

48TH LEGISLATIVE SESSION

MINUTES OF
NATURAL RESOURCES COMMITTEE
MONTANA STATE SENATE

January 24, 1983

A regularly scheduled meeting of the Senate Natural Resources Committee was called to order by Senator Harold L. Dover, Chairman, on Monday, January 24, 1983 at 1:00 p.m. in Room 405, State Capitol.

ROLL CALL: Roll was called with all members of the Committee being present except Senator Lee who was attending another committee meeting.

SENATE BILL 101: Chairman Dover opened hearing and called on Senator Carroll Graham, sponsor of the bill. The bill was requested by the Code Commissioner and is to clarify language relating to health, the environment and natural resources. A summary of the bill was attached to members copies. Explanation was given that the bill clears up incorrect language to make the bill consistent with other sections. Senator Keating inquired whether any legislators had gone through the revisions step by step. The Environmental Quality Council, made up of 8 legislators were given a review of the proposed code commissioner changes at their meeting. Senator Keating inquired if the council had decided these would be worthwhile things to change, and noted that the council is made up of reliable people who decided these would be worthwhile changes and that the committee could then accept their recommendations. Senator Halligan noted that the Judiciary committee had handled these changes last session, stating that Sec. 5, 82-11-101 referring to oil is a minor change, and that the committee should make certain none of the changes are substantial changes in the law, and he had tried to go over the bill carefully.

PROPOSERS: Chairman Dover called for proponents of the bill. Jim Flynn of the Dept. of Fish, Wildlife and Parks spoke in support of the bill, and stated that they would like to offer one minor amendment to the bill. His testimony and proposed amendment are attached as Exhibit '1'.

There were no further proponents.

OPPONENTS: Chairman Dover called for opponents. There were none.

Committee members had no questions and hearing was closed on SB 101.

ACTION ON SENATE BILL 67: Chairman Dover asked for executive session on SB 67. Senator Halligan stated he proposed an amendment to the bill which would add the reciprocity clause which would give the board of commissioners authority to decide whether to allow coal to be removed or leased, and that Howard Johnson had drawn up the amendment, attached as Exhibit '2'. Senator Van Valkenburg inquired who would determine if we had reciprocity with foreign interests. Senator Keating then stated the Sec. of Interior decides on who has reciprocity with the U.S, and he would assume the board would take care in their decisions. He stated he was hesitant because his bill had been to repeal the law restricting leases because coal is the only natural resource having that restriction, and it does not apply to oil or gas, and he thought it in best interest to repeal that. He preferred to just repeal the old law rather than amend this bill. Senator Eck stated she had a request for more information from the Governor regarding his opinion. Senator Van Valkenburg stated he had some discussion with the Governor's staff but had not spoken directly to him. He had been advised that Senator Halligan's amendment would make the bill much more palatable. Senator Mohar pointed out that this would still be removing the old language, even though the new language is being inserted. Senator Keating then suggested also amending the title to insert the word modify in place of remove. Senator Halligan moved the proposed amendment to add the reciprocity clause shown in his exhibit. Roll call vote was taken, motion carried. Senator Keating then moved to amend the title, line 4, strike "remove" and insert "modify", vote was ~~carried~~, all present voted aye and motion ~~carried~~. ~~Senator~~ Senator Keating then moved to pass Senate Bill 67 as amended, vote was called, all present voted aye and motion carried.

ACTION ON SENATE BILL 101. Chairman Dover called for executive action. Senator Keating moved Senate Bill 101 do pass. Senator Van Valkenburg moved to amend SB 101 as proposed by Mr. Flynn, to make the reference in the statute consistent to earlier sections, page 9, line 3, strike "1" and insert "2". Vote was called on the amendment, all present voted aye and motion carried.

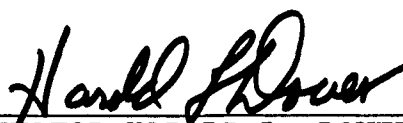
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(Action on SB 101)

Senator Keating then moved that Senate Bill 101 do pass as amended, all voted aye and motion carried.

ADJOURN: Senator Dover announced hearing on SB 164 for Friday. There being no further business to come before the committee the meeting was duly adjourned at 1:30 pm.



