

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES  
53rd LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON JUDICIARY**

**Call to Order:** By **CHAIRMAN RUSSELL FAGG**, on March 10, 1993, at 9:00 a.m.

**ROLL CALL**

**Members Present:**

Rep. Russ Fagg, Chairman (R)  
Rep. Randy Vogel, Vice Chairman (R)  
Rep. Dave Brown, Vice Chairman (R)  
Rep. Ellen Bergman (R)  
Rep. Jody Bird (D)  
Rep. Vivian Brooke (D)  
Rep. Bob Clark (R)  
Rep. Duane Grimes (R)  
Rep. Scott McCulloch (D)  
Rep. Jim Rice (R)  
Rep. Angela Russell (D)  
Rep. Tim Sayles (R)  
Rep. Liz Smith (R)  
Rep. Bill Tash (R)  
Rep. Howard Toole (D)  
Rep. Tim Whalen (D)  
Rep. Diana Wyatt (D)

**Members Excused:** Rep. Randy Vogel (R)  
Rep. Karyl Winslow (R)

**Members Absent:** None

**Staff Present:** John MacMaster, Legislative Council  
Beth Miksche, Committee Secretary

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing: SB 150, SB 70  
Executive Action: SB 150, SB 336, SB 37, SB 173, SB 68

**HEARING ON SB 150**

**Opening Statement by Sponsor:**

**SEN. SUE BARTLETT**, Senate District 23, Helena, said that SB 150 is an act conforming with federal law the state child support enforcement laws relating to the child support guidelines and

paternity blood testing fees.

Proponents' Testimony:

Mary Ann Wellbank, Administrator, Department of Family Services, Child Support Enforcement Division (CSED), did not testify but was present for questioning.

Opponents' Testimony: None

Questions From Committee Members and Responses: None

Closing by Sponsor: None

HEARING ON SB 70

Opening Statement by Sponsor:

REP. BOB BROWN, Senate District 2, Whitefish, said that SB 70 is an act providing that a court may not make a disposition in a child abuse, neglect, or dependency proceeding that requires an expenditure of money by the Department of Family Services unless the Department is notified and a timely court hearing is set; providing that the department is the payor of last resort.

Proponents' Testimony:

Ann Gilkey, Chief Legal Counsel, Department of Family Services, provided written testimony. EXHIBIT 1

Jim Smith, Montana Juvenile Probation Officers Association (MJPOA), said this bill preserves District Court jurisdiction while providing DFS the tools it needs to manage the budget. He also said that SB 70 is very explicit that DFS shall be the payor of last resort. If parents or families are able to participate financially in the treatment of their children, they should do so. Another good thing about SB 70 is that, if the parents have insurance policies, then those policies should be accessed first; only after those resources are utilized and completed, should DFS require to extend the taxpayer policy.

Opponents' Testimony: None

Questions From Committee Members and Responses:

REP. BIRD asked Ms. Gilkey how much money this bill will save

compared to previous expenditures. Ms. Gilkey explained that DFS did not save any money in the past year as it has over spent its budget.

REP. RUSSELL asked Ms. Gilkey whether the court will have to find a third party to pay bills if there are children who need services but their parents will not pay. Ms. Gilkey said she does not believe that any child will go unserved based on this bill. If a judge thinks DFS should pay and DFS disagrees, there is a way to work it out in court. The intent of this bill is not to deny any family services to children or their families.

Closing by Sponsor: None

EXECUTIVE ACTION ON SB 336

Motion: REP. WYATT MOVED SB 336 BE CONCURRED IN.

Discussion:

REP. BIRD said SEN. YELLOWTAIL proposed a termination date in section 3, page 4 and asked Mr. MacMaster to comment. Mr. MacMaster said the amendment sets the salary for the fiscal year beginning this July 1, 1993, and again, for fiscal year beginning July 1, 1994. He thinks the bill should be passed the way it is; at the end of the second year of the biennium, that salary will be what it will be at that time, and it will remain that way unless the legislature does something to increase it.

