

MINUTES

MONTANA SENATE
51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By Chairman Bruce D. Crippen, on February 15, 1989, at 7:00 p.m.

ROLL CALL

Members Present: Chairman Crippen, Vice Chairman Bishop, Senator Beck, Senator Brown, Senator Halligan, Senator Harp, Senator Jenkins, Senator Mazurek, Senator Pinsoneault, Senator Yellowtail

Members Excused: None

Members Absent: None

Staff Present: Valencia Lane, Legislative Staff Attorney, Rosemary Jacoby, Committee Secretary

Announcements/Discussion:

There was none.

EXECUTIVE ACTION ON SENATE BILL 363

Discussion: It was the consensus of the committee that this bill had many problems including forced arbitration of all contract disputes and dollar limitation.

Senator Halligan moved SB 363 be TABLED.

Amendments and Votes: Before action had been taken on the tabling motion, Senator Pinsoneault moved to reinsert the stricken language of \$15,000. The motion PASSED on a vote of 8 to 2, with Senators Crippen and Halligan voting no.

Recommendation and Vote: Senator Crippen moved to DO PASS AS AMENDED. The motion CARRIED with Senators Mazurek and Halligan voting no.

DISPOSITION OF SENATE BILL 369

Discussion: Senator Brown said that the Attorney General had told him that the gambling revision bill, SB 431, had addressed the use of calcutta pools and suggested holding this bill for the time being. Senator Mazurek suggested passing the bill out of the committee, because he felt it was an important bill and should go out in the event the other bill didn't pass. Senator Brown said the calcutta bill passed in the last session created an expansion of gambling which was not the intention. Senator Crippen wondered how the bill would affect golf calcuttas. Senator Brown said it was never a problem in the past and felt things would remain the same as before in that instance.

Amendments and Votes: None

Recommendation and Vote: Senator Mazurek moved SB 369 DO PASS. The motion CARRIED on a 9 to 1 vote, with Senator Jenkins voting no.

DISPOSITION OF SENATE BILL 401

Discussion: After Valencia Lane distributed two sets of amendments requested by Senator Yellowtail and Steve Bender. (See Exhibits 1 and 2.)

Recommendation and Vote: Senator Bishop moved SB 401 DO PASS. Senator Jenkins moved a substitute motion of DO NOT PASS. Senator Jenkins withdrew that motion and moved a further motion that SB 401 be TABLED.

After further discussion Senator Bishop and Senator Jenkins withdrew their motions.

Senator Mazurek said the bill amends the confidentiality of tax records provisions presently in statute. The amendment would allow the information to be given to the Board of Regents, although the Yellowtail amendment would limit that significantly, he said. (See Exhibit 1 - amendments). The DOR suggested saying "location or employer" if that would make it more palatable.

Amendments and Votes: Senator Yellowtail moved to amend SB 401 with his proposed amendments. The motion CARRIED UNANIMOUSLY.

Recommendation and Vote: Senator Pinsoneault moved SB 401
DO PASS AS AMENDED. The motion CARRIED UNANIMOUSLY.

RECONSIDERATION AND DISPOSITION OF SENATE BILL 363

Senator Halligan Moved to RECONSIDER ACTION taken on SB 363 as written. The MOTION CARRIED on a vote of 8 to 2 with Senators Mazurek and Beck voting NO.

Recommendation and Vote: After some discussion Senator Halligan MOVED a DO PASS recommendation for Senate Bill 363.

DISPOSITION OF SENATE BILL 404

Discussion: The consensus of the committee was that there was merit in the bill, but that there wasn't adequate time for study and amendment. Senator Brown MOVED that SB 404 BE TABLED. The MOTION CARRIED UNANIMOUSLY.

DISPOSITION OF SENATE BILL 373

Discussion: Senator Mazurek said he had some problems with the accuracy of the testing. Senator Pinsoneault agreed, but felt the pervasive drug problem needed to be addressed. He felt employers had a right to know whether or not a job applicant had a drug problem.

Senator Yellowtail asked what were IBM's views of random testing. Mr. Browning said that people who have a drug problem won't tell you that they do. So, the only way it is discovered, is if the person tests positive for it. In IBM, there is no random testing. Employees are only tested only if they are failing in their job performance and a medical problem is suspected. The employee is referred to a physician and given a general physical examination. If the doctor cannot test for a drugs, he may not be able to correctly identify the problem. If the person has been diagnosed as having a drug problem, they are not required to go through counseling, but they might be at risk if their job performance continues to fail.

