

MINUTES

**MONTANA SENATE
53rd LEGISLATURE - REGULAR SESSION**

COMMITTEE ON JUDICIARY

Call to Order: By Senator Bill Yellowtail, on April 13, 1993, at 10:06 a.m.

ROLL CALL

Members Present:

Sen. Bill Yellowtail, Chair (D)
Sen. Steve Doherty, Vice Chair (D)
Sen. Sue Bartlett (D)
Sen. Chet Blaylock (D)
Sen. Bob Brown (R)
Sen. Eve Franklin (D)
Sen. Lorents Grosfield (R)
Sen. Mike Halligan (D)
Sen. John Harp (R)
Sen. David Rye (R)
Sen. Tom Towe (D)

Members Excused: None.

Members Absent: Sen. Bruce Crippen (R)

Staff Present: Valencia Lane, Legislative Council
Kelsey Chapman, Committee Secretary

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

Committee Business Summary:

Hearing: SJR 31
Executive Action: HB 323, HB 576, SJR 31, HB 570

HEARING ON HJR 31

Opening Statement by Sponsor:

Senator Mike Halligan, Senate District 34, said in the 53rd Session there had been several bills dealing with tort reform and health care in rural Montana. He said any solutions to these problems were complex, and an interim study could be productive. He said that SJR 31 would create a study committee for research on insurance costs, tort reform proposals, and other similar issues. He said the interim study helped address the issues in a comprehensive way.

Proponents' Testimony:

Russell Hill, Montana Trial Lawyers Association (MTLA), said the subpoena power the interim committee would have was important, and also important the requirement that the interim committee draft recommended legislation rather than proposing concepts were very important points in SJR 31. He said there were references in SJR 31 about the high costs of medical malpractice insurance and reasonable liability rates, essential points for the study committee to examine. He said it was important to distinguish between different types of insurance and liability insurance. He said most insurance protected against unavoidable risks, whereas liability insurance protected against risks that were avoidable. He said people had the right to liability insurance at affordable rates. The assessment of the committee should include not only recommended legislation, but laws that were already enacted.

Larry Akey, Montana Association of Life Underwriters, said his association supported SJR 31 because medical malpractice was driving the cost of medical costs. He said this study could help in cost containment measures. He asked that the study on SB 285, Senator Franklin's bill, and this study committee coordinate, so as not to duplicate efforts.

Beda Lovitt, Montana Medical Association (MMA), told the Committee for 15 years MMA had supported tort reform, and thus, supported SJR 31.

Opponents' Testimony:

None.

Informational Testimony:

None.

Questions From Committee Members and Responses:

Senator Doherty asked Senator Halligan if he would oppose adding language to ask the study committee to examine Blue Cross and Blue Shield as a provider of health insurance in Montana. Senator Halligan answered there was subpoena power in the Bill.

Senator Bartlett asked Senator Halligan if he had looked at coordinating SJR 31 with SB 285 to parcel out and coordinate studies. Senator Halligan answered the Legislative Council would parcel out the tasks and duties, but would make sure there would be no duplication.

Senator Towe asked Senator Halligan if he had any objection to making reference to joint and several liability and to the defensive medical concept. Senator Halligan said there was a list of items to study, but it was not all inclusive, so he saw no reason to amend SJR 31 at this point. If they were very

important to the Committee, he would not oppose an amendment.

Senator Towe said he agreed with Russell Hill and Larry Akey that defensive medicine and legal questions should be specifically addressed in the study.

Senator Halligan said these might be better addressed in the health care portion of the study, rather than the legal portion.

Senator Franklin said defensive medicine was to be examined in the study of SB 285.

Senator Yellowtail asked Senator Halligan if it was worthwhile to add language to insure SJR be dovetailed with SB 285 when the study of defensive medicine was in question. Senator Halligan said it could be assumed the coordination would take place.

Senator Doherty asked if any interim committee had ever subpoenaed anything. He asked if it would be truly helpful to subpoena records. Senator Halligan said in one committee he was on, there had been an attempt to get records of actuaries, but he could not remember if a subpoena was finally issued.

