paternity actions. She further stated this is not always so. (Exhibit A). She also submitted amendments proposing the UPA be amended. (See Exhibit A). Ms. Vaznelis closed by saying she hoped the legislature would act soon so mothers have the option to fight for child support, whether the state agrees to represent them or not.

Sandy Chaney, representing the Women's Lobbyist Fund, submitted written testimony in support of HB #77, 78 and 79. (Exhibit B). The lobbyist fund views these bills to be a laudable effort to combat the serious problem of non-payment of child support orders. Lack of child support places women on welfare; lack of child support forces female heads-of-families into poverty.

No further proponents and no opponents.

QUESTIONS (OR DISCUSSION) ON HOUSE BILL NO. 77: Chairman Lory asked Rep. Jan Brown about the immediate effective date on the fiscal note. Rep. Brown asked John McRae to address this and stated the bill does need amending. Mr. McRae stated there is proposed language to amend the bill providing for an effective date. He submitted an amendment. (Exhibit C). He also proposed to amend the title so an immediate starting date would be reflected.

Rep. Cobb asked Mr. McRae how much money would be lost if this bill is not passed. Mr. McRae referred to Glenn Truglio to explain Federal Sanctions since he is the regional representative for the federal child support office from Denver, Colorado. He stated Montana could lose 2 1/2 million dollars.

Rep. Rapp-Svrcek questioned Mr. Harrington, the program director, on what the total child support budget program would come to per year. Mr. Harrington stated 70% of the budget is funded by the Federal Government and 30% is funded by the General Fund. The total comes to 1.6 million dollars.

Rep. Miles asked Mr. Truglio for confirmation of acceptance by the Federal Government for this kind of language. She stated Mr. Truglio seems to have concerns for paternity actions being taken, but that he is not concerned about arrearage payments. Mr. Truglio said the language would be

sufficient and the Federal Government is not concerned with the payment issue per se.

Rep. Cobb questioned the two year statute of limitations by asking Mr. Truglio if he cared what was done with the statute in terms of holding the obligator responsible for a set amount of payment. Mr. Truglio said the government did not care what year or amount was established.

Rep. Mercer asked Mr. Truglio what the purpose was behind the Federal Government telling us what to do. Mr. Truglio explained the purpose and the concern of the department was the child. The child needs to have paternity established for many reasons. One reason is in case the father should die. If the father is a veteran, there are all kinds of governmental benefits the child would accrue. It is critical when a case comes to the agency, that paternity be pursued to insure the child's future rights are protected.

Rep. Jan Brown closed the hearing on HB #77.

HOUSE BILL NO. 78: Rep. Jan Brown, District No. 46, stated this bill permits the attachment of Workers' Compensation benefits for the payment of child support obligations.

PROPOSERS: John McRae, Department of Child Support Enforcement Program, explained this bill is probably one of the most important bills for the department in terms of financial aspects. He stated since 1985, the department has identified 52 cases where children have received A.F.D.C. payments and the fathers were receiving, at the same time, Workmans' Compensation benefits. In these 52 cases, the state had paid out over \$170,000.00 worth of benefits. These were paid without any ability to recoup the benefits from the father. The 52 cases referred to, have been tracted as a pilot suggestion. Out of all the cases, this is money children are being deprived of and the taxpayers of the state of Montana are being deprived of. There is a real distinction between a married and a divorced parent. He stated the taxpayers of Montana are not only funding, in part, the Workmans' Compensation program, but also, in part, are funding the A.F.D.C. programs. Since the intent of Workmans' Compensation is to provide for children, and the A.F.D.C. is to provide for children, we are duplicating the benefits. Not all the funding is necessarily going to those children. This bill will allow the change in Workmans' Compensation money to be attached, or garnished, for the purpose of child support.

Sandy Chaney, Women's Lobbyist Fund, stated her support. (See Exhibit B-HB #77).

OPPONENTS: George Wood, Executive Secretary of the Montana Self Insurers Association, stated he did not object to the philosophy of the bill, but the mechanics give him difficulty. He explained the maximum amount currently for a man injured and drawing benefits, is \$299.00 a week. He has to make \$450.00 a week in wages to qualify for this amount. Under this bill, the man's income would be reduced to \$149.50 a week which is the amount he would have to live on. Mr. Wood stated there would be no objections to this if we were required to pay to the Department of Revenue, or to the court. We could then pay the check to them and they could disperse the money. Otherwise, we become a collection agency. He also stated that Section C of the bill states the agency is entitled to a maximum of 50% of any lump sum and we have no way of knowing how much of the 50% is due to them. It is a matter of mechanics. That is, if we were to pay the amount, even the lump sum, the other assignments due, under the act, are due from the lump sum and not from the current weekly benefits.

