

House Bill 185

In The House

January 13, 1981

Introduced and referred  
to Committee on Business  
and Industry.

February 2, 1981

Committee recommend bill  
do not pass.

1 *10/10* *Adm. Curtis* HOUSE BILL NO. 185 *Bennett Shurwitz*  
 2 INTRODUCED BY *Kanduch Conroy Burnett Wilton*  
 3 *Paulsen Daily Fakhim Smith Roth Kropp*  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO FOSTER THE ECONOMIC  
 5 DEVELOPMENT OF THIS STATE AND TO IMPOSE LIABILITY AND  
 6 PENALTIES UPON PERSONS WHO DELAY OR INTERFERE WITH  
 7 INDUSTRIAL OR COMMERCIAL DEVELOPMENT, CONSTRUCTION, OR  
 8 OPERATION WITHOUT GOOD CAUSE."  
 9  
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
 11 Section 1. Policy -- purpose. (1) It is the declared  
 12 policy of this state to foster and support a sound economy  
 13 that will provide improved opportunities for the employment  
 14 of its citizens, promote the development of its natural  
 15 resources, and provide the people of Montana with a greater  
 16 assurance of industrial and commercial stability.  
 17 (2) It is the purpose of [this act] to provide  
 18 remedies to those who suffer damages or harm as a result of  
 19 delays in or interference with industrial or commercial  
 20 development, construction, or operation in this state, if  
 21 the person or persons causing the delay or interference did  
 22 so without good cause.  
 23 Section 2. Definitions. As used in [this act] the  
 24 following definitions apply:  
 25 (1) "Person" means any individual, firm, partnership,

1 company, association, corporation, city, town, local  
 2 government entity, or any other government or private  
 3 entity, whether organized for profit or not.

4 (2) "Good cause" means a lawful objective or privilege  
 5 or right pursued in a manner prescribed by law, and  
 6 specifically includes any labor-management dispute. In any  
 7 proceeding under [this act] the question of good cause shall  
 8 be determined by the court.

9 Section 3. Pecuniary liability -- injunction. Any  
 10 person who delays or interferes with any industrial or  
 11 commercial development, construction, or operation in this  
 12 state without good cause is liable to persons injured  
 13 thereby for all damages sustained and may be enjoined from  
 14 continuing such action if the court finds that irreparable  
 15 harm may result.

16 Section 4. Penalty. Any person who delays or  
 17 interferes with any industrial or commercial development,  
 18 construction, or operation in this state without good cause  
 19 is subject to a fine not to exceed \$1,000 or imprisonment  
 20 not to exceed 30 days, or both.

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