Senator Yellowtail asked if the "cause" portion of statute wouldn't apply in that instance. Mr. Browning said that law has been interpreted saying that drug use would have to be shown on the job, as opposed to drug use affecting the performance on the job.

Senator Yellowtail thought it would be simpler to address that portion of the law. Mr. Browning said that several options had been considered, but that this seemed to be the best. He said few employers would fit into the classification described by the bill, largely because of the expense to the employer in paying for the cost.

Amendments and Votes: Senator Pinsoneault MOVED that amendments 2 and 3 be adopted by the committee. The motion CARRIED unanimously (See Exhibit 3.)

Senator Yellowtail moved amendment #1. The motion CARRIED unanimously.

Amendments and Votes: None

Recommendation and Vote: Senator Pinsoneault moved that SB 373 DO PASS AS AMENDED. The motion FAILED on a tie vote with Senators Bishop, Brown, Halligan, Mazurek, and Yellowtail voting NO, the effect of which was that the bill remained in the committee.

DISPOSITION OF SENATE BILL 385

Discussion: Senator Harp distributed amendments to the committee (See Exhibit 4.) Tom Eggert, representing the Department of Health, explained the amendments, and said that Burlington Northern and the Department of Health concur with them. (See notes written onto the amendments.)

Amendments and Votes: Senator Harp MOVED to separate Amendment #22 from the set of amendments. The MOTION CARRIED UNANIMOUSLY.

Senator Mazurek asked why it would be effective upon approval. Tom Eggert said the sooner the state is able to demonstrate its ability to do the job, the sooner it receives the funds. Leo Berry said that Senator Harp and the department agreed on the immediate effective date. The

advantage from the state's standpoint is that it allows the state to negotiate with the EPA immediately for a particular site. The disadvantage is that many people won't realize that and may be surprised by it.

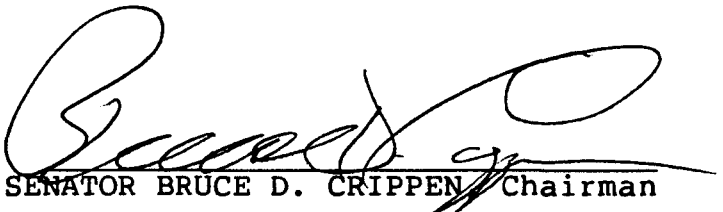
Tom Eggert said the site being sought is in Butte Post and Pole, the old Arco site and one other one. Senator Mazurek said the danger to the state is that responsible parties will put on pressure and the EPA may say the state cannot wait until July 1 to start. He wondered if Montana citizens wouldn't be better off dealing with Montanans regarding this problem than the EPA. Senator Harp answered yes, and said that the cost would be beneficial as well.

Recommendation and Vote: Senator Harp MOVED that the committee accept the amendments, with the exception of Amendment #22. The MOTION CARRIED UNANIMOUSLY.

Recommendation and Vote: Senator Harp moved that SB 385 DO PASS AS AMENDED. The motion CARRIED unanimously.

ADJOURNMENT

Adjournment At: 9:20 p.m.



SENATOR BRUCE D. CRIPPEN Chairman

BC/rj

min215rj.sr

SENATE STANDING COMMITTEE REPORT

February 16, 1989

MR. PRESIDENT:

We, your committee on Judiciary, having had under consideration SB 363 (first reading copy -- white), respectfully report that SB 363 do pass.

DO PASS

Signed: _____
Bruce D. Clifton, Chairman

Y.C.
2/16/89
10:11 AM

SENATE STANDING COMMITTEE REPORT

February 16, 1989

MR. PRESIDENT:

We, your committee on Judiciary, having had under consideration SB 369 (first reading copy -- white), respectfully report that SB 369 do pass.