No further opponents.

QUESTIONS (OR DISCUSSION) ON HOUSE BILL NO. 78: Rep. Gould asked Mr. McRae what was the difference between this bill and the bill that was killed last session. He stated this bill is a little more detailed than the last provision. This bill provides a floor and a ceiling.

Rep. Rapp-Svrcek asked Mr. McRae if a person was entitled to a hearing before the agency, who would garnish his or her wages. Mr. McRae answered in the Income Withholding Act, passed last legislature, the individual is sent a notice informing him of the alleged amount due in current support and the amount of arrearages. Based on that information, he has the opportunity to contest, in a hearing, the accuracy of the amount.

Rep. Cobb asked Mr. McRae if any of the lump-sum money was not used up, would it be given back to the worker. Mr. McRae stated the garnishment would be for the amount due in arrearages.

Rep. Eudaily had a question regarding the fiscal note. He asked Mr. McRae if part of the garnishment money would be taken out and put into the federal fund and part of it would be put into the general fund. Mr. McRae referred the question to Mr. Harrington who is the Chief of the Investigation Enforcement Bureau of the Department of Revenue. Mr. Harrington stated the money received from A.F.D.C. is paid back in the same proportion in which the initial A.F.D.C. dollar went out. Rep. Eudaily then asked if this would go back into the federal fund account. Mr. Harrington stated

once the money is collected, it is distributed to S.R.S. and eventually put back into the A.F.D.C. pool, then distributed.

Rep. Jan Brown stated, in closing, the department added a technical amendment on page 2, line 1. (Exhibit A). The words "wage loss compensation" were added. She then closed the hearing on HB #78.

HOUSE BILL NO. 79: Rep. Jan Brown, District No. 46, stated House Bill No. 79 authorizes the Department of Revenue to establish and enforce health insurance coverage. It will help achieve cost effectiveness and compliance with the federal standards. The administrative process will then be able to work faster. A penalty of \$100.00 has been put in because it will give the department a tool for enforcement. He explained the parent will be charged for each month he does not maintain the insurance. The penalty fine will go back into the general fund to replace any Medicaid expenditures. The obligated parent will have some protections in the form of a hearing to show he did maintain the insurance. He emphasized the primary purpose is not to penalize but to get compliance with the insurance orders.

Sandy Chaney, Women's Lobbyist Fund, spoke in support of this bill. She stated that lack of child support places women on welfare; lack of child support forces female heads-of-families into poverty. She added that an additional responsibility in the care of children is health insurance. The cost of providing adequate health insurance coverage, however, is prohibitive for women with only poverty-level incomes. HB #79 will help to guarantee needed health insurance for children in child support cases.

Wilbur Rehmann, representing himself, stated he is a single parent and he supports HB #77, 78 and 79.

No further proponents and no opponents.

QUESTIONS (OR DISCUSSION) ON HOUSE BILL NO. 79: Rep. Addy questioned if this bill was in addition to all the other bills. He felt garnishing the wages, attaching the Workers' Compensation benefits and requiring health insurance is not balancing the means of the families. Mr. McRea informed Rep. Addy that health insurance requirements are in current law. The law states when insurance is reasonably available to the person through his employer or an organization, that is where the requirement is based.

Rep. Mercer asked Mr. Truglio if we are required by the federal government to mandate the health insurance as provided in HB #79. Mr. Truglio answered "yes".

Rep. Cobb asked Mr. McRea if the main reason for the bill had to do with department attorney shortage and was this an administrative way of taking care of the problem. Mr. McRea stated the main reason is not the insurance. The insurance is already taken care of and provided by a section of law, 40-04-204, sub-part three. The department is asking for a mechanism to enforce that law.

Rep. Jan Brown closed the hearing on HB #79.

HOUSE BILL NO. 81: Rep. Jan Brown, House District #46, Helena, stated House Bill No. 81 clarifies administrative support orders established by the Department of Revenue may not be retroactively modified.

PROPOSERS: John McRea, Department of Revenue, Child Support Enforcement Program, stated a need exists to amend section 40-5-227 and unless this amendment is made, Montana may be subject to federal sanctions. Interstate cases that are subject to retroactive modifications are not recognizable under the full faith and credit clause of the U.S. Constitution and therefore, when an order is sent to another state to be enforced, it is not acted upon or recognized because it is not a final order. He stated the language referring to the default orders needs to be stricken and with that, Montana would be in full compliance with the Budget Reconciliation Act.

