

MINUTES FOR MEETING
SENATE JUDICIARY COMMITTEE
February 18, 1981

The thirty-first meeting of the Senate Judiciary Committee was called to order by Mike Anderson, Chairman, on the above date in Room 331, at 10:00 a.m.

ROLL CALL:

All members were present.

CONSIDERATION OF SENATE BILL 477:

ESTABLISHING INCENTIVES FOR JUVENILE
CORRECTIONS PROGRAMS.

Senator Van Valkenburg, District 50, Missoula, presented the bill, saying that it had been introduced because there should be some dialogue about the benefits which might result to the state from having a community-based, rather than a state-based, corrections system -- particularly in the area of juvenile corrections. He explained that the bill was modeled after Oregon law. He admitted that the funding for this program would present a problem, but felt that the cost would be lower overall with local correction. He suggested that if this bill failed, the concept could be incorporated into an interim study.

Senator Anderson asked for a figure on the funding which would be required, and was told that a net expenditure by the state of fifty thousand dollars could be expected.

Opposing testimony was introduced (marked Exhibit A and attached to these minutes).

CONSIDERATION OF SENATE BILL 475:

ADOPTING OF REVISIONS TO THE MODEL BUSINESS
CORPORATION ACTS RECOMMENDED BY ABA.

The bill was presented by Senator Mazurek, who said that it had been recommended by the Bar Association to the Corporation Act after a year's work.

Ward Shanahan, Chairman of the Business Section of the Bar Association, said that the bill had two basic purposes: the improvement of minority stockholders' rights, and the tightening up of the requirements on the board of directors of a corporation. This bill would require any corporation

to notify the stockholder when there is going to be a change which will affect his rights and to give him notice in advance of any exchange of shares which will involve him. Small, closely-held corporations would benefit most from this bill. Mr. Shanahan then started through the bill, outlining the changes which had been made, and the purpose for each one.

Chairman Anderson interrupted the presentation to suggest that this far-reaching bill be pursued at 7:30 tonight, when there would be more time to do it justice. Mr. Shanahan, Mr. Wyse (of the U. of M. Law School), Bob Pyfer, and Senator Mazurek all agreed to this plan. Senator Anderson asked if any opponents to the bill were present, and when it developed that none were, he set further hearing at 7:30 tonight.

CONSIDERATION OF SENATE BILL 478:

INCLUDING ABANDONED MINERAL INTERESTS AS
PROPERTY DISPOSED OF UNDER THE UNIFORM
DISPOSITION OF UNCLAIMED PROPERTY ACT.

Senator Ochsner, District 26, presented the bill. He said that the main purpose is to try to clear up severed mineral rights scattered across the country that are as low, in some instances, as 1/100 interest. This clouding of the title prevents oil exploration and other development. He said that this bill was based on Louisiana, Arkansas, and Wyoming law.

James Mockler, representing the Montana Coal Council, spoke in opposition to the bill, stating that there is a market value to these mineral interests, and no provision in the bill would allow notice to be served on the owners of these mineral interests before terminating them.

Also speaking in opposition to the bill were Glenna Phillips, a representative of Phillips Trust, with both mineral and royalty interests reserved by her father when the property was sold; Karla Gray, representing Atlantic Richfield, who said that subsection (1) was totally unintelligible; Pat Wilson, representing Montco, who suggested committee members talk with Senator Keating on this issue; Mack Johnson, of Helena; Don Allen; Bill Hand, Executive Secretary to the Montana Mining Association; Bob Gannon, of Montana Power; and John Sullivan, whose written testimony is included with the testimony sheets attached to these minutes.

In closing, Senator Ochsner pointed out a conflict within the opponents to his bill -- when a bill to tax these mineral interests is introduced, they oppose it, claiming that such interests are of no value; but when these "valueless" interests are threatened by a bill such as this one, the owners claim they are being deprived of something of value.

CONSIDERATION OF SENATE BILL 479:

VALIDATING CERTAIN CONVEYANCES OF REAL
PROPERTY CONTAINING TECHNICAL DEFECTS.