Senator Towe said in 1974, an interim committee started a subpoena process on the coal tax study. He said before the Attorney General ever issued a subpoena, the coal companies came through, and turned over their records.

Closing by Sponsor:

Senator Halligan closed on SJR 31.

EXECUTIVE ACTION ON HB 323

Motion/Vote:

Senator Doherty moved to take HB 323 OFF THE TABLE. The Motion CARRIED UNANIMOUSLY.

Discussion:

Senator Halligan explained amendments (hb032302.avl) would allow an option of injunction in a first offense case. He said the penalty for a second offense was increased to a felony, so the court would have a longer time span for oversight of a second offender. He said the amendments cleaned up HB 323, but left substantive provisions intact.

Motion:

Senator Halligan moved HB 323 BE AMENDED (hb032302.avl).

Discussion:

Senator Towe asked what the penalty would be under the two year felony. He asked if the \$1000 and a term not to exceed two years would be the only punishment. Senator Halligan answered this was correct.

Senator Towe asked if there would need to be suspension of the rules in the House to accept HB 323 back. Senator Halligan answered yes.

Senator Yellowtail asked Valencia Lane if an effective date had been put into the amendments. Ms. Lane said no, that there had been discussion about putting an immediate effective date on HB 323, but that had not been done. She also said that there had been discussion about an applicability date. An applicability date might not be possible because it could be retroactive.

Senator Yellowtail asked if Senator Halligan had considered putting in an effective date and an applicability date. Senator Halligan said there perhaps could not be a retroactive applicability date because of constitutional provisions.

Valencia Lane said in other cases there had been retroactive applicability dates applied, and she deferred the question to John Connor.

John Connor, the Attorney General's office, said he did not think HB 323 could be made retroactive so as to bring in a previous charge a person was convicted of. He said an immediate effective date could be useful in dealing with current problems.

Senator Halligan said he would accept as a friendly amendment to his amendment adding an immediate effective date.

Vote:

The Motion by Senator Halligan that HB 323 BE AMENDED (hb032302.avl) CARRIED UNANIMOUSLY.

Motion\Vote:

Senator Doherty moved HB 323 BE CONCURRED IN AS AMENDED. The Motion CARRIED UNANIMOUSLY. Senator Halligan was assigned to carry HB 323 on the Floor of the Senate.

EXECUTIVE ACTION ON HB 576**Discussion:**

Senator Yellowtail said some people had approached him about

taking HB 576 from the table. He asked the Committee if it would wish to do this.

Senator Doherty said he would like to take HB 576 from the table. He said it had to be amended.

Senator Doherty said if amended, HB 576 would be a useful tool to emphasize the lawful hunting rights of Montanans.

Senator Franklin said she would support this.

Senator Towe said he would support the proposal to move off the table.

Senator Yellowtail said there was not enough support to warrant consideration at this time.

EXECUTIVE ACTION ON SJR 31

Discussion:

Valencia Lane explained Senator Towe's proposed amendments. She said on page 3, line 10 Senator Towe would like to insert "joint and several liability," and after line 11, he would like to add a new subsection 4 stating "where appropriate, the study must be coordinated with the study of tort reform and defensive medicine provided for in SB 285."

Motion/Vote:

Senator Towe moved to amend SJR 31. The Motion CARRIED UNANIMOUSLY.

Motion\Vote:

Senator Towe moved SJR DO PASS AS AMENDED. The motion carried UNANIMOUSLY with Senator Grosfield and Senator Harp not present to vote.

EXECUTIVE ACTION ON HB 570

Motion:

Senator Halligan moved HB 570 be amended (hb057003.av1).

