HOUSE BILL NO. 400

INTRODUCED BY MANUEL

IN THE HOUSE

JANUARY	22,	1987	INTRODUCED	AND	REFERRED	TO	COMMITTEE
			ON JUDICIAN	RY.			

FEBRUARY 19, 1987 COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.

FEBRUARY 20, 1987 PRINTING REPORT.

FEBRUARY 21, 1987 SECOND READING, DO PASS.

ENGROSSING REPORT.

FEBRUARY 23, 1987 THIRD READING, PASSED. AYES, 63; NOES, 36.

TRANSMITTED TO SENATE.

IN THE SENATE

ADOPTED.

ON JUDICIARY.

- MARCH 2, 1987
- MARCH 27, 1987

MARCH 30, 1987

SECOND READING, CONCURRED IN AS AMENDED.

CONCURRED IN AS AMENDED. REPORT

COMMITTEE RECOMMEND BILL BE

ON MOTION, RULES SUSPENDED AND BILL PLACED ON THIRD READING THIS DAY.

INTRODUCED AND REFERRED TO COMMITTEE

THIRD READING, CONCURRED IN. AYES, 46; NOES, 4.

RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

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APRIL 7, 1987	RECEIVED FROM SENATE.
	ON MOTION, CONSIDERATION PASSED FOR THE DAY.
APRIL 8, 1987	SECOND READING, AMENDMENTS CONCURRED IN.
APRIL 9, 1987	THIRD READING, AMENDMENTS CONCURRED IN.
	SENT TO ENROLLING.

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LC 0659/01

INTRODUCED BY Manual 1 2 3 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE LEGISLATIVE 5 APPROVAL OF ADMINISTRATIVE RULES IMPLEMENTING THE PROVISIONS 6 OF THE MONTANA HUMAN RIGHTS ACT THAT PROHIBIT AGE 7 DISCRIMINATION IN HOUSING; AMENDING SECTIONS 49-2-204 AND 8 49-3-106, MCA; REPEALING RULE 24.9.1107, ADMINISTRATIVE 9 RULES OF MONTANA: AND PROVIDING AN IMMEDIATE EFFECTIVE 10 DATE." 11 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 13 Section 1. Section 49-2-204, MCA, is amended to read: 14 "49-2-204. Commission to adopt rules. The Subject to 15 the provisions of [section 3], the commission shall adopt 16 procedural and substantive rules necessary to implement this chapter. Rulemaking procedures shall comply with the 17 requirements of the Montana Administrative Procedure Act." 18 19 Section 2. Section 49-3-106, MCA, is amended to read: 20 "49-3-106. Rulemaking authority. The Subject to the 21 provisions of [section 3], the commission may adopt rules 22 necessary for the implementation of this chapter, in 23 accordance with the Montana Administrative Procedure Act. 24 The rules may include but are not limited to procedural 25 rules for:

Nontana Legislative Council

filing of complaints; 1.

conducting investigations of complaints; (2)

(3) petitioning for a declaratory ruling, as provided 3

in 49-3-105; and Δ

2

5

(4) conduct of hearings,"

NEW SECTION. Section 3. Legislative 6 approval of 7 rules. The commission may not adopt any substantive rule 8 implementing the provisions of 49-2-305 that prohibits age discrimination in housing unless such rule is approved by a 9 10 majority vote of the members of each house of the legislature. 11

NEW SECTION. Section 4. Repealer. Rule 24.9.1107. 12

13 Administrative Rules of Montana, is repealed.

NEW SECTION. Section 5. Effective date. This act is 14

15 effective on passage and approval.

