

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

February 4, 1987

The meeting of the Judiciary Committee was called to order by Chairman Earl Lory on February 4, 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. Daily and Rep. Hannah who were excused.

HOUSE BILL NO. 442: Rep. Mercer, District No. 50, sponsor, stated that this bill attempts to restrict, limit and further define and clarify the areas where punitive damages can be awarded. It also removes the caps on punitive damages that were placed during the last legislative session. Currently the statute reads that you can only get punitive damages for obligations that are not arising from contracts. Rep. Mercer explained that this has been restated clearly in subsection two on line four saying that unless it is provided for by statute expressly somewhere else, you cannot get punitive damages which is in contract actions or anything that is relating to a contract. He stated that this is primarily for the purpose that in a commercial area we are trying to make a breach of contract a remedy. He explained that if someone does not do what they promised to do under a contract, then you sue them for breach of the contract. You do not punish them with punitive damage award. A major step for the bill is found on the bottom of page four, top of page five, where it is stated that in a non-jury case, the judge would determine whether or not there should be punitive damages. The judge will also set the amount of punitive damages. In a criminal case, the jury will determine whether the person is guilty or not. The penalty is not determined by the jury but is determined by the judge. In this situation we are talking about a penalty also, so the judge will make the determination of the appropriate penalty. The judge must also set forth his reasons for making an award. Rep. Mercer stated that he does not agree with the applicability section. He feels these laws should be applicable to causes of action that arise after this bill goes into effect and it is effective upon passage and approval.

PROPOSERS:

RANDY BISHOP, an attorney from Billings, representing the Montana Association of Defense Council of which he is presently the Vice President supported HB 442 because it is

the opinion of the Board of Directors and also a special tort reform committee of the Montana Association of Defense Council, that there has been a rapid expansion in both the number of cases and the types of cases presenting claims for punitive damages as well as rapid expansion in the amount of punitive damage awards. He stated a problem exists and it needs to be addressed legislatively. He felt this bill eliminates recovery for conduct such as oppression, constructive fraud or presumed malice.

JIM ROBISCHON, attorney, representing Montana Liability Coalition, presented an Amendment to this bill. (Exhibit A). He stated HB 442 gives a clear statement of legislative policy on the standard of conduct to which punishment would apply and the type of cases in which damages may be awarded. It also provides for a dispassionate procedure for the imposition of this punishment once the jury has determined the punishment is in fact appropriate. Mr. Robischon cited Dunphy vs. Baskin-Robbins. In 1986, the Montana Supreme Court was split 4-3 on whether or not there was sufficient evidence in the case to support or to submit the issue of punitive damages to the jury. At the conclusion of the case, a motion was made by Baskin-Robbins to strike or dismiss the Dunphy claim of over a million dollars for punitive damages upon the refusal of Baskin-Robbins to agree to or accept the request to relocate the store. In that 4-3 majority the court declared that in connection with the issue of whether or not there was sufficient evidence to support the presentation of the issue to the jury, the court declared a "jury question was raised as to fraud, oppression, and malice on the part of Baskin-Robbins".

Mr. Robischon explained that the amendment he has submitted is for the committee's consideration. He stated it provides in compliance with established governmental standards, whether they are state standards or standards of the U.S.A. It would be applicable to a product, a structure or a service at the time of either the manufacture of the product construction of the structure or the performance of the service. This would be a defense to punitive damages and would apply only to punitive damages.

RALPH YAEGER, with the Department of Commerce and serves on the staff of the Governor's Council of Economic Development, appeared on behalf of Kay Foster who is the Chairwoman of the insurance subcommittee of the Governor's Council. The Council recommends that judges, rather than juries, determine the amount of punitive damage awards. The Council urged the passage of this bill.

JEFF KIRKLAND, Executive Vice President of the Montana Credit Union League, stated the Credit Union League supports

this bill, including all of the 108 members who believe HB 442 strikes an equitable balance between some abuses.

ALAN ECK, Montana Farm Bureau Federation, submitted written testimony in support of HB 442. (Exhibit B).

ROGER YOUNG, President of the Great Falls Chamber of Commerce, submitted written testimony. (Exhibit C). He stated the area Chamber of Commerce supports the passage of HB 442. He felt the judges, not juries, should determine the amount of punitive damages, as they do in criminal cases. He also felt standards must be made clear so Montanans will know when their conduct exposes them to punitive damages and it is time to stop the punitive damages lottery.