DO PASS

Signed: [Signature]
Bruce D. Clippen, Chairman

H.C.
2/16/89
10-4

SENATE 369 216 4

SENATE STANDING COMMITTEE REPORT

page 1 of 2

February 16, 1989

MR. PRESIDENT:

We, your committee on Judiciary, having had under consideration SB 401 (first reading copy -- white), respectfully report that SB 401 be amended and as so amended do pass:

1. Title, line 7.

Following: "PROGRAM"

Insert: "; AND AMENDING SECTION 15-30-303, HCA"

2. Page 1, line 17.

Following: "location"

Strike: ", income, or property"

3. Page 1.

Following, line 20

Insert: " Section 2. Section 15-30-303, HCA, is amended to read:

"15-30-303. Confidentiality of tax records. (1) Except in accordance with proper judicial order or as otherwise provided by law, it is unlawful for the department or any deputy, assistant, agent, clerk, or other officer or employee to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any report or return required under this chapter or any other information secured in the administration of this chapter. It is also unlawful to divulge or make known in any manner any federal return or federal return information disclosed on any return or report required by rule of the department or under this chapter.

(2) The officers charged with the custody of such reports and returns shall not be required to produce any of them or evidence of anything contained in them in any action or proceeding in any court, except in any action or proceeding to which the department is a party under the provisions of this chapter or any other taxing act or on behalf of any party to any action or proceedings under the provisions of this chapter or such other act when the reports or facts shown thereby are directly involved in such action or proceedings, in either of which events the court may require the production of and may admit in evidence so much of said reports or of the facts shown thereby as are pertinent to the action or proceedings and no more.

(3) Nothing herein shall be construed to prohibit:

(a) the delivery to a taxpayer or his duly authorized representative of a certified copy of any return or report filed in connection with his tax;

(b) the publication of statistics so classified as to prevent the identification of particular reports or returns and the items thereof; or

(c) the inspection by the attorney general or other legal representative of the state of the report or return of any taxpayer who shall bring action to set aside or review the tax based thereon or against whom an action or proceeding has been instituted in accordance with the provisions of 15-30-311 and 15-30-322.

(4) Reports and returns shall be preserved for 3 years and thereafter until the department orders them to be destroyed.

(5) Any offense against subsections (1) through (4) of this section shall be punished by a fine not exceeding \$1,000 or by imprisonment in the county jail not exceeding 1 year, or both, at the discretion of the court, and if the offender be an officer or employee of the state, he shall be dismissed from office and be incapable of holding any public office in this state for a period of 1 year thereafter.

(6) Notwithstanding the provisions of this section, the department may permit the commissioner of internal revenue of the United States or the proper officer of any state imposing a tax upon the incomes of individuals or the authorized representative of either such officer to inspect the return of income of any individual or may furnish to such officer or his authorized representative an abstract of the return of income of any individual or supply him with information concerning any item of income contained in any return or disclosed by the report of any investigation of the income or return of income of any individual, but such permission shall be granted or such information furnished to such officer or his representative only if the statutes of the United States or of such other state, as the case may be, grant substantially similar privileges to the proper officer of this state charged with the administration of this chapter.

(7) Further, notwithstanding any of the provisions of this section, the department shall furnish:


(a) to the department of justice all information necessary to identify those persons qualifying for the additional exemption for blindness pursuant to 15-30-112(4), for the purpose of enabling the department of justice to administer the provisions of 61-5-105; and

(b) to the department of social and rehabilitation services information acquired under 15-30-301, pertaining to an applicant for public assistance, reasonably necessary for the prevention and detection of public assistance fraud and abuse, provided notice to the applicant has been given; and

(c) to the board of regents information required under [section 1]."

Renumber: subsequent section

AND AS AMENDED DO PASS

Signed: 
Bruce B. Clifton, Chairman

2-15
p.m

SENATE STANDING COMMITTEE REPORT

page 1 of 5
February 16, 1989

MR. PRESIDENT:

We, your committee on Judiciary, having had under consideration SB 385 (first reading copy -- white), respectfully report that SB 385 be amended and as so amended do pass:

1. Title, line 18.
Following: "NCA;"
Insert: "AND"

2. Title, lines 19 and 20.
Following: "DATE" on line 19
Strike: remainder of line 19 through "COSTS" on line 20

3. Page 2, line 1.
Following: page 1
Insert: "NEW SECTION. Section 2. Purpose. The purposes of this part are to:
(1) protect the public health and welfare of all Montana citizens against the dangers arising from releases of hazardous or deleterious substances;
(2) encourage private parties to clean up sites within the state at which releases of hazardous or deleterious substances have occurred, resulting in adverse impacts on the health and welfare of the citizens of the state and on the state's natural, environmental, and biological systems; and
(3) provide for funding to study, plan, and undertake the rehabilitation, removal, and cleanup of sites within the state at which no voluntary action has been taken."