No further proponents and no opponents.

Rep. Jan Brown closed the hearing on HB #81.

HOUSE BILL NO. 82: Rep. Jan Brown, sponsor, stated House Bill No. 82 clarifies the rights of the Department of Revenue and recipients of public assistance regarding assigned support rights.

PROPOSERS: John McRea, representing the Child Support Enforcement Program, Department of Revenue, stated the process of the child support program has worked well but problems have developed over the years. One of the problem areas is when a recipient assigns the support and eventually loses interest in the support obligation. When a recipient knows the A.F.D.C. money is coming in on a regular basis, they do not care if the obligator pays the full amount of support money or not. They often enter into modification agreements that sometimes totally terminate the individual support obligation and sometimes all the arrears are waived. The result of all these modification efforts are to frustrate the state effort to reimburse itself for A.F.D.C. that is being paid out. The department must then go to the court system to straighten these situations out and the problem

with the court system is that the court system is not sure of what the status of this assignment law is. The particular law that is being drafted here is to make it clear what is being assigned is the right and not just the money. It makes it clear that if someone attempts to modify it, the modification attempt will be invalid. If someone does attempt modification, it will make it easier for us in the District Courts to have these set aside. It would be a form of a summary judgement process. Within the last year, there has been 11 cases, whereby, approximately \$75,000.00 support arrears was compromised by these modification attempts. He said out of the assigned money, the department retains only the A.F.D.C. reimbursement and the department only operates under the assigned regulations of the federal government.

No further proponents and no opponents.

QUESTIONS (OR DISCUSSION) ON HOUSE BILL NO. 82: Rep. Eudaily questioned Mr. McRae on what the words, "the department" refers to on page 3, line 22. Mr. McRae stated this section is found under title 53, which is in reference to the Department of SRS. Rep. Eudaily pointed out this is one of the corrections made in the Code Commissioners bill this session. The Code Commissioners recommendation was this must be specific.

Rep. Cobb stated two years ago, the committee voted to make the department an enforcer and collector. Now, it appears we are making the department a judge and a prosecutor all at the same time. Mr. McRae stated since 1979, the department has had administrative powers to hold hearings in front of a hearings examiner who, in effect, is a judge.

Rep. Mercer asked Mr. McRae what do we have to do to be in conformity with the federal law. Mr. McRae stated currently, in the Montana law, there is no definition for assigned amounts and the department has looked towards the federal law which says, in essence, we can retain out-of-the arrears sufficient amounts to reimburse A.F.D.C. Rep. Mercer asked him if we are required to pass this bill in order to be eligible for federal funds. Mr. McRae answered by saying, "no".

Rep. Jan Brown closed the hearing on HB #82.

EXECUTIVE SESSION:

ACTION ON HOUSE BILL NO. 77: Rep. Eudaily moves to amend the effective date. All members voted in favor of the amendment. The motion carried unanimously. Rep. Addy moved DO PASS AS AMENDED. A voice vote was taken and the motion carried unanimously.

ACTION ON HOUSE BILL NO. 81: Rep. Hannah had questions regarding a respondent missing a court hearing which was a provision the legislature put in last session. He stated he wondered if this provision was taken out now, what jeopardy are we going to be in with the federal government. He felt the provision should be left the way it is. Rep. Mercer pointed out if we allow a district court to modify it, we are going to be in compliance with the federal program. Rep. Gould commented when we talk about losing federal money, we should consider the certificate of need legislation which came about years ago when the federal government said any state that did not pass the certificate of need legislation would lose federal help dollars. In 1981, they said if we do not strengthen the laws on this certificate, we would lose federal health dollars. We had two bills, one to abolish and one to strengthen the certificate of need. The legislature killed both bills. Many threats are just threats. Rep. Hannah stated this is a bad piece of legislation and moved to DO NOT PASS. Rep. Mercer stated this is one area that is not worth taking a risk and losing federal government funding. Rep. Brown made a substitute motion to DO PASS. Chairman Lory asked the staff attorney, John MacMaster, if an amendment needed to be made regarding a new section dealing with rule making authority. Mr. MacMaster stated there is a difference between district court review of an administrative order and district court modification of an administrative order. He further explained that subsection two on page two talks about an administrative order being filed with the court and later on the court can modify that order probably because of changed circumstances. Most administrative orders are subject to some kind of a court review. It is not a matter of modifying the order, it is a matter of reviewing the order to see if the order is proper. Under the current law, we do not have district court review of that administrative order to see if it was properly decided unless, under current law, the order has been entered by non-appearance or default on the part of the responsible parent. If this language is taken out, there will be district court review of any administrative order, but there will be the chance to get district court modification of that order later on. Rep. Addy spoke against the motion stating that if someone can not make it to a hearing, we must look at what priority this person places on this issue. If a serious reason exists to miss a hearing, another one will be set. Rep. Giacometto moved to amend the bill. A voice vote was taken with all but two members voting in favor of the amendment. Rep. Brown made a substitute motions of DO PASS AS AMENDED. A voice vote was taken with all members favoring the motion with the exception of Rep. Gould and Rep. Hannah. HB #81 DO PASS AS AMENDED.