LON DALE, attorney from Missoula, stated in the last 22 years the total punitive damages affirmed by the Montana Supreme Court amounts to 4.3 million dollars, and punitive damages are rare. Mr. Dale noted a striking feature of this bill is it would eliminate punitive damages when they arise from contracts. He submitted a letter from a bankruptcy trustee and asked that it be considered as a statement in opposition to HB 442. (Exhibit D). Mr. Dale also explained that jurors are smart and they take their responsibilities very seriously. To leave jurors out of this process would be an extreme disservice for the citizens of this state.

JOHN HOYT, attorney from Great Falls, emphasized this bill does away with punitive damages and punitive damages are a valuable part of our method of aiding society. He stated we need a fair and workable law and this bill is not fair nor is it workable. He stated the majority of the Supreme Court reversals are made because of errors they see in the findings and rulings of the judges and seldom because the jury is wrong. The jury is our greatest institution.

LEO LAFELT, attorney from Billings, stated that as a practical matter, this bill eliminates punitive damages. He hopes the people who sponsor this type of legislation, rather than go through five pages of a bill that is designed to eliminate punitive damages, would just simply ask you to pass a law eliminating the entire factor of damages. The question Mr. Lafelt states we must face is, do we or do we not want exemplary damages. As it exists today in the statutes, there is a remedy, but as proposed by this law, there is none.

BILL ROSSBACH, an attorney who is on the Board of Directors of the Montana Trial Lawyers, reminded the committee that last session many months were spent in debate over this issue of punitive damages and all the work resulted in setting standards for current statutes. He stated the cases

brought up by the proponents of this bill were not tried by the new standards and as a matter of social policy, if we can see these are valuable, why are we changing them. Mr. Rossbach explained that restrictions are being added to anything that has to do with a contract and there are not very many cases that do not, somewhere, involve a contract so any product liability case is going to be subject to this restriction. A fraud case, the oldest type of punitive damages case recognized in this state would even be abolished. This bill makes oppression not subject to responsibility and punitive damages. Mr. Rossbach stated an entirely different system will be set up where there will be judge trials and jury trials. There will be jury trials and then start all over and do an entirely new trial on the question of how much punitive damages there should be, so the total number of court cases will be doubled and double the time the judge will have to be involved in the cases.

REP. TIM WHALEN, introduced a former client of his, Mr. Fred Porich from Billings, who testified in regard to what role punitive damages played in his business. Mr. Porich stated he felt HB 442 had some very dangerous aspects to it. He is a member of the U.S. Chamber of Commerce, Billings Chamber of Commerce and a member of the National Federation of Businesses. Mr. Porich explained in 1976 he entered into a contract with Alavanti of America. This company sold him obsolete machinery that was not serviceable. He terminated the contract with Alavanti and Alavanti filed a law suit against him. Mr. Porich hired Tim Whalen and threatened the company with punitive damages. After a period of two or three years, a settlement was reached and Mr. Porich feels it was because of the threat of punitive damages. He stated the threat of punitive damages works as a balance in our legal system against large international and national corporations. The small business man needs this protection.

DISCUSSION (OR QUESTIONS) ON HOUSE BILL NO. 442: Rep. Addy asked Rep. Mercer if it was his intent with this bill to eliminate punitive damages. Rep. Mercer answered that it was not. Rep. Addy stated there were several famous or near famous punitive damage verdicts in the last few years and he asked Rep. Mercer if he could name any that were not based on breach of contract, contract, breach of an applied covenant or a tort interrelated with and dependant upon a claim for breach of contract. Rep. Mercer stated he was not familiar with those cases but the current law states punitive damages are awarded for a breach of an obligation not arising from a contract. Rep. Addy asked Mr. Bishop the same question and he stated it is intended to take existing law and restore to it the position which was intended when the punitive damage statute was drafted. The trend in Montana in the past seven or eight years has been consistent

with the national trend. The cases finding jury appeal are contract situations.

Rep. Rapp-Svrcek stated we cannot have things both ways and asked Mr. Hoyt why we should allow someone to insure themselves against an intentional harm they might commit. Mr. Hoyt stated it sounds good in concept but in truth and in fact, intentional acts can be committed by people who have no intentions to commit intentional acts such as manslaughter. We should be able to contract to defend ourselves. If we cannot contract with our insurance company to protect us from our worst acts which we do not intend to commit, then we are in real trouble.