Senator Crippen presented the bill at the request of this committee, stating that the purpose was to make valid various conveyances of real property which contain technical deficiencies. He said that passage of this bill would eliminate some of the nit picking from the law, and allow basically valid documents to pass legal title to real property.

Bill Romine, representing the Montana Land Title Association, spoke in support of the bill.

DISPOSAL OF SENATE BILL 479:

Senator Crippen moved that the bill DO PASS, and the motion carried with Senator Olson opposing.

CONSIDERATION OF SENATE BILL 468:

RAISING THE MAXIMUM JURISDICTIONAL
AMOUNT IN CIVIL CASES IN JUSTICES'
COURTS TO \$3,500.

Senator Crippen presented the bill, saying that it would save a lot of money by eliminating many actions currently held in district court.

Speaking in support of the bill were Jim Jensen, Missoula, and Mike McCabe, Helena, both of whom said that the justice of the peace case load would increase, but this could be offset by raising the fees charged.

CONSIDERATION OF SENATE JOINT RESOLUTION 20:

REQUESTING THE MONTANA SUPREME COURT TO
PREPARE PROPOSED LEGISLATION FOR THE
48TH LEGISLATURE TO RECONCILE CONFLICTS
BETWEEN THE MONTANA RULES OF EVIDENCE
AND STATUTES ON EVIDENCE.

Senator Crippen, District 33, presented the bill.

Senator Anderson pointed out that on page 2, line 7, following "Article", "XII" should be stricken and replaced with "VII". Senator Mazurek suggested that on line 15 of page 2, "proper" should be stricken and replaced with "qualified". Senator Crippen moved that these amendments be adopted, and the motion carried unanimously.

DISPOSITION OF SENATE JOINT RESOLUTION 20:

Senator Crippen moved that the bill DO PASS AS AMENDED, and his motion carried unanimously.

DISPOSITION OF SENATE BILL 478:

Senator Halligan moved that the bill do pass, and was the only one voting for this motion. Senator O'Hara then moved that the bill DO NOT PASS, and that the order of the previous vote be reversed. His motion carried with only Senator Halligan opposing.

DISPOSITION OF SENATE BILL 290:

Senator Mazurek moved that the bill DO PASS, and his motion carried unanimously.

DISPOSITION OF SENATE BILL 288:

Senator O'Hara moved that the bill DO PASS.

Senator Anderson asked that the record show that on Senate Bill 369, the testimony of the proponents was limited to those in attendance, and that a certain Jeanne Anderson, who was forced to return to Billings, was never reached by telephone after Chairman Anderson's repeated calls; and further, that although the committee left an opening to other proponents of Senate Bill 369, none ever came forward, and that as of this date the committee is closing any further options for testimony on Senate Bill 369.

Senator S. Brown said that according to Judge Gulbrandsen, Judge Martin no longer has any problems with SB 288. He said that there have been no problems with his bill, and no one has approached him with opposition to it.

Senator O'Hara's motion passed unanimously.

DISPOSITION OF SENATE BILL 369:

Senator S. Brown moved that the bill DO NOT PASS, and his motion carried unanimously.

DISPOSITION OF SENATE BILL 364:

Senator Halligan moved that the bill DO NOT PASS, and his motion carried with Senators Olson and Tveit opposing.

Chairman Anderson asked Senator Crippen to carry the adverse committee report on the floor, and Senator Crippen agreed to do so.

DISPOSITION OF SENATE BILL 33:

Senator Crippen moved that the bill DO PASS AS AMENDED, and the motion carried unanimously. The amendments are shown on the attached Committee Report.

DISPOSITION OF SENATE BILL 224:

Senator O'Hara moved that the bill be laid on the table, and his motion carried unanimously.

DISPOSITION OF SENATE BILL 277:

Senator Halligan moved that the bill be amended as shown on the attached Committee Report. His motion carried unanimously. Senator Halligan moved that the bill DO PASS AS AMENDED, and the motion carried unanimously.



