

1 ^{as Senate} BILL NO. 209
 2 INTRODUCED BY Rollie Nelson
 3 Robert Nelson Jerguson

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO EMPOWER CONSERVATION
 5 DISTRICTS TO DEAL WITH SALINE SEEP AND OTHER SOIL AND WATER
 6 SALINITY PROBLEMS; AMENDING SECTION 76-108, R.C.M. 1947."

7
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 76-108, R.C.M. 1947, is amended to
 10 read as follows:

11 "76-108. Powers of districts and supervisors. A. A
 12 conservation district organized under the provisions of this
 13 act shall constitute a governmental subdivision of this
 14 state, and a public body corporate and politic, exercising
 15 public powers, and such district, and the supervisors
 16 thereof, shall have the following powers, in addition to
 17 others granted in other sections of this act:

18 (1) To conduct surveys, investigations, and research
 19 relating to the character of soil erosion, floodwater and
 20 sediment damages, and to the conservation, development,
 21 utilization, and disposal of water and the preventive and
 22 control measures and works of improvement needed, to publish
 23 the results of such surveys, investigations, or research,
 24 and to disseminate information concerning such preventive
 25 and control measures and works of improvement; provided,

1 however, that in order to avoid duplication of research
 2 activities, no district shall initiate any research program
 3 except in co-operation with the government of this state or
 4 any of its agencies, or with the United States or any of its
 5 agencies;

6 (2) To conduct soil, vegetation, and water resources
 7 conservation projects on lands within the districts upon
 8 obtaining the consent of the owner of such lands or the
 9 necessary rights or interest in such land;

10 (3) To carry out preventive and control measures and
 11 works of improvement for flood prevention and the
 12 conservation, development, utilization, and disposal of
 13 water within the district, including, but not limited to,
 14 engineering operations, range management, methods of
 15 cultivation, the growing of vegetation, changes in use of
 16 land, and the measures listed in subsection C of section
 17 76-102, R.C.M. 1947, on lands owned or controlled by this
 18 state or any of its agencies with the co-operation of the
 19 agency administering and having jurisdiction thereof, and on
 20 any other lands within the district upon obtaining the
 21 consent of the occupier of such lands or the necessary
 22 rights or interests in such lands;

23 (4) To co-operate, or enter into agreements with, and
 24 within the limits of appropriations duly made available to
 25 it by law, to furnish financial or other aid to, any agency,

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1 governmental or otherwise, or any occupier of lands within
 2 the district, in the carrying on of erosion-control and
 3 prevention operations, and works of improvement for flood
 4 prevention and the conservation, development, utilization
 5 and disposal of water within the district, subject to such
 6 conditions as the supervisors may deem necessary to advance
 7 the purposes of this act;

8 (5) To obtain options upon and to acquire, by
 9 purchase, exchange, lease, gift, grant, bequest, devise, or
 10 otherwise, any property, real or personal, or rights or
 11 interests therein, and all such property shall be exempt
 12 from taxation by the state or any political subdivision
 13 thereof, to maintain, administer, and improve any properties
 14 acquired, to receive income from such properties and to
 15 expend such income in carrying out the purposes and
 16 provisions of this act; and to sell, lease, or otherwise
 17 dispose of any of its property or interests therein in
 18 furtherance of the purposes and provisions of this act;

19 (6) To make available on such terms as it shall
 20 prescribe, to land occupiers within the district,
 21 agricultural and engineering machinery and equipment,
 22 fertilizer, seeds and seedlings, and such other material or
 23 equipment, as will assist such land occupiers to carry on
 24 operations upon their lands for the conservation of soil
 25 resources and for the prevention and control of soil

1 erosion, and for flood prevention and the conservation,
 2 development, utilization, and disposal of water;

3 (7) To construct, improve, operate and maintain such
 4 structures as may be necessary or convenient for the
 5 performance of any of the operations authorized in this act;

6 (8) To develop comprehensive plans for the
 7 conservation of soil resources and for the control and
 8 prevention of soil erosion, and for flood prevention, and
 9 conservation, development, utilization, and disposal of
 10 water within the district, which plans shall specify in such
 11 detail as may be possible, the acts, procedures,
 12 performances, and avoidances which are necessary or
 13 desirable, for the effectuation of such plans, including the
 14 specification of engineering operations, range management,
 15 methods of cultivation, the growing of vegetation, cropping,
 16 and range programs, tillage and grazing practices, and
 17 changes in use of land; and to publish such plans and
 18 information and bring them to the attention of occupiers of
 19 lands within the district;

