

FIRST READING

MISSING

Approved by Committee
on Judiciary

1 House BILL NO. 571
 2 INTRODUCED BY Hager Falter
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE
 5 PAYMENT OF ACTUAL AND NECESSARY EXPENSES TO AGENTS REQUIRED
 6 TO RETURN FUGITIVES TO THIS STATE AND PROVIDING FOR THE
 7 PAYMENT OF EXPENSES WHERE THE FUGITIVE HAS WAIVED
 8 EXTRADITION PROCEEDINGS."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Expenses for returning fugitives. An agent
 12 of this state authorized to return a fugitive, from justice
 13 to this state may utilize commercial transportation, charter
 14 aircraft, or motor vehicle to return the fugitive. The
 15 agent shall be paid all actual and necessary expenses
 16 incurred in returning the fugitive to this state. Actual
 17 and necessary expenses for transportation when a vehicle
 18 other than a state vehicle is utilized, shall be calculated
 19 at the rate of fifteen cents (15¢) per mile.

20 Section 2. Payment of expenses where fugitive has
 21 waived extradition proceedings. Whenever a fugitive from
 22 justice has waived all procedures incidental to extradition
 23 proceedings by executing or subscribing in the presence of a
 24 judge of any court of record in any state of the United
 25 States a writing which states that he consents to return to

1 this state, an authorized agent of this state may return the
 2 fugitive immediately. Even though the governor has not
 3 issued a warrant pursuant to section 95-3122, the agent
 4 shall be paid all actual and necessary expenses as provided
 5 in section 1 of this act. Before payment is made, however,
 6 a certified copy of the executed consent must be filed with
 7 the board of examiners.

-End-

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44-11

March 18, 1975

SENATE COMMITTEE ON JUDICIARY
AMENDMENTS TO HOUSE BILL NO. 571

That House Bill No. 571, third reading, be amended as follows:

1. Amend title, lines 6 through 7 and line 8.
Following: "STATE"
Strike: "AND PROVIDING FOR THE PAYMENT OF EXPENSES WHERE
THE FUGITIVE HAS WAIVED EXTRADITION PROCEEDINGS"
2. Amend page 1, section 1, line 13.
Following: "transportation,"
Strike: "charter"
3. Amend page 1, section 1, line 19.
Following: "rate"
Strike: "of fifteen cents (15¢) per mile"
Insert: "allowed by law for state employees"
4. Amend page 1, section 2, lines 19 through line 7 on page 2.
Following: line 19
Strike: Section 2 in its entirety

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