Rep. Miles asked Rep. Mercer to clarify page 1 and 2, instances covered by the language, "as otherwise provided by statute". Rep. Mercer stated that subsection two speaks of areas where it is not permitted. He explained punitive damages can only be given where we say they can be given and it must be expressly provided for in statute. He listed a few instances when punitive damages are provided for, namely; bad checks, black listing employees, not paying cigarette taxes and forceful entry or detainer.

Rep. Eudaily asked Rep. Mercer how many other places in the code can it be found that it is a violation of public policy for anyone to protect themselves against any form of liability. Rep. Mercer stated there are other things you may not be able to insure yourself from as a matter of public policy, but he was not an insurance expert.

Rep. Rapp-Svrcek questioned Mr. Hoyt in regard to the definition of oppressive behavior. Mr. Hoyt stated oppressive behavior is difficult to define by definition but can be explained by general terms. He asked Rep. Rapp-Svrcek to look at HB 110 because it covered the definition quite well.

Rep. Mercer closed the hearing on HB 442.

HOUSE BILL NO. 110 AND 111, Rep. Thomas, District No. 62, sponsor, stated both bills are being heard at the same time because they do just about the same in they relate to punitive damages and what we would do with them as far as public policy change in the State of Montana. Rep. Thomas pointed out punitive damages are a fine for oppression, fraud and malice. They are meant to punish whomever for doing wrong as we stipulate in the law. Punitive damages are in addition to actual damages and they may be given for the sake of example and by way of punishing the defendant for doing wrong. Any fine is used to police compliance of the law for society in general, they are to benefit society. He proposed in these two bills that punitive damages be

placed by the courts in their proper place. In HB 110 he provided that 90% of a punitive damage be placed in the state general fund and that 10% would go into the uninsured employers fund. HB 111 will put 100% of a punitive damage in the general fund. Rep. Thomas submitted an amendment to HB 110. (Exhibit A). He stated essentially, the fine is put to the benefit of society instead of to benefit just a few people.

PROPOSERS:

HIRAM SHAW, from the Division of Workers Compensation, Department of Labor and Industry, stated that the department supports HB #110. He also pointed out that a new source of funds is critically needed for injured workers.

RALPH YAEGER, Governor's Council of Economic Development and speaking in behalf of Kay Foster, stated the Council recommended 90% of the punitive damages award be put into the state general fund and the remaining 10% be presented to the plaintiff and his attorney. He would like to submit this concept as an amendment of the two bills.

E. GARDNER BROWNLEE, Judge of the District Court, Florence, submitted written testimony. (Exhibit B). He stated he favored the intent of the bills for the following reasons: 1) People are to be compensated for wrongs committed against them; 2) The courts and the law favor and encourage settlement between the parties without the need for court action; 3) When parties cannot agree, the courts are available to assist; 4) Wrongs committed are punished and one method of punishment is to require the payment of money. He stated to award punitive damages to the injured party violates another basic rule of law that says parties should not have the assistance of the court to obtain what we term "unjust enrichment" or compensation in excess of the injury.

PAT MELBY, representing the State Bar of Montana, stated he could not testify on HB 442 because the Association cannot take positions on what it feels are real controversial matters. However, on these two bills he feels once a public policy decision has been made, punitive damages do serve a worthwhile social purpose and they should be assessed against a defendant who is guilty, then there has to be some incentive to the plaintiff and his attorney to pursue that. He questions what worthwhile social purpose can be served by allowing punitives to be assessed in an appropriate circumstance and then eliminating any incentive for anyone to attempt to get those damages assessed. He pointed out that even with the amendments, the State Bar would have to oppose these bills.

LON DALE, attorney from Missoula, opposes both bills. The primary basis for the opposition is the bills are unnecessary. He stated the present federal and state law specifically provides there is taxability for punitive damages in the state of Montana. Any punitive damages awarded by a jury in the state are subject to tax by the state and have to be declared. The state is collecting money for punitive damages right now. The fiscal note states there will be no expense to the state and he disagrees. Litigation involving punitive damages is expensive. All the risk with these expenses are usually with the client and law firm and the state will have to spend a lot of money with these bills that it presently does not have to spend.