20 (9) To take over, by purchase, lease, or otherwise,
 21 and to administer any soil-conservation, flood-prevention,
 22 drainage, irrigation, water-management, erosion-control, or
 23 erosion-prevention project, or combinations thereof, located
 24 within its boundaries undertaken by the United States or any
 25 of its agencies, or by this state or any of its agencies; to

1 manage, as agent of the United States or any of its
 2 agencies, or of this state or any of its agencies, any
 3 soil-conservation, flood-prevention, drainage, irrigation,
 4 water-management, erosion-control, or erosion-prevention
 5 project, or combination thereof, within its boundaries; to
 6 act as agent for the United States, or any of its agencies,
 7 or for this state or any of its agencies, in connection with
 8 the acquisition, construction, operation, or administration
 9 of any soil-conservation, flood-prevention, drainage,
 10 irrigation, water-management, erosion-control, or
 11 erosion-prevention projects, or combination thereof, within
 12 its boundaries; to accept donations, gifts, and
 13 contributions in money, services, materials, or otherwise,
 14 from the United States or any of its agencies, or from this
 15 state or any of its agencies, and to use or expend such
 16 moneys, services, materials, or other contributions in
 17 carrying on its operations;

18 (10) To sue and be sued in the name of the district; to
 19 have a seal, which seal shall be judicially noticed; to have
 20 perpetual succession unless terminated as hereinafter
 21 provided; to make and execute contracts and other
 22 instruments, necessary or convenient to the exercise of its
 23 powers; to make, and from time to time amend and repeal,
 24 rules and regulations not consistent with this act, to carry
 25 into effect its purposes and powers;

1 (11) As a condition to the extending of any benefits
 2 under this act to, or the performance of work upon, any
 3 lands not owned or controlled by this state or any of its
 4 agencies, the supervisors may require contributions in
 5 money, services, materials, or otherwise to any operations
 6 conferring such benefits, and may require land occupiers to
 7 enter into and perform such agreements or covenants as to
 8 the permanent use of such lands as will tend to prevent or
 9 control erosion and prevent floodwater and sediment damages
 10 thereon;

11 (12) To borrow money and incur indebtedness and to
 12 issue bonds or other evidence of such indebtedness; also to
 13 refund or retire an indebtedness or lien that may exist
 14 against the district or property thereof;

15 (13) To fix and revise as necessary and collect rates,
 16 fees, tolls, rents, or other charges for the use of or for
 17 services, facilities and materials furnished or provided.
 18 Revenues from these sources may be expended in carryin; out
 19 the purposes and provisions of this act;

20 (14) To cause taxes to be levied in the same manner
 21 provided for in Title 76, chapter 2, R. C. M. 1947, for the
 22 purpose of paying any obligation of the district and to
 23 accomplish the purposes of this act in the manner herein
 24 provided.

25 (15) To apply for and receive federal revenue sharing

LC 1264/01

1 funds in order to carry out the purposes and provisions of
2 this chapter:

3 ~~(16) To conduct surveys, investigations, and research~~
4 ~~relating to saline seep and other soil and water salinity~~
5 ~~problems, including analyses of preventive and control~~
6 ~~measures, and to publish and disseminate information~~
7 ~~concerning such surveys, investigation, and research. In~~
8 ~~order to avoid duplication of research activities, no~~
9 ~~district may initiate any research program except in~~
10 ~~cooperation with the department of state lands or any other~~
11 ~~agency of this state or the United States having similar~~
12 ~~responsibilities.~~

13 B. No provisions with respect to the acquisition,
14 operation, or disposition of property by other public bodies
15 shall be applicable to a district organized hereunder unless
16 the legislature shall specifically so state."

-End-

Approved by Committee
on Agriculture Livestock
& Irrigation

SENATE BILL NO. 209

INTRODUCED BY GALT, KOLSTAD

MCOMBER, DUNKLE, ROSKIE, NELSON, JERGISON

A BILL FOR AN ACT ENTITLED: "AN ACT TO EMPOWER CONSERVATION DISTRICTS TO DEAL WITH SALINE SEEP AND OTHER SOIL AND WATER SALINITY PROBLEMS; AMENDING SECTION 76-108, R.C.M. 1947."

