

BUSINESS REPORT
MONTANA SENATE
62nd LEGISLATURE - REGULAR SESSION

SENATE JUDICIARY COMMITTEE

Date: Thursday, January 13, 2011
Place: Capitol

Time: 9:00 AM
Room: 303

BILLS and RESOLUTIONS HEARD:

SB 36 - Revise court costs and attorney fees in water cases
SB 68 - Clarify duty of driver in accident to remain at the scene
SB 76 - Provide parole for those sentenced to custody of DPHHS and in state facility

EXECUTIVE ACTION TAKEN:

SB 36-Do Pass As Amended
SB 60-Do Pass As Amended
SB 68-Amended withdrew motion for Do Pass As Amended

Comments:



SEN. Jim Shockley, Chair

MONTANA STATE SENATE

ROLL CALL

2011 JUDICIARY COMMITTEE

DATE: 1/13/11

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
CHAIRMAN, SENATOR JIM SHOCKLEY	/	
VICE CHAIRMAN, SENATOR TERRY MURPHY	/	
SENATOR SHANNON AUGARE	/	
SENATOR ANDERS BLEWETT	/	
SENATOR GREG HINKLE	/	
SENATOR ROWLIE HUTTON	/	
SENATOR LARRY JENT	/	
SENATOR CLIFF LARSEN	/	
SENATOR LYNDA MOSS	/	
SENATOR JIM PETERSON		
SENATOR CHAS VINCENT		
SENATOR		



SENATE STANDING COMMITTEE REPORT

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Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 60** (first reading copy -- white) **do pass as amended.**

Signed: _____

Senator Jim Shockley, Chair

And, that such amendments read:

1. Title, page 1, line 5 through line 6.

Strike: "AMENDING" on line 5 through "ALLOW" on line 6

Insert: "ALLOWING"

2. Title, page 1, line 6.

Following: "PARENT"

Strike: "OR"

Insert: ", "

Following: "GUARDIAN"

Insert: ", OR CONSERVATOR"

Following: "MINOR"

Strike: "OR AN"

Insert: ", "

3. Title, page 1, line 7.

Following: "PERSON"

Insert: ", OR PROTECTED PERSON"

Strike: "SECTION"

Insert: "SECTIONS"

Following: "30-14-1726"

Insert: "AND 30-14-1727"

4. Page 1, line 14.

Following: "individual"

Strike: "or"

Insert: ", "

Committee Vote:

Yes 11, No 0

Fiscal Note Required

SB0060001SC.sdr

DR

5. Page 1, line 15.

Following: "72-5-101"

Insert: ", or a conservator in the case of a protected person as defined in 72-5-101"

6. Page 2, line 11.

Following: line 10

Insert: "**Section 2.** Section 30-14-1727, MCA, is amended to read:

"30-14-1727. Placement of security freeze. (1) A consumer may elect to place a security freeze on the consumer's own credit report by making a request:

~~(1)~~ (a) in writing by regular or certified mail to a consumer reporting agency at an address designated by the consumer reporting agency to receive the request; or

~~(2)~~ (b) directly to the consumer reporting agency through a secure electronic connection specified by the consumer reporting agency ~~by January 31, 2009.~~

(2) A consumer, acting in the capacity of a parent or guardian in the case of a minor or of an incapacitated person as defined in 72-5-101 or a conservator in the case of a protected person as defined in 72-5-101, may request that a consumer reporting agency place a freeze on the credit report of the minor or incapacitated or protected person by making a request in writing to the consumer reporting agency at an address designated by the consumer reporting agency to receive the request."

- END -



SENATE STANDING COMMITTEE REPORT

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Page 1 of 1

Mr. President:

We, your committee on **Judiciary** recommend that **Senate Bill 36** (first reading copy -- white) **do pass as amended.**

Signed: _____

Senator Jim Shockley, Chair

And, that such amendments read:

1. Title, page 1, line 7.

Following: "RIGHT;"

Insert: "PROHIBITING THE AWARD OF COSTS AND ATTORNEY FEES
INCURRED AS A RESULT OF ADMINISTRATIVE PROCEEDINGS;"

2. Page 1, line 16.

Following: "fees."

Insert: "The district court may not award costs or attorney fees
incurred as a result of administrative proceedings."

- END -

Committee Vote:

Yes 11, No 0

Fiscal Note Required

SB0036001SC.sdr

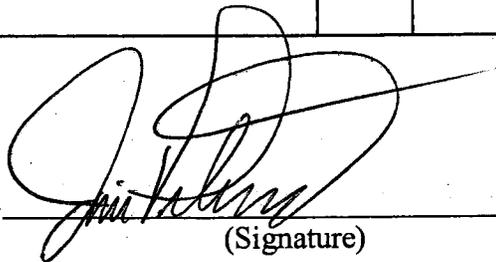
OR

AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from JUDICIARY committee because of other commitments. I desire to leave my proxy vote with:

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.

BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
10/11 { SB 41 Dot Pass	x		11/11 ✓ SB 36 AMEND	x	
SB 19 AMEND	x		✓ SB 36 Dot Pass Amend	x	
SB 19 Dot Pass Amend	x		✓ SB 60 AMEND	x	
SB 21 AMEND	x		✓ SB 60 Dot Pass Amend	x	
SB 21 Dot Pass Amend	x		✓ SB 68 AMEND	x	
SB 26 Dot Pass	x				
SB 72 Dot Pass	x				
11/11 SB 57 Dot Pass	x				
11/12/11 SB 50 Dot Pass		x			
SB 50 by Tolson	x				

Sen.  (Signature)

Date _____

(Sen. Jim Peterson)

