

HOUSE JOINT RESOLUTION 22

Introduced by D. Brown, et al.

2/16	Introduced
2/16	Referred to Judiciary
2/16	First Reading
2/17	Hearing
2/18	Committee Report--Bill Passed
2/18	Placed on Consent Calendar
2/20	3rd Reading Passed
	Transmitted to Senate
2/22	First Reading
2/22	Referred to Judiciary
3/18	Hearing
3/23	Committee Report--Bill Concurred
3/25	2nd Reading Concurred
3/26	3rd Reading Concurred
	Returned to House
3/31	Signed by Speaker
4/01	Signed by President
4/02	Filed with Secretary of State

House JOINT RESOLUTION NO. 22

INTRODUCED BY Eric Bron Lynch

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA URGING THE MONTANA SUPREME COURT TO ADMINISTER THE W.A. CLARK TRUST FOR THE PAUL CLARK HOME, INC., FOUNDATION IN BUTTE, MONTANA, WHICH IS NOW THE PAUL CLARK HOME/MCDONALD FAMILY PLACE IN BUTTE, MONTANA.

WHEREAS, the last will and testament of Senator William Andrews Clark, dated May 29, 1922, which was probated in the District Court of Judge J.J. Lynch in the City of Butte, County of Silver Bow, State of Montana, directs in part the following:

"WHEREAS, upon the death of the survivor of the persons named at the beginning of this 5th clause, said trust to the Commercial Trust Company of New Jersey, shall cease, and determine, and the principal, and any unexpected income shall be paid to the state of Montana, primarily for the purpose of supporting and continuing said Paul Clark Home as a home for homeless and orphan children, and for any and all of the other purposes above mentioned. I desire that the administration of said fund, after payment to the state of Montana, shall be in the hands of the Justice of the Supreme

Court of Montana."; and

WHEREAS, the present trustees of the Paul Clark Home, Inc., Foundation in Butte, Montana, are aware that the remaining survivor of this will is very near demise because of advanced age; and

WHEREAS, death of the remaining survivor will trigger enactment of the trust provision referred to in the will; and

WHEREAS, the Paul Clark Home/McDonald Family Place provides care and lodging for patients and the families of patients who are receiving medical care in southwestern Montana's medical centers, which is a use similar to that provided for in the will; and

WHEREAS, upon the death of the last survivor of the will, the principal investment in the present trust maintained by Commercial Trust of New Jersey should be reinvested in Montana and governed by the trustees of the Paul Clark Home, Inc., Foundation; and

WHEREAS, the Paul Clark Home, Inc., Foundation Board of Directors and trustees will continue to lease the real property and home and continue to provide investment proceeds of the original trust to support the present Paul Clark Home/McDonald Family Place in Butte, Montana.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE

LC 1442/01

1 OF REPRESENTATIVES OF THE STATE OF MONTANA:

2 That the trustees of the Paul Clark Home/McDonald Family  
3 Place and the 53rd Montana Legislature urge the Montana  
4 Supreme Court to, at the time the court begins to administer  
5 the trust under the will as provided in the will, administer  
6 the trust for the benefit of the Paul Clark Home/McDonald  
7 Family Place and to further the present and continued use of  
8 the property in Butte, Montana.

-End-

APPROVED BY COMMITTEE  
ON JUDICIARY1 House JOINT RESOLUTION NO. 222 INTRODUCED BY Don Brown

3  
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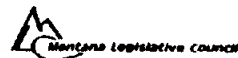
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HJR 0022/02

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