

HOUSE BILL NO. 662

INTRODUCED BY SCHYE, BACHINI, PECK, BARDANOUVE,
COMPTON, H. HAMMOND, STCHART

IN THE HOUSE

February 5, 1983	Introduced and referred to Committee on Business and Industry.
February 16, 1983	Committee recommend bill do pass. Report adopted.
February 17, 1983	Bill printed and placed on members' desks.
February 18, 1983	Second reading, do pass.
February 21, 1983	Considered correctly engrossed.
February 22, 1983	Third reading, passed. Transmitted to Senate.

IN THE SENATE

March 1, 1983	Introduced and referred to Committee on Agriculture, Livestock and Irrigation.
March 12, 1983	Committee recommend bill be concurred in. Report adopted.
March 15, 1983	On motion, taken from Second Reading and rereferred to Committee on Judiciary.
March 22, 1983	Committee recommend bill be concurred in as amended. Report adopted.
March 25, 1983	Second reading, concurred in.
March 28, 1983	Third reading, concurred in. Ayes, 35; Noes, 12.

IN THE HOUSE

March 28, 1983

Returned to House with
amendments.

April 1, 1983

Second reading, amendments
concurred in.

April 4, 1983

Third reading, amendments
concurred in.

Sent to enrolling.

Reported correctly enrolled.

House BILL NO. 662

BILL NO. 66

INTRODUCED BY George Jackson, Park Ranger
Conlon et al. et al.

A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE AUTHORITY OF IRRIGATION DISTRICTS TO ENGAGE IN ELECTRICAL POWER OPERATIONS; AMENDING SECTION 85-7-1961, MCA."*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 85-7-1961, MCA, is amended to read:

*85-7-1961. Districts-organized-prior-to-certain--date

11 irrigation districts -- authority to continue engage in
12 electrical power operations. (1) An irrigation district or
13 project that was is organized prior-to-March-30-1981 under
14 Title 85, chapter 7, or described in 85-7-110 is authorized
15 to continue engage in all electrical power operations if
16 conducted prior-to-March-30-1981.

17 (2) Electrical power operations authorized by this
18 section include generation, distribution, and sale of
19 electrical power and the reasonable and necessary means to
20 carry out such operations."

-End-

INTRODUCED BILL

Approved by Committee
on Business and Industry

1 House BILL NO. 662
2 INTRODUCED BY Rep. Bachman, Park Boardman
3 Captain John Hammontree Etchart

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE
5 AUTHORITY OF IRRIGATION DISTRICTS TO ENGAGE IN ELECTRICAL
6 POWER OPERATIONS; AMENDING SECTION 85-7-1961, MCA."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 85-7-1961, MCA, is amended to read:

10 "85-7-1961. ~~B~~istricts-organized-prior-to-certain--date

11 Irrigation districts -- authority to ~~continue engage in~~

12 electrical power operations. (1) An irrigation district or

13 project that ~~was~~ is organized prior-to-March-30-1961, under

14 Title 85, chapter 7, or described in 85-7-110 is authorized

15 to ~~continue engage in~~ all electrical power operations it

16 conducted prior-to-March-30-1961.

17 (2) Electrical power operations authorized by this
18 section include generation, distribution, and sale of
19 electrical power and the reasonable and necessary means to
20 carry out such operations."

-End-

SECOND READING

HB 662

House BILL NO. 662

Salvatore Basile

~~John~~ Etchart

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE
5 AUTHORITY OF IRRIGATION DISTRICTS TO ENGAGE IN ELECTRICAL
6 POWER OPERATIONS; AMENDING SECTION 85-7-1961, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 85-7-1961, MCA, is amended to read:

10 "85-7-1961. ~~B~~istricts-organized-prior-to-certain--date

11 irrigation districts -- authority to continue engage in

12 electrical power operations. (1) An irrigation district or

13 project that ~~was~~ is organized prior-to-March-30^y-198¹ under

14 Title 85, chapter 7, ~~or~~ described in 85-7-110 is authorized

15 to continue engage in all electrical power operations it

16 conducted prior-to-March-30^y-198¹.