Discussion:

Senator Halligan explained that a part of HB 570 required legislative assessments and other assessments to be done every time a statute was adopted. He said the problem associated with

this would be the cost of having a person assessing legislation during the interim. The original intent of HB 570 was to define "taking". He said the amendments inserted language that purportedly would do this in accordance with current court rulings. He said HB 570 directed the courts that it was the policy of the Legislature to protect private property, and that private property not be taken except through due process of the law. Senator Halligan stated the amendment would focus HB 570 on that intent. He said amendment 22 was the most substantive amendment, defining "taking" as "the deprivation of all economically viable use of the property", which is what the current case law which is the United States Supreme Court's and the Montana Supreme Court's interpretation.

Senator Towe asked if "all economically viable use of the property" was the test used in reverse condemnation cases. Senator Halligan said he was not sure.

Senator Doherty clarified that "all economically viable use of property" was directly used in the leading United States Supreme Court South Carolina decision dealing with takings.

Beth Baker, Department of Justice, said by inverse condemnation the property was not physically taken, but as a result of governmental action, the property lost all economically viable use of the land, this would be the test the Supreme Court used. She said the amendments stated "contrary to those provisions of the constitution", allowing the police power analysis to come into the test equation as well as the deprivation of the value. She said if it was contrary to the constitution, there would also be the question if there was a valid exercise in police power.

Senator Halligan asked Valencia Lane to explain the rest of the amendments. Ms. Lane said the purpose section was left in HB 570, and became section 1. Section 2 defined "governmental action" adoption of a rule, and the laundry list was removed. "Government entity" is defined as an officer or agency of the state that is authorized to adopt rules, including political subdivisions of the state, but does not include legislative or judicial branches of the state. Private property remains under the same definition; the definitions of "property owner" and "state agency" are deleted because they are no longer used in HB 570. The definition of "taking" is "depriving a landowner of all economically viable use of private property contrary to the 5th amendment of the U.S. Constitution or Article II, section 29 of the Montana Constitution". She said Sections 4 and 5 of HB 570 are stricken in the amendment, and a new section 3 is included as the main part of the Bill, providing that before adopting a rule, a government entity shall consider current judicial interpretations of the State and Federal Constitutions that apply to the principle of taking private property.

Senator Yellowtail asked Valencia Lane if local government was included in the definition of "government entity". Ms. Lane said

the definition now included local governments, but not the Legislature.

Senator Grosfield said he was trying to understand the effect of removing sections 4 and 5 of HB 570. He asked if HB 570 was still talking about an assessment of some sort. Valencia Lane answered no, that a state agency is only required to consider the implication of constitutional law before adopting a rule under these amendments.

Senator Halligan said this provision was in the amendment because in all of the drafting that was done for the legislation, the constitutional question was always asked. He said that the attorney when drafting, must say if a bill may be unconstitutional. He said it would be good to require governmental entities to do the same thing.

Senator Bartlett said on a bill drafter's checklist, the first thing considered was the conformity of the bill to national and state constitutions. She said there were two sections in the bill drafter's manual that dealt with this subject. She said there were instances when a legislator was told that a bill was unconstitutional, but the legislator insisted on going through the process, but the drafting process is designed to take into account the constitutionality of the bill.

Senator Towe asked Senator Halligan if "rule" was defined, or at what point would action of county commissioners constitute rulemaking.

Senator Halligan said the county commissioners acted by resolution, and not by rule. He said the Missoula Department of Health acted by rule, with a hearing process.

Senator Doherty said any time a governmental entity was presented with a decision on a proposal, that would not be rulemaking. Any time a proposal was being made to implement a statute or ordinance would be rulemaking.

Senator Towe asked if the city council adopting an ordinance would be using rule making powers, but when county commissioners dealt with a tax appeal or one individual they would not be using rulemaking power. Senator Doherty said this would be a judicial or quasi-judicial determination.

Senator Towe asked what the enforcement mechanism of HB 570 was. He asked if a rule was made, and then it was found that the government entity had not considered the taking consequences as required by HB 570, would this rule be challengeable and voidable in court. Senator Halligan said this was the intent.

Senator Towe asked if failure to comply would invalidate the rule. Senator Halligan answered yes.

Senator Grosfield asked Senator Halligan if governmental regulation was included in the definition of "governmental action", meaning rule making. Senator Halligan said it was.

