

HOUSE OF REPRESENTATIVES
Roll Call
JUDICIARY COMMITTEE

DATE 3/30/05

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT</u>	<u>EXCUSED</u>
REP. DIANE RICE, CHAIR	X		
REP. RON STOKER, VICE CHAIR	X		
REP. PAUL CLARK, VICE CHAIR	X		
REP. ARLENE BECKER	X		
REP. ROBYN DRISCOLL	X		
REP. GEORGE EVERETT	X		
REP. GAIL GUTSCHE	X		
REP. CHRISTOPHER HARRIS	X		
REP. ROGER KOOPMAN	X		
REP. MIKE LANGE		X	
REP. TOM MCGILLVRAY	X		
REP. MARK NOENNIG	X		
REP. ART NOONAN	X		
REP. JOHN PARKER	X		
REP. JON SONJU	X		
REP. JOHN WARD	X		
REP. BILL WILSON	X		
REP. JEANNE WINDHAM	X		



HOUSE STANDING COMMITTEE REPORT

March 30, 2005

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **Senate Bill 18** (third reading copy -- blue) be **concluded in**.

Signed: *Diane Rice*
Representative Diane Rice, Chair

To be carried by Representative Christopher Harris

- END -

Committee Vote:
Yes 17, No 1.

3/30
mp
671416SC.hkh



HOUSE STANDING COMMITTEE REPORT

March 30, 2005

Page 1 of 3

Mr. Speaker:

We, your committee on **Judiciary** recommend that **Senate Bill 114** (third reading copy -- blue) be concurred in as amended.

Signed: *Diane Rice*
Representative Diane Rice, Chair

To be carried by Representative Christopher Harris

And, that such amendments read:

1. Title, page 1, line 9 through line 11.

Strike: "MAKING" on line 9 through "PRACTICES" on line 11

Insert: "CLARIFYING LANGUAGE RELATING TO INSURANCE OFFENSES"

2. Title, page 1, line 11.

Following: "33-2-104,"

Insert: "AND"

3. Title, page 1, line 12.

Strike: "AND 45-6-317,"

4. Page 1, line 17.

Following: "fraud."

Insert: "(1)"

Strike: "act"

Insert: "offense"

5. Page 1, line 18.

Strike: "(1)"

Insert: "(a)"

Renumber: subsequent subsections

Committee Vote:

Yes 18, No 0.

3/30

WMP

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6. Page 2, line 6.

Insert: "(2) A person who knowingly violates this section commits the offense of insurance fraud and shall be imprisoned for a term not to exceed 10 years or fined an amount not to exceed \$100,000, or both."

7. Page 2, line 8.

Strike: "Penalties"

Insert: "Civil penalties"

8. Page 2, line 12 through line 13.

Strike: subsection (2) in its entirety

Renumber: subsequent subsection

9. Page 3, line 8 through line 12.

Strike: subsection (7) in its entirety

Insert: "(7) A person who knowingly misappropriates an insurance premium paid by or proceeds due an insured is guilty of a felony and shall be imprisoned for a term not to exceed 10 years or fined an amount not to exceed \$100,000, or both. The commissioner may refer a suspected offense to the attorney general or the appropriate county attorney."

10. Page 3, line 15.

Strike: "Certificate of authority"

Insert: "Authorization"

11. Page 3, line 15 through line 20.

Strike: subsection (1) in its entirety

Insert: "(1) A person may not act as an insurer and an insurer may not transact insurance in this state except as authorized in this code."

12. Page 3, line 24.

Strike: "convicted of purposely or knowingly violating"

Insert: "who knowingly violates"

Following: "felony"

Insert: "and shall be imprisoned for a term not to exceed 10 years or fined an amount not to exceed \$100,000, or both, "

13. Page 4, line 8 through line 9.

Strike: subsection (3) in its entirety

Insert: "(3) A person who knowingly violates this section is guilty of a felony and shall be imprisoned for a term not to exceed 10 years or fined an amount not to exceed \$100,000, or both."

14. Page 4, line 13.

Strike: the second "or"

Strike: "purposely"

15. Page 4, line 18.

Strike: "Subject to 46-11-410, a"

Insert: "A"

16. Page 4, line 19.

Strike: the second "or"

Strike: "purposely"

17. Page 4, line 23 through line 25.

Strike: "theft" on line 23 through "person" on line 25

Insert: "a felony and shall be imprisoned for a term not to exceed 10 years or fined an amount not to exceed \$100,000, or both. Either a county attorney or the attorney general may prosecute the person."

18. Page 4, line 29 through page 5, line 22.

Strike: section 7 in its entirety

- END -



HOUSE STANDING COMMITTEE REPORT

March 30, 2005

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **Senate Bill 385** (third reading copy -- blue) be concurred in as amended.

Signed:

Diane Rice
Representative Diane Rice, Chair

To be carried by Representative Roger Koopman

And, that such amendments read:

1. Page 2, line 6.

Strike: "allegations"

Insert: "complaints"

2. Page 5, line 17.

Following: "2-15-210"

Strike: remainder of line 17 through "2-15-210(6)"

3. Page 7, line 21.

Following: "2-15-210"

Strike: remainder of line 21 through "2-15-210(6)"

- END -

Committee Vote:

Yes 18, No 0.

