

HOUSE BILL NO. 662

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

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.

1 House BILL NO. 662
2 INTRODUCED BY Bebe Rebozo, Patrick Baudane
3 Comptroller of the Treasury
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."
7
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. ~~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 ~~it~~
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 *Sen. Bachini, Rep. Baudane*
3 *Comptroller Stettin, Clerk*

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."

7
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. ~~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 ~~it~~
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-

SECOND READING

H B 662

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House BILL NO. *662*
INTRODUCED BY *Sen. Beckwith, Rep. Bandman*
Compton, Stuplitz, Echeverre

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

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

-End-

THIRD READING

#B662

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,

BARDANOUVE, COMPTON, H. HAMMOND, ETCHART

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; ~~AND~~
~~PROVIDING AN IMMEDIATE EFFECTIVE DATE."~~

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
~~irrigation-districts~~ DISTRICTS ORGANIZED PRIOR TO CERTAIN
 DATE -- authority to continue ~~engage-in~~ CONTINUE electrical
 power operations. (1) An irrigation district or project that
 was ~~is~~ HAS organized prior-to-March-30-1981, PRIOR TO MARCH
 30, 1981, under Title 85, chapter 7, ~~as-described-in~~
 85-7-118 is authorized to continue ~~engage-in~~ CONTINUE all
 electrical power operations ~~it-conducted-prior-to-March--30-~~
~~that~~ IT CONDUCTED PRIOR TO MARCH 30, 1981.

(2) Electrical power operations authorized by
 SUBSECTION (1) OF this section include generation,
 distribution, and sale of electrical power and the
 reasonable and necessary means to carry out such operations.

(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 85-7-118, 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."~~

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

-End-