Senator Anderson
Chairman, Judiciary Committee

ROLL CALL

JUDICIARY COMMITTEE

47th LEGISLATIVE SESSION - - 1981

Date Feb. 18, 1981

NAME	PRESENT	ABSENT	EXCUSED
Anderson, Mike, Chr. (R)	✓		
O'Hara, Jesse A. (R)	✓		
Olson, S. A. (R)	✓		
Brown, Bob (R)	✓		
Crippen, Bruce D. (R)	✓		
Tveit, Larry J. (R)	✓		
Brown, Steve (D)	✓		
Berg, Harry K. (D)	✓		
Mazurek, Joseph P. (D)	✓		
Halligan, Michael (D)	✓		

Each day attach to minutes.

NAME: WARD SHANAHAN DATE: 2-18-81

ADDRESS: 301 FIRST NAT'L BANK HELENA

PHONE: 402-8560

REPRESENTING WHOM? STATE BAR - BUSINESS SECTION

APPEARING ON WHICH PROPOSAL: SB 475

DO YOU: SUPPORT? X AMEND? _____ OPPOSE? _____

COMMENTS: _____

Good Committee

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Ronald C. Wyse DATE: Feb. 18 1981

ADDRESS: 5785 PINEWOOD MISSISSAUGA

PHONE: 251 2756

REPRESENTING WHOM? U. of Western Law School

APPEARING ON WHICH PROPOSAL: SB 475

DO YOU: SUPPORT? yes AMEND? _____ OPPOSE? _____

COMMENTS: _____

I am a professor at the Law
school and was the principal
draftman of this Bill.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: James D. Smith DATE: 2/18/81

ADDRESS: 2301 Colonial Dr

PHONE: 442-6223

REPRESENTING WHOM? Mt. Coal Council

APPEARING ON WHICH PROPOSAL: S.B. 478

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? ✓

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

(31)

5-19-81

600 753- Kalkstein, Mt 59901

357-8358 - 443 1-99 9

Philipps Trust

513 478

OPPOSE?

COMMENTS :

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Bill Hand DATE: Feb. 16, 1981

ADDRESS: Helena

PHONE: 443-7297

REPRESENTING WHOM? Mt. Mng. Assoc

APPEARING ON WHICH PROPOSAL: ~~SB~~ SB 478

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? ☒

COMMENTS: Mng. Assoc's position is that Mineral Interest

are negotiable - but their transfer must be by

agreement between buyer & consenting seller

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

COMMENTS OF MONTANA-DAKOTA UTILITIES CO.

RE: SENATE BILL 478

My name is John Sullivan, representing Montana-Dakota Utilities.

Until last night, when I first reviewed this bill, I did not think it possible that a bill so brief could raise so many problems. But it does.

The bill provides that if two conditions are met a mineral interest may be presumed to be abandoned. The first condition is that the mineral interest must "generate an intangible property interest". Of course, a mineral interest in and of itself does not generate anything, and accordingly this provision must mean that someone does something to create the undefined intangible interest. What is meant by this term? Is severance of the mineral interest from the surface ownership enough to create an intangible property interest? Or does the provision require going one step further, such as by leasing a severed mineral interest?

The second condition is that the intangible interest must "remain unclaimed for seven years". This is the really difficult provision, for all parties concerned, because the bill contains absolutely no hint of what is required to claim an intangible mineral interest. I would suggest that the most appropriate method of claiming such an interest, and the one that most readily comes to mind, is that the mineral owner must dig some sort of an exploration pit in search of some known or unknown mineral. Of course the number of pits to be dug is also a problem, but the prudent mineral owner would surely consider no less than one pit per acre to be the minimum required number. And, although not perfectly clear, I would presume that the pits must be dug at least once every seven years. If the

mineral interest is fractionalized, an additional problem presents itself, because the bill could very reasonably be construed to require that each fractional owner dig his own pit. In many cases this could require several hundred or even several thousand pits per acre. This type of activity would be good for backhoe operators. But it most certainly would not be good for surface owners. Nor could it by any stretch of the imagination be considered to be responsible mineral development.

