

48TH LEGISLATIVE SESSION

MINUTES OF
• NATURAL RESOURCES COMMITTEE
MONTANA STATE SENATE

March 7, 1983

A regularly scheduled meeting of the Senate Natural Resources Committee was called to order by Senator Harold L. Dover, Chairman, on Monday, March 7, 1983 at 1:00 p.m. in Room 405, State Capitol.

ROLL CALL: Roll was called with a quorum of members being present, several Senators arrived late, and Senator Stephens sat on the committee as substitute member.

HOUSE BILL 263: Chairman Dover opened the hearing and called on Rep. Bob Ream, District 93, sponsor. Rep. Ream stated this bill is to clarify the law regarding federal agencies, and as now written it is felt that we may be giving away state's rights. The purpose of the bill is to indicate to the federal government that they are to comply with state wishes. The FLEPMA, in 1976 dealt specifically with rights of way and and says the federal government should obey environmental rules and the state siting act laws. The bill did cause some concern in the house. He stated there were proponents present. Ex.'1'.

PROPOSERS: Chairman Dover called for proponents. Ken Knudson, Montana Wildlife Federation, stated they were concerned with the state's hesitancy to implement the provisions of the Major Facility Siting Act with respect to Kootenai Falls and the Bonneville Power Admin. powerline, and that this amendment to the act would clarify the authority of the state. His testimony is attached as Ex. '2'.

Larry Lattin, rancher in Boulder, stated he supported the bill, that because it was not in effect before now Montana Power has contracted with Bonneville to build the power line section that is now being built for Colstrip, and he has 18 towers on his ranch, for which they didn't pay and he doesn't believe this is right. This bill would in the future stop these sort of things from happening.

Gail Peterson, Deer Lodge, stated she has been involved for the past three years with the BPA and routing of transmission lines. They have finally agreed to having public participation, however federal agencies shouldn't be exempt from the siting act, and more power should be given to the state as to what local feelings would be on projects.

HB 263 (cont.)

Toni Kelley, Deer Lodge, Northern Plains Resource Council, stated the Colstrip project with the power line was signed and delivered before any mention was made to residents of the Deer Lodge valley, and they didn't realize where the routing of the transmission lines would be. Many states have stronger laws regarding siting, and in 1973 Montana adopted the siting act, under which the Board of Natural Resources routed the line. The BPA found the routing not to their liking and re-routed the lines, and there should have been enforcement of the public decisions. The BPA didn't follow the provisions of the Siting Act, and this bill would allow for more public involvement in the future. Her statement is attached as Ex. '3'.

Don Reed, Montana Environmental Information Center, stated there are already two BPA projects in the state, and this bill is needed before another is started. We need to make our laws strong enough that they comply with them and to assert our authority.

Don MacIntyre, Dept. of Natural Resources spoke, stating there are two instances right now where the federal government has used their authority for siting of projects, and that this bill would let them know Montana's desires.

OPPONENTS: Chairman Dover inquired if there were opponents, there were none.

Senator Van Valkenburg stated he didn't have a question but wanted to say that just because a bill passes such as this, it wouldn't have necessarily prevented what the BPA has done. He appreciated the problems people went through, and until changes are made there will be problems.

Senator Eck stated that we should take advantage of the fact that the federal government is at least giving lip service to the policy of considering the wishes of the states, and that we should move ahead as if we believe what they tell us.

Senator Dover inquired of Mr. Lattin as to his mentioning he had poles on his property, and was not paid for them, or if he meant they had paid him a set amount. Mr. Lattin stated that when the federal agency said BPA was to go through, they lost a lot of their constitutional rights, they cannot have a jury trial and are involved in condemnation proceedings. Senator Dover inquired if they received rent? Mr. Lattin stated it would be a one-shot payment, they will give what they decide.

HB 263 (cont.)

Hearing was then closed on HB 263. Rep. Ream stated he had no further comments.