REP. BROOKE thinks this is clearly an appropriations bill. REP. RICE said REP. BROOKE has a good argument, but a bill like this doesn't appropriate money, although it does have a fiscal impact. CHAIRMAN FAGG suggested to REP. BROOKE that if she feels it is necessary, she can take her idea to the Rules Committee and see if they want to issue a ruling on whether this bill is appropriately before the Judicial Committee.

Vote: SB 336 BE CONCURRED IN. Motion carried 14-2 with REPS. CLARK and BERGMAN voting no. REPS. WINSLOW and VOGEL were excused.

EXECUTIVE ACTION ON SB 37

Motion: REP. WYATT MOVED SB 37 BE CONCURRED IN.

Discussion:

REP. RICE said he had met with SEN. TOWE to work out compromise language, and REP. RICE proposed four amendments. EXHIBIT 2

Motion: REP. RICE offered the EXHIBIT 2 amendments.

**Discussion:**

It is SEN. TOWE'S preference to add language in the Statement of Intent that would say, "It is the intent of the legislature that this shall not apply to any distribution of literature and conversation to any person on their way to an abortion clinic." The Statement of Intent should not be expanded to anything else. SEN. TOWE said that REP. RICE is correct in saying that this bill was not drafted to address labor or anti-abortion issues; if the committee still runs into problems, SEN. TOWE would accept taking them out of the bill and to rely on existing law.

REP. MCCULLOCH asked REP. RICE why Amendment No. 2 is included in the amendments. REP. RICE responded that Statement of Intent are not printed in the codes; if a person wishes to study the codability of this bill in the law books, the statement of intent will not be there. If that is a problem, he asked Mr. MacMaster if it is possible to place instruction in the bill to require the statement of intent to be codified and placed in the codes, and drop the second part of the bill. Mr. MacMaster said the statement of intent for any bill is always placed in the annotations to the code. If there's a section in the bill that's going to be codified and a statement of intent relates to that section, then the statement of intent is published not in the MCA itself, but in that second set of annotations which tracks the code itself - what people use when they're reading the code. He said the committee can easily vote to request Greg Petesch, Code Commissioner, Legislative Council, to publish this statement of intent in the MCA under that section where the stalking section of the bill will be published. It will not be published in the annotations; it will be published in the MCA set itself.

After a long discussion regarding exemptions, the committee came to terms and agreed that pro-life and organized labor activities are already covered under law, and the committee decided that it is important to stick to the original intent of the bill which is stalking. Stalking, under this bill, means harassing, intimidating, threatening, and following a person or persons.

CHAIRMAN FAGG believes amendment No. 2 is unnecessary and doesn't improve the bill, but he will vote for the amendment because he would like to see the bill pass.

**Motion:** REP. MCCULLOCH moved a substitute motion to vote on Amendment No. 1 rather than Amendment No. 2.

**Motion:** REP. RICE moved Amendment No. 1.

**Discussion:**

REP. CLARK asked REP. RICE if he had any objection to striking

organized labor activity in Amendment No. 1. **REP. RICE** recommended voting on the amendment, and if it passes, he will offer another amendment to strike that language. Some committee members want to keep that language in the amendment.

**Vote:** **REP. RICE'S** amendment No. 1 carried 11-7. Those voting no were **REPS. BROWN, BROOKE, MCCULLOCH, RUSSELL, TOOLE, WINSLOW, and WYATT.**

**Motion/Vote:** **REP. CLARK** moved an amendment to strike "organized labor activities or" from Amendment No. 1. Amendment failed 8-8 with **REPS. BROWN, BIRD, BERGMAN, MCCULLOCH, RUSSELL, SAYLES, WHALEN** and **WYATT** voting no. **REPS. VOGEL** and **WINSLOW** were excused.

**Motion:** **REP. TOOLE** moved to amend Amendment No. 1 by inserting the following language after anti-abortion activities: "to the extent that they are constitutionally protected,..."