-End-

LC 0659/01

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INTRODUCED BILL HB-400

50th Legislature

24 25 t

1	HOUSE BILL NO. 400
2	INTRODUCED BY MANUEL
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT TO-REQUIREbBOISLATIVE
5	APPROVAL-OF-ADMINISTRATIVE-RULES-IMPLEMENTING-THE-PROVISIONS
6	op themontanaHumanRightsactthatprohibitage
7	diserimination-in-housing;-amendingsections49-2-204and
8	49-3-1067MCA7REPEALINGRULE24.9.11077ADMINISTRATIVE
9	RULES-OF-MONTANA PROVIDING THAT AN OWNER, LESSEE, MANAGER,
10	OR OTHER PERSON HAVING THE RIGHT TO SELL, LEASE, OR RENT A
11	HOUSING ACCOMMODATION OR IMPROVED OR UNIMPROVED PROPERTY MAY
12	REFUSE TO MAKE THE HOUSING ACCOMMODATION OR PROPERTY
13	AVAILABLE TO A PERSON OR PERSONS WITH A CHILD OR CHILDREN;
14	AMENDING SECTION 49-2-305, MCA; AND PROVIDING AN IMMEDIATE
15	EFFECTIVE DATE."
16	
17	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
18	Section-1Section-49-2-2047-MEAis-amended-toread:
19	49-2-204Commissionto-adopt-rulesThe Subject-to
20	the-provisions-of-{section-3};-the commissionshalladopt
21	procedural-and-substantive-rules-necessary-to-implement-this
22	chapterRulemakingproceduresshallcomplywiththe
23	requirements-of-the-Montana-AdministrativeProcedureAct-"

requirements-of-the-Montana-Administrative--Procedure--Act-^u Section-2---Section--49-3-1067-MCA7-is-amended-to-read-#49-3-106---Rulemaking-authority--The Subject--to--the



1	provisionsof{section3}7-the commission-may-adopt-rules
2	necessaryfortheimplementationofthischapter,in
3	accordancewiththeMontana-Administrative-Procedure-Act;
4	The-rules-may-include-butarenotlimitedtoprocedural
5	rules-for:
6	(1)filing-of-complaints;
7	{2}conducting-investigations-of-complaints;
8	(3)petitioningfor-a-declaratory-ruling-as-provided
9	in-49-3-1057-and
10	{4}conduct-of-hearings-"
11	<u>NEW-SECTION-</u> Section-3begislativeapprovalof
12	rulesPhecommissionmay-not-adopt-any-substantive-rule
13	implementing-the-provisions-of-49-2-305-thatprohibitsage
14	discriminationin-housing-unless-such-rule-is-approved-by-a
15	majorityvoteofthemembersofeachhouseofthe
16	legislature.
1 7	NEW-SECTIONSection-4RepealerRule24-9-11077
18	Administrative-Rules-of-Montana;-is-repeated-
19	SECTION 1. SECTION 49-2-305, MCA, IS AMENDED TO READ:
20	"49-2-305. Discrimination in housing. (1) Except when
21	the distinction is based on reasonable grounds, it is an
22	unlawful discriminatory practice for the owner, lessee,
23	manager, or other person having the right to sell, lease, or
24	rent a housing accommodation or improved or unimproved
25	property:

- 2 -

SECOND READING

HB 400

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(a) to refuse to sell, lease, or rent the housing
 accommodation or property to a person because of sex, race,
 creed, religion, color, age, physical or mental handicap, or
 national origin;

5 (b) to discriminate against a person because of sex, 6 race, creed, religion, age, physical or mental handicap, 7 color, or national origin in a term, condition, or privilege 8 relating to the use, sale, lease, or rental of the housing 9 accommodation or property;

10 (c) to make a written or oral inquiry or record of the 11 sex, race, creed, religion, age, physical or mental 12 handicap, color, or national origin of a person seeking to 13 buy, lease, or rent the housing accommodation or property; 14 or

15 (d) to refuse to negotiate for a sale or to make a 16 housing accommodation or property unavailable because of 17 sex, race, creed, religion, age, physical or mental 18 handicap, color, or national origin.

19 (2) A private residence designed for single-family
20 occupancy in which sleeping space is rented to guests and in
21 which the landlord also resides is excluded from the
22 provisions of subsection (1).

(3) It is also an unlawful discriminatory practice to
 make, print, or publish or cause to be made, printed, or
 published any notice, statement, or advertisement that

- 3 --

indicates any preference, limitation, or discrimination that 1 is prohibited by subsection (1) or any intention to make or 2 have such a preference, limitation, or discrimination. 3 (4) This section does not prohibit an owner, lessee, 4 manager, or other person having the right to sell, lease, or 5 rent a housing accommodation or improved or unimproved 6 7 property from refusing to sell, lease, or rent such property to a person or persons with a child or children." 8 NEW SECTION. Section 2. Effective date. This act is 9 effective on passage and approval. 10