There are also some administrative problems with this bill, because of the fact that it is to be made a part of the Unclaimed Property Act. Who, for example, is to report the abandonment of mineral interests to the Department of Revenue? Is the surface owner the "holder" of the intangible mineral interest under the provisions of Section 70-9-301(5)? If so, the surface owner must by law communicate with the mineral owner "and take necessary steps to prevent abandonment from being presumed". Does this mean that the surface owner must dig pits or in some other way exercise the mineral rights if the true mineral owner fails to do so?

The intent of this bill is the same as Senate Bill 45, which this Committee killed about 435 bills ago. The purpose is quite simply to eliminate severed mineral ownership. I realize that severed mineral rights are not popular with surface owners, but they are nevertheless legitimate property interests, and cannot be legislated out of existence without creating serious constitutional problems.

For these reasons, MDU respectfully recommends that this Committee vote DO NOT PASS on Senate Bill 478.

NAME William C. Romine BILL No. _____
ADDRESS Box 1691 Helena DATE 2-18-81
WHOM DO YOU REPRESENT Mont. Land Title Assn.
SUPPORT ✓ OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments: this is merely a housekeeping bill. It corrects small notary errors, such as a notary expiration date that was transposed (eg 1938 instead of 1983). This type of bill used to be introduced each year by the old Mont. Bar Assn. For some reason, the new State Bar has not done so. The last time this was done was in 1973, & it is long overdue.

NAME: Jim Jensen DATE: 2-18-81

ADDRESS: Helena

PHONE: 443-1830

REPRESENTING WHOM? Judge Janet L. Jensen, Missa. County J.P.

APPEARING ON WHICH PROPOSAL: SB468

DO YOU: SUPPORT? X AMEND? _____ OPPOSE? _____

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Jeremiah F. Johnson DATE: 2/18/81

ADDRESS: Rm. 303 MISSOULA CO. COURT HOUSE

PHONE: 721-5700

REPRESENTING WHOM? MONTANA PROBATION OFFICER ASSOCIATION

APPEARING ON WHICH PROPOSAL: S.B. 477

DO YOU: SUPPORT? _____ AMEND? _____ OPPOSE? ☒

COMMENTS: THIS BILL DOES NOT CLEARLY IDENTIFY WHAT
THE SUBSIDY WILL BE. IT APPEARS TO PENALIZE
THE COURTS IF THEY PUT YOUTH IN INSTITUTIONS
WHO COMMIT ABOVE THEIR "QUOTA". THERE IS NO
CONSIDERATION GIVEN TO RECIDIVIST CRIME PROBLEMS
AND IN FACT THE BILL ENCOURAGES THE COURTS TO
KEEP EVEN THE MORE SERIOUS OFFENDERS IN THE
COMMUNITY IN ORDER TO OBTAIN FINANCIAL ASSISTANCE

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

Exhibit 1

1) SB 477 (Van Valkenburg) An act to establish incentives for juvenile corrections.

2) Intent: This is a juvenile subsidy bill intended to reduce institutional placements and enhance local probation services through fiscal incentives and punishments for participating counties. The bill is alleged to be patterned after the juvenile subsidy program in Oregon. The objectives of subsidy programs are:

CERTAIN

INTENT

- a) shift responsibility for ~~correctional~~ services from state to local government;
- b) reduce commitments to institutions;
- c) encourage community based corrections;
- d) encourage minimum standards for staff, programs and facilities at the local level;
- e) stimulate inter-local or regional cooperation and coordination through sharing of programs and staff.

According to a 1977 study there were 41 subsidy programs (adult and juvenile) in 23 states. Appropriations ranged from \$123,000 in Maine to \$27 million in California (1975 data). Of the 41 programs, 20 are for local alternatives to state incarceration (e.g., shelter care, foster care, group care) 10 are exclusively for non-residential programs--usually salary reimbursement to PO's. Eleven subsidy programs are broad and support residential and non-residential services.