**Discussion:**

**REP. WHALEN** said the reason for including the exemption is because nobody knows what is legally protected or constitutionally protected activity in this area. He said these types of laws are constantly being tested and can cause litigation if the language "constitutionally protected activity" is included. **REP. TOOLE** asserted that the courts understand what is constitutionally protected activity and the difference between what is and what is not lawful.

**Vote:** **REP. TOOLE'S** amendment to add language to Amendment No. 1 failed 11-7 with **REPS. VOGEL, BIRD, BERGMAN, CLARK, GRIMES, RICE, SAYLES, SMITH, TASH, WHALEN,** and **WINSLOW** voting no.

**Motion:** **REP. RICE MOVED SB 37 BE CONCURRED IN AS AMENDED.**

**Discussion:**

**REP. BIRD** recommended asking **Mr. Petesch** about publishing the Statement of Intent in the code section as **Mr. MacMaster** had suggested. **CHAIRMAN FAGG** was opposed to that idea because the code books are already quite long; if statements of intents are added to the bills, that could add another book over the course of the years.

**Vote:** **SB 37 BE CONCURRED IN AS AMENDED.** Motion carried 14-4 with **REPS. BROWN, BROOKE, RUSSELL,** and **TOOLE** voting no.

**EXECUTIVE ACTION ON SB 150**

**Motion:** **REP. RUSSELL MOVED SB 150 BE CONCURRED IN.**

**Discussion:**

Mr. MacMaster explained a clerical amendment. On page 10, there was a word left out on line 1. After the word "order" on line 1, insert the word "is."

**Motion/Vote:** REP. TOOLE moved the clerical amendment. Motion carried unanimously.

**Motion/Vote:** REP. WHALEN MOVED SB 150 BE CONCURRED IN AS AMENDED. Motion carried unanimously 16-0. REPS. VOGEL and WINSLOW were excused from voting.

**EXECUTIVE ACTION ON SB 173**

**Motion/Vote:** REP. BROWN MOVED SB 173 BE CONCURRED IN. Motion carried 15-1 with REP. CLARK voting no. REPS. WINSLOW and VOGEL were excused.

**EXECUTIVE ACTION ON SB 68**

**Motion:** REP. BROWN MOVED SB 68 BE NOT CONCURRED IN.

**Discussion:**

REP. WHALEN opposes the do not pass motion and offered an amendment to include a sunset provision for another four years as two years is too short. He said the observation made by Russell Hill, Montana Trial Lawyers Association, is that this should be reviewed periodically, and this is a mechanism for doing that.

**Motion:** REP. GRIMES MADE A SUBSTITUTE MOTION THAT SB 68 BE CONCURRED IN.

**Motion:** REP. WHALEN moved an amendment to include a sunset provision for four years rather than two.

**Discussion:**

CHAIRMAN FAGG doesn't believe that amendment is necessary because the legislature can review the cap every time it meets. Eventually, the legislature will review the cap and decide to raise it.

**Vote:** REP. WHALEN'S amendment to include a sunset provision failed 11-6 with CHAIRMAN FAGG, REPS. VOGEL, BERGMAN, CLARK, GRIMES, MCCULLOCH, SAYLES, SMITH, TASH, WINSLOW, and WYATT voting no. REP. RICE was absent.

**Vote:** SB 68 BE CONCURRED IN. Motion carried 14-4 with REPS. BROWN, BROOKE, RUSSELL, and SMITH voting no.

ADJOURNMENT

Adjournment: 12:00 p.m.