Reumber: subsequent sections

4. Page 3, line 22.
Following: "resources"
Strike: remainder of line 22
Insert: "means"

5. Page 3, line 24.
Following: "other"
Strike: "resource"
Insert: "such resource"

6. Page 3, line 25.
Following: "state"
Insert: "of Montana"

7. Page 4, line 1.
Following: "or"
Strike: "pertaining"
Insert: "appertaining"

8. Page 5, line 18.
Following: "restoration,"
Insert: "mitigation,"

9. Page 6, line 1.
Following: "department,"
Insert: "the United States, or any federal agency,"

10. Page 7, lines 15 and 16.
Following: "~~include~~" on line 15
Strike: remainder of line 15 through "the" on line 16
Insert: "The"

11. Page 8, line 2.
Following: "penalties,"
Insert: "natural resource"

12. Page 8, line 6.
Strike: "8"
Insert: "9"

13. Page 8, line 22.
Following: "Any"
Insert: "authorized"

14. Page 9, line 18.
Strike: "duly"

15. Page 10, line 12.
Following: "Any"
Insert: "authorized"

16. Page 10, line 15.
Following: "the"
Insert: "authorized"

17. Page 11, line 13.
Following: "an"
Insert: "authorized"

18. Page 11, line 20.
Following: "(6)"
Insert: "where the court determines that there may be an imminent
and substantial threat to public health, safety, or welfare
or the environment"

19. Page 13, line 12.
Page 15, lines 4, 12, 17, and 20.
Strike: "4"
Insert: "5"

20. Page 13, lines 16 through 18.
Following: "environment." on line 16
Strike: remainder of line 16 through line 18

21. Page 14, line 23.
Following: "~~release~~" on line 23
Insert: "that may pose an imminent and substantial threat to public
health, safety, or welfare or the environment"

22. Page 15, line 8.
Following: "continues."
Insert: "In determining the amount of any penalty assessed, the
court may take into account the nature, circumstances, extent,
and gravity of the noncompliance and, with respect to the
person liable under 75-10-715(1), his ability to pay; any
prior history of such violations; the degree of culpability;
the economic benefit or savings, if any, resulting from the
noncompliance; and any other matters as justice may require."

23. Page 15, line 17.
Following: "section;"
Strike: "or"

24. Page 15, line 20.

Following: "section"

Strike: "2"

Insert: "; or"

25. Page 15, line 21.

Following: line 20

Insert: "(d) an action by a person to whom an order has been issued to determine the validity of the order, only if the person has been in compliance and continues in compliance with the order pending decision of the court."

26. Page 18, line 24.

Strike: "4"

Insert: "5"

27. Page 26, line 5.

Following: "Nothing"

Strike: "is"

Insert: "in"

28. Page 31, line 3.

Following: "before"

Insert: "final"

Following: "approval"

Insert: "by the director of the department"

29. Page 31, line 4.

Following: "order"

Insert: "on consent issued pursuant to 75-10-711"

Following: "or"

Insert: "before judicial approval of a"

30. Page 32, line 3.

Following: "may"

Insert: "negotiate and"

31. Page 33, line 10.

Following: "transporting,"

Strike: "and"

Insert: "or"

32. Page 34, line 9.
Following: "[Sections 1,"
Strike: "4, 7, 8, and 10 through 16"
Insert: "2, 5, 8, 9, and 11 through 17"

33. Page 34, line 12.
Following: "[Sections 1,"
Strike: "4, 7, 8, and 10 through 16"
Insert: "2, 5, 8, 9, and 11 through 17"

34. Page 34, line 23 through page 35, line 1.
Strike: section 21 in its entirety
Re-number: subsequent section

AND AS AMENDED DO PASS

Signed: *Bruce B. Crippen*
Bruce B. Crippen, Chairman

J.C.
2/16/89
3:40
P.M.
SCRSD385.216

Ex #1

2-15-89
SB 401

Amendments to Senate Bill No. 401
First Reading Copy (WHITE)

Requested by Senator Yellowtail
For the Committee on Judiciary

Prepared by Valencia Lane
February 15, 1989

- 1. Page 1, line 17.
Following: "location"
Strike: ", income, or property"

