

MINUTES OF THE MEETING
NATURAL RESOURCES
MONTANA STATE SENATE

January 13, 1977

The second meeting of the Natural Resources Committee was called to order by Vice-Chairman George Roskie, at 9:30 a. m. on the above date in Room 405 of the State Capitol Building.

ROLL CALL: All members were present with the exception of Senator Elmer Flynn, Chairman.

Mr. Larry Weinberg, Staff Attorney of the Legislative Council was present. Tala Skari, of the Environmental Quality Council, and Mr. Bob Biggerstaff, of the Montana Association of Conservation Districts, were also present.

Senator Roskie asked the Committee what their pleasure was with regard to Senate Bill No. 2 and Senate Bill No. 26 on which action was delayed at the previous meeting.

DISPOSITION OF SB 2: Senator Jergeson said that he thought the Committee could act on Senate Bill No. 2. Senator Jergeson moved that Senate Bill No. 2 be amended as follows: Amend Page 13, Section 8, Line 10, following word "granted" by striking the word "in" and inserting the word "at" to clarify the intent of that section. The motion was seconded by Senator Dover and carried unanimously.

Motion was made by Senator Dover that we accept Senate Bill No. 2 as amended and that the bill AS SO AMENDED, DO PASS. Motion was seconded by Senator Devine and carried unanimously.

Senator Manley added that the recodification of this bill does not have any effect on his problem.

DISPOSITION OF SB 26: Senator Roskie briefly reviewed the previous discussion of this bill.

Mr. Larry Weinberg, Staff Attorney of the Legislative Council, briefly explained the bill further.

Senator Smith said that it looks like something should be done legislative wise instead of recodification.

Senator Galt stated that was his feeling also.

Senator Roskie said that he was inclined to agree.

After further discussion, Senator Smith moved that Senate Bill No. 26 DO PASS. The motion was seconded by Senator Dover and motion carried unanimously.

CONSIDERATION OF SJR 4: Directing that select committee of legislators study alternative forms for the administration of state forestry laws.

Senator Manley said that he had requested a fiscal note and thought he should have this before we consider this bill.

Senator Manley stated that he was trying to find out how much money was expended in this public land access study so he would have some kind of an idea.

ANNOUNCEMENT: After further discussion Senator Roskie informed the members of the Committee that there would be a meeting on Tuesday, January 18, to hear Senate Joint Resolution No. 4

At this time, Senator Roskie presented the committee with a proposal for a modification of the sub-division laws. He wanted to determine whether there was sufficient support for this proposal to be presented as a Committee Bill. He stated that it takes three-fourths vote to make it a Committee Bill.

Senator Roskie stated that Senator Flynn has said he would like to support the bill if presented as a Committee Bill.

He also stated that there has been a lot of concern on the part of many people on that particular section of the Sub-Division Law, because of the almost unworkableness of some of the items.

Senator Dover said that it said that the laws that we had were no problem but these are ambiguities. He wondered what the basis was before we got into this mess.

Senator Roskie stated that the criteria before this are in the present act.

Senator Jergeson stated that he was going to have to oppose this bill. He said that he thought a legislator should sign the bill and not expect the Committee to sponsor the bill. He stated that it would be the responsibility of the Committee to then hear the bill. He stated he thought the Committee would be very remiss to make official sanction.

Senator Devine stated that he would have to go 100% for this bill.

Senator Dover said that in Lewistown it is really a problem. He said that unless you are a lawyer there is no way to know what it is going to cost to develop a sub-division.

Senator Manley said that the sub-divisions that he was talking about are the ones out on a mountain.

Senator Dover said that he would go along with Senator Manley.

Senator Jergeson said that he frankly felt that it was improper to make this a Committee Bill.

Senator Roskie said that he didn't know what the implementation might be. He said that they do introduce a number of bills dealing with essentially the same subject matter and it takes a lot of time to coordinate and it takes a great deal of time to argue. He stated that he was not against Committee Bills as such.

Senator Smith stated that he thought the Committee was being premature as he hadn't even had time to look at the bill.

Senator Roskie explained that one of the Committee members would have to be on the bill if it is a Committee Bill.

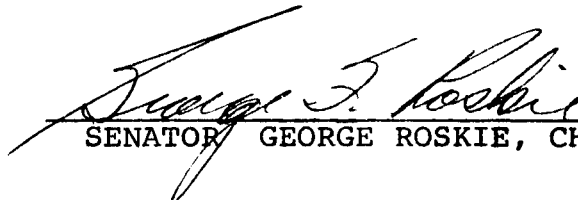
Senator Smith stated that he would still like to read the bill but that he thought that he would support it.

Senator Roskie stated that if it is presented as a Committee Bill they would have to attach the vote to make sure we had three-fourths majority.

ANNOUNCEMENT: Senator Roskie suggested that action on whether to sponsor this bill as a Committee Bill be deferred until Saturday, January 15, 1977.

Senator Devine moved that action on whether to sponsor this bill as a Committee Bill be deferred until Saturday, January 15, 1977. Motion was seconded by Senator Dover and carried unanimously.

ADJOURNMENT: There being no further business, motion was made by Senator Galt that the meeting be adjourned. Motion seconded by Senator Manley and carried. Meeting was adjourned at 10:30 a. m.


SENATOR GEORGE ROSKIE, CHAIRMAN

NATURAL RESOURCES COMMITTEE

Date 1-13-77

[illegible]

SENATE

VISITORS' REGISTER

NAME

REPRESENTING

BILL #

(check one)	
SUPPORT	OPPOSE

SUPPORT

OPPOSE

[illegible]

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY

STANDING COMMITTEE REPORT

.....January 13..... 1977.....

MR. **PRESIDENT**

We, your committee on **NATURAL RESOURCES**

having had under consideration **SENATE** Bill No. **2**

Respectfully report as follows: That **SENATE** Bill No. **2,**

introduced bill, be amended as follows:

1. Amend page 13, section 8, line 10

Following: "granted"

Strike: "in"

Insert: "at"

And, as so amended, DO PASS

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STANDING COMMITTEE REPORT

.....January 13..... 1977.....

MR.PRESIDENT.....

We, your committee onNATURAL RESOURCES.....

having had under considerationSENATE..... Bill No. 26.....

Respectfully report as follows: ThatSENATE..... Bill No. 26.....

DO PASS