  
\_\_\_\_\_  
REP. RUSSELL FAGG, Chairman

  
\_\_\_\_\_  
BETH MIKSCHÉ, Secretary

RF/bcm

HOUSE OF REPRESENTATIVES

Judiciary

COMMITTEE

ROLL CALL

DATE

3-10-93

NAME	PRESENT	ABSENT	EXCUSED
Rep. Russ Fagg, Chairman	✓		
Rep. Randy Vogel, Vice-Chair			✓
Rep. Dave Brown, Vice-Chair	✓		
Rep. Jodi Bird	✓		
Rep. Ellen Bergman	✓		
Rep. Vivian Brooke	✓		
Rep. Bob Clark	✓		
Rep. Duane Grimes	✓		
Rep. Scott McCulloch	✓		
Rep. Jim Rice	✓		
Rep. Angela Russell	✓		
Rep. Tim Savles	✓		
Rep. Liz Smith	✓		
Rep. Bill Tash	✓		
Rep. Howard Toole	✓		
Rep. Tim Whalen	✓		
Rep. Karyl Winslow			✓
Rep. Diana Wyatt	✓		



HOUSE STANDING COMMITTEE REPORT

March 11, 1993

Page 1 of 1

Mr. Speaker: We, the committee on Judiciary report that Senate Bill 150 (third reading copy -- blue) be concurred in as amended .

Signed: Russ Fagg  
Russ Fagg, Chair

And, that such amendments read:

Carried by: Rep. Russell

1. Page 10, line 1.  
Following: "order"  
Insert: "is"

-END-

3-11-93

Committee Vote:  
Yes 11, No 2.

551430SC.Hpf

HOUSE STANDING COMMITTEE REPORT

March 11, 1993

Page 1 of 1

Mr. Speaker: We, the committee on Judiciary report that  
Senate Bill 173 (third reading copy -- blue) be concurred in .

Signed: Russ Fagg  
Russ Fagg, Chair

Carried by: Rep. McCulloch

Committee Vote:  
Yes 15, No 1.

551428SC.Hpf

HOUSE STANDING COMMITTEE REPORT

March 11, 1993

Page 1 of 1

Mr. Speaker: We, the committee on Judiciary report that  
Senate Bill 68 (third reading copy -- blue) be concurred in .

Signed: Russ C. Fagg  
Russ Fagg, Chair

Carried by: Rep. Toole

3  
3-11-93  
0:50

Committee Vote:  
Yes 14, No 4.

HOUSE STANDING COMMITTEE REPORT

March 11, 1993

Page 1 of 1

Mr. Speaker: We, the committee on Judiciary report that  
Senate Bill 336 (third reading copy -- blue) be concurred in .

Signed: Russell C. Fagg  
Russ Fagg, Chair

Carried by: Rep. Grimes

Committee Vote:  
Yes 11, No 2.

551420SC.Hpf

HOUSE OF REPRESENTATIVES

Judiciary

COMMITTEE

ROLL CALL VOTE

DATE 3-10-93 BILL NO. SB 37 NUMBER 18

MOTION: SB 37 Be concurred as amended 14-4

NAME	AYE	NO
Rep. Russ Fagg, Chairman	✓	
Rep. Randy Vogel, Vice-Chair	✓	
Rep. Dave Brown, Vice-Chair		✓
Rep. Jodi Bird	✓	
Rep. Ellen Bergman	✓	
Rep. Vivian Brooke		✓
Rep. Bob Clark	✓	
Rep. Duane Grimes	✓	
Rep. Scott McCulloch	✓	
Rep. Jim Rice	✓	
Rep. Angela Russell		✓
Rep. Tim Sayles	✓	
Rep. Liz Smith	✓	
Rep. Bill Tash	✓	
Rep. Howard Toole		✓
Rep. Tim Whalen	✓	
Rep. Karyl Winslow	✓	
Rep. Diana Wyatt	✓	
	14	4