Senator Grosfield said if it was not included in governmental action, being rule making, then maybe the amendment should read that governmental action meant "adoption of a rule or regulation".

Senator Halligan said he would not disagree with a friendly amendment to add the word "regulation" in item 22 of Senator Halligan's amendments. Valencia Lane noted she would add the amendment.

Senator Grosfield said he was concerned by the definition of taking. He said "taking" meant taking all economically viable uses of public property. He said that area of law was developing, and he was uncomfortable with adhering something this absolute into the law. He said maybe it should read "depriving a property owner of private property in a manner inconsistent with the protections of the 5th amendment". He said he would like to strike the current definition and insert this language.

Motion:

Senator Grosfield made a substitute motion that in the definition of "takings", "all economically viable use of" and insert "in a manner contrary to the 5th amendment of the U.S. Constitution or Article II, section 29 of the Montana Constitution".

Senator Doherty said the idea that "takings" was a developing part of the law was a fallacy. He said takings by police power had been going on for some time. The language the U.S. Supreme Court recently used reaffirmed the Penn Station Case about whether the New York City Historical Association could limit the height of the building above Grand Central Station. The U.S. Supreme Court said that the association could limit the height because not all economically viable use had been taken from the owner of that building. He said the existing language in the amendment was consistent with that of the federal and state supreme courts.

Senator Towe said that by taking out the test language, and just relying on what the supreme court did rule was contrary to the 5th amendment would adopt what the current supreme court law was. He asked if Senator Grosfield's amendment was not safer than putting in language that could be outdated. Senator Doherty said there was logic to this argument, but if there were going to be terms used to give direction to the state agencies to think before they made rules, then the current language should be used, because it was clear. He said if the Legislature adopted the current language, there would be strong direction for the state agencies to follow.

Senator Grosfield said the Supreme Courts did at times make contrary decisions. He said that the criteria that a state agency might consider should be "all economically viable use" for the test. He said that could change at any point, and the wording in HB 570 should reflect adaptability to Supreme Court decisions.

Vote:

Senator Grosfield's Substitute Motion to amend HB 570 FAILED with Senator Yellowtail, Senator Doherty, Senator Halligan, Senator Bartlett, Senator Blaylock, and Senator Franklin voting NO. Senator Brown, Senator Rye, Senator Grosfield, Senator Harp, and Senator Towe voting YES.

Vote:

Senator Halligan's Motion TO AMEND (hb057003.avl) CARRIED with Senator Yellowtail, Senator Doherty, Senator Brown, Senator Halligan, Senator Towe, Senator Bartlett, Senator Blaylock, and Senator Franklin voting YES. Senator Rye, Senator Grosfield, and Senator Harp voted NO.

Discussion:

Senator Towe said he was concerned about language that said "a legislative branch". He said he thought this would be the Legislature, and not the city council or county commissioners office acting as a legislative branch. He asked Senator Halligan if he could explain what the intent was.

Senator Halligan said he did not see a reason why local governments could not be taken out of HB 570.

Motion:

Senator Towe moved to amend HB 570 by striking "includes political subdivisions of the state".

Discussion:

Valencia Lane said striking item 17 from the amendments (hb057003.avl) previously adopted would accomplish this.

Senator Grosfield said HB 570 now only provided that a government entity must resolve the question of constitutionality before enacting a law. He said this was not too much to just ask the government entities to look at this.

Senator Towe said he did not care whether local governments were included, but it should be spelled out to make it clear that rule making either includes or does not include any legislative action taken by political subdivisions of the state. He said that

zoning ordinances had serious impact on this sort of activity. He said there was often inverse condemnation in these cases. Other ordinances sometimes have a major impact on private property rights. He said the policy decision was whether to impede that activity by requiring every time an ordinance was passed the government entity must go through the process outlined in HB 570.

Senator Grosfield asked where the problem was that Senator Towe was amending out. Senator Towe said the problem was in the definition of rule. He said it was not clear what government entities would be included in government actions. He said amending local governments out of HB 570 would clarify this.