ADJOURNMENT: There being no further business to come before this committee, the hearing was adjourned at 11:00 a.m.

A handwritten signature in cursive script, reading "Earl Lory". The signature is written in dark ink and is positioned above a horizontal line.

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Earl Lory, Chairman

DAILY ROLL CALL

JUDICIARY

COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date Jan 13, 1987

NAME	PRESENT	ABSENT	EXCUSED
EARL LORY (R)	✓		
JOHN MERCER (R)	✓		
KELLY ADDY (D)	✓		
DAVE BROWN (D)	✓		
TOM BULGER (D)	✓		
JOHN COBB (R)	✓		
FRITZ DAILY (D)	✓		
PAULA DARKO (D)	✓		
RALPH EUDAILY (R)	✓		
LEO GIACOMETTO (R)	✓		
BUDD GOULD (R)	✓		
ED GRADY (R)		✓	✓
TOM HANNAH (R)	✓		
VERNON KELLER (R)	✓		
AL MYERS (R)	✓		
JOAN MILES (D)	✓		
PAUL RAPP-SVRCEK (D)	✓		
BILL STRIZICH (D)	✓		

ANTONINA VAZNELIS

ATTORNEY AT LAW  
1085 HELENA AVENUE  
HELENA, MONTANA 59601

(406) 442-3625

EXHIBIT A  
DATE 1-13-87  
HB # 77

January 13, 1987

Judiciary Committee  
House of Representatives  
Capitol Building  
Helena, MT 59624

RE: HB 77  
Uniform Parentage Act

Dear Committee Member:

I am a local attorney in private practice and a former teenage mother and AFDC recipient. I have both a personal and professional interest in the way the Uniform Parentage Act (UPA) works.

The Department of Revenue has proposed amendments to bring the UPA in line with federal requirements that permit paternity to be established at any time prior to a child's 18th birthday. The UPA, as written, assumes that only the DOR will prosecute paternity actions. That is not always so.

In my short six months of private practice, I have been involved in three UPA cases: (1) As court-appointed guardian ad litem in an on-going paternity case prosecuted by DOR on behalf of an AFDC mother; (2) private counsel for a middle-class, working mother in a case where the father had admitted paternity, had his name placed on the birth certificate, and entered into a custody agreement with the mother when the child was an infant. However, no child support was ever ordered or paid. As the child gets older, he becomes more expensive to support and the mother wants the father to help; (3) private counsel for an AFDC mother defending against a father's demand for sole custody.

This third case is the reason I am writing to you. The mother had been working with DOR, which was attempting to negotiate a child support agreement with the putative father in Great Falls. The blood tests came back with a 99.16% probability of paternity. The father is employed full time by Cascade County with a good salary. He has seen the child only once -- when blood was taken for testing in May.

In November, he filed a Petition for Sole Custody in the Great Falls District Court. The mother cannot afford to travel to Great Falls, much less hire an attorney. DOR will not represent her on the issues of venue, custody or visitation. DOR has statutory authority to address the issues of paternity and child support only.

I agreed to represent her because I recognized her helplessness and because I was angered by the father's legal maneuvering and attempts to intimidate this mother into abandoning her child's claim for support. I have done hundreds of dollars of work and have been paid \$10.00. As a new lawyer, I cannot afford to do much pro bono work. As a former AFDC recipient, however, I could not ignore this woman's desperate plea for assistance. DOR could not help her; Legal Services would not.

The UPA should be amended to provide for costs and attorney's fees to be paid by the father if he has the financial resources to do so and the mother does not. The Uniform Marriage and Divorce Act, § 40-4-110, MCA, has such a provision for divorcing mothers. The UPA has no such provision for unwed mothers, although their circumstances are often more desperate than married mothers.