SENATOR HAROLD L. DOVER, CHAIRMAN
Senate Natural Resources Committee



Patricia Hatfield
Committee Secretary

ROLL CALL

SENATE NATURAL RESOURCES COMMITTEE

48th LEGISLATIVE SESSION -- 1983

Date 1-24-83

NAME	PRESENT	ABSENT	EXCUSED
ECK, Dorothy (D)	✓		
HALLIGAN, Mike (D)	✓		
KEATING, Thomas F. (R)	✓		
LEE, Gary P. (R)		✓	
MANNING, Dave (D)	✓		
MOHAR, John (D)	✓		
SHAW, James N. (R)	✓		
STORY, Pete (R)	✓		
TVEIT, Larry J. (R)	✓		
VAN VALKENBURG, Fred (D)	✓		
ETCHART, Mark (R) Vice Chairman	✓		
DOVER, Harold L. (R) Chairman	✓		

DATE _____

January 24, 1983

COMMITTEE ON

VISITORS' REGISTER

[illegible]

(Please leave prepared statement with Secretary)

SB 101

Testimony presented by Jim Flynn, Department of Fish, Wildlife, & Parks

January 24, 1983

As indicated on the summary sheet for SB 101, the Department supports all the proposed changes in this bill as they relate to the Department of Fish, Wildlife, and Parks.

In addition, the Department suggests making one further change.

In Sec. 6, amending Sec. 87-1-605, MCA, there is a reference on page 9, line 3, to a Class B-4 nonresident 1-day fishing license. As of May 1, 1982, the Class B-4 license was changed to a 2-day nonresident fishing license. Accordingly, the Department suggests that the reference on line 3 to a 1-day license be changed to a reference to a 2-day fishing license to make this section consistent with other sections of the Fish, Wildlife, and Parks' codes.

SB 101

PROPOSED AMENDMENT OF THE DEPARTMENT OF FISH, WILDLIFE, & PARKS

Page 9, line 3: Delete the numeral "1" and add the numeral "2"
before the word "day".

Proposed amendment to introduced Senate Bill 67

1. Page 1
Following: line 16
Insert: (1) to any citizen of another country or any person, partnership, corporation, association or other legal entities controlled by interests foreign to the United States unless such country provides for similar or like privileges to citizens of the United States.
2. Page 1
Line 17
Following: ~~(2)~~
Insert: (2)

STANDING COMMITTEE REPORT

SENATE COMMITTEE SENATE NATURAL RESOURCES January 19 83

Date 1-24-83
MR. PRESIDENT

Bill No. 67

We, your committee on NATURAL RESOURCES

having had under consideration SENATE Bill No. 67

HALLIGAN, Mike (D)

KEATING, Thomas F. (R)

LEE, Gary P. (D)

MANNING, Dave (D)

MORAN, John (D)

SHAW, James N. (R)

VAN VLIET, John (D)

Respectfully report as follows: That SENATE Bill No. 67

introduced bill, be amended as follows:

1. Title, line 4.
Following: "TO"
Strike: "REMOVE"
Insert: "MODIFY"
2. Page 1, line 16
Following: line 16
Insert: "(1) to any citizen of another country or any person, partnership, corporation, association or other legal entities controlled by interests foreign to the United States unless such country provides for similar or like privileges to citizens of the United States."
3. Page 1, line 17
Following: {2}
Insert: (2)

And, as so amended,
DO PASS

SENATE COMMITTEE SENATE NATURAL RESOURCES

Date 1-24-83 Bill No. 67 Time 1:25

NAME	YES	NO
ECK, Dorothy (D)	✓	
HALLIGAN, Mike (D)	✓	
KEATING, Thomas F. (R)		✓
LEE, Gary P. (R)	Absent	
MANNING, Dave (D)	✓	
MOHAR, John (D)	✓	
SHAW, James N. (R)	✓	
STORY, Pete (R)	out of room	
TVEIT, Larry J. (R)	✓	
VAN VALKENBURG, Fred (D)	✓	
ETCHART, Mark (R) Vice Chairman	✓	
DOVER, Harold L. (R) Chairman		✓

Patricia A. Hatfield
Secretary
Patricia A. Hatfield

Harold L. Dover
Chairman
Harold L. Dover

Motion: Amend SB 67 to add Reciprocity clause.

(include enough information on motion--put with yellow copy of committee report.)

STANDING COMMITTEE REPORT

January

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MR. PRESIDENT

We, your committee on NATURAL RESOURCES

having had under consideration SENATE Bill No. 101

Respectfully report as follows: That SENATE Bill No. 101
introduced bill, be amended as follows:

1. Page 9, line 3.
Strike: "1"
Insert: "2".

And, as so amended,
DO PASS