-End-

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HB 400

THIRD READING

- 2 -

1	HOUSE BILL NO. 400	1	provisionsof{section3};-the commission-may-adopt-rules
2	INTRODUCED BY MANUEL	2	necessaryfortheimplementationofthischapter,in
3		3	accordancewiththeMontana-Administrative-Procedure-Act.
4	A BILL FOR AN ACT ENTITLED: "AN ACT TO-REQUIREBEGISBATIVE	4	The-rules-may-include-butarenotlimitedtoprocedural
5	APPROVAL-OF-ADMINISTRATIVE-RULES-IMPLEMENTING-THE-PROVISIONS	5	rules-for:
6	opTheMontanaHumanRightsActThatProhibitAct	6	<pre>tt)filing-of-complaints;</pre>
7	diserimination-in-housing;-amendingsections49-2-204and	7	t2;conducting-investigations-of-complaints;
8	49-3-1067MCA7REPEALINGRULE24-9+11077ADMINISTRATIVE	8	(3)petitioningfor-a-declaratory-ruling,-as-provided
9	RULES-OF-MONTANA PROVIDING THAT AN OWNER, LESSEE, MANAGER,	9	in-49-3-105;-and
10	OR OTHER PERSON HAVING THE RIGHT TO SELL, LEASE, OR RENT A	10	t4)conduct-of-hearings-*
11	HOUSING ACCOMMODATION OR IMPROVED OR UNIMPROVED PROPERTY MAY	11	NEW-SECTION:Section-3:begislativeapprovalof
12	REFUSE TO MAKE THE HOUSING ACCOMMODATION OR PROPERTY	12	rulesThecommissionmay-not-adopt-any-substantive-rule
13	AVAILABLE TO A PERSON OR PERSONS WITH A CHILD OR CHILDREN;	13	implementing-the-provisions-of-49-2-305-thatprohibitsage
14	AMENDING SECTION 49-2-305, MCA; AND PROVIDING AN IMMEDIATE	14	discriminationin-housing-unless-such-rule-is-approved-by-a
15	EFFECTIVE DATE."	15	majorityvoteofthemembersofeachhouseofthe
16	·	16	legislature-
17	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	17	NEW-SECTIONSection-4RepeaterRule24.9.1107.
18	Section-1Section-49-2-2047-MEA7-is-amended-toread:	18	Administrative-Rules-of-Montana;-is-repealed;
19	#49-2-204Commissionto-adopt-rulesThe Subject-to	19	SECTION 1. SECTION 49-2-305, MCA, IS AMENDED TO READ:
20	the-provisions-of-fsection-3};-the commissionshalladopt	20	"49-2-305. Discrimination in housing. (1) Except when
21	procedural-and-substantive-rules-necessary-to-implement-this	21	the distinction is based on reasonable grounds, it is an
22	chapterRulemakingproceduresshallcomplywiththe	22	unlawful discriminatory practice for the owner, lessee,
23	requirements-of-the-Montana-AdministrativeProcedureAct-"	23	manager, or other person having the right to sell, lease, or
24	Section-2Section49-3-106;-MCA;-is-amended-to-read:	24	rent a housing accommodation or improved or unimproved
25	49-3-106Rulemaking-authorityThe Subject-to-the	25	property:



1 (a) to refuse to sell, lease, or rent the housing 2 accommodation or property to a person because of sex, race, 3 creed, religion, color, age, physical or mental handicap, or 4 national origin;

5 (b) to discriminate against a person because of sex, 6 race, creed, religion, age, physical or mental handicap, 7 color, or national origin in a term, condition, or privilege 8 relating to the use, sale, lease, or rental of the housing 9 accommodation or property;

10 (c) to make a written or oral inquiry or record of the 11 sex, race, creed, religion, age, physical or mental 12 handicap, color, or national origin of a person seeking to 13 buy, lease, or rent the housing accommodation or property; 14 or

15 (d) to refuse to negotiate for a sale or to make a
16 housing accommodation or property unavailable because of
17 sex, race, creed, religion, age, physical or mental
18 handicap, color, or national origin.

(2) A private residence designed for single-family
occupancy in which sleeping space is rented to guests and in
which the landlord also resides is excluded from the
provisions of subsection (1).

23 (3) It is also an unlawful discriminatory practice to
24 make, print, or publish or cause to be made, printed, or
25 published any notice, statement, or advertisement that

- 3 -

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1 indicates any preference, limitation, or discrimination that 2 is prohibited by subsection (1) or any intention to make or 3 have such a preference, limitation, or discrimination. (4) This section does not prohibit an owner, lessee, 4 manager, or other person having the right to sell, lease, or 5 rent a housing accommodation or improved or unimproved 6 property from refusing to sell, lease, or rent such property 7 8 to a person or persons with a child or children." NEW SECTION. Section 2. Effective date. This act is 9 10 effective on passage .nd approval.

