SENATE JUDICIARY
Exhibit No. 9
Date 1-19-07
Bill No. SB 67

Amendments to Senate Bill No. 67
1st Reading Copy

Requested by Senator Larry Jent

For the Senate Judiciary Committee

Prepared by Valencia Lane
January 18, 2007 (7:27am)

1. Page 1, line 14.
Strike: "8"
Insert: "7"

2. Page 1, line 17 through line 18.
Following: "public" on line 17
Strike: remainder of line 17 through "supplies," on line 18

3. Page 1, line 19.
Following: "within"
Strike: "or outside"

4. Page 1, line 20 through line 23.
Following: "means" on line 20
Strike: remainder of line 20 through "state" on line 23
Insert: "the state of Montana"

5. Page 1, line 24.
Following: line 23
Insert: "(3) "Essential good or service" means food, water, fuel, shelter, transportation, or medical supplies."
Renumber: subsequent subsections

6. Page 1, line 24.
Following: "means"
Insert: "the intentional"

7. Page 1, line 25.
Following: "essential"
Strike: "product"
Insert: "good"

8. Page 1, line 30.
Strike: "8"
Insert: "7"
Following: ";"
Insert: "or"

9. Page 2, line 1 through line 2.
Strike: "(b)" on line 1 through "; or" on line 2

Renumber: subsequent subsection

10. Page 2, line 3.
Strike: "8"
Insert: "7"

11. Page 2, line 6.
Strike: "8"
Insert: "7"

12. Page 2, line 10.
Following: "general"
Strike: "or a county attorney"
Following: "finding"
Insert: "based on clear and convincing evidence"

13. Page 2, line 14.
Page 2, line 16.
Page 2, line 18.
Page 2, line 20.
Strike: "8"
Insert: "7"

14. Page 2, line 27 through line 30.
Strike: section 3 in its entirety
Renumber: subsequent sections

15. Page 3, line 2.
Following: "**pricing**"
Strike: "**prohibited**"
Insert: "**presumed illegal**"

16. Page 3, line 3.
Following: "disruption,"
Insert: "the sale by"

17. Page 3, line 3 through line 4.
Following: "person" on line 3
Strike: remainder of line 3 through "price" on line 4
Insert: "at prices in excess of those specified in subsection (2) within the affected area of"

18. Page 3, line 4.
Following: "wholesale,"
Strike: "within the affected area"
Insert: "is presumed to be illegal subject to the defenses set forth in [section 5]"

19. Page 3, line 5.

Following: "if it"
Strike: "is 10%"
Insert: "exceeds by 20%"
Following: "more"
Strike: "above"

20. Page 3, line 5 through line 7.
Following: "by" on line 5
Strike: remainder of line 5 through "disruption" on line 7
Insert: "other persons within a 50-mile radius of the location of the alleged offense for the same essential good or service during the 7 days prior to the alleged offense"

21. Page 3, line 15.
Following: "service."
Insert: "However, [sections 1 through 7] do not prevent a business from closing during the period of emergency or abnormal market disruption if legitimate business reasons warrant that action."

22. Page 3, line 18.
Strike: the first "8"
Insert: "7"

23. Page 3, line 18 through line 19.
Following: "may" on line 18
Strike: remainder of line 18 through "following" on line 19
Insert: "assert one or both of the following defenses"

24. Page 3, line 23.
Following: "price of"
Strike: "a"
Insert: "an essential"

25. Page 3, line 27.
Strike: "8"
Insert: "7"

26. Page 3, line 28.
Following: "general"
Strike: "or a county attorney of the county in which the violation occurs"

27. Page 3, line 29.
Following: "general"
Strike: "or a county attorney"

28. Page 3, line 30.
Strike: "8"

Insert: "7"

29. Page 3, line 30 through page 4, line 1.
Following: "general" on line 30
Strike: remainder of line 30 through "for" on page 4, line 1
Insert: "may request and obtain"

30. Page 4, line 1.
Following: "records"
Insert: "directly related to an alleged violation"

31. Page 4, line 4 through line 6.
Strike: "8]" on line 4 through "30-14-103" on line 6
Insert: "7] is subject to a civil penalty of up to $1,000 for each incident, with a maximum penalty of $25,000 for the duration of the emergency or abnormal market disruption"

32. Page 4, line 8 through line 10.
Following: "30-14-143." on line 8
Strike: remainder of line 8 through "agency." on line 10

33. Page 4, line 11.
Strike: "8"
Insert: "7"

34. Page 4, line 13 through line 14.
Following: "practicable" on line 13
Insert: ","
Strike: remainder of line 13 through "(i)" on line 14

35. Page 4, line 14.
Following: "profits"
Strike: "for cases prosecuted by the attorney general"

36. Page 4, line 15 through line 18.
Following: "30-14-143" on line 15
Strike: remainder of line 15 through "agency" on line 18

37. Page 4, line 20.
Page 4, line 22.
Strike: "8"
Insert: "7"

- END -