ACTION ON HOUSE BILL 263: Senator Eck moved that House Bill 263 Be Concurred In, vote was called, all present voted 'aye' and motion carried. Senator Van Valkenburg was assigned to carry the bill in the Senate.

HOUSE BILL 8: Chairman Dover called on Rep. John Ryan, Dist. 49, sponsor, who stated the bill is to provide for termination of certain severed mineral interests owned by persons other than the surface owner and reversion of ownership to surface owners. He stated he has received a considerable amount of phone calls relating to the bill. They are concerned with protecting their mineral rights. The bill provides that if these rights are not on record, they can revert back to the surface owner of property. There is a 20 year limit and it would be two years before this bill goes into effect. If the rights are recorded, no one can touch them, however if there are severed rights and the owners can't be found, the rights revert back to the surface owner. The bill is patterned after an Indiana bill.

PROPONENTS: John Holter, Montana Farm Bureau stated their organization has a policy recommending that mineral rights that have been severed from surface ownership be taxed and recommends do pass.

Bonnie Tippy, Montana Coal Council stated they are in support of the bill.

Mons Teigen, Montana Stockgrowers, Woolgrowers, Associated Grazing Districts and Cowbellers, stated he represented a large group and they believe some solution to the proliferation of mineral interests is needed.

Don Allen, Mont. Petroleum Association, stated he hadn't testified previously on this bill, and had opposed similar bills through the years because they would require much paper work and people were afraid they would lose their mineral rights. He stated he felt Rep. Ryan has probably as good a bill as any to deal with a definitely abandoned mineral right. He suggested several amendments, to change wording to a fee simple interest, which he stated would make it easier for small oil companies and others concerned with severed mineral interest. Those amendments are attached, Ex. #4, HB 8.

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HB 8 (cont.)

Rep. Glenn Roush, Dist. 13, stated this bill had been presented two years ago, and this is a dressed up form. The bill does provide a means to maintain an old oil or gas lease and for protection of those, and deals with unlocatable interests.

Tucker Hill, lobbyist for Richland County, stated he would encourage the committee to accept the bill, and the amendments offered as well as these would make the bill easier to administrate.

Mac Roberts, Independent Petroleum Landman, stated he has had a great deal of trouble locating people where leases have been dormant for a number of years, and would also support the amendments offered as well. He had originally intended to oppose the bill, but with the amendments offered he would support. His testimony is attached as Ex. #5.

Walter Hammermeister, Pondera County Sheriff, stated he was speaking for himself, that he owns 160 acres on which mineral rights belonged to a corporation that dissolved, there is no way to recover these rights as there is no record of stockholders. This would allow exploration and development to proceed. His testimony is attached as Ex. #6.

OPPONENTS: Chairman Dover inquired of opponents wishing to speak. A. G. Slattery stated he opposes the bill. He wished to state that rights of entry hadn't been mentioned during discussion. He also stated this decision shouldn't be based on a Supreme Court decision as they only ruled 5-4. He stated there is a distinction between oil and gas leases and mineral rights, and rights of entry are reserved with minerals. These could be assessed and taxed and this would put them of record. He believes that this bill is legislating away something that people gave monetary rights for and that they had to make agreements for. Some of the people won't know they will have to protect their interests. He stated assessment would make the rights of record and also bring in money to the counties.

Mac Johnson, Helena, stated he agreed with most of Mr. Slattery's testimony, and didn't wish to repeat that portion. He stated during the dust bowl of the 30's, much of Montana land changed hands and people that wished to recoup some of their losses retained mineral rights sometime down the road.

Senator Story inquired regarding the proposed amendments to strike the structural definition, and why they would want to say something about mining, unless it was for oil and gas mining. Senator Keating stated that was intended, that oil and gas operations are legally mining operations. The difference in oil and gas operations and mineral mining is the sharing of expenses in the operation, and payment of royalties. Senator Story inquired why this wasn't taken care of by the

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HB 8 (cont.)

leasing law passed two years ago, and why that didn't solve the problem. Senator Keating stated the way that bill was drawn, it is a different situation. Under that law you must give notice, if you can't find them you have a cloud, and involves a quiet title suit. Under this law, patterned after Indiana's, it doesn't require a quiet title action, it just would require notice, however the right of redemption is included.

Senator Keating said there is a difference in royalty leases. In the 20's and 30's, people reserved 1/4 or any share, and they are entitled to their share of the production. It is not necessary to find royalty owners except to pay them. The money is put into escrow and accumulates in the county, then if it is unclaimed it goes to the state.

Senator Story said there needs to be protection of the people, if a mineral interest under this bill hasn't been used or leased, and 20 years goes by, say a person who had a one-half mineral interest, but doesn't know this is going on, is then going to lose it. Senator Keating said the bill says any person who succeeds to ownership shall be given notice. Senator Story said perhaps they wouldn't receive notice. Senator Keating stated that in 25 years of trying to find people, that they can be found. Senator Story said if this bill passes, then landmen won't have to do that, in twenty years it would not be protected, and they would only have sixty days from notice to put the rights on record.

Senator Towe asked to speak to the bill, saying he had another bill that does the same thing, but required not just notice, but a diligent title search. Then they would have to go to court, and a person could get their title back.

Senator Eck stated Senator Keating had answered her question, that she owns 1/4 mineral rights and so does her sister, who knows nothing about all this. That she wouldn't have her rights protected, and she now opposes the bill.

Senator Story further inquired into rights of redemption. Senator Keating stated it is included. He then noted this is not his bill, however he spoke to it because it was brought about by land owners who were having difficulty in the area. Hearing was then closed.

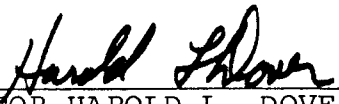
ACTION ON HOUSE BILL 391: Senator Keating suggested that amendments be made to the bill, page 3, line 21, following "be", strike "based upon an" and insert "5 percent of the"; and line 23, strike "no more often than" and insert "or decreased", and on lines 23 through 25, strike remainder of

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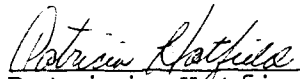
-6-

(HB 391 cont.)
line 23 through "years" on 25, and insert " 5 percent of the change in the appraised value". Senator Keating moved that the amendments do pass. There was discussion that this would allow different values for lake front lands and forest grazing lands. Vote was called and all voted 'aye', amendment carried. Senator Keating then moved that HB 391 Be Concurred In as Amended, vote was called, all voted 'aye' and motion carried. Senator Keating would carry the bill.

There being no further business to come before the committee the meeting was duly adjourned at 2:45 p.m.



SENATOR HAROLD L. DOVER, CHAIRMAN
SENATE NATURAL RESOURCES COMMITTEE



Patricia Hatfield
Committee Secretary

ROLL CALL

SENATE NATURAL RESOURCES COMMITTEE

48th LEGISLATIVE SESSION -- 1983

Date 3-7-83

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	✓		

STEPHENS, Stan

✓

DATE _____

COMMITTEE ON Natural Resources

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppose
Larry Lattin	Kyle Ranch & Self	HB 263	✓	✓
Barbara Edwards				✓
KEN KNUDSON	MT. Wildlife Fed	HB 263	✓	
Chris Dwyer		" "	✓	
Mike Johnson	self	HB 8		✓
Walter L. Hammerniecke	self	HB 8	X	
W. Max Roberts	independent landman	HB 8	X	
Carl Rieckmann	Mont. Petro. Assoc.	HB 8	X	
Toni Kelley	NPRC	HB 263	✓	
Bruce Lissy	mt Coal Council	HB 8	✓	
Gail Peterson	self	HB 263	✓	
John Hiltz	Montana Farm Bureau	HB 8	✓	
Bob Statum	Self	HB 8		✓
Don Reed	MEIC	HB 263	✓	
Pep G.A. Roush	Dist. #13	HB 8	✓	
Jim Mockler	MT. Coal Council	HB 8	✓	

(Please leave prepared statement with Secretary)

HB 263
3-783

Witnesses want state say in federal projects

By STEVE SHIRLEY

Missoula State Press-Recorder

SHELDON. The controversy over siting of Bonneville Power Administration Colstrip powerline through Montana shows the need for state review of federal projects, witnesses told a House committee Monday.

The witnesses testified before the House Natural Resources Committee in favor of HB 263, a bill to delete a provision in the State Major Facility Siting Act that exempts federal facilities from its coverage.

Larry Lattin, a Boulder-area rancher with 18 BPA powerline towers on his property, said the legislation is needed to ensure Montanans' rights don't get trampled by federal agencies.

"Boy, they're arrogant. I'll tell you," Lattin said in describing his dealings with BPA officials.

Rep. Bob Marks, R-Clancy, said Jefferson County would have gained a 25 percent increase in its taxable base had the powerlines been built by private industry rather than BPA.

Marks said such projects should pay their own way for the impacts they cause. And he warned that the Western Area Power Administration might build more similar powerlines in eastern Montana.

"We can't do anything about the BPA lines," he said. "But we can do something about what might happen in the future."

His comments were echoed by Arlene Brown, speaking for the Missoula County attorney's office, which is suing BPA over the powerline project.

Brown said, "It is very important that the state maintain the maximum amount of control over where federal facilities are placed, especially since BPA probably will try to build more powerlines when energy needs increase."

Brown said the bill may not solve all

problems, but it is a very good improvement.

The bill's sponsor, Rep. Bob Ream, D-Missoula, said his intention was to get around the U.S. Constitution provision that gives the federal laws supremacy over state laws.

But he said it would take advantage of the fact that Congress has sent signals that it's willing to let the states review federal projects within their boundaries.

"Let's allow the federal government to be the good neighbor they want to be," Ream said.

However, Montana Power Co. lawyer Jim Walsh said the bill "invites litigation" in regard to hydroelectric projects that are regulated by the federal government.

Walsh said a Vermont court recently ruled that states can't issue permits for dams. He said other states might make it clear such permitting is the responsibility of the federal government.

Walsh suggested an amendment saying that, unless Congress speaks, the state won't have jurisdiction over hydroelectric projects.

However, his amendment was opposed by state Natural Resources Department Director Leoy Berry, who said the state ought to take as strong a stand as possible.

Berry said the bill could send a message to Congress that the states must be given jurisdiction over hydroelectric projects.

The committee didn't take immediate action on the bill.

Montana now is involved in disputes over whether it has jurisdiction over dams. The state is intervening in a federal review of the Kootenai Falls Dam project in northwest Montana. It also is attempting to intervene on a dam upgrading project proposed by Montana Power.

The committee didn't take immediate action on the bill.

MONTANA WILDLIFE FEDERATION

Testimony on HB 263

Senate Natural Resources Committee

March 7, 1983

Mr. Chairman, members of the committee:

My name is Ken Knudson, representing the 2100 members and 15 affiliated clubs of the Montana Wildlife Federation, here today in support of HB 263.

My organization has recently had some serious problems with the apparent hesitancy displayed by the state to fully implement the provisions of the Major Facility Siting Act to the proposed Kootenai Falls facility and the Bonneville Power Administration's powerline project. We feel that this amendment to the act will clarify the authority that needs to be exercised by the state to better investigate such proposals.

On Thursday of this week, the DNRC is conducting a hearing in Missoula on the selection of routes for the BPA powerline from Garrison-west. This document is a supplement to the already completed Federal EIS. Considering the callous attitude that has been displayed by the federal government concerning this project, the MWF would like to have the role of who is being supplemental reversed when future decisions are made about whether or where we need a federal energy facility in Montana.

We would therefore urge this committee to favorably consider the passage of HB 263.

NAME Gail Peterson BILL NO. HB 263

ADDRESS 990 Yellowstone Trail, Deer Lodge DATE 3/7/83

WHOM DO YOU REPRESENT self

SUPPORT ☒ OPPOSE ☐ AMEND ☐

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

My experience for 3 years has been with BPA and routing of transmission lines from Coeur d'Alene to Pacific Northwest.

Support putting federal agencies under sitting act - feel many past & future problems will be alleviated if BPA & other federal agencies have to cooperate with the state.

NAME Toni Kelley BILL NO. HB 263
ADDRESS New York DATE 3/7/03
WHOM DO YOU REPRESENT NPRC
SUPPORT ✓ OPPOSE AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Ex A 3
3-7-83

HOUSE BILL 263

HB 263 is an attempt to make our siting act consistent with the Federal Land Management Policy Act of 1976. At the time of the passage of the Montana Major Facility Siting Act in 1973 this section was included to show that it was not the attempt of the state of Montana to override the Supremacy Clause of the U.S. Constitution, but that the state wanted to substantively participate in siting decisions within Montana, even those controlled by federal agencies. Essentially we were saying that we wanted to participate in these decisions to the limits of the Constitution. We wanted to play as involved a role as possible.

In 1976 Congress recognized that a policy for federal lands decisions was needed. These decisions needed to be made carefully and consistently using the best available information with considerations of all impacts. Congress also recognized that these federal decisions affected the states and that many states had established their "terms" for development. Many of these states had more site specific and stricter laws regarding development. Congress did not want to undermine that state policy and thus included Section 505.

In 1973 Montana established a unique siting act to ensure wise use of our resources. Only projects which could demonstrate their necessity could only be built in a manner to minimize the adverse impact to our state. This bill is an acceptance of Congress' offer to participate in decisions made by federal agencies. It is also a challenge to our state government to seek to ensure that we have a strong and active voice in decisions made on federal lands within our boundaries.

For the past few years we have been involved with the siting of an ultra high voltage transmission line through western Montana originating in Colstrip. The Montana Board of Natural Resources approved a transmission line route for the Colstrip powerlines. When the Bonneville Power Administration took over the building of the line they found the routing unacceptable to them and proceeded to change it.

BPA could have and should have consulted the state when altering the line's routing. Furthermore, BPA should have informed the public of their decision and sought out public participation. ~~MR~~

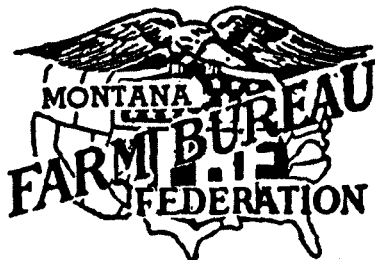
If BPA had followed the provisions of our siting act and shown sensitivity to the very real concerns of landowners most of these problems could have been avoided. DNRC and the attorney general sued to ensure meaningful state involvement. The court ruled in our favor on this issue.

To illustrate the problems, BPA's attitude toward public involvement was to advertise with federal register notices. The line was rerouted through the Boulder and Deer Lodge areas with the closest public meetings on siting in Helena and Butte. This example illustrates the arrogance of a federal agency and its lack of concern for the public at large. BPA is far more concerned with the expansion of their grid system than serving and protecting the public. I am glad to report that BPA's public involvement efforts have significantly improved. Currently, there are about 7 federal lines on the drawing boards.

HB 263 will inform federal agencies that Montana citizens want cooperation and consultation ~~and~~ not conflict. It is also a signal to DNRC that we want them to actively participate in federal decision making that affects Montana to ensure the minimum impact to our state.

THANK YOU

HB8-#1
3-7-83



MONTANA FARM BUREAU FEDERATION

502 SOUTH 19th

Dial 587-3153

BOZEMAN, MONTANA 59715

DATE Mar. 7, 1983

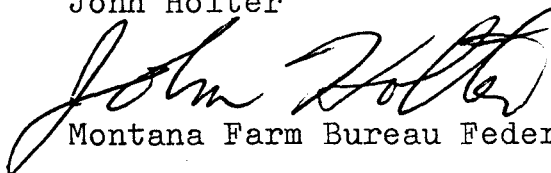
NAME John Holter BILL NUMBER HB-8
SUPPORT XXX OPPOSE _____ AMMEND _____

Mr. Chairman,

The MFBF has written policy recommending that mineral rights that have been severed from the surface ownership be taxed.

The MFBF recommends a DO PASS report on HB-8.

John Holter



Montana Farm Bureau Federation

H/B 2
3-7-83

NAME Bonnie Lissay BILL NO. HB 8
ADDRESS 2301 Colonial Drive DATE 3-7-83
WHOM DO YOU REPRESENT MT Coal Council
SUPPORT X OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

HBF# 3
3-783
Nat Res.

NAME Mons Peigen House BILL No. 8
ADDRESS Helena DATE 3/7/83
WHOM DO YOU REPRESENT MT Stockgrowers, Woolgrowers, Assn Grazing Dist
SUPPORT X OPPOSE _____ AMEND a Cowbelle 5
PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

This bill is strongly supported by all of the groups listed above. As owners of large acreages of surface we believe some salation to the proliferation of mineral interests is needed. If the owners come forward and identify themselves through the recordation process that's fine, but the abandoned interests should be then returned to the surface owner.

We hope you concur.

Don Hillen
Mont. Petroleum Assoc.
3-7-83
Nat Res.

AMENDMENTS TO HB 8

In reference to HB 8 in the form amended as it passed the House of Representatives on third reading and was referred to the Senate Natural Resources Committee:

On Page 2, line 16, after the word "means," delete the word "an" and in its place insert the words "a fee simple." Then on line 17, delete the word "owned." Then on line 18, after the word "land," delete the remainder of the line and insert the words "wherein the minerals lie in, on or under." Then delete in total lines 19 and 20. The amended section formerly included within lines 16 through 20 then shall read as follows:

16 (1) "SEVERED MINERAL INTEREST" MEANS AN A FEE SIMPLE INTEREST IN MINERALS
17 OWNED BY A PERSON OTHER THAN THE OWNER OF THE SURFACE OF THE LAND WHEREIN
18 THE MINERALS LIE IN, ON OR UNDER.

Remaining lines on Page 2 shall be renumbered accordingly.

On Page 3, line 1, after the word "means," delete the words "expense-free interests" and insert the words "a share of the minerals produced and saved by mining operations." Then delete in total lines 2, 3 and 4. The amended section formerly included within lines 1 through 4 then shall read as follows:

1 (3) "ROYALTY INTERESTS" MEANS ~~EXPENSE-FREE-INTERESTS~~ A SHARE OF THE MINERALS
2 ~~IN-PRODUCTION-OF-MINERALS-WHICH-ARE-NOT-ENTITLED-TO-ANY~~ PRODUCED AND SAVED
3 ~~SHARE-OF-BONUSES-OR-RENTALS-UNDER-LEASES-OR-OTHER-TYPES-OF~~ BY MINING
4 ~~DEVELOPMENT-AGREEMENTS-~~ OPERATIONS.

Remaining lines on Page 3 shall be renumbered accordingly.

NAME W. Mac Roberts BILL NO. HB 8

ADDRESS P.O. Box 51 Helena DATE 3/7/

WHOM DO YOU REPRESENT (SELF) INDEPENDENT LANDMAN

SUPPORT x OPPOSE _____ AMEND INCLUSION OF

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY. AMENDMENTS PRESENTED BY

Comments:

MONTANA
PETROLEUM
ASSN.

① BILL PROVIDES DORMANT UNLEASED MINERALS TO REVERT TO SURFACE LANDOWNERS THROUGH A TIME PERIOD OF 20 YRS. OR THROUGH A STATEMENT OF CLAIM FILED IN THE CLERK & RECORDERS OFFICE WITHIN EACH COUNTY THAT THEIR MINERALS LIE, ALLOWS A MINERAL OWNER TO KEEP HIS MINERALS.

② THIS BILL FOLLOWS THE PRECEDENT SET BY THE U.S. SUPREME COURT CASE DECIDED LAST YEAR.

③ THERE IS MINIMAL FISCAL IMPACT ON THE ISSUES AT HAND & ENCOURAGES DEVELOPMENT OF ~~THE~~ THE MINERALS.

NAME Walter L. Hammermeister BILL NO. HB 8
ADDRESS P.O. Box 1153 DATE Mar 8-83
WHOM DO YOU REPRESENT self & surface land owner
SUPPORT X OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments: I own a 160 A. parcel that is part of my farm. There is a good interest in drilling for oil both above the Madison formation & a deep test below the Madison. ~~the~~ Most of the mineral right & all the royalty interest was kept by 2 previous owners ^(the owner of the mineral rights) one previous owner was a "Washington State Corp. This Corp. disincorporated over 21 years ago & there is no record of stock holders ~~in the~~ so there is no chance to repurchase the mineral rights from any Corp. heirs. Therefore unless these mineral rights can be recovered by court action, by the surface land owner any oil or minerals is lost for ever. & could not be developed until the Mineral rights can be restored by court action

HB 8 does provide a means to recover lost mineral rights so that orderly exploration & development can proceed.

Pass HB 8

Sincerely
W. L. Hammermeister

NAME Charles Edwards BILL NO. H.B. 8
ADDRESS Bradwell, Ark. DATE 3-8-23
WHOM DO YOU REPRESENT Self & severed mining owners
SUPPORT _____ OPPOSE / AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

I oppose H.B. 8 as I think this is an infringement upon the ownership rights of severed mineral owners. The bill does not clarify the responsibility of notification, either through the surface owner - or the party profiting by non-action by the owner.

STANDING COMMITTEE REPORT

March 7 19 83

MR. **PRESIDENT**

We, your committee on **NATURAL RESOURCES**

having had under consideration **HOUSE** Bill No. **263**

Ream (Van Valkenburg)

Respectfully report as follows: That **HOUSE** Bill No. **263**

BE CONCURRED IN

XOORASE

H.C.

AMENDMENTS TO HOUSE BILL 391

THIRD READING COPY

1. Page 3, line 21
Following: "must be"
Strike: "based upon" *an*
Insert: "5 percent of the"
2. Page 3, line 23
Following: line 22
Strike: "no more often than"
Insert: "or decreased"
Following: "by"
Strike: "that percentage of"
Insert: "5 percent of the change in the appraised value."
3. Page 3, lines 24 and 25
Following: line 23
Strike: lines 24 and 25 *in their entirety.*

*Pat. Change
to appropriate form*

STANDING COMMITTEE REPORT

March 7 19 83

MR. **PRESIDENT:**

We, your committee on **NATURAL RESOURCES**

having had under consideration **HOUSE** Bill No. **391**

Stobie (Keating)

Respectfully report as follows: That **HOUSE** Bill No. **391**

third reading, be amended as follows:

1. Page 3, line 21.

Following: "be"

Strike: "based upon an"

Insert: " 5 percent of the"

2. Page 3, line 23.

Strike: "no more often than"

Insert: "or decreased"

3. Page 3, lines 23 through 25.

Following: "by" on line 23

Strike: line 23 through "years" on line 25

Insert: "5 percent of the change in the appraised value"

And, as so amended,

BE CONCURRED IN

~~DOVAGE~~