Senator Yellowtail said the policy choice was to remove local governments. He said if Senator Towe's motion failed, there should be an amendment to clarify what was meant by the actions.

Senator Grosfield said HB 570 was asking a government entity consider constitutional considerations before making a rule. He said he did not think this too much to ask of any of the local governments or other government entities.

Vote:

The Motion FAILED with Senator Bartlett, Senator Brown, Senator Yellowtail, Senator Doherty, Senator Rye, Senator Blaylock, Senator Franklin, and Senator Grosfield voting NO. Senator Towe and Senator Halligan voted YES. Senator Harp was not present for the vote.

Discussion:

Senator Towe suggested amending HB 570 on page 3, line 13 following "rule", by adding "When applied to political subdivisions of the state, a rule shall include all legislative action.".

Motion:

Senator Grosfield moved to amend HB 570 on page 3, line 13 following "rule", by adding "When applied to political subdivisions of the state, a rule shall include all legislative action.".

Discussion:

Valencia Lane asked Senator Towe for clarification on what the amendment should read. Senator Towe said it would be better to say "all rules, ordinances, and other decisions not specific to individuals".

Ms. Lane clarified that most rulings by local governments were ordinances and resolutions. She said using this would make it

clear.

Senator Doherty said that the intent was to get government entities to think before making rules. If local governments adopt ordinances and regulations, then these should be used in the language.

Senator Yellowtail asked if "resolutions" was broad enough to include regulations. Valencia Lane answered yes.

Vote:

The motion CARRIED UNANIMOUSLY, with Senator Harp and Senator Rye not present to vote.

Motion:

Senator Halligan moved HB 570 BE CONCURRED IN AS AMENDED.

Senator Doherty made a substitute motion that HB 570 BE TABLED.

Discussion:

Senator Doherty said HB 570 did nothing to provide remedies to injured parties. He said it did require state agencies to "think before they leapt", but these problems were not occurring in Montana.

Senator Grosfield said HB 570 would say that private property rights needed to be considered every time a rule was being made. He said it was an important policy move.

Senator Halligan said that the perception was there that government is out to take people's property. He said this was not reality, but HB 570 would give people the feeling that public officials were sending a message to consider private property in government. He said there was nothing wrong with that.

Senator Yellowtail said someone was advertising to the people of Montana that there was rampant takings going on. He said that HB 570 was being considered to be the answer to that, which it was not. He said it did not matter what the decision, HB 570 would offer no relief in the case of the takings. The property owner in a case of takings is still left with only the option of filing suit under the terms of the constitution. He said the intelligence of Montanan's were being insulted by the public relations campaign advertising HB 570 as the means of stopping some imaginary takings. He said he found this objectionable.

Senator Doherty said the misperceptions in the area of takings needed to be stopped. He said there was misinformation coming from a carefully orchestrated campaign by those who, for good or ill, wanted to take Montana back to where it does not belong. He objected to the notion that Montana agencies were running over

private property rights. He said he did not see the state agencies in Montana running over these rights.

Senator Rye said he appreciated the views of Senator Doherty and Senator Yellowtail. He said he did not agree with them, but appreciated the positions. He said he would vote against the motion to table.

Vote:

The Substitute Motion that HB 570 BE TABLED CARRIED with Senator Yellowtail, Senator Doherty, Senator Towe. Senator Bartlett, Senator Blaylock, and Senator Franklin voting YES. Senator Brown, Senator Rye, Senator Grosfield, Senator Halligan, and Senator Harp, voted NO.

ADJOURNMENT

Adjournment: 11:37 a.m.