Ex 2

2/15/89

SB 401

Amendments to Senate Bill No. 401
First Reading Copy (WHITE)

Requested by Steve Bender
(Dept. of Revenue)
For the Committee on Judiciary

Prepared by Valencia Lane
February 15, 1989

1. Title, line 7.

Following: "PROGRAM"

Insert: "; AND AMENDING SECTION 15-30-303, MCA"

2. Page 1, line 25.

Following: line 24

Insert: " Section 2. Section 15-30-303, MCA, is amended to read:

"15-30-303. Confidentiality of tax records. (1) Except in accordance with proper judicial order or as otherwise provided by law, it is unlawful for the department or any deputy, assistant, agent, clerk, or other officer or employee to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any report or return required under this chapter or any other information secured in the administration of this chapter. It is also unlawful to divulge or make known in any manner any federal return or federal return information disclosed on any return or report required by rule of the department or under this chapter.

(2) The officers charged with the custody of such reports and returns shall not be required to produce any of them or evidence of anything contained in them in any action or proceeding in any court, except in any action or proceeding to which the department is a party under the provisions of this chapter or any other taxing act or on behalf of any party to any action or proceedings under the provisions of this chapter or such other act when the reports or facts shown thereby are directly involved in such action or proceedings, in either of which events the court may require the production of and may admit in evidence so much of said reports or of the facts shown thereby as are pertinent to the action or proceedings and no more.

(3) Nothing herein shall be construed to prohibit:

(a) the delivery to a taxpayer or his duly authorized representative of a certified copy of any return or report filed in connection with his tax;

(b) the publication of statistics so classified as to prevent the identification of particular reports or returns and the items thereof; or

(c) the inspection by the attorney general or other legal representative of the state of the report or return of any taxpayer who shall bring action to set aside or review the tax based thereon or against whom an action or proceeding has been instituted in accordance with the provisions of 15-30-311 and 15-30-322.

(OVER)

(4) Reports and returns shall be preserved for 3 years and thereafter until the department orders them to be destroyed.

(5) Any offense against subsections (1) through (4) of this section shall be punished by a fine not exceeding \$1,000 or by imprisonment in the county jail not exceeding 1 year, or both, at the discretion of the court, and if the offender be an officer or employee of the state, he shall be dismissed from office and be incapable of holding any public office in this state for a period of 1 year thereafter.

(6) Notwithstanding the provisions of this section, the department may permit the commissioner of internal revenue of the United States or the proper officer of any state imposing a tax upon the incomes of individuals or the authorized representative of either such officer to inspect the return of income of any individual or may furnish to such officer or his authorized representative an abstract of the return of income of any individual or supply him with information concerning any item of income contained in any return or disclosed by the report of any investigation of the income or return of income of any individual, but such permission shall be granted or such information furnished to such officer or his representative only if the statutes of the United States or of such other state, as the case may be, grant substantially similar privileges to the proper officer of this state charged with the administration of this chapter.

(7) Further, notwithstanding any of the provisions of this section, the department shall furnish:

(a) to the department of justice all information necessary to identify those persons qualifying for the additional exemption for blindness pursuant to 15-30-112(4), for the purpose of enabling the department of justice to administer the provisions of 61-5-105; and

(b) to the department of social and rehabilitation services information acquired under 15-30-301, pertaining to an applicant for public assistance, reasonably necessary for the prevention and detection of public assistance fraud and abuse, provided notice to the applicant has been given; and

(c) to the board of regents information required under [section 1]."

Renumber: subsequent section

Ex 3.

2/15/89

SB373

Amendments to Senate Bill No. 373
First Reading Copy (WHITE)

For the Committee on Judiciary

Prepared by Valencia Lane
February 15, 1989

Amend
1. Page 2, line 4.

Following: "testing"

Insert: "as a condition for employment or continued employment or for the purpose of compulsory enrollment in the program specified in subsection (2)(b),"

Amend
2. Page 2, line 16.