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

Section 1. Section 76-108, R.C.M. 1947, is amended to read as follows:

"76-108. Powers of districts and supervisors. A. A conservation district organized under the provisions of this act shall constitute a governmental subdivision of this state, and a public body corporate and politic, exercising public powers, and such district, and the supervisors thereof, shall have the following powers, in addition to others granted in other sections of this act:

(1) To conduct surveys, investigations, and research relating to the character of soil erosion, floodwater and sediment damages, WATER QUALITY, AND SALINE SEEP and to the conservation, development, utilization, and disposal of water and the preventive and control measures and works of improvement needed, to publish the results of such surveys, investigations, or research, and to disseminate information

concerning such preventive and control measures and works of improvement; provided, however, that in order to avoid duplication of research activities, no district shall initiate any research program except in co-operation with the government of this state or any of its agencies, or with the United States or any of its agencies;

(2) To conduct soil, vegetation, and water resources conservation projects on lands within the districts upon obtaining the consent of the owner of such lands or the necessary rights or interest in such land;

(3) To carry out preventive and control measures and works of improvement for flood prevention and the conservation, development, utilization, and disposal of water within the district, including, but not limited to, engineering operations, range management, methods of cultivation, the growing of vegetation, changes in use of land, and the measures listed in subsection C of section 76-102, R.C.M. 1947, on lands owned or controlled by this state or any of its agencies with the co-operation of the agency administering and having jurisdiction thereof, and on any other lands within the district upon obtaining the consent of the occupier of such lands or the necessary rights or interests in such lands;

(4) To co-operate, or enter into agreements with, and within the limits of appropriations duly made available to

1 it by law, to furnish financial or other aid to, any agency,
 2 governmental or otherwise, or any occupier of lands within
 3 the district, in the carrying on of erosion-control and
 4 prevention operations, and works of improvement for flood
 5 prevention and the conservation, development, utilization
 6 and disposal of water within the district, subject to such
 7 conditions as the supervisors may deem necessary to advance
 8 the purposes of this act;

9 (5) To obtain options upon and to acquire, by
 10 purchase, exchange, lease, gift, grant, bequest, devise, or
 11 otherwise, any property, real or personal, or rights or
 12 interests therein, and all such property shall be exempt
 13 from taxation by the state or any political subdivision
 14 thereof, to maintain, administer, and improve any properties
 15 acquired, to receive income from such properties and to
 16 expend such income in carrying out the purposes and
 17 provisions of this act; and to sell, lease, or otherwise
 18 dispose of any of its property or interests therein in
 19 furtherance of the purposes and provisions of this act;

20 (6) To make available on such terms as it shall
 21 prescribe, to land occupiers within the district,
 22 agricultural and engineering machinery and equipment,
 23 fertilizer, seeds and seedlings, and such other material or
 24 equipment, as will assist such land occupiers to carry on
 25 operations upon their lands for the conservation of soil

1 resources and for the prevention and control of soil
 2 erosion, and for flood prevention and the conservation,
 3 development, utilization, and disposal of water;

4 (7) To construct, improve, operate and maintain such
 5 structures as may be necessary or convenient for the
 6 performance of any of the operations authorized in this act;

7 (8) To develop comprehensive plans for the
 8 conservation of soil resources and for the control and
 9 prevention of soil erosion, and for flood prevention, and
 10 conservation, development, utilization, and disposal of
 11 water within the district, which plans shall specify in such
 12 detail as may be possible, the acts, procedures,
 13 performances, and avoidances which are necessary or
 14 desirable, for the effectuation of such plans, including the
 15 specification of engineering operations, range management,
 16 methods of cultivation, the growing of vegetation, cropping,
 17 and range programs, tillage and grazing practices, and
 18 changes in use of land; and to publish such plans and
 19 information and bring them to the attention of occupiers of
 20 lands within the district;

21 (9) To take over, by purchase, lease, or otherwise,
 22 and to administer any soil-conservation, flood-prevention,
 23 drainage, irrigation, water-management, erosion-control, or
 24 erosion-prevention project, or combinations thereof, located
 25 within its boundaries undertaken by the United States or any

1 of its agencies, or by this state or any of its agencies; to
 2 manage, as agent of the United States or any of its
 3 agencies, or of this state or any of its agencies, any
 4 soil-conservation, flood-prevention, drainage, irrigation,
 5 water-management, erosion-control, or erosion-prevention
 6 project, or combination thereof, within its boundaries; to
 7 act as agent for the United States, or any of its agencies,
 8 or for this state or any of its agencies, in connection with
 9 the acquisition, construction, operation, or administration
 10 of any soil-conservation, flood-prevention, drainage,
 11 irrigation, water-management, erosion-control, or
 12 erosion-prevention projects, or combination thereof, within
 13 its boundaries; to accept donations, gifts, and
 14 contributions in money, services, materials, or otherwise,
 15 from the United States or any of its agencies, or from this
 16 state or any of its agencies, and to use or expend such
 17 moneys, services, materials, or other contributions in
 18 carrying on its operations;