-End-

HB 0400/02

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HB 0400/03	
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CORRECTED HB 400 REFERENCE BILL SECOND PRINTING

1	HOUSE BILL NO. 400
2	INTRODUCED BY MANUEL
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT TO-REQUIRELEGISLATIVE
5	APPROVAL-OP-ADMINISTRATIVE-RULES-IMPLEMENTING-THE-PROVISIONS
6	ofTheMontanaHumanRightsActThatProhibitAge
7	DISCRIMINATION-IN-HOUSING;-AMENDINGSECTIONS49-2-204AND
8	49-3-1067MCA7REPEALINGRULE24-9-11077ADMINISTRATIVE
9	RULES-OF-MONTANA PROVIDING-THAT REPEALING THE ADMINISTRATIVE
10	RULE THAT PROHIBITED AN OWNER, LESSEE, MANAGER, OR OTHER
11	PERSON HAVING THE RIGHT TO SELL, LEASE, OR RENT A HOUSING
12	ACCOMMODATION OR IMPROVED OR UNIMPROVED PROPERTY MAYREPUSE
13	FROM REFUSING TO MAKE THE HOUSING ACCOMMODATION OR PROPERTY
14	AVAILABLE TO A PERSON OR PERSONS WITH A CHILD OR CHILDREN;
15	AMENDINGSECTION49-2-3057MCA REPEALING RULE 24.9.1107,
16	ADMINISTRATIVE RULES OF MONTANA; AND PROVIDING AN IMMEDIATE
17	EFFECTIVE DATE."
18	
19	WHEREAS, THE LEGISLATURE FINDS THAT RULE 24.9.1107,
20	ADMINISTRATIVE RULES OF MONTANA, DIRECTLY CONFLICTS WITH THE
21	PUBLIC POLICY EXPRESSED BY THE LEGISLATURE BECAUSE THE RULE
22	FAILS TO INCORPORATE THE APPLICATION OF REASONABLE GROUNDS
23	EXCEPTIONS AS PROVIDED FOR IN THE STATUTE.
24	

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25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:



1	Section-1Section-49-2-204;-MEA;-is-amended-toread:
2	49-2-204Commissionto-adopt-rulesThe Subject-to
3	the-provisions-of-{section-3};-the commissionshalladopt
4	procedural-and-substantive-rules-necessary-to-implement-this
5	chapterRulemakingproceduresshallcomplywiththe
6	requirements-of-the-Montana-AdministrativeProcedureAct-"
7	Section-2Section49-3-1067-MCA7-is-amended-to-read:
8	49-3-186Rulemaking-authorityThe <u>Subjecttothe</u>
9	provisionsof{section3};-the commission-may-adopt-rules
10	necessaryfortheimplementationofthischapter;in
11	accordancewiththeMontana-Administrative-Procedure-Act;
12	The-rules-may-include-butarenotlimitedtoprocedural
13	rules-for;
14	{1} -filing-of-complaints;
14 15	<pre>{i}fiiing-or-complaints; {2}conducting-investigations-of-complaints;</pre>
15	<pre>t2;conducting-investigations-of-complaints;</pre>
15 16	<pre>{2;conducting-investigations-of-complaints; {3}petitioningfor-a-declaratory-ruling;-as-provided</pre>
15 16 17	<pre>{2}conducting-investigations-of-complaints; {3}petitioningfor-a-declaratory-ruling;-as-provided in-49-3-105;-and</pre>
15 16 17 - 18	<pre>{2;conducting-investigations-of-complaints;</pre>
15 16 17 - 18 19	<pre>(2)conducting-investigations-of-complaints; (3)petitioningfor-a-declaratory-ruling;-as-provided in-49-3-105;-and (4)conduct-of-hearings=" <u>NEW-SECTION:</u>Section-3;begislativeapprovalof</pre>
15 16 17 18 19 20	<pre>(2)conducting-investigations-of-complaints; (3)petitioningfor-a-declaratory-ruling;-as-provided in-49-3-105;-and (4)conduct-of-hearings:" <u>NEW-SECTION:</u>Section-3;begislativeapprovalof rules:Thecommissionmay-not-adopt-any-substantive-rule</pre>
15 16 17 18 19 20 21	<pre>(2)conducting-investigations-of-complaints; (3)petitioningfor-a-declaratory-ruling7-as-provided in-49-3-1057-and (4)conduct-of-hearings=" <u>NEW-SECTION-</u>-Section-3begislativeapprovalof rulesThecommissionmay-not-adopt-any-substantive-rule implementing-the-provisions-of-49-2-305-thatprohibitsage</pre>
15 16 17 18 19 20 21 22	<pre>{2;conducting-investigations-of-complaints; {3}petitioningfor-a-declaratory-ruling;-as-provided in-49-3-105;-and {4}conduct-of-hearings:" <u>NEW-SECTION:</u>Section-3;begislativeapprovalof rules:Thecommissionmay-not-adopt-any-substantive-rule implementing-the-provisions-of-49-2-305-thatprohibitsage discriminationin-housing-unless-such-rule-is-approved-by-a</pre>
15 16 17 18 19 20 21 22 23	<pre>{2;conducting-investigations-of-complaints; {3}petitioningfor-a-declaratory-ruling;-as-provided in-49-3-105;-and {4}conduct-of-hearings:" <u>NEW-SECTION:</u>Section-3:begislativeapprovalof rules:Thecommissionmay-not-adopt-any-substantive-rule implementing-the-provisions-of-49-2-305-thatprohibitsage discriminationin-housing-unless-such-rule-is-approved-by-a majorityvoteofthemembersofeachhouseofthe</pre>