SENATOR BILL YELLOWTAIL, Chair



KELSEY CHAPMAN, Secretary

BY/ksc

ROLL CALL

SENATE COMMITTEE

Judiciary

DATE 4/13/93

NAME	PRESENT	ABSENT	EXCUSED
Senator Yellowtail	X		
Senator Doherty	X		
Senator Brown	X		
Senator Crippen		X	
Senator Grosfield	X		
Senator Halligan	X		
Senator Harp	X		
Senator Towe	X		
Senator Bartlett	X		
Senator Blaylock	X		
FRANKLIN Senator Blaylock	X		
Senator Rye	X		

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
April 13, 1993

MR. PRESIDENT:

We, your committee on Judiciary having had under consideration Senate Joint Resolution No. 31 (first reading copy -- white), respectfully report that Senate Joint Resolution No. 31 be amended as follows and as so amended do pass.

Signed: Wm Yellowtail
Senator William "Bill" Yellowtail, Chair

That such amendments read:

1. Page 2, line 22.

Following: line 21

Insert: "(1)"

2. Page 3, line 1.

Strike: "(1)"

Insert: "(a)"

3. Page 3, line 5.

Strike: "(2)"

Insert: "(b)"

4. Page 3, line 7.

Strike: "(3)"

Insert: "(c)"

5. Page 3, line 10.

Following: "settlements,"

Insert: "joint and several liability,"

6. Page 3.

Following: line 11

Insert: "(2) That, when appropriate, the study be coordinated with the study of tort reform and defensive medicine provided for in Senate Bill No. 285."

-END-

ADD Amd. Coord.
IN Sec. of Senate

811356SC.San

SENATE STANDING COMMITTEE REPORT

Page 1 of 2
April 13, 1993

MR. PRESIDENT:

We, your committee on Judiciary having had under consideration House Bill No. 323 (third reading copy -- blue), respectfully report that House Bill No. 323 be amended as follows and as so amended be concurred in.

Signed: Wm Yellowtail
Senator William "Bill" Yellowtail, Chair

That such amendments read:

1. Title, line 5.
Strike: "SECOND OR SUBSEQUENT"

2. Title, line 6.
Strike: "ENJOIN"
Insert: "PROHIBIT"
Following: "DEFENDANT'S"
Strike: "FURTHER"

3. Title, line 8.
Following: "APPROPRIATE"
Insert: "DURING THE TERM OF THE SENTENCE"
Following: " ; "
Strike: "AND"
Following: "MCA"
Insert: " ; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

4. Page 2, line 7.
Following: "(2)"
Insert: "(a)"

5. Page 2, line 12.
Following: "the"
Strike: "county jail"
Insert: "state prison"
Following: "exceed"
Strike: "1"
Insert: "2"

6. Page 2, line 13.
Strike: "year"
Insert: "years"
Following: "both."
Insert: "(b)"
Following: first "the"
Insert: "convicted"

Wm Amd. Coord.
Wm Sec. of Senate

Halligan
Senator Carrying Bill

811359SC.San

7. Page 2, line 23.

Following: "(b)"

Strike: "upon a second or subsequent conviction, enjoin"

Insert: "prohibit"

8. Page 2, line 24.

Following: "defendant's"

Strike: "further"

9. Page 2, line 25.

Following: "appropriate"

Insert: "during the term of the sentence"

10. Page 3.

Following: line 5

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

-END-

ROLL CALL VOTE

SENATE COMMITTEE Judiciary

BILL NO. HB570

DATE 4/13/93

TIME 11:05 (A.M.) P.M.

NAME

YES NO

[illegible]

Kelsey Chapman
SECRETARY

Sen. Bill Yellowtail
CHAIR

MOTION: By Sen. Grosfield that HB 570
be amended

ROLL CALL VOTE

SENATE COMMITTEE Judiciary

BILL NO. HB 57C

DATE 4/13 TIME 11:06 (A.M.) P.M.

NAME _____

YES

NO

[illegible]

SECRETARY

CHAIR

MOTION: By Sen. Halligan to amend
HB 570 (nb057003.avi) as amended)

ROLL CALL VOTE

SENATE COMMITTEE Judiciary

BILL NO. HB 570

DATE 4/13/93

TIME 11:34 A.M. P.M.

