

MINUTES OF THE MEETING
NATURAL RESOURCES
MONTANA STATE SENATE

January 15, 1977

The third meeting of the Natural Resources Committee was called to order by Senator Elmer Flynn, Chairman, at 9:30 a. m. on the above date in Room 405 of the State Capitol Building.

ROLL CALL: Upon roll call all members were present.

Mr. Larry Weinberg, Staff Attorney of the Legislative Council was also present.

Senator Roskie stated that at the previous meeting the Committee had had quite a discussion about whether the proposal for a modification of the sub-division laws ought to be presented as a Committee Bill or as an individual bill with co-signers. He stated that at the previous meeting it was agreed that this proposal would be discussed further today and that a decision would be made.

Senator Flynn said that he was kind of interested in this bill. He stated that this bill which was H. B. 666 passed the Senate by one vote last session. He said that he wondered if this act had ever been tried in the interim.

Senator Roskie stated that it had never come before a court for court decision that he knew of. He said that there have been some challenges.

Mr. Weinberg, Staff Attorney of the Legislative Council, stated that he was not aware of any.

Senator Flynn stated that one of his main objectives to the bill when it was passed was that there was no definitions for agricultural land and no definition for any of the provisions that are in the bill. He then stated that he would like to know what the pleasure of the Committee would be.

Senator Jergeson stated that he frankly didn't think it was proper to make it a Committee Bill. He stated that it gives it official status before it even has a hearing. He said that House Bill 666 was introduced by an individual last session so he felt that any repealer should be made by an individual legislator this session. He said that as a Legislator he had the responsibility to review and study what is in the contents of the bill. He said that he didn't think it proper to say this is what the Committee wants to do.

Senator Smith stated that he was in full support of the bill. He said that he didn't think they were going to help or hurt the bill by saying it is a Committee Bill. He said he didn't think they were gaining anything. He stated that they should weigh this on the merits of the bill. He said it wouldn't change his decision one way or the other whether it was a Committee Bill.

Senator Devine stated that he would support the bill like it is.

Senator Roskie said that he thought Senator Jergeson may have a good point. It conceivably might affect the adverse effect as a kind of a pressure move to put more pressure on the body. He stated that he would have no concern about signing it. He stated that maybe it would be reviewed better if it was not a Committee Bill. He said that he admits that he had thought it was a good idea at the time.

Senator Flynn stated that it can work both ways.

Senator Roskie said that the interim Committee Bills are a little different too.

Senator Manley wondered if the bill had been submitted.

Senator Flynn said, no, the point was whether to introduce it as a Committee Bill or individual. It really doesn't make any difference.

Senator Roskie stated that Senator Dover has a direct interest.

Senator Dover said that the contractors are caused much harassment by this.

Senator Flynn stated that in his opinion it does give them the right to veto any contract.

Senator Dover said that he wondered about the thousands and thousands of dollars it has cost under this bill.

Senator Devine said that to get the permits is no problem.

After further discussion it was decided to submit the bill as an individual bill and not as a Committee Bill.

At this time Senator Flynn asked Senator Manley if he would be having anyone testify at the hearing on Tuesday, January 18, for Senate Joint Resolution No. 4.

Senator Manley stated that only lobbyists from the Woods Products would be there.

ANNOUNCEMENTS: Senator Flynn stated that a hearing would be held Tuesday, January 18, 1977 at 9:30 a. m. on Senate Joint Resolution No. 4.

ADJOURNMENT: There being no further business, motion was made by Senator Smith and seconded by Senator Dover that the meeting be adjourned. Meeting was adjourned at 9:50 a. m.



SENATOR ELMER FLYNN, CHAIRMAN