There is usually some method to determine the subsidy. (1) Local governments claim allowable costs for youth either through a determination of costs (or some 9%), through a formula or through performance. (2) In other programs there is statewide competition for the allocation. (3) In some programs there is a state plan of disbursements. (The Oregon model uses a formula to fund personnel, operations, and direct care.)

SB 477 is unclear in its structure being part formula and part performance. In essence the bill says participating counties must develop an approved plan. They shall be penalized for each commitment at \$5,000 each, in spite of length of stay, up to ceiling. As subsidy the Department will subsidize probation services and enhancement grants. There is no clear definition of each or clear cost associated.

3) Legal Problems: Section 8(1)(a)(i) contradicts 8(3). The first says subsidies reduce county participation but the latter prevents this.

Section 8(1)(a)(ii) does not define amounts appropriated for enhancements.

The bill is unclear in its workings. There are many assumptions and undefined areas which make it difficult to produce an accurate fiscal note.

From [unclear]
[unclear]
[unclear]

Participation is voluntary. As the bill gives substantial rule making authority to the Department, it will likely be opposed by local youth courts. As there is much rule making, there is no statement of intent.

It is unclear as to how to determine subsidy for youth not committed.

5. Program Impact: This is a significant shift in juvenile corrections. It will require a new, but small, administrative structure to run the subsidy program. The effect on MVS or PHS will probably be small over all (20%) while the reimbursement to counties is not enough to be a sound basis for alternative programs. As commitments to MVS and PHS are already low, one wonders if there is an advantage to tinkering with the system on such short notice. It would appear more realistic to better analyze the intended impacts and potential impacts and clarify the bill through a directed study than to jump into an ill-planned project. The concept is sound and used elsewhere. The specific wording and implementation is weak.

7. Department Comments: The intent and concept are worthwhile. The timing, strategy and means of implementing with a better knowledge of what will really happen is weak. It will probably be greatly opposed by local probation as a "state gobble game" (John Foster).

(1) WHO EMPLOY'S PREVENTION OFFICERS
- states p 50 -

(2) WHAT COULD THE SUGGESTED PROGRAM BE USED FOR?

(3) OBJECTIVELY - WHAT CAN BE DONE TO IMPROVE JUVENILE

TO: Senator Mike Anderson, Chairman

FROM: David S. Niss, Counsel to the Committee

RE: Senate Bill 475 (Revision of Montana Business Corporation Act)

DATE: February 17, 1981

The Montana Business Corporation Act (Title 35, chapter 1, MCA) was enacted in 1967 to govern the formation, operation, merger, consolidation, and dissolution of domestic and foreign corporations within the state of Montana and with the exception of only a few of the many sections of the Act, has not been amended since its inception.

The provisions of the original 1967 act were taken largely from the provisions of the Model Business Corporation Act prepared by the American Bar Association, with certain changes having been made to conform to peculiarities of Montana law. Since the original Model Act was prepared by the Association, many sections of the Act have been revised by the Corporate Laws Committee of the ABA, which revisions reflect continuing practical experience with the effect of the original language. The purpose of Senate Bill 475 is to update the language of the Montana version of the Model Act, based upon recent revisions to the Model Act as well as the experience of Montana lawyers practicing corporate law.

Because of the length of SB 475, no attempt has been made to summarize its provisions in detail. Rather, included below are the comments and explanations for the proposed revisions as prepared by Professor Ron Wise of the University of Montana School of Law and other Montana practitioners.

Section 2.

COMMENT: Section 35-1-108 is unchanged from the present law and is verbatim from the current version of the Model Act, except as follows:

(1) Subsection (6) has been shortened to conform to the Model Act and to eliminate any confusion regarding the ability of a corporation to assist its employees. As noted in the comment to subsection 35-1-102 (10), an officer and a director can be an employee. See also section 35-1-215 regarding the loaning of money to employees and directors.

(2) Subsection (14) has been broadened to permit corporations to engage in any lawful business which the Board of Directors find shall aid government policy. The present statute limits this power to time of war -- unnecessarily so.

(3) Former subsection (15) on indemnification has been deleted, and a new section, 35-1-112 added.