Following: "program"

Insert: "that includes outpatient or inpatient treatment as needed and"

3. Page 2, line 19.

Following: "hospital"

Insert: "or approved chemical dependency treatment program"

Ex 34

2/15/89

SB 385 p 1

Amendments to Senate Bill No. 385
First Reading Copy (WHITE)

Requested by Senator Harp
For the Committee on Judiciary

Prepared by Valencia Lane
February 15, 1989

4025
119

1. Title, line 18.
Following: "MCA;"
Insert: "AND"

2. Title, lines 19 and 20.
Following: "DATE" on line 19
Strike: remainder of line 19 through "COSTS" on line 20

3. Page 2, line 1.
Following: page 1
Insert: "NEW SECTION. Section 2. Purpose. The purposes of this part are to:
(1) protect the public health and welfare of all Montana citizens against the dangers arising from releases of hazardous or deleterious substances;
(2) encourage private parties to clean up sites within the state at which releases of hazardous or deleterious substances have occurred, resulting in adverse impacts on the health and welfare of the citizens of the state and on the state's natural, environmental, and biological systems; and
(3) provide for funding to study, plan, and undertake the rehabilitation, removal, and cleanup of sites within the state at which no voluntary action has been taken."
Renumber: subsequent sections

4. Page 3, line 22.
Following: "resources"
Strike: remainder of line 22
Insert: "means"

Arco

5. Page 3, line 24.
Following: "other"
Strike: "resource"
Insert: "such resources"

6. Page 3, line 25.
Following: "state"
Insert: "of Montana"

7. Page 4, line 1.
Following: "or"
Strike: "pertaining"
Insert: "appertaining"

} same as fed.

8. Page 5, line 18.
Following: "restoration,"
Insert: "mitigation,"

to clarify meaning of remedial action

9. Page 6, line 1.
Following: "department"
Insert: "the United States or any federal agency"

Area asked for

10. Page 7, lines 15 and 16.
Following: "~~include~~" on line 15
Strike: remainder of line 15 through "the" on line 16
Insert: "The"

BN request because the purp of the bill is not to retain a revolving fund.

11. Page 8, line 2.
Following: "penalties,"
Insert: "natural resource"

clarification to damages ref.

12. Page 8, line 22.
Following: "Any"
Insert: "authorized"

clarifies who has the authority

13. Page 9, line 18.
Strike: "duly"

clarify

14. Page 10, line 12.
Following: "Any"
Insert: "authorized"

"

15. Page 10, line 15.
Following: "the"
Insert: "authorized"

"

16. Page 11, line 13.
Following: "an"
Insert: "authorized"

"

17. Page 11, line 20.
Following: "(6),"
Insert: "where the court determines that there may be an imminent and substantial threat to public health, safety, or welfare"

BN to clarify under what circumstances the court will be allowed to act.

or the environment"

Sen. Harp's request for validity to pass to House

18. Page 13, lines 16 through 18.
Following: "environment." on line 16
Strike: remainder of line 16 through line 18

19. Page 14, line 23.
Following: "release" on line 23
Insert: "that may pose an imminent and substantial threat to public health, safety, or welfare or the environment"

Clarify

20. Page 15, line 8.
Following: "continues."
Insert: "In determining the amount of any penalty assessed, the court may take into account the nature, circumstances, extent, and gravity of the noncompliance and, with respect to the person liable under 75-10-715(1), his ability to pay; any prior history of such violations; the degree of culpability; the economic benefit or savings, if any, resulting from the noncompliance; and any other matters as justice may require."

Consistently additional BN request

21. Page 15, line 21.
Following: line 20
Insert: "(d) An action by a person to whom an order has been issued to determine the validity of the order, only if the person has been in compliance and continues in compliance with the order pending decision of the court."

concession by Dept.

22. Page 26, line 25.
Following: "state"
Strike: "may"
Insert: "shall"

Arco wanted to make the state agree with this; It puts duty on the state to go after parties who don't cooperate.

Deleted by Dept. from

23. Page 31, line 3.
Following: "before"
Insert: "final"
Following: "approval"
Insert: "by the director of the department"

Clarify

24. Page 31, line 4.
Following: "order"
Insert: "on consent issued pursuant to 75-10-711"
Following: "or"
Insert: "before judicial approval of a"

25. Page 32, line 3.
Following: "may"

Arco's to encourage clean up

Insert: "negotiate and"

26. Page 33, line 10.
Following: "transporting,"
Strike: "and"
Insert: "or"

correct wording

27. Page 34, line 9.
Following: "[Sections 1,"
Strike: "4, 7, 8, and 10 through 16"
Insert: "2, 5, 8, 9, and 11 through 17"