HOUSE OF REPRESENTATIVES

Judiciary

COMMITTEE

ROLL CALL VOTE

DATE 3-10-93 BILL NO. SB 37 NUMBER 16

MOTION: Rep. Clark's amendment to strike Labor  
Union failed 8-8

NAME	AYE	NO
Rep. Russ Fagg, Chairman	✓	
Rep. Randy Vogel, Vice-Chair	NO	NOTE
Rep. Dave Brown, Vice-Chair		✓
Rep. Jodi Bird		✓
Rep. Ellen Bergman		✓
Rep. Vivian Brooke	✓	
Rep. Bob Clark	✓	
Rep. Duane Grimes	✓	
Rep. Scott McCulloch		✓
Rep. Jim Rice	✓	
Rep. Angela Russell		✓
Rep. Tim Sayles		✓
Rep. Liz Smith	✓	
Rep. Bill Tash	✓	
Rep. Howard Toole	✓	
Rep. Tim Whalen		✓
Rep. Karyl Winslow	NO	NOTE
Rep. Diana Wyatt		

HOUSE OF REPRESENTATIVES

Judiciary COMMITTEE

ROLL CALL VOTE

DATE 3-10-93 BILL NO. SB 87 NUMBER 18

MOTION: Rep. Toole's Amendment failed 11-7

NAME	AYE	NO
Rep. Russ Fagg, Chairman	✓	
Rep. Randy Vogel, Vice-Chair		✓
Rep. Dave Brown, Vice-Chair	✓	
Rep. Jodi Bird		✓
Rep. Ellen Bergman		✓
Rep. Vivian Brooke	✓	
Rep. Bob Clark		✓
Rep. Duane Grimes		✓
Rep. Scott McCulloch	✓	
Rep. Jim Rice		✓
Rep. Angela Russell	✓	
Rep. Tim Sayles		✓
Rep. Liz Smith		✓
Rep. Bill Tash		✓
Rep. Howard Toole	✓	
Rep. Tim Whalen		✓
Rep. Karyl Winslow		✓
Rep. Diana Wyatt	✓	
	7	11

HOUSE OF REPRESENTATIVES

Judiciary

COMMITTEE

ROLL CALL VOTE

DATE 3-10-93 BILL NO. SB 37 NUMBER 18

MOTION: Rep. Rice's amendment to put language back to original intent of the bill. Substitute motion to use the first amendment. Amendment carried 11-7

NAME	AYE	NO
Rep. Russ Fagg, Chairman	✓	
Rep. Randy Vogel, Vice-Chair	✓	
Rep. Dave Brown, Vice-Chair		✓
Rep. Jodi Bird	✓	
Rep. Ellen Bergman	✓	
Rep. Vivian Brooke		✓
Rep. Bob Clark	✓	
Rep. Duane Grimes	✓	
Rep. Scott McCulloch		✓
Rep. Jim Rice	✓	
Rep. Angela Russell		✓
Rep. Tim Sayles	✓	
Rep. Liz Smith	✓	
Rep. Bill Tash	✓	
Rep. Howard Toole		✓
Rep. Tim Whalen	✓	
Rep. Karyl Winslow		✓
Rep. Diana Wyatt		✓
	11	7



HOUSE OF REPRESENTATIVES

Judiciary

COMMITTEE

ROLL CALL VOTE

DATE 3-10-93 BILL NO. SB68 NUMBER 18

MOTION: SB68 Be concurred IN 14-4

NAME	AYE	NO
Rep. Russ Fagg, Chairman	✓	
Rep. Randy Vogel, Vice-Chair	✓	
Rep. Dave Brown, Vice-Chair		✓
Rep. Jodi Bird	✓	
Rep. Ellen Bergman	✓	
Rep. Vivian Brooke		✓
Rep. Bob Clark	✓	
Rep. Duane Grimes	✓	
Rep. Scott McCulloch	✓	
Rep. Jim Rice	✓	
Rep. Angela Russell		✓
Rep. Tim Sayles	✓	
Rep. Liz Smith		✓
Rep. Bill Tash	✓	
Rep. Howard Toole	✓	
Rep. Tim Whalen	✓	
Rep. Karyl Winslow	✓	
Rep. Diana Wyatt	✓	
	14	4