(4) New subsection (17) expressly permits a corporation to be a partner, joint venturer, etc. This provision is section 4 (p) of the current version of the Model Act.

DATE: February 18, 1981

COMMITTEE ON JUDICIARY

SB 468 SB 477 SJR 20

SB 238 SB 475

SB 479 SB 478

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppose
Pat Wilson	Montco	478		✓
MEKE McCABE	SELF	468	✓	
Mike Zimmerman	XXXX Self	475	✓	
Karla Gray	ALCO	470		✓
Thomas Phillips	SELF	478		✓
William L. Rorive	Mont. Land Title Assoc	479	✓	
James D. Weather	Mont. Coal Council	478		—
James D. Weather	MT. Home En. Assoc.			
Charles McCarthy	CYDB/SRS	477		
Charles McCarthy	Capitol			
Charles McCarthy	Capitol Hill			
Charles McCarthy	Capitol Hill			
Bill Hand	Ut. Mag. Assoc.	478		✓
Bob Gannon	Montana Power	478		✓
John Sullivan	MOU	478		✓
Jeremiah F. Johnson	MONT. PROBATION OFFICERS	477		✓

(Please leave prepared statement with Secretary)

STANDING COMMITTEE REPORT

.....February 19,..... 19 81.....

MR.PRESIDENT.....

We, your committee on.....JUDICIARY.....

having had under considerationSENATE..... Bill No. 277.....

Respectfully report as follows: That.....SENATE..... Bill No. 277.....
be amended as follows:

1. Line 12.
Following: "judge"
Insert: stricken language
2. Line 18.
Following: "."
Strike: "He"
Insert: "A district judge"
3. Line 20.
Following: "the"
Strike: "board of pardons"
Insert: "department of institutions"

And, as so amended,

DO PASS

PA.

STANDING COMMITTEE REPORT

.....February 18,..... 19 81.....

MR.PRESIDENT.....

We, your committee onJUDICIARY.....

having had under considerationSENATE JOINT RESOLUTION..... Bill No. 20.....

Respectfully report as follows: That.....SENATE JOINT RESOLUTION..... Bill No. 20.....
be amended as follows:

1. Page 2, line 7.
Following: "Article"
Strike: "XII"
Insert: "VII"

2. Page 2, line 15.
Following: "the"
Strike: "proper"
Insert: "qualified"

And, as so amended,

DO PASS

PA.

STANDING COMMITTEE REPORT

February 18, 19 81

MR. PRESIDENT

We, your committee on JUDICIARY

having had under consideration SENATE Bill No. 288

Respectfully report as follows: That SENATE Bill No. 288

DO PASS

P.A.

STANDING COMMITTEE REPORT

.....February 13,..... 19 81.....

MR. PRESIDENT.....

We, your committee on.....JUDICIARY.....

having had under considerationSENATE Bill No. 369.....

Respectfully report as follows: That.....SENATE Bill No. 369.....

~~DO PASS~~
DO NOT PASS

STANDING COMMITTEE REPORT

February 13, 19 31

MR. PRESIDENT

We, your committee on JUDICIARY

having had under consideration SENATE Bill No. 364

Respectfully report as follows: That SENATE Bill No. 364

~~DO PASS~~

DO NOT PASS

STANDING COMMITTEE REPORT

February 13, 19 81

MR. PRESIDENT

We, your committee on JUDICIARY

having had under consideration SENATE Bill No. 479

Respectfully report as follows: That SENATE Bill No. 479

DO PASS

BA

STANDING COMMITTEE REPORT

.....February 13,..... 19...21.....

MR. PRESIDENT.....

We, your committee on JUDICIARY.....

having had under consideration SENATE Bill No. 478.....

Respectfully report as follows: That..... SENATE Bill No. 478.....