*to follow
codification
instructions*

28. Page 34, line 12.
Following: "[Sections 1,"
Strike: "4, 7, 8, and 10 through 16"
Insert: "2, 5, 8, 9, and 11 through 17"

29. Page 34, line 23 through page 35, line 1.
Strike: section 21 in its entirety
Renumber: subsequent section

ROLL CALL VOTE

SENATE COMMITTEE JUDICIARY

Date 2-15-89 Senate Bill No. 363 Time _____
(evening)

NAME	YES	NO
SEN. BISHOP		
SEN. BECK		
SEN. BROWN		
SEN. HALLIGAN		
SEN. HARP		
SEN. JENKINS		
SEN. MAZUREK		
SEN. PINSONEAULT		
SEN. YELLOWTAIL		
SEN. CRIPPEN		

Rosemary Jacoby
Secretary

Sen. Bruce Crippen
Chairman

Motion: Halligan Reconsider 9-1 mas N
Do Pass Carried 8-2 Beck Ne
Mazurek

ROLL CALL VOTE

SENATE COMMITTEE JUDICIARY

Date 2-15 Senate Bill No. 363 Time _____

Evening meeting

NAME	YES	NO
SEN. BISHOP		
SEN. BECK		
SEN. BROWN		
SEN. HALLIGAN		
SEN. HARP		
SEN. JENKINS		
SEN. MAZUREK		
SEN PINSONEAULT		
SEN. YELLOWTAIL		
SEN. CRIPPEN		

Rosemary Jacoby
Secretary

Sen. Bruce Crippen
Chairman

Motion: Pinsonault Amend 8-2 *Crippen*
DPA 8-2 *Halligan*
Maz
Halligan

ROLL CALL VOTE

SENATE COMMITTEE JUDICIARY

Date 2-15 eve. Senate Bill No. 369 Time _____

NAME	YES	NO
SEN. BISHOP	✓	
SEN. BECK	✓	
SEN. BROWN	✓	
SEN. HALLIGAN	✓	
SEN. HARP	✓	
SEN. JENKINS		✓
SEN. MAZUREK	✓	
SEN. PINSONEAULT	✓	
SEN. YELLOWTAIL	✓	
SEN. CRIPPEN	✓	

Rosemary Jacoby
Secretary

Sen. Bruce Crippen
Chairman

Motion: Mazurek Do Pass 9-1 Yea No

ROLL CALL VOTE

SENATE COMMITTEE JUDICIARY

Date 2-15-89 Senate Bill No. 404 Time 8:35
(evening)

NAME	YES	NO
SEN. BISHOP		✓
SEN. BECK	✓	
SEN. BROWN	✓	
SEN. HALLIGAN	✓	
SEN. HARP	✓	
SEN. JENKINS	✓	
SEN. MAZUREK	✓	
SEN. PINSONEAULT	✓	
SEN. YELLOWTAIL		✓
SEN. CRIPPEN		✓

7 to 3

Rosemary Jacoby
Secretary

Sen. Bruce Crippen
Chairman

Motion: Table - Sen Brown 7-3

ROLL CALL VOTE

SENATE COMMITTEE JUDICIARY

Date 2-15-89 Senate Bill No. 373 Time 8:55
(evening)

NAME	YES	NO
SEN. BISHOP		✓
SEN. BECK	✓	
SEN. BROWN		✓
SEN. HALLIGAN		✓
SEN. HARP	✓	
SEN. JENKINS	✓	
SEN. MAZUREK		✓
SEN. PINSONEAULT	✓	
SEN. YELLOWTAIL		✓
SEN. CRIPPEN	✓	

Rosemary Jacoby
Secretary

Sen. Bruce Crippen
Chairman

2 Amends UNAN

Motion: DPA failed 5-5

ROLL CALL VOTE

SENATE COMMITTEE JUDICIARY

Date 2-15-89 Senate Bill No. 385 Time _____
(evening)

NAME	YES	NO
SEN. BISHOP		
SEN. BECK		
SEN. BROWN		
SEN. HALLIGAN		
SEN. HARP		
SEN. JENKINS		
SEN. MAZUREK		
SEN. PINSONEAULT		
SEN. YELLOWTAIL		
SEN. CRIPPEN		

Rosemary Jacoby
Secretary

Sen. Bruce Crippen
Chairman

Motion: Harp Amend (1) NAN
Harp. D P A "