HOUSE OF REPRESENTATIVES

Judiciary

COMMITTEE

ROLL CALL VOTE

DATE 3-10-93 BILL NO. 5B68 NUMBER 17

MOTION: Rep Whalen's Amendment Fails 11-6

NAME	AYE	NO
Rep. Russ Fagg, Chairman		✓
Rep. Randy Vogel, Vice-Chair		✓
Rep. Dave Brown, Vice-Chair	✓	
Rep. Jodi Bird	✓	
Rep. Ellen Bergman		✓
Rep. Vivian Brooke	✓	
Rep. Bob Clark		✓
Rep. Duane Grimes		✓
Rep. Scott McCulloch		✓
Rep. Jim Rice	Absent	
Rep. Angela Russell	✓	
Rep. Tim Sayles		✓
Rep. Liz Smith		✓
Rep. Bill Tash		✓
Rep. Howard Toole	✓	
Rep. Tim Whalen	✓	
Rep. Karyl Winslow		✓
Rep. Diana Wyatt		✓
	6	11

HOUSE OF REPRESENTATIVES

Judiciary COMMITTEE

ROLL CALL VOTE

DATE 3-10-93 BILL NO. SB 173 NUMBER 16

MOTION: SB 173 be concurred 15-1

NAME	AYE	NO
Rep. Russ Fagg, Chairman	✓	
Rep. Randy Vogel, Vice-Chair	Excused	
Rep. Dave Brown, Vice-Chair	✓	
Rep. Jodi Bird	✓	
Rep. Ellen Bergman	✓	
Rep. Vivian Brooke	✓	
Rep. Bob Clark		✓
Rep. Duane Grimes	✓	
Rep. Scott McCulloch	✓	
Rep. Jim Rice	✓	
Rep. Angela Russell	✓	
Rep. Tim Sayles	✓	
Rep. Liz Smith	✓	
Rep. Bill Tash	✓	
Rep. Howard Toole	✓	
Rep. Tim Whalen	✓	
Rep. Karyl Winslow	Excused	
Rep. Diana Wyatt	✓	

HOUSE OF REPRESENTATIVES

Judiciary

COMMITTEE

ROLL CALL VOTE

DATE 3-10-93 BILL NO. SB 336 NUMBER 16

MOTION: SB 336 be concurred in 14-2

NAME	AYE	NO
Rep. Russ Fagg, Chairman	✓	
Rep. Randy Vogel, Vice-Chair	Excused	
Rep. Dave Brown, Vice-Chair	✓	
Rep. Jodi Bird	✓	
Rep. Ellen Bergman		✓
Rep. Vivian Brooke	✓	
Rep. Bob Clark		✓
Rep. Duane Grimes	✓	
Rep. Scott McCulloch	✓	
Rep. Jim Rice	✓	
Rep. Angela Russell	✓	
Rep. Tim Sayles	✓	
Rep. Liz Smith	✓	
Rep. Bill Tash	✓	
Rep. Howard Toole	✓	
Rep. Tim Whalen	✓	
Rep. Karyl Winslow	Excused	
Rep. Diana Wyatt	✓	

HOUSE OF REPRESENTATIVES

Judiciary

COMMITTEE

ROLL CALL VOTE

DATE 3-10-93 BILL NO. JB 150 NUMBER 16

MOTION: JB 150 Be concurred unaminously 16-0

NAME	AYE	NO
Rep. Russ Fagg, Chairman	✓	
Rep. Randy Vogel, Vice-Chair	Excused	
Rep. Dave Brown, Vice-Chair	✓	
Rep. Jodi Bird	✓	
Rep. Ellen Bergman	✓	
Rep. Vivian Brooke	✓	
Rep. Bob Clark	✓	
Rep. Duane Grimes	✓	
Rep. Scott McCulloch	✓	
Rep. Jim Rice	✓	
Rep. Angela Russell	✓	
Rep. Tim Sayles	✓	
Rep. Liz Smith	✓	
Rep. Bill Tash	✓	
Rep. Howard Toole	✓	
Rep. Tim Whalen	✓	
Rep. Karyl Winslow	Excused	
Rep. Diana Wyatt	✓	