~~DO PASS~~
DO NOT PASS

STANDING COMMITTEE REPORT

February 18, 19 31

MR. PRESIDENT

We, your committee on JUDICIARY

having had under consideration SENATE Bill No. 290

Respectfully report as follows: That SENATE Bill No. 290

DO PASS

STANDING COMMITTEE REPORT

February 18, 19 31

MR. PRESIDENT

We, your committee on JUDICIARY

having had under consideration SENATE Bill No. 33

Respectfully report as follows: That SENATE Bill No. 33

be amended as follows:

1. Page 4, line 15.

Following: "provided"

Strike: "in this chapter"

2. Page 14, line 11 through line 10 on page 15.

Strike: Section 15 in its entirety.

3. Page 23, line 17 through line 19 on page 29.

Strike: Section 30 in its entirety.

4. Page 45, line 24.

Following: "by"

Insert: "13-12-207,"

Following: "13-12-212"

Insert: ", "

~~XXXXXX~~
DO PASS

continued

Chairman.

February 18, 1981

5. Page 46, line 7.

Following: "by"

Insert: "13-12-207,"

Following: "13-12-212"

Insert: ", "

6. Page 47, line 18 through line 14 on page 48.

Strike: Section 61 in its entirety.

7. Page 52, line 23.

Following: "The"

Strike: "department's"

Insert: "department of health and environmental science's"

Following: "air"

Insert: "and water"

8. Page 75, line 21 through line 10 on page 76.

Strike: Section 81 in its entirety.

9. Page 79, line 21.

Following: "If"

Strike: " "

Insert: "Senate"

Following: "No."

Strike: " [LC 413]"

Insert: "121"

10. Page 81, lines 5 through 9.

Following: "{3}"

Insert: stricken language

11. Page 86, line 23.

Following: line 22

Insert: stricken language

12. Page 88, line 24.

Following: "allowed"

Insert: ", not to exceed 4"

13. Page 89, line 24 through line 4 on page 90.

Strike: all underlined language

Insert: all stricken language

14. Page 91, lines 3 through 13.

Strike: Section 103 in its entirety

15. Page 94, line 20 through line 1 on page 95.

Strike: Section 110 in its entirety.

16. Page 97, line 5 through line 10 on page 109.

Strike: Sections 115 through 127 in their entirety.

17. Page 114, lines 3 through 10.

Strike: Section 136 in its entirety.

continued

February 18, 1981

18. Page 116.

Following: line 11

Insert: "NEW SECTION. Section 141. Coordination. If Senate Bill 468 is passed and approved amending 25-31-506 to increase the maximum jurisdictional amount in justice courts, the amendment in Section 140 or such other section of this act amending 25-31-506 is void and of no effect."

19. Page 119, line 23 through line 4 on page 121.

Strike: Sections 146 and 147 in their entirety.

20. Page 121, lines 13 through 24.

Strike: Section 149 in its entirety.

21. Page 125, line 25 through line 14 on page 126.

Strike: Section 154 in its entirety.

22. Page 127, line 2 through line 6 on page 144.

Strike: Sections 156 through 179 in their entirety.

23. Page 167.

Following: line 24

Strike: "district court shall have full power to liquidate the"

24. Page 168, line 1.

Following: "corporation"

Insert: "may be liquidated"

25. Page 171, line 25 through line 10 on page 172.

Strike: Section 206 in its entirety.

26. Page 175, line 1 through line 4 on page 177.

Strike: Section 211 in its entirety.

27. Page 181, line 20.

Following: "chapter"

Strike: "and in board rules"

28. Page 187, line 13 through line 8 on page 188.

Strike: Section 219 in its entirety.

29. Page 192, line 11 through line 19 on page 193.

Strike: Section 222 in its entirety.

30. Page 200, line 12 through line 7 on page 203.

Strike: Section 230 in its entirety.

31. Page 218, line 5 through line 8 on page 221.

Strike: Sections 239 and 240 in their entirety.

32. Page 222, line 10 through line 14 on page 223.

Strike: Section 244 in its entirety.

continued

February - 13, 21
.....19.....

33. Page 232, line 2.
Following: "25-1-111"
Strike: ", 25-5-301,"

34. Page 232, line 4.
Following: line 3
Strike: line 4 in its entirety.
Renumber: subsequent subsections

J.C.
And, as so amended,
DO PASS