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HB 400

1	Administrative-Rules-of-Montanay-is-repealed-
2	SECTION-1SECTION-49-2-3057-MCA7-IS-AMENDED-TOREAD
3	#49-2-305;Biscrimination-in-housing;(1)-Except-when
4	thedistinctionisbasedon-reasonable-grounds;-it-is-am
5	unlawful-discriminatorypracticefortheowner7lessee7
6	manager;-or-other-person-having-the-right-to-sell;-lease;-or
7	rentahousingaccommodationorimprovedor-unit proved
8	property:
9	ta)to-refuse-to-sell;lease;orrentthehousing
10	accommodationor-property-to-a-person-because-of-sex7~race7
11	creed;-religion;-color;-age;-physical-or-mental-handicap;-or
12	national-origin;
13	(b)to-discriminate-against-a-person-becauseofsex;
14	<pre>race;creed;religion;age;physical-or-mental-handicap;</pre>
15	color;-or-national-origin-in-a-term;-condition;-or-privilege
16	relating-to-the-use;-sale;-lease;-or-rental-ofthehousing
17	accommodation-or-property;
10	

18 (c)--to-make-a-written-or-oral-inquiry-or-record-of-the 19 sex7---race7---creed7--religion7--age7--physical--or--mental 20 handicap7-color7-or-national-origin-of-a-person--seeking--to 21 buy7--lease7--or-rent-the-housing-accommodation-or-property7 22 or

23 (d)--to-refuse-to-negotiate-for-a-sale--or--to--make--a
 24 housing--accommodation--or--property--unavailable-because-of
 25 sex7--race7--creed7--religion7--age7--physical---or---mental

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handicapy-colory-or-national-origin; 1 2 (2)--A--private--residence--designed--for-single-family 3 occupancy-in-which-sleeping-space-is-rented-to-quests-and-in which--the--landlord--also--reaides--is--excluded--from--the 4 5 provisions-of-subsection-(1)-6 (3)--It--is-also-an-unlawful-discriminatory-practice-to 7 make,-print,-or-publish-or-cause-to--be--made,--printed,--or 8 published--any--notice;--statement;--or--advertisement--that 9 indicates-any-preference, -limitation,-or-discrimination-that 10 is-prohibited-by-subsection-(1)-or-any-intention-to-make--or 11 have-such-a-preference;-limitation;-or-discrimination; 12 (4)--This--section--does-not-prohibit-an-owner;-lessee; 13 manager,-or-other-person-having-the-right-to-selly-lease,-or rent-a--housing--accommodation--or--improved--or--unimproved 14 property-from-refusing-to-sell;-lease;-or-rent-such-property 15 16 to-a-person-or-persons-with-a-child-or-children." 17 SECTION 1. REPEALER. RULE 24.9.1107, ADMINISTRATIVE 18 RULES OF MONTANA, IS REPEALED. 19 NEW-SECTION: Section 2. Effective date. This act is

20 effective on passage and approval.

