

1 H BILL NO. 452  
 2 INTRODUCED BY Steven L. Hirsch Member

3  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE  
 5 AUTHORITY OF A COOPERATIVE STATE GRAZING DISTRICT TO  
 6 POSSESS, MANAGE, AND CONTROL AGRICULTURAL LANDS; AMENDING  
 7 SECTION 46-2312, R.C.M. 1947."

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 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
 10 Section 1. Section 46-2312, R.C.M. 1947, is amended to  
 11 read as follows:

12 "46-2312. Powers of state districts. A state district  
 13 may:

14 (1) Purchase or market livestock and livestock  
 15 products, and purchase supplies and equipment. These  
 16 supplies may include among other things grass, grass seed,  
 17 or forage, whether attached to and upon or severed from the  
 18 land.

19 (2) Sue or be sued in its corporate name.

20 (3) Acquire forage producing lands, including  
 21 agricultural lands when necessary to comply with the  
 22 purposes and directives of this chapter, by lease, purchase,  
 23 cooperative agreements, or otherwise, either from the United  
 24 States, the state of Montana, county or counties in which  
 25 the lands are located, or from private owners. All lands to

1 which a state district may acquire title may be disposed of  
 2 by exchange, sale or otherwise.

3 (4) Manage and control the use of its range and such  
 4 agricultural lands. This power includes the right to  
 5 determine the size of preferences and permit according to a  
 6 fixed method which shall be stated in the bylaws and which  
 7 shall take into consideration the rating of dependent  
 8 commensurate property and the carrying capacity of the  
 9 range, and may be subject to reservations, regulations and  
 10 limitations under the terms of agreements between the state  
 11 district and any agency of the United States. The state  
 12 district may also allot range to members or nonmembers, and  
 13 decrease or increase the size of permits if the range  
 14 carrying capacity changes.

15 (5) Acquire or construct fences, reservoirs, or other  
 16 facilities for the care of livestock, and lease or purchase  
 17 lands for such purposes.

18 (6) Fix and determine the amount of grazing fees to be  
 19 imposed on members or nonmembers for the purpose of paying  
 20 leases and operating expenses and fix and determine the  
 21 amount of assessments to be made on members on an animal  
 22 unit basis for the purpose of acquiring lands by purchase,  
 23 or for the purpose of constructing improvements in the state  
 24 district.

25 (7) Specify the breed, quality, and number of male

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1 breeding animals which each member must furnish when stock  
2 is grazing in common in the state district.

3 (8) Employ and discharge employees, riders, and other  
4 persons necessary to properly manage the state district.

5 (9) Set up and maintain a reasonable reserve fund.

6 (10) Borrow money, and if necessary mortgage the  
7 physical assets of a state district to provide for operation  
8 and development, provided that at least eighty per cent  
9 (80%) of the permittee members of the state district consent  
10 in writing to the borrowing and the borrowing has been  
11 approved by the department. This subsection does not confer  
12 power upon a state district to mortgage the property of the  
13 individual members of the district.

14 (11) Change the boundaries of a district, merge with  
15 another state district organized under this act, or  
16 subdivide.

17 (a) A merger may not be made unless consented to by a  
18 majority of the members of each merging state district and  
19 approved by the board after a hearing thereon before the  
20 department.

21 (b) A subdivision may not be made unless consented to  
22 by a majority of the members in the affected area and  
23 approved by the board after a hearing thereon before the  
24 department.

25 (12) Regulate the driving of stock over, across, into,

1 or through the range, and collect fees therefor. A state  
2 district may impose sanitary provisions, regulations and  
3 practices.

4 (13) Undertake reseeding and other approved  
5 conservation and improvement practices of depleted range  
6 areas or abandon farm lands and enter into cooperative  
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-End-

Approved by Committee  
on Agriculture Livestock  
& Irrigation

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1 INTRODUCTION BY *S. H. Linn L. Hirsch* <sup>BILL NO. 452</sup> *Manual*

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