EXHIBIT 16
DATE 1/17/05
HB 259

Amendments to House Bill No. 259

1st Reading Copy

Requested by Montana Association of Clerks of District Court

For the House Judiciary Committee

Prepared by Nancy Sweeney (Lewis & Clark County Clerk of District Court)

January 14, 2005

1. Page 2, line 1.
Following: "nephew"
Insert: ", or between first cousins, whether the relationship is by the half or the whole blood"

2. Page 3, line 28.
Following: "union"
Insert: "application,"

3. Page 4, line 4.
Following: "(1)"
Insert: "Persons desiring to enter into a civil union in this state, prior to executing the application for civil union must secure the medical certificate required in 40-1-203."

4. Page 4, line 6.
Following: "license"
Strike: "as far as practicable, and retain a copy in the clerk's office"

5. Page 4, line 7.
Following: "office."
Strike: "At least one party"
Insert: "Both parties"

6. Page 4, line 8.
Following: "license"
Strike: "must"
Insert: "may"

7. Page 4, line 9
Following: "for"
Strike: "the"
Insert: "any"

8. Page 4, line 9.
Following; "county"
Strike: "where either party resides"

9. Page 4, line 9.
Following: "resides."
Strike: "if both parties are nonresidents of the state, t"
Insert: "T"

10. Page 4, line 10.
Following: "from"
Insert: "and issued by"

11. Page 4, lines 11 and 12.
Following: "union"
Strike: "by one of the parties to the proposed civil union"

12. Page 4, line 17.
Following: "Within"
Strike: "10"
Insert: "30"

13. Page 4, line 18.
Following: "shall"
Strike: "file"
Insert: "register"

14. Page 4, line 19.
Following: "original"
Strike: "according to 50-15-109"
Insert: "as required in 40-1-321"

15. Page 4, lines 20 – 23.
Strike lines 20 –23 in their entirety

16. Page 4, line 24.
Strike: "(5)"
Insert: "(4)"

17. Page 5, line 8.
Following: "proof"
Insert: "as determined by the department"

18. Page 5, lines 12-15
Strike lines 12 – 15 in their entirety

19. Page 5, line 20
Following: ";"
Strike: "or"

20. Page 5, line 21.
Following: "guardian"
Strike: "."
Insert: "; or"

21. Page 5, following line 21.
Insert: "(d) is under the influence of intoxicating liquor or narcotic drug."

22. Page 5, line 22
Strike: "A clerk of district court who knowingly violates subsection (1) shall be fined not more than $20."

23. Page 6, line 4.
Following: "within"
Strike: "10"
Insert: "30"

24. Page 6, line 16.
Following: "court"
Strike: "or the department"

25. Page 6, line 28
Following: "shall"
Insert: "instruct the clerk to amend the original or issue a new certificate and transmit a certified copy of the decree to the department."

26. Page 6, lines 28 and 29
Following: "department"
Strike: "for inclusion in the system of vital records under Title 50, Chapter 15. The department shall transmit the copy to the appropriate clerk of the district court to amend the original or issue a new certificate."

27. Page 7, line 11.
Following: "shall"
Insert: "instruct the clerk of district court to"

28. Page 7, line 13.
Following: "the"
Strike: "department"
Insert: "clerk of district court"

29. Page 7, line 14
Following: "to the"
Strike: "clerk of district court where the civil union license was issued"
Insert: "department"

30. Page 7, lines 15 and 16
Following: "decree."
Strike: "The clerk of the district court shall file the delayed certificate in accordance with the provisions of 50-15-109."

31. Page 7, line 18
Following: "court"
Strike: "receiving new"
Insert: "shall file the delayed"