

MINUTES OF THE MEETING  
RULES  
MONTANA STATE SENATE

March 6, 1979

The meeting of the Senate Rules Committee was called to order by Chairman Stephens at 6:50 p.m. on the above date in Room 331 of the State Capitol.

ROLL CALL: All members were present, with the exception of Senators Graham, Smith, and Thiessen.

Chairman Stephens asked John Larson, Amendments Coordinator to tell the committee what he has researched on the similarity question of the following bills:

HOUSE BILL 833 (introduced by McBride): A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR THE CREATION AND CONVEYANCING OF SOLAR EASEMENTS." (Passed House, referred to Rules Committee.)

SENATE BILL 480 (Introduced by Towe, Palmer) "AN ACT ESTABLISHING DIRECT ACCESS TO SUNLIGHT AS A PROPERTY RIGHT PROTECTED BY LAW AND AUTHORIZING PERMIT SYSTEMS FOR USE AND APPLICATION OF SOLAR ENERGY." (Killed in Natural Resources Committee 2/19.)

Both bills, in effect, create a property for the right to sunlight. Both bills provided for the creation in transferring of the right through written instrument. The difference in the bills was that one relies on the legal vehicle of an easement; the other bill relies on a system of written application and local regulation.

After considerable discussion and testimony by sponsors of both bills, Senator Turnage moved that H.B. 833 be approved and re-referred to Senate Judiciary Committee. Motion carried.

HOUSE BILL 387 (introduced by Sales) "AN ACT TO ESTABLISH A METHOD OF DETERMINING THE COMPENSATION OF COUNTY OFFICIALS AND EMPLOYEES: AMENDING SECTIONS 7-4-2108, etc. (Passed House, referred to Rules).

SENATE BILL 206 (introduced by Regan) "AN ACT TO CHANGE THE METHOD OF ESTABLISHING SALARIES FOR COUNTY ELECTED OFFICIALS AND OTHER COUNTY EMPLOYEES; PROVIDING FOR CERTAIN CONDITIONS; AMENDING SECTIONS 7-4-2108, etc. (Killed 2/23).


These two bills pertain to the County Commissioners setting salaries. Both bills amended the same sections of the law and repealed the same sections. Both bills relied on the same language, and there were only approximately eight words that were different.

Discussion followed. Senator Turnage moved that these bills fall within the rule of similarity, therefore cannot be considered. Motion carried.

Senator Jergeson advised the committee that H.B. 113 was improperly received by the Senate because it was not accompanied by a statement of intent. Section 2 spells out disposition of defunct state agencies, and to remedy the situation it was recommended by Senator Turnage that this entire section be dropped from the bill.

Another case in point is H.B. 406 which was explained by Senator Jergeson as lacking a statement of intent. To satisfy this deficiency Senator Turange recommended that the Rules Committee write a statement of intent.

Meeting adjourned at 7:15 p.m.



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Stan Stephens, Chairman

SENATE RULES COMMITTEE

ROLL CALL / NOTE ON

DATE 3-6-70

Present	Absent	Name of Member	Aye	No	Not Voting
✓		Blaylock			
	✓	Graham			
✓		Hazelbaker			
✓		Jergeson			
✓		Kolstad			
✓		Mathers			
	✓	Smith			
	✓	Thiessen			
✓		Turnage			
		Bardanoue			
		Brand			
		Dussault			
		Gerke			
		Huennkens			
		Kvaalen			
		Moore			
		Ramirez			
		Sivertsen			
		Vincent			
✓		Stephens, Chairman			
7	3	TOTAL			

*Melba McKay*  
Secretary

NOTION:

# STANDING COMMITTEE REPORT

..... March 6, 19 79.

MR. President:.....

We, your committee on Rules.....

having had under consideration ..... House Bill No. 833

Respectfully report as follows: That ..... House Bill No. 833

**be re-referred to the Committee on Judiciary**

**DUFFASS.**

# STANDING COMMITTEE REPORT

..... March 6, 1979 .....

MR. President.....

We, your committee on Rules.....

having had under consideration ..... House..... Bill No. 387.....

Respectfully report as follows: That..... House..... Bill No. 387.....

BE NOT CONCURRED IN  
DO PASS

.....  
Chairman.