

1 *House* JOINT RESOLUTION NO. *1*
2 INTRODUCED BY *Ray Gasfield, State Rep.*
3 BY REQUEST OF THE WATER POLICY COMMITTEE
4 *Thomas C. Jagg, Senate*

5 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
6 REPRESENTATIVES OF THE STATE OF MONTANA EXTENDING THE
7 GOVERNOR'S STATE OF DISASTER DECLARATION DUE TO CONTINUING
8 DROUGHT CONDITIONS.

9
10 WHEREAS, Montana is experiencing a prolonged drought,
11 which is a natural disaster that imminently threatens
12 damage, injury, or loss of property; and

13 WHEREAS, pursuant to section 10-3-104, MCA, the Governor
14 has the discretionary power to suspend the provisions of any
15 regulatory statute if strict compliance with the statute
16 would in any way prevent, hinder, or delay necessary action
17 in coping with a disaster; and

18 WHEREAS, the current drought condition requires the
19 exercise of the Governor's authority to suspend regulatory
20 authority of the state; and

21 WHEREAS, on June 8, 1992, the Governor issued Executive
22 Order No. 13-92, proclaiming an emergency and suspending
23 certain regulatory authorities of the Department of Natural
24 Resources and Conservation under Title 85, chapter 2, MCA,
25 commonly referred to as the Montana Water Use Act; and

1 WHEREAS, on June 29, 1992, the Governor issued Executive
2 Order No. 14-92, proclaiming a disaster as a result of
3 drought and continued the suspension ordered in Executive
4 Order No. 13-92; and

5 WHEREAS, pursuant to section 10-3-303, MCA, a state of
6 disaster may not continue for longer than 30 days unless
7 continuing conditions of the state of disaster exist, which
8 must be determined by a declaration of a major disaster by
9 the President of the United States or by a joint resolution
10 of the Legislature declaring continuing conditions of the
11 state of disaster.

12
13 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
14 OF REPRESENTATIVES OF THE STATE OF MONTANA:

- 15 (1) That the Legislature declares a continuing
16 condition of disaster as a result of the drought.
17 (2) That the state of disaster must continue until
18 terminated by the Governor as provided in section
19 10-3-303(4), MCA.

20 BE IT FURTHER RESOLVED, that the Secretary of State send
21 copies of this resolution to the publisher of each newspaper
22 in the state.

-End-



-2- HJR 1
INTRODUCED BILL

APPROVED BY COMM. ON
NATURAL RESOURCES

1 House JOINT RESOLUTION NO. 1
2 INTRODUCED BY Wayne Gosfield, Thomas J. Brubaker
3 Revised BY REQUEST OF THE WATER POLICY COMMITTEE
4 Thomas J. Brubaker

5 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
6 REPRESENTATIVES OF THE STATE OF MONTANA EXTENDING THE
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10 of the Legislature declaring continuing conditions of the
11 state of disaster.

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13 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
14 OF REPRESENTATIVES OF THE STATE OF MONTANA:

15 (1) That the Legislature declares a continuing
16 condition of disaster as a result of the drought.

17 (2) That the state of disaster must continue until
18 terminated by the Governor as provided in section
19 10-3-303(4), MCA.

20 BE IT FURTHER RESOLVED, that the Secretary of State send
21 copies of this resolution to the publisher of each newspaper
22 in the state.

-End-



HJR 1
SECOND READING

APPROVED BY COMM. ON
NATURAL RESOURCES

House JOINT RESOLUTION NO. *1*

INTRODUCED BY *Ray Gasfield, Thomas J. Brubaker*

BY REQUEST OF THE WATER POLICY COMMITTEE

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA EXTENDING THE GOVERNOR'S STATE OF DISASTER DECLARATION DUE TO CONTINUING DROUGHT CONDITIONS.

WHEREAS, Montana is experiencing a prolonged drought, which is a natural disaster that imminently threatens damage, injury, or loss of property; and

WHEREAS, pursuant to section 10-3-104, MCA, the Governor has the discretionary power to suspend the provisions of any regulatory statute if strict compliance with the statute would in any way prevent, hinder, or delay necessary action in coping with a disaster; and

WHEREAS, the current drought condition requires the exercise of the Governor's authority to suspend regulatory authority of the state; and

WHEREAS, on June 8, 1992, the Governor issued Executive Order No. 13-92, proclaiming an emergency and suspending certain regulatory authorities of the Department of Natural Resources and Conservation under Title 85, chapter 2, MCA, commonly referred to as the Montana Water Use Act; and

WHEREAS, on June 29, 1992, the Governor issued Executive Order No. 14-92, proclaiming a disaster as a result of drought and continued the suspension ordered in Executive Order No. 13-92; and

WHEREAS, pursuant to section 10-3-303, MCA, a state of disaster may not continue for longer than 30 days unless continuing conditions of the state of disaster exist, which must be determined by a declaration of a major disaster by the President of the United States or by a joint resolution of the Legislature declaring continuing conditions of the state of disaster.

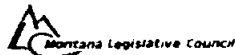
NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

(1) That the Legislature declares a continuing condition of disaster as a result of the drought.

(2) That the state of disaster must continue until terminated by the Governor as provided in section 10-3-303(4), MCA.

BE IT FURTHER RESOLVED, that the Secretary of State send copies of this resolution to the publisher of each newspaper in the state.

-End-



HJR 1

THIRD READING

HOUSE JOINT RESOLUTION NO. 1

INTRODUCED BY HARPER, GROSFIELD, STIMATZ, T. BECK,

BENGTSON, LEE, FAGG, BROOKE

BY REQUEST OF THE WATER POLICY COMMITTEE

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA EXTENDING THE GOVERNOR'S STATE OF DISASTER DECLARATION DUE TO CONTINUING DROUGHT CONDITIONS.

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WHEREAS, the current drought condition requires the exercise of the Governor's authority to suspend regulatory authority of the state; and

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NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

(1) That the Legislature declares a continuing condition of disaster as a result of the drought.

(2) That the state of disaster must continue until terminated by the Governor as provided in section 10-3-303(4), MCA.

BE IT FURTHER RESOLVED, that the Secretary of State send copies of this resolution to the publisher of each newspaper in the state.

-End-