-End-

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HB 400

HB 0400/03

COMMITTEE OF THE WHOLE AMENDMENT

*		3-30-87
SENATE		DATE
		10:01
		TIME
MR. CHAIRMAN: I MOVE TO AMEND	House Bill	No400
third reading copy	() as follows:	

AMENDING SENATE JUDICIARY STANDING COMMITTEE REPORT, DATED MARCH 27, 1987.

1. Amendment No. 4.

3301001p.cwr

Following: "by the Legislature"

Insert: "and because the rule fails to incorporate the application of reasonable grounds exceptions as provided for in the statute"



Senator Yellowtail

STANDING COMMITTEE REPORT

SCRHB400

		-	•••	
SENAT	E			

March 27 07

	March27.,
MR. PRESIDENT	
Judiciary	
We, your committee on House	Bill 400
	No
third b	olue
reading copy {) color
REQUIRE LEGISLATIVE APPROV DISCRIMINATION	VAL OF HRC RULES GOVERNING HOUSING
Manuel (EXXXXXXXX ((Pinsoneault)
Respectfully report as follows: That	Jouse Bill. No400.
l. Title, line 9. Strike: "PROVIDING THAT" Insert: "REPEALING THE ADM	INISTRATIVE RULE THAT PROHIBITED"
2. Title, lines 11 and 12. Strike: "MAY" on line 11 t Insert: "FROM REFUSING"	hrough " <u>REFUSE</u> " on line 12.
3. Title, line 14. Strike: "AMENDING SECTION Insert: "REPEALING RULE 24 MONTANA"	49-2-305, MCA" 4.9.1107 ADMINISTRATIVE RULES OF
Administrative Rules	islature finds that Rule 24.9.1107 of Montana directly conflicts with the sed by the Legislature."
5. Page 2, line 19 through Strike: Section 1 in its e Insert: "Section 1. Repeat Rules of Montana, is	entirety Ler. Rule 24.9.1107 Administrative
VVVVVVV	

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DOLMON XXXXXXX

ANI) AS	AMENDE	ED	REXEMMENTERNAM
BE	CON	CURRED	11	R I
ЯН				

,9 humile Chairman.

Senator Mazurek

STANDING COMMITTEE REPORT

SENATE

MR PRESIDENT

third

SCRHB400

March 27. 1987

400

3301001p.cw

r	COMMITTEE OF	THE WHULE	AMENDMENI	
				3-30-87

POMPETTER OF THE WHOLE ADDRESS

SENATE	DATE	
	10:01	
	TIME	
MR. CHAIRMAN: I MOVE TO AMEND . House Bill	No 400	
third reading copy (<u>blue</u>) as follows: Color		

AMEND SENATE JUDICIARY STANDING COMMITTEE REPORT, DATED MARCH 27, 1987.

1. Amendment no. 4. Following: "by the Legislature" Insert: "because the rule fails to incorporate the application of reasonable grounds exceptions as provided for in the statute"

REQUIRE LEGISLATIVE APPROVAL OF HRC RULES GOVERNING HOUSING DISCRIMINATION

Manuel **IRINKENKEN** (Pinsoneault)

reading copy (_____)

Judiciary

House Bill

blue

color

We, your committee on

having had under consideration.....

BE AMENDED AS FOLLOWS:

1. Title, line 9. Strike: "PROVIDING THAT" Insert: "REPEALING THE ADMINISTRATIVE RULE THAT PROHIBITED"

2. Title, lines 11 and 12. Strike: "MAY" on line 11 through "REFUSE" on line 12. Insert: "FROM REFUSING"

3. Title, line 14. Strike: "AMENDING SECTION 49-2-305, MCA" Insert: "REPEALING RULE 24.9.1107 ADMINISTRATIVE RULES OF MONTANA"

4. Page 1, line 16. Insert: "WHEREAS, the Legislature finds that Rule 24.9.1107 Administrative Rules of Montana directly conflicts with the public policy expressed by the Legislature."

5. Page 2, line 19 through page 4, line 8. Strike: Section 1 in its entirety Insert: "Section 1. Repealer, Rule 24.9,1107 Administrative Rules of Montana, is repealed."

хжахах AND AS AMENDED REXERNERREETH CONSTRUCTION OF BE CONCURRED IN 32

Marjacel 2. nator kazurek Chavinin Senator Mazurel

ADOPT

REJECT

SECOND PRINTING CORRECTED

Senator Yellowtail