

MONTANA SENATE
2005 LEGISLATURE

ROLL CALL

JUDICIARY

DATE 4-6-05 4:30 p.m.

NAMES	PRESENT	ABSENT	EXCUSED
SEN. MICHAEL WHEAT, CHAIRMAN	X		
SEN. BRENT CROMLEY	X		
SEN. AUBYN CURTISS	X		
SEN. JON ELLINGSON	X		
SEN. JESSE LASLOVICH			X
SEN. JEFF MANGAN	X		
SEN. DAN McGEE	X		
SEN. LYNDA MOSS	X		
SEN. JERRY O'NEIL	X		
SEN. GERALD PEASE	X		
SEN. GARY PERRY	X		
SEN. JIM SHOCKLEY	X		
VALENCIA LANE, LSD			
MARI PREWETT, COMMITTEE SECRETARY			



SENATE STANDING COMMITTEE REPORT

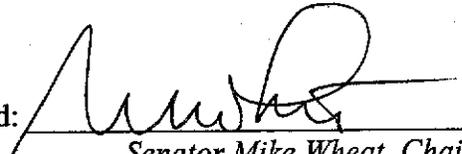
April 7, 2005

Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **House Bill 747** (third reading copy -- blue) **be concurred in.**

Signed: _____


Senator Mike Wheat, Chair

To be carried by Senator Jeff Mangan

- END -

Committee Vote:
Yes 7, No 5.

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SENATE STANDING COMMITTEE REPORT

April 7, 2005

Page 1 of 2

Mr. President:

We, your committee on **Judiciary** recommend that **House Bill 782** (third reading copy -- blue) be concurred in as amended.

Signed:

A handwritten signature in black ink, appearing to read "Mike Wheat", written over a horizontal line.

Senator Mike Wheat, Chair

To be carried by Senator Mike Wheat

And, that such amendments read:

1. Title, line 10 through line 13.

Strike: "PROVIDING" on line 10 through "JUDGE;" on line 13

Insert: "TRANSFERRING MONEY FROM THE RESOURCE INDEMNITY TRUST AND"

2. Page 2, line 3.

Strike: "judicial notice"

Insert: "the court"

3. Page 2, line 24 through line 26.

Strike: "to finally" on line 24 through "legal issue" on line 26

4. Page 2, line 27.

Following: "duties"

Insert: "of the attorney general"

5. Page 3, line 2.

Following: "may"

Insert: ", in its ruling"

6. Page 3, line 4.

Strike: "through judicial notice; or"

Committee Vote:

Yes 10, No 2.

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Handwritten initials in black ink, possibly "KF".

Insert: "by the court;
(c) remove the issue remark; or"
Renumber: subsequent subsections

7. Page 3, line 16.

Strike: "to the most" through "objections in a basin,"

Insert: "to claims in a basin"

8. Page 3, line 20.

Strike: "a claim record"

Insert: "an abstract of water right in a water court decree"

Strike: "and"

Insert: "or"

9. Page 9, line 27.

Following: "Appropriation"

Insert: "-- fund transfer"

Following: "money"

Insert: "(1)"

10. Page 9, line 28.

Strike: "AVAILABLE" through "\$49,000"

Insert: "water right appropriation account provided for in 85-2-318, \$98,000 for the biennium beginning July 1, 2005,"

11. Page 9.

Following: line 30

Insert: "(2) There is transferred \$98,000 from the principal of the resource indemnity trust in excess of \$100 million to the water right appropriation account provided for in 85-2-318 for the purposes provided in subsection (1)."

- END -

MONTANA STATE SENATE
2005 LEGISLATURE

ROLL CALL VOTE

JUDICIARY COMMITTEE

DATE 4-6-05 BILL NO. HB 747 NUMBER 1

MOTION: Do Concur

NAME	AYE	NO
SEN. JERRY O'NEIL (R)		X
SEN. LYNDA MOSS (D)	X	
SEN. JIM SHOCKLEY (R)	X	
SEN. JON ELLINGSON (D)		X
SEN. GERALD PEASE (D)		X
SEN. JEFF MANGAN (D)	X	
SEN. DAN MC GEE (R)	X	
SEN. MICHAEL WHEAT (D), CHAIRMAN		X
SEN. BRENT CROMLEY (D), VICE CHAIRMAN	X	
SEN. GARY PERRY (R)	X	
SEN. JESSE LASLOVICH (D)		X
SEN. AUBYN CURTISS (R)	X	

7 5

PROXY VOTE

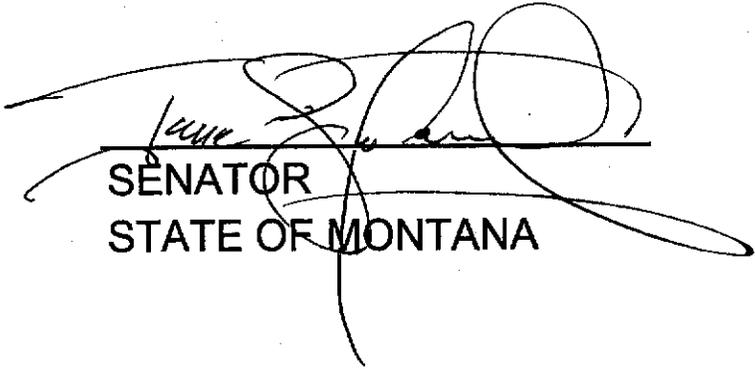
I, the undersigned, hereby authorize Senator Wheat to

vote my proxy on any issue before the Senate Judiciary

Committee held on 4-6, 2005.

HB 782 Amend. 78202. -aye
Amend 78203 -aye
Concur as amended -aye

HB 747 Concur - No



SENATOR
STATE OF MONTANA