19 (10) To sue and be sued in the name of the district; to
 20 have a seal, which seal shall be judicially noticed; to have
 21 perpetual succession unless terminated as hereinafter
 22 provided; to make and execute contracts and other
 23 instruments, necessary or convenient to the exercise of its
 24 powers; to make, and from time to time amend and repeal,
 25 rules and regulations not consistent with this act, to carry

1 into effect its purposes and powers;

2 (11) As a condition to the extending of any benefits
 3 under this act to, or the performance of work upon, any
 4 lands not owned or controlled by this state or any of its
 5 agencies, the supervisors may require contributions in
 6 money, services, materials, or otherwise to any operations
 7 conferring such benefits, and may require land occupiers to
 8 enter into and perform such agreements or covenants as to
 9 the permanent use of such lands as will tend to prevent or
 10 control erosion and prevent floodwater and sediment damages
 11 thereon;

12 (12) To borrow money and incur indebtedness and to
 13 issue bonds or other evidence of such indebtedness; also to
 14 refund or retire an indebtedness or lien that may exist
 15 against the district or property thereof;

16 (13) To fix and revise as necessary and collect rates,
 17 fees, tolls, rents, or other charges for the use of or for
 18 services, facilities and materials furnished or provided.
 19 Revenues from these sources may be expended in carrying out
 20 the purposes and provisions of this act;

21 (14) To cause taxes to be levied in the same manner
 22 provided for in Title 76, chapter 2, R. C. M. 1947, for the
 23 purpose of paying any obligation of the district and to
 24 accomplish the purposes of this act in the manner herein
 25 provided.

1 (15) To apply for and receive federal revenue sharing
2 funds in order to carry out the purposes and provisions of
3 this chapter;

4 ~~(16) To conduct surveys, investigations, and research~~
5 ~~relating to saline water and other soil and water quality~~
6 ~~problems, including analysis of preventive and control~~
7 ~~measures, and to publish and disseminate information~~
8 ~~concerning such surveys, investigations, and research, in~~
9 ~~order to avoid duplication of research activities, no~~
10 ~~district may initiate any research program except in~~
11 ~~cooperation with the department of state lands or any other~~
12 ~~agency of this state or the United States having similar~~
13 ~~responsibilities.~~

14 B. No provisions with respect to the acquisition,
15 operation, or disposition of property by other public bodies
16 shall be applicable to a district organized hereunder unless
17 the legislature shall specifically so state."

-End-

1 SENATE BILL NO. 209

2 INTRODUCED BY GALT, KOLSTAD

3 HCOMBER, DUNKLE, ROSKIE, NELSON, JERGESON

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5 A BILL FOR AN ACT ENTITLED: "AN ACT TO EMPOWER CONSERVATION
6 DISTRICTS TO DEAL WITH SALINE SEEP AND OTHER SOIL AND WATER
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10 Section 1. Section 76-108, R.C.M. 1947, is amended to
11 read as follows:

12 "76-108. Powers of districts and supervisors. A. A
13 conservation district organized under the provisions of this
14 act shall constitute a governmental subdivision of this
15 state, and a public body corporate and politic, exercising
16 public powers, and such district, and the supervisors
17 thereof, shall have the following powers, in addition to
18 others granted in other sections of this act:

19 (1) To conduct surveys, investigations, and research
20 relating to the character of soil erosion, floodwater and
21 sediment damages, WATER QUALITY, AND SALINE SEEP and to the
22 conservation, development, utilization, and disposal of
23 water and the preventive and control measures and works of
24 improvement needed, to publish the results of such surveys,
25 investigations, or research, and to disseminate information

1 concerning such preventive and control measures and works of
2 improvement; provided, however, that in order to avoid
3 duplication of research activities, no district shall
4 initiate any research program except in co-operation with
5 the government of this state or any of its agencies, or with
6 the United States or any of its agencies;

7 (2) To conduct soil, vegetation, and water resources
8 conservation projects on lands within the districts upon
9 obtaining the consent of the owner of such lands or the
10 necessary rights or interest in such land;

11 (3) To carry out preventive and control measures and
12 works of improvement for flood prevention and the
13 conservation, development, utilization, and disposal of
14 water within the district, including, but not limited to,
15 engineering operations, range management, methods of
16 cultivation, the growing of vegetation, changes in use of
17 land, and the measures listed in subsection C of section
18 76-102, R.C.M. 1947, on lands owned or controlled by this
19 state or any of its agencies with the co-operation of the
20 agency administering and having jurisdiction thereof, and on
21 any other lands within the district upon obtaining the
22 consent of the occupier of such lands or the necessary
23 rights or interests in such lands;

24 (4) To co-operate, or enter into agreements with, and
25 within the limits of appropriations duly made available to