In addition, the UPA requires appointment of a guardian ad litem to represent the child's interests. See § 40-6-110, MCA. However, there is no provision for how the guardian ad litem is to be paid.

I propose that the UPA be amended as follows:

(1) Where the DOR represents the mother and paternity is established, the DOR absorbs the mother's "attorney fees" but the father pays court costs, including the cost of the blood tests.

Where fathers admit paternity following blood testing and enter into a support agreement without requiring court costs, then DOR absorbs 1/2 of the blood test costs and the father pays 1/2.

(2) Where private counsel represents the mother and paternity is established, the father shall pay court costs (including blood tests) and the mother's attorney's fees.

Where the father admits paternity and enters into a support agreement prior to any court decree, these costs and attorney fees should be allocated on the basis of need as set forth in § 40-4-110, MCA.

(3) The costs and expenses of the court appointed guardian ad litem should be shared equally by DOR and the father if the case settles prior to the hearing required by §§ 40-6-110 and 40-6-114, MCA.

If a trial is required to establish paternity and paternity is established, then the father shall bear all the costs and expenses incurred by the guardian ad litem.

The private bar would be much more likely to prosecute paternity cases if there were a possibility of payment upon completion. As the UPA reads now, if DOR cannot help a mother and she is unable to afford a lawyer, she's just out of luck -- and so is the child.

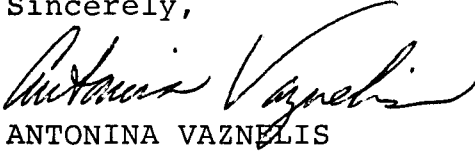
I have a child to support myself and a husband who was rified from his state job in December. Therefore, this one-woman legal services office is

Judiciary Committee  
January 13, 1987  
Page 3

EXHIBIT 7  
DATE 1-13-87  
HB # 77

closing to pro bono clients. I hope the Legislature will act soon so mothers have the option to fight for child support, whether the State agrees to represent them or not.

Sincerely,



ANTONINA VAZNELIS  
Attorney at Law

AV/klr

# WOMEN'S LOBBYIST FUND

Box 1099  
Helena, MT 59624  
449-7917



January 13, 1987

EXHIBIT B  
DATE 1-13-87  
HB # 77, 78 & 79

Testimony in support of House bills 77, 78, and 79

Mr. Chairman and members of the House Judiciary Committee:

My name is Sandy Chaney and I am here today on behalf of the Women's Lobbyist Fund to speak in support of House bills 77, 78, and 79. I ask that you consider my testimony on these three bills at this time. Women's Lobbyist Fund views these bills to be a laudable effort to combat the serious problem of non-payment of child support orders. Lack of child support places women on welfare; lack of child support forces female-heads of families into poverty. (Ms. , June, 1985)

In 1985 Montana passed legislation enforcing the collection of child support payments. As a result, the amount of court ordered payments increased. (Great Falls Tribune, 6/13/86) Nevertheless, the inability to collect child support still plagues many of Montana's single-parent families, the majority of which are headed by women. According to the latest census data for Montana, 20,117 households in our state are headed by females, although not all of these cases can be attributed to divorce alone.

Divorce, however, is one factor that increases the number of female-headed families. National statistics reveal that ninety percent of the time, custody is granted to the mother (Newsweek, "Divorce American Style," 1/10/83) With this increased responsibility to the child(ren) is a decreased standard of living. In the first year after divorce, the woman's standard of living--and consequently the children's--plummets 73%; the man's standard of living rises 42%. (The Divorce Revolution, Lenore Weitzman, 1985)

Exacerbating the woman's disparaging financial situation is her inability to collect child support. The court orders child support in only 59.1% of the cases involving children. Of these, approximately 23% obtain partial payment, and 28% receive no payment at all. (Capitol: Women, "Poverty: the effects of nonsupport," 10/83. A newsletter of the House Committee on Constitutional Revision and Women's Rights. For more conservative figures, see Working Mother, 2/83)

As is the case nationally, in Montana, single women who head the household frequently find themselves in a distressing financial situation. The latest census statistics for Montana report that women earn 53¢ for every dollar that a man earns. Furthermore, the median income of female-headed households with children under six is a mere \$4,931. Compare this figure with the poverty level of a three-person family which is \$5,844.