17 (2) Electrical power operations authorized by this
18 section include generation, distribution, and sale of
19 electrical power and the reasonable and necessary means to
20 carry out such operations."

-End-

March 22, 1983

SENATE STANDING COMMITTEE REPORT
(Judiciary)

That House Bill No. 662 be amended as follows:

1. Title, line 6.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE".

2. Page 1, line 11.

Strike: "Irrigation districts"

Insert: "Districts organized prior to certain date"

Following: "continue"

Strike: "engage in"

Insert: "continue"

3. Page 1, line 13.

Following: "was"

Strike: "is"

Insert: "was"

Following: "1981,"

Insert: "prior to March 30, 1981,"

4. Page 1, line 14.

Strike: "or described in 85-7-110"

5. Page 1, line 15.

Following: "continue"

Strike: "engage in"

Insert: "continue"

6. Page 1, line 16.

Following: "1981"

Insert: "it conducted prior to March 30, 1981"

7. Page 1, line 17.

Following: "by"

Insert: "subsection (1)"

8. Page 1, line 20.

Insert: "(3) In addition to the authority otherwise provided in this section and Title 85, Chapter 7, MCA, irrigation districts or projects organized under Title 85, Chapter 7 or described in 85-7-110, MCA, may construct, install, operate and maintain facilities to generate, transmit and sell, as well as any associated facilities necessary to that end, electricity using the water power potential of irrigation projects or works or federally owned water impoundment projects where electric power generation facilities have not heretofore been installed and licensed under the Federal Power Act."

9. Page 1.

Following: line 20

Insert: "Section 2. Effective date. This act is effective on passage and approval."

HOUSE BILL NO. 662

INTRODUCED BY SCHYE, BACHINI, PECK,
BARDANDUVE, COMPTON, H. HAMMOND, ETCHEART

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE
6 AUTHORITY OF IRRIGATION DISTRICTS TO ENGAGE IN ELECTRICAL
7 POWER OPERATIONS; AMENDING SECTION 85-7-1961, MCA; AND
8 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 85-7-1961, MCA, is amended to read:

12 "85-7-1961. ~~districts~~ organized prior to certain date

13 ~~irrigation districts~~ DISTRICTS ORGANIZED PRIOR TO CERTAIN

14 DATE -- authority to continue ~~engage in~~ CONTINUE electrical

15 power operations. (1) An irrigation district or project that

16 was ~~is~~ organized prior to March 30, 1981, ~~PRIOR TO MARCH~~

17 ~~30, 1981~~, under Title 85, chapter 7, ~~as described in~~

18 ~~85-7-1961~~ is authorized to continue ~~engage in~~ CONTINUE all

19 electrical power operations it conducted prior to March 30,

20 ~~1981~~ CONDUCTED PRIOR TO MARCH 30, 1981.

21 (2) Electrical power operations authorized by
22 SUBSECTION (11) (E) this section include generation,
23 distribution, and sale of electrical power and the
24 reasonable and necessary means to carry out such operations.

25 (3) IN ADDITION TO THE AUTHORITY OTHERWISE PROVIDED IN

1 THIS SECTION AND TITLE 85, CHAPTER 7, MCA, IRRIGATION
2 DISTRICTS OR PROJECTS ORGANIZED UNDER TITLE 85, CHAPTER 7 OR
3 DESCRIBED IN 85-7-110, MAY CONSTRUCT, INSTALL, OPERATE, AND
4 MAINTAIN FACILITIES TO GENERATE, TRANSMIT, AND SELL, AS WELL
5 AS ANY ASSOCIATED FACILITIES NECESSARY TO THAT END,
6 ELECTRICITY USING THE WATER POWER POTENTIAL OF IRRIGATION
7 PROJECTS OR WORKS OR FEDERALLY OWNED WATER IMPOUNDMENT
8 PROJECTS WHERE ELECTRIC POWER GENERATION FACILITIES HAVE NOT
9 HERETOFORE BEEN INSTALLED AND LICENSED UNDER THE FEDERAL
10 POWER ACT."

11 SECTION 2. EFFECTIVE DATE. THIS ACT IS EFFECTIVE ON
12 PASSAGE AND APPROVAL.

-End-