1 it by law, to furnish financial or other aid to, any agency,
 2 governmental or otherwise, or any occupier of lands within
 3 the district, in the carrying on of erosion-control and
 4 prevention operations, and works of improvement for flood
 5 prevention and the conservation, development, utilization
 6 and disposal of water within the district, subject to such
 7 conditions as the supervisors may deem necessary to advance
 8 the purposes of this act;

9 (5) To obtain options upon and to acquire, by
 10 purchase, exchange, lease, gift, grant, bequest, devise, or
 11 otherwise, any property, real or personal, or rights or
 12 interests therein, and all such property shall be exempt
 13 from taxation by the state or any political subdivision
 14 thereof, to maintain, administer, and improve any properties
 15 acquired, to receive income from such properties and to
 16 expend such income in carrying out the purposes and
 17 provisions of this act; and to sell, lease, or otherwise
 18 dispose of any of its property or interests therein in
 19 furtherance of the purposes and provisions of this act;

20 (6) To make available on such terms as it shall
 21 prescribe, to land occupiers within the district,
 22 agricultural and engineering machinery and equipment,
 23 fertilizer, seeds and seedlings, and such other material or
 24 equipment, as will assist such land occupiers to carry on
 25 operations upon their lands for the conservation of soil

1 resources and for the prevention and control of soil
 2 erosion, and for flood prevention and the conservation,
 3 development, utilization, and disposal of water;

4 (7) To construct, improve, operate and maintain such
 5 structures as may be necessary or convenient for the
 6 performance of any of the operations authorized in this act;

7 (8) To develop comprehensive plans for the
 8 conservation of soil resources and for the control and
 9 prevention of soil erosion, and for flood prevention, and
 10 conservation, development, utilization, and disposal of
 11 water within the district, which plans shall specify in such
 12 detail as may be possible, the acts, procedures,
 13 performances, and avoidances which are necessary or
 14 desirable, for the effectuation of such plans, including the
 15 specification of engineering operations, range management,
 16 methods of cultivation, the growing of vegetation, cropping,
 17 and range programs, tillage and grazing practices, and
 18 changes in use of land; and to publish such plans and
 19 information and bring them to the attention of occupiers of
 20 lands within the district;

21 (9) To take over, by purchase, lease, or otherwise,
 22 and to administer any soil-conservation, flood-prevention,
 23 drainage, irrigation, water-management, erosion-control, or
 24 erosion-prevention project, or combinations thereof, located
 25 within its boundaries undertaken by the United States or any

1 of its agencies, or by this state or any of its agencies; to
 2 manage, as agent of the United States or any of its
 3 agencies, or of this state or any of its agencies, any
 4 soil-conservation, flood-prevention, drainage, irrigation,
 5 water-management, erosion-control, or erosion-prevention
 6 project, or combination thereof, within its boundaries; to
 7 act as agent for the United States, or any of its agencies,
 8 or for this state or any of its agencies, in connection with
 9 the acquisition, construction, operation, or administration
 10 of any soil-conservation, flood-prevention, drainage,
 11 irrigation, water-management, erosion-control, or
 12 erosion-prevention projects, or combination thereof, within
 13 its boundaries; to accept donations, gifts, and
 14 contributions in money, services, materials, or otherwise,
 15 from the United States or any of its agencies, or from this
 16 state or any of its agencies, and to use or expend such
 17 moneys, services, materials, or other contributions in
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19 (10) To sue and be sued in the name of the district; to
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 21 perpetual succession unless terminated as hereinafter
 22 provided; to make and execute contracts and other
 23 instruments, necessary or convenient to the exercise of its
 24 powers; to make, and from time to time amend and repeal,
 25 rules and regulations not consistent with this act, to carry

1 into effect its purposes and powers;

2 (11) As a condition to the extending of any benefits
 3 under this act to, or the performance of work upon, any
 4 lands not owned or controlled by this state or any of its
 5 agencies, the supervisors may require contributions in
 6 money, services, materials, or otherwise to any operations
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 8 enter into and perform such agreements or covenants as to
 9 the permanent use of such lands as will tend to prevent or
 10 control erosion and prevent floodwater and sediment damages
 11 thereon;

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 13 issue bonds or other evidence of such indebtedness; also to
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 18 services, facilities and materials furnished or provided.
 19 Revenues from these sources may be expended in carrying out
 20 the purposes and provisions of this act;

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 22 provided for in Title 76, chapter 2, E. C. M. 1947, for the
 23 purpose of paying any obligation of the district and to
 24 accomplish the purposes of this act in the manner herein
 25 provided.

1 (15) To apply for and receive federal revenue sharing
2 funds in order to