NAME	YES	NO
Senator Yellowtail	X	
Senator Doherty	X	
Senator Brown		X
Senator Crippen		
Senator Rye		X
Senator Grosfield		X
Senator Halligan		X
Senator Harp		X
Senator Towe	X	
Senator Bartlett	X	
Senator Blaylock	X	
Senator Franklin	X	

Kelsey Chapman
SECRETARY

Sen. Bill Yellowtail
CHAIR

MOTION: By Sen. Doherty that HB 570
BE TABLED.

SENATE JUDICIARY COMMITTEE

Schedule as of April 13, 1993

All committee hearings will be held in Room 325 at 10:00 a.m. unless otherwise noted.

Bills To Be Heard 4/13/93

SJ 31	Halligan	Study Tort Reform DOPASS AS AMENDED
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Bills To Be Heard 4/15/93

SR 8	Brown	Confirm Honorable John W. Larson
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Bills Tabled

SB 55	Towe	VEHICLE SEIZURE OR FORFEITURE FOR 3RD OFFENSE DRIVING WITHOUT INSURANCE
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SB 265	Rye	FELONS CAN'T SUE FOR TORT DAMAGES INCURRED DURING COMMISSION OF OFFENSE
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SB 224	Jacobson	PROVIDE IMMUNITY FROM LIABILITY FOR FIREARM SAFETY INSTRUCTORS
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SB 210	Nathe	RAISE LIVE KENO AND BINGO AND POKER MACHINE MAXIMUM PRIZE TO \$800
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SB 356	Doherty	BAD ACTOR BILL
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SB 303	Bianchi	REPEAL JOINT AND SEVERAL LIABILITY LAW
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SB 246	Harp	GENERALLY LIMITING LIABILITY OF AGENCIES ENFORCING BUILDING CODES
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SB 277	Bianchi	REQUIRE SIGNS RATHER THAN ORANGE PAINT AS METHOD OF POSTING PRIVATE PROPERTY
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SB 304	Christiaens	FORFEITURE AND DISPOSAL OF UNINSURED MOTOR VEHICLE INVOLVED IN ACCIDENT
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SB 400	Nathe	CREATE IMMUNITY FROM SUIT FOR DAMAGES FOR CONSERVATION DISTRICT SUPERVISORS
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SB 345	Bianchi	ALLOW ATTORNEY FEES AND COSTS TO PLAINTIFF IN PROPERTY DAMAGE CLAIM
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HB 582	Brown	REVISE CONCEALED WEAPONS PERMIT LAW
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HJ 21	Whalen	REQUEST U.S. ATTY. GENERAL TO STOP LETTING ABA MAKE JUDGE RECOMMENDATIONS
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HB 396	Whalen	REFUSAL OF DRIVER TO TAKE ALCOHOL TEST CAN'T AFFECT INSURANCE
HB 323	McCarthy (HALLIGAN)	INJUNCTION AGAINST ONE CONVICTED OF BE CONCURRENT CRUELTY TO ANIMALS IN AS AMENDED
HB 335	Toole	GENERALLY REVISE CHILD SUPPORT ENFORCEMENT LAWS
HB 576	Endy	CONST. AMEND TO EXTEND RIGHT TO BEAR ARMS TO LAWFUL HUNTING & RECREATION USE

Bills Waiting for Executive Action

HB 570	Grinde	ASSESSMENT OF GOVERNMENTAL ACTION IMPACTING PRIVATE PROPERTY
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TABLED

DATE 4-13-93

SENATE COMMITTEE ON Judiciary

BILLS BEING HEARD TODAY: S.J. 31 Halligan

Name	Representing	Bill No.	Check One	
			Support	Oppose
Russell B Hill	Mont Trial Lawyers		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bela Kovatt	Ont. Ched. Assn.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jim T Landry	Ont. Med. Assn.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tom Hopgood	Health Ins. Assn. Am.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
LARRY AKEY	MT ASSOC OF LIFE UNDERWRITERS		<input checked="" type="checkbox"/>	<input type="checkbox"/>
John A. L...				

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY