

MINUTES OF THE MEETING
FREE CONFERENCE COMMITTEE
SENATE BILL 236

April 17, 1985

The meeting of the Free Conference Committee on Senate Bill 236 was called to order by the Chairman, Senator Max Conover at 9:00 a.m. in Room 442 of the State Capitol.

ROLL CALL: Those members present were Senator Max Conover, Senator Leo Lane, Representative Francis Bardanoue, Representative Jack Ramirez, Representative Ramona Howe, Representative Dennis Rehberg. Senator Ed Smith was absent.

Senator Conover presented the following amendment: On page 3, line 2, following "term." Insert: "A renewal lease may be cancelled pursuant to 77-6-113, 77-6-208, 77-6-209, or 77-6-210 for a violation by the lessee that occurred during the previous lease term but no more than five years prior to the date on which the notice of cancellation required by 77-6-211 is issued."

After yesterday's discussion during the Conference Committee meeting, Senator Conover said he was not opposed to changing the time from five years to three years, but he wanted the rest of the language to be included.

Representative Ramirez did not think it needed to go back further than five years as there is a statute of limitations in the law. He thought it would be very difficult for a person being cancelled to go back 4 to 6 years and prove anything.

Representative Ramirez made a motion to accept Senator Conover's amendment but to change the time from five years to three years. Motion carried unanimously.

Senator Conover explained that the five years came about while he was on an Interim Committee working on a resolution on the study of State lands. He suggested at that time to put a penalty clause in making it so that, in cases of fraud, the lessee would not be able to lease State land again for 10 years. The Department would not go for the 10 years, therefore the 5 year period came about.

There being no further business, the Committee was dissolved.


Senator Max Conover, Chairman