3/30

JKP

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Pam
173

HOUSE STANDING COMMITTEE REPORT

March 30, 2005

Page 1 of 1

Mr. Speaker:

We, your committee on **Judiciary** recommend that **Senate Bill 470** (third reading copy -- blue) **be concurred in.**

Signed: *Diane Rice*
Representative Diane Rice, Chair

To be carried by Representative Art Noonan

- END -

Committee Vote:
Yes 18, No 0.

3/30
ump

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COMMITTEE PROXY

DATE _____

I request to be excused from the Judiciary
 Committee meeting this date because of other commitments. I desire to leave my proxy vote
 with _____

Rep. Paul "What kind of message are we sending here?" Clark

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and
 number under the bill and indicate a separate vote for each amendment.

SENATE

HOUSE BILL/AMENDMENT AYE NO

SENATE BILL/AMENDMENT AYE NO

DATE	HOUSE BILL/AMENDMENT	AYE	NO	SENATE BILL/AMENDMENT	AYE	NO
3/4	Stoker amend to SB166		✓			
	Clark amend to SB166	✓				
	Wrenning " to SB166	✓				
	SB 166 Do pass	✓				
3/15	SB 355 Do Concern	✓				
3/22/05	SB 426 Do Concern	✓				
	Amend SB Y35	✓				
	SB 435 DO Concern	✓				
3/30	SB 18 DO Concern	✓				
	SB 114 Harris Amend	✓				
	SB 114 Do concern	✓				
5/30	SB 375 Do concern to	✓				
	SB 470 Do concern	✓				
				Amend 201 to SB 2	✓	
				SB 2 Do Concern	✓	
				Amend 119	✓	
				SB 119 Do concern	✓	PC
				SB 139 Do concern		✓
				Amend SB 357	✓	
				SB 357 TABLE TABLE	✓	PC
				Keep Amend SB 427		✓
				Keep Amend SB Y23		✓
				SB 423 Do concern	✓	
				SB 385 Amend	✓	
				SB 385 Do Concern	✓	
				SB 470 Do concern	✓	

Rep. Bill Wilson

(Signature)

COMMITTEE PROXY

DATE _____

I request to be excused from the Judiciary
 Committee meeting this date because of other commitments. I desire to leave my proxy vote
 with Rep. Clark

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

SENATE
 HOUSE BILL/AMENDMENT AYE NO SENATE BILL/AMENDMENT AYE NO

3/4	Stoker amend to SB166		✓
	Clark amend to SB166	✓	
	Nocumby amend to SB166	✓	
	SB166 Do pass	✓	
3/90	HB 205 - Table	✓	
	Amend 1, SB112	✓	
	Amend 2, SB113	✓	
	Harris amend		✓
	SB 112 Do Pass	✓	
	SB 204 Do Concur		✓
	SB 205 Do Concur	✓	
	SB 260 Do Concur	✓	
3/14/05	SB 352 Do Concur	✓	
	SB 282 Do Pass	✓	
	SB 231 Do Concur	✓	

3/29/05	SB 426 Do Concur	✓	
	SB 435 Do Concur Amend	✓	
	SB 435 Do Concur	✓	
	Amend 201 to SB 2	✓	
	SB 2 Amend	✓	
	SB 2 Do Concur	✓	
	Amend SB 119	✓	
	SB 119 Do Concur	✓	
	SB 139 Do Concur		✓
	Amend SB 357	✓	
	SB 357 Do Concur TABLE	✓	PC
	Keep Amend SB 423		✓
	SB 423 Do Concur	✓	

Rep. John Parker
 (Signature)

3/30	SB 114 Harris Amend	✓	
	SB 114 Do Concur	✓	
	SB 385 Amend	✓	
	SB 385 Do Concur	✓	
	SB 470 Do Concur	✓	

**Montana House of Representatives
Visitors Register**

JUDICIARY COMMITTEE

Date 3-30-05

Bill No. SB-18 Sponsor(s) Sen M. Wheat

PLEASE PRINT

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Name and Address	Representing	Support	Oppose	Inf.
Caro Schweitzer	Bureau Chamber	X		
Dorothy McCarter	MT Judges Assoc	x		
JOE SKINNER	Gallatin Co Commission	X		
Wally Lambert	Gallatin Co Atty	X		
Lynda White	Gallatin Co Bar Assoc	X		
Mike Salvagni	18th Judicial District	X		
Holly Brown	18th Judicial Dist	X		
Gary Perry	SD 35	x		
GORDON MORRIS	MACo	X		
Jed Fitch	MTLA	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

Montana House of Representatives
Visitors Register

JUDICIARY COMMITTEE

Date 3-30-05

Bill No. SB-493 Sponsor(s) Sen J. Laslovich

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PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
<i>Roger McIsaac</i>	<i>IIAM</i>	<i>X</i>		
<i>Donna Enty</i>	<i>Farmers Ins Co</i>	<i>X</i>		
<i>Brendon Nordlund</i>	<i>DOJ/MVD</i>	<i>X</i>		
<i>Jacqueline Denmark</i>	<i>AIA</i>	<i>X</i>		
<i>Greg D. Hansen</i>	<i>State Farm</i>	<i>X</i>		
<i>Jerry K. Lister</i>	<i>PCI</i>	<i>X</i>		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

/s/JudicVisitorReg.sample2003

