

MINUTES OF MEETING  
SENATE JUDICIARY COMMITTEE  
January 16, 1979

The ninth meeting of the Senate Judiciary Committee was called to order by Chairman Everett R. Lensink on the above date in room 331 at 10:01 a. m.

ROLL CALL:

All members were present.

CONSIDERATION OF SENATE BILL 88:

Senator Turnage gave an explanation of this bill, which is an act to provide for the creation and administration of trusts in favor of absent owners of interest in minerals and to require those holding funds for absent owners to petition for creation of such trusts. Senator Turnage went over the bill section by section.

There were some questions and some further explanations of the content of this bill. Senator Lensink asked if there were any further proponents and none came forward. Senator Healy requested that the term "absent owner" be defined. Senator Galt stated that in 1975 he had introduced a bill that was similar to this bill but went further and Senator Towe commented that this was an offshoot of that bill and stated that the bill was passed by the senate but was killed in the house.

Senator Anderson questioned if when the property accedes to the state, does it go into the general fund. Senator Towe said that it eventually ends up in the general fund.

Senator Towe made a motion to amend the bill on page 4, line 12 by striking the word "the" following the word "on" and inserting in lieu thereof the word "such" and to strike the words "held in trust". The motion carried unanimously.

Senator Anderson questioned if there was a considerable amount of money presently being held for oil companies. Don Allen, representing the Montana Petroleum Association, stated that this was not really so. Don Allen did question if in section 1, the wording would limit the benefit only to the person with mineral interests. He felt that maybe it should be any interested person. Both Senators Turnage and Towe felt satisfied with the language that is now in the bill.

Minutes - January 14<sup>6</sup>, 1979  
Senate Judiciary Committee  
Page Two

There were no further comments or questions on this bill.

DISPOSITION OF SENATE BILL 88:

Senator Turnage moved that this bill do pass as amended.  
The motion carried unanimously.

There being no further business, the meeting adjourned at  
10:23 a.m.

*Everett R. Lensink*

SENATOR EVERETT R. LENSINK, Chairman  
Judiciary Committee

STANDING COMMITTEE REPORT

January 16, 19 79

MR. President:

We, your committee on Judiciary

having had under consideration Senate Bill No. 89

Respectfully report as follows: That Senate introduced bill, be amended as follows:

- 1. Page 4, line 12.  
Following: "on"  
Strike: "the"  
Insert: "such"
- 2. Page 4, line 12.  
Strike: "held in trust"

And, as so amended,

DO PASS

Everett R. Lensink Chairman  
HC.

Date Jun 16, 1979

ROLL CALL

JUDICIARY COMMITTEE

46th LEGISLATIVE SESSION - 1979

NAME	PRESENT	ABSENT	EXCUSED
Lensink, Everett R., Chr. (R)	✓		
Olson, S. A., V. Chr. (R)	✓		
Turnage, Jean A. (R)	✓		
O'Hara, Jesse A. (R)	✓		
Anderson, Mike (R)	✓		
Galt, Jack E. (R)	✓		
Towe, Thomas E. (D)	✓		
Brown, Steve (D)	✓		
Van Valkenburg, Fred (D)	✓		
Healy, John E. (Jack) (D)	✓		

Each Day Attach to Minutes.

SENATE

Industry

COMMITTEE

BILL 5.1

VISITORS' REGISTER

DATE 1/16/79

Please note bill no.

(check one)

SUPPORT | OPPO

NAME

REPRESENTING

BILL #

Rayd Chippen

Tracoda Co

SB 86

Howard Buehler

Montana Mining Assoc

SB 87

William Thompson

Montana Mining Assoc

SB 88

Thomas F. Howling

Mont. R.R. Assn

SB 88

Pat Stuart

W.H. Coal Council

SB 88

Dick Gilbert

Self

SB 88

Vic Wickman

Rep. Wickman

SB 83

James Burr

Dept of Revenue

Clay Craig

DO R