RANDY BISHOP, attorney from Billings, spoke on behalf of the Montana Defense Council who has reviewed HB 110 and 111 and expressed their opposition to both bills. These bills tend to create too broad a field in cases where punitives are available and it is aggravated by the proposed amendments.

JOHN HOYT, attorney from Great Falls, stated the first seven sections are good but the last section is horrible and should be disposed of.

LEE OVERFELT, attorney from Billings, stated he is opposed to both bills. He explained in major cases, thousands of dollars are spent in costs and it cost thousands of dollars in putting together the punitive phase of the case. If the state does not reimburse us for our attorney fees, we simply are not going to pursue that part of the case.

BILL ROSSBACH, attorney from Missoula, also with the Board of Directors of the Montana Trial Lawyers, wondered if he is successful in getting a large punitive damage award that goes to the State of Montana, will they name a building after him and his client or will he get some kind of reward. Punitive damage cases are the most complicated and difficult and the hardest fought cases there are. He felt there is a severe constitutional problem with these bills if the State of Montana does not do anything to help the plaintiff but expects to receive 90% of the award.

NO FURTHER OPPONENTS

DISCUSSION (OR QUESTIONS) ON HOUSE BILL NO. 110 AND 111:
Rep. Eudaily asked Rep. Thomas about amendment number six, how the 30% would be paid. Rep. Thomas stated the first 30% provides for the lawyer and the plaintiff. Rep. Eudaily noted the language was not properly written. Rep. Meyers stated it seems the bill takes away the award and the amendment gives it back. Rep. Thomas answered yes and no. He stated the amendment does provide some compensation for

the plaintiff and his lawyer. Rep. Thomas pointed out the bottom line is dollars. The bill is intended to make up to expenses of the punitive damages litigation to the party putting it out but is not meant to provide anymore money because it is a fine and not a way to make money in Montana. Rep. Thomas stated, in closing, the taxation in actual damages awarded are not taxed because they are actual damages. This bill does not eliminate punitive damages. All this bill does is recognize punitive damages for what they are, a fine. It eliminates the big windfall in a private lottery that some lawyers in Montana have. The question here is nothing but dollars and where dollars go.

ADJOURNMENT: There being no further business to come before this committee, the hearing was adjourned at 11:15 a.m.



REP. EARL LORY, Chairman

DAILY ROLL CALL
 JUDICIARY COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date Feb. 4, 1987

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

1. Title, lines 4 through 6.
Following: " "AN ACT" on line 4
Strike: the remainder of line 4 through "IN" on line 6
Insert: "REVISING THE LAWS REGARDING PUNITIVE DAMAGES AND ATTORNEY FEES IN PUNITIVE DAMAGES CASES: REQUIRING A PORTION OF EXEMPLARY OR PUNITIVE DAMAGES TO BE PAID TO A PLAINTIFF, HIS ATTORNEY,"
2. Title, line 6.
Following: "FUND"
Insert: ",,"
3. Title, lines 6 and 7.
Following: "AND" on line 6
Strike: The remainder of line 6 through "IN" on line 7
4. Title, line 8.
Strike: "SECTION"
Insert: "SECTIONS 25-10-301 AND"
5. Page 1, line 11.
Following: line 10
Insert: "Section 1. Section 25-10-301, MCA, is amended to read: "25-10-301. Determining compensation of attorneys. The Subject to the fee limits in the cases of punitive damages in 27-1-221, the measure and mode of compensation of attorneys and counselors at law is left to agreement, express or implied, of the parties, except that in probate proceedings the court may fix and allow the compensation of attorneys representing administrators, executors, guardians, trustees, and agents appointed by the court. But parties to actions or proceedings are entitled to costs and disbursements as provided by law." "
Renumber: subsequent section
6. Page 3, lines 9 and 10.
Following: "shall" on line 9
Strike: the remainder of line 9 through "damages" on line 10
Insert: "order payment of those damages as follows:
(a) to the plaintiff and to his attorney, in equal amounts, 30% of the first \$100,000 of the exemplary or punitive damages, 20% of the next \$200,000, and 10% of any amount awarded over \$300,000; and
(b) the remaining balance

E. Gardner Brownlee

JUDGE OF THE DISTRICT COURT, retired
17474 Highway 93 South
Florence, MT 59833
273-0241

JULIE A. MARTIN
Court Reporter

Feb. 3, 1987

Hon. Fred Thomas
Montana State Legislature
Helena, Montana

Re: HB 110 & 111

Dear Fred:

I favor the intent of your Bills for the following reasons.