DEPARTMENT OF FAMILY SERVICES



MARC RACICOT, GOVERNOR

(406) 444-5900  
FAX (406) 444-5956

STATE OF MONTANA

HANK HUDSON, DIRECTOR  
JESSE MUNRO, DEPUTY DIRECTOR

PO BOX 8005  
HELENA, MONTANA 59604-8005

March 10, 1993

DEPARTMENT OF FAMILY SERVICES TESTIMONY IN SUPPORT OF SB 70

Submitted by Ann Gilkey, Legal Counsel

Although great strides have been made, the Department of Family Services continues to struggle as an underfunded, understaffed agency charged with the monumental task of providing protective services to youth, the elderly, and Montanans with developmental disabilities, while staying within its limited budget. Scarce resources and skyrocketing caseloads make budget management a nightmarish task for the agency's administrators. Additional control over the DFS budget is not only desired by the agency, but should also be encouraged by the public, to whom the agency is accountable.

SB 70 is a budget management bill. It restricts the court from making ad hoc decisions regarding services for department clients and then ordering the agency to pay for those services without the agency's input and chance to dispute responsibility for payment.

Examples of the types of expenditures that this amendment would address include: orders to pay for evaluations, therapy or alcohol treatment of people who have insurance or other resources; orders to pay for expert witness fees that are statutorily charges to the county; paternity testing; and transportation for parents to attend hearings.

Because of opposition from the Youth Court judges, Sen. Towe suggested that SB 70 be amended. The department agreed to the compromise language that is presently in SB 70. The amendment will put DFS on notice of any contemplated order that the agency pay for services that it ordinarily would not pay for. The agency will then be able to address its concerns to the court and negotiate the resolution of payment for some of these types of services. If the agency is requiring that the person receive particular services, it does not contest its responsibility to pay for the services, unless there is another reasonable source available. The intent of SB 70 is NOT to deny necessary services to needy clients, but is simply to provide the agency a tool to help it manage its budget.

On behalf of the Department of Family Services, I strongly urge your support of SB 70.

Amendments to Senate Bill No. 37  
Third Reading Copy

*adopted*

Requested by Rep. Rice  
For the Committee on the Judiciary

Prepared by John MacMaster  
March 10, 1993

1. Page 2, lines 2 and 3.

Strike: "IN PARTICULAR, THE LEGISLATURE DOES NOT WANT"

Insert: "It is the specific intent of the legislature that [this act] not create a criminal offense or a civil cause of action with regard to organized labor activities or antiabortion activities, and the legislature does not intend"

2. Page 2.

Following: line 25

Insert: "(2) This section does not apply to a constitutionally protected activity."

Renumber: subsequent subsections

3. Page 9, lines 15 and 16.

Strike: "prosecuting" on line 15 through "or the" on line 16

Strike: "in the absence of the prosecuting attorney," on line 16

4. Page 9, line 17.

Strike: "immediately"

Insert: ", as soon as possible under the circumstances, make one and if necessary more reasonable attempts, by means that include but are not limited to certified mail, to "

HOUSE OF REPRESENTATIVES  
VISITOR REGISTER

Judiciary COMMITTEE BILL NO. SB 70  
DATE March 10, 1993 SPONSOR(S) B. Brown

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
<del>DATA</del> Ann Gilkey	DFS (Anne Gilkey Dept Family bus)	X	
Jim Smith	Mt. Juv. Prob. Off.	✓	

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.



HOUSE OF REPRESENTATIVES  
VISITOR REGISTER

Judiciary COMMITTEE BILL NO. SB 150  
DATE March 10, 1993 SPONSOR(S) J. Bartlett  
PLEASE PRINT PLEASE PRINT PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
JOHN McRAE	DEPT OF SRS / CSED	X	

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS  
ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.