Clearly women as heads of the family cannot alone bear the responsibility of meeting the financial needs of the children. Responsibility must be shared by both parents. Unfortunately men, who are most often in a better financial position, fail to contribute their fair share. House bills 77 and 78 would help the state to enforce child support payments. The children, for whom the allowance is designed, will benefit.

An additional responsibility in the care of children is health insurance. The cost of providing adequate health insurance coverage, however, is prohibitive for women with only poverty-level incomes. In Montana approximately 38% of all civilian workers receive employer-sponsored health coverage--the second lowest in the nation!! (Employee Benefit Research Institute Current Population Survey, 5/83) Women, many of them in low-paying jobs that offer no medical benefits, cannot afford health insurance for their children. House bill 79 will help to guarantee needed health insurance for children in child support cases. House bills 77, 78, and 79 are designed to help the state enforce child support obligations. Women's Lobbyist Fund urges you to pass House Bills 77, 78, and 79.

EXHIBIT C

DATE 1-13-87

HB # 77

AMENDMENTS TO HB 77, INTRODUCED COPY, INTRODUCED BY JAN BROWN,  
PROPOSED BY JOHN McRAE.

1. Page 2.

Following: line 25

Insert: "NEW SECTION. Section 2. Effective date. This act  
is effective on passage and approval."

# STANDING COMMITTEE REPORT

January 13,

19<sup>37</sup>

Mr. Speaker: We, the committee on JUDICIARY

report House Bill No. 77

do pass  
 do not pass

be concurred in  
 be not concurred in

as amended  
 statement of intent attached

Chairman

**"AN ACT ALLOWING A PATERNITY ACTION TO BE BROUGHT BY A STATE AGENCY UNTIL THE CHILD ATTAINS THE AGE OF MAJORITY; LIMITING RECOUPMENT OF PUBLIC ASSISTANCE PAYMENTS; AND AMENDING SECTION 40-6-108, MCA."**

1. Title, line 3.

Strike: "AND"

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 2.

Following: line 25

Insert: "NEW SECTION. Section 2. Effective date. This act is effective on passage and approval."

  
FIRST

reading copy ( WHITE )  
color



EXHIBIT A  
DATE 1-13-87  
HB # 78

AMENDMENTS TO HB 78, INTRODUCED COPY, INTRODUCED BY JAN BROWN,  
PROPOSED BY JOHN McRAE.

1. Page 2, line 1.  
Following: "(2)"  
Insert: "Wage loss compensation"
2. Page 2, line 1.  
Following: "Wage loss compensation"  
Strike: "Payments"  
Insert: "payments"

# STANDING COMMITTEE REPORT

January 13,

19 87

## JUDICIARY

Mr. Speaker: We, the committee on  
report House Bill No. 81

do pass  
 do not pass

be concurred in  
 be not concurred in

as amended  
 statement of intent attached

Chairman

"AN ACT CLARIFYING THAT ADMINISTRATIVE SUPPORT ORDERS ESTABLISHED BY THE DEPARTMENT OF REVENUE UNDER THE CHILD SUPPORT ENFORCEMENT PROGRAM MAY NOT BE RETROACTIVELY MODIFIED; AMENDING SECTION 40-5-227, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

1. Page 2.

Following: line 11

Insert: "NEW SECTION. Section 2. Extension of authority. Any existing authority of the department of revenue to make rules on the subject of the provisions of this act is extended to the provisions of this act."

Renumber: subsequent section

*MA*  
FIRST

white

reading copy ( )  
color

VISITOR'S REGISTER

JUDICIARY

COMMITTEE

AGENCY (S) \_\_\_\_\_

DATE January 13, 1981

DEPARTMENT \_\_\_\_\_

HB# 47, 48, 79, 81

PLEASE PRINT.....

82

NAME	REPRESENTING	SUP-PORT	OP-POSE
Bill Harrington	D.O.R. Child Support	X	
John Inupis	U.S. Dept Health + Human Serv	X	
John McRae	DOR - CSEP	X	
Dennis Stober	DOR - child support	X	
Mary LaGrand	OBPP		
Sandy Chaney	Women's Lobbyist Fund	X	
Debra Jones	Women's Lobbyist Fund	X	
Vina Vangelis	attorney - self	X	
Debra Sparks	Women's Lobbyist Fund	X	
Wilbur Lehmann			
Rich Young	stillwater County		
Dave Kelsey	" "		

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT. IF YOU HAVE WRITTEN COMMENTS, PLEASE GIVE A COPY TO THE SECRETARY.