Our laws are established based on certain basic rules:

1. People are to be compensated to the extent of their damages for wrongs (like Torts) committed against them.
2. The Courts and the law favor and encourage settlement between the parties without the need for Court action. Some of the Rules of Evidence have that as there specific reason for being adopted.
3. When Parties cannot agree and settle their problems the Courts are available to assist.
4. Wrongs committed against the State (criminal actions for example) are punished and one method of punishment is to require the payment of money.

It is my opinion based on the above rules that punitive damages which can only be extracted by the Courts are not compensation to an injured party in theory but compensation for the wrong committed against the law (the State) and that therefore the same method of handling the compensation should be applied as when we call it a "Fine" in criminal actions. It is compensation to assist in paying for the expense and trouble the State (the Courts) are required to expend.

To award Punitive Damages to the injured party, in my opinion, violates another basic rule of law that says Parties should not have the assistance of the Court to obtain what we term "unjust enrichment" or compensation in excess of the injury.

I also believe the Courts are permitting Punitive Damages beyond the real intent of the legislature when certain Bills were passed.

Sincerely,

E. Gardner Brownlee

WITNESS STATEMENT

EXHIBIT A
DATE 2-4-87
HB # 442

NAME Tim Robischon BILL NO. 442

ADDRESS Holena, MT DATE _____

WHOM DO YOU REPRESENT? Montana Liability Coalition

SUPPORT OPPOSE _____ AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

HOUSE BILL NO. 442
INTRODUCED COPY

EXHIBIT A
DATE 2-4-87
HB # 442

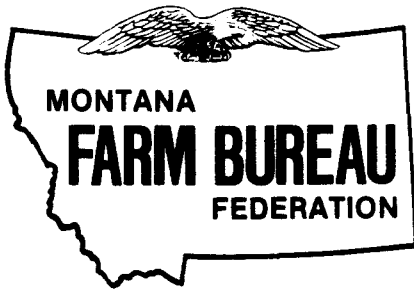
1. Page 3, Line 18.

Following:

"doubt."

Insert:

"Absent proof, by clear and convincing evidence, that the defendant intentionally and fraudulently withheld from or misrepresented to the state or federal agency information known to be material and relevant to the harm in question, punitive damages may not be awarded where the product, structure, or services alleged to have caused the claimant's harm complied in material respects, at the time of manufacture, construction, or rendering of the service, with standards, conditions, or specifications established, adopted, or approved by a federal or state statute or by an agency of the federal or state government responsible for the design, formulation, labeling, packaging, performance, or approval of the product, structure, or services."



P.O. Box 6400
~~502 South 19th~~

EXHIBIT 12
DATE 2-4-87
Bozeman, Montana 59715

Phone (406) 587-3153 # 442

TESTIMONY BY: Alan Eck
BILL # HB-442 DATE 2/4/87
SUPPORT XXXX OPPOSE _____

Mr. Chairman and members of the committee, for the record my name is Alan Eck. I'm speaking today on behalf of the Montana Farm Bureau. The Farm Bureau has had policy reaffirmed every year for several years that is in line with the ideas in HB-442. We urge a do pass recommendation from this committee. Thank you.

SIGNED: Alan Eck

EX-111

EXHIBIT C

DATE 2-4-87

HB # 442

RECEIVED 2-12-87 MAIL



**GREAT
FALLS AREA
CHAMBER OF COMMERCE**

P.O. BOX 2127
926 CENTRAL AVENUE
GREAT FALLS, MONTANA 59403
(406) 761-4434

February 10, 1987

TO: House Judiciary Committee
Cascade County Legislative Delegation

FROM: Roger W. Young, President

SUBJECT: PUNITIVE DAMAGES

The Great Falls Area Chamber of Commerce supports the passage of HB-442 (Mercer). Standards must be made clear so that Montanans will know when their conduct exposes them to punitive damages. The kinds of cases where these damages are available must be clarified and contract cases should be excluded. Judges, not juries, should determine the amount of punitive damages, as in criminal cases. The jury should determine if a punishment is warranted but judges are better situated to determine an appropriate penalty. This is the judges role in criminal cases and should be followed here where society is similarly trying to deter certain conduct. It's time we stop the punitive damages lottery. HB-442 prohibits punitive damages where the underlying claim is based on a contract and permits such damages in cases of actual fraud or malice. When punitive damages are awarded, a judge, not a jury, determines the amount.

EXHIBIT D

DATE 2-4-87

#443

DONALD MacDONALD IV, P.C. / TRUSTEE IN BANKRUPTCY

United States
Bankruptcy Court
District of Montana

234 East Pine, P.O. Box 7525
Missoula, Montana 59807-7525
(406) 728-8796

February 3, 1987

Lon Dale
Attorney at Law
Milodragovich, Dale and Dye, P.C.
Drawer R
Missoula, Montana 59807

RE: Your File #3594/2
Ronald Ray Haskins Bankruptcy; Case #284-00077

Dear Lon:

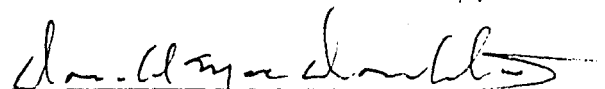
On behalf of the creditors of the bankruptcy estate of Ray Haskins, I would like to thank you for the fine job you have done in representing their interests. Because of your work, all creditors will be repaid in full together with interest on their claims.

Had it not been for the possibility of punitive damages in this case, I doubt that any of the creditors could have received payment in full plus interest. I think your knowledge of the law regarding punitive damages and the fact that the insurance company recognized that fact led to an equitable and fair settlement for all concerned.

If limitations are placed on ordinary citizen's rights to recover punitive damages, cases such as this would never occur. The bankruptcy estate and its creditors would never receive their just due and the insurance company could make a mockery of their legal obligations.

Again, my thanks for a job well done. I only hope that you will be able to continue your efforts for bankruptcy trustees and ordinary citizens alike in the future in such cases.

Sincerely,


DONALD MacDONALD IV,
BANKRUPTCY TRUSTEE

DMD/vmm

VISITORS' REGISTER

Judiciary

COMMITTEE

BILL NO. HB 110

DATE 2-4-87

SPONSOR _____

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
Hiram Shaw	Work. Comp.	✓	
John Hoyt	GRT FALLS		✓
MIKE WELSH	WORK COMP	✓	
BILL ROSSBACH	MISSOUL		✓
Pat Welby	State Bar, Helena	✓	✓
John Ball	P.O. District R		
CONNIE CLARKE/MFC	MILES CITY	X	
Janne Campbell	Helena Mt Soc of CPAs	X	
Chadwick A. Smith	Mont Land Imp Contractors	X	
LON J. DALE	Missoula		✓
Ralph Carter	Helena	X	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

Judiciary

COMMITTEE

BILL NO. HB-442

DATE 2-4-87

SPONSOR _____

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
Alan Eck - Montana Farm Bureau	PO Box 6400 Bozeman, MT	X	
R.E. FIFER	1410 KNIGHT HELENA		X
Jeff Kirkland ^{Montana} Credit Unions League	2424 Teskwood Lane	✓	
Jim Rabischo	HELENA, MT	✓	
Lee Overtelt	Billings, MT		X
Kay Foster	Chamber of Billings Commerce	✓	
BILL ROSSBACH	MISSOULA		✓
Fred Porisch	Billings		✓
Rep Jim Whalen	Billings		✓
Ruth Yager	Helena	✓	
Olle Neugarten	MT Assn of Reg Counsel	✓	
RANDY Bishop	" " " " "	✓	
ROGER McLENN	INDEPENDENT INS AGENTS ASSOC. OF MT	✓	
John Hoyt	GRT FALLS		✓
Jim Van Arsdale	Billings	✓	
JAMES M. Mulcahy	Helena		✓
Connie Clark - MT FORWARD	MILES CITY	X	
CHP EEDMANN	Mt League of Savings Inst	X	
Chapman H. Smith	Mont Land Imp Contractors	X	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

Judiciary

COMMITTEE

BILL NO. 442

DATE Feb 4, 1987

SPONSOR _____

NAME (please print)	RESIDENCE	SUPPORT	OPPOSE
LOW J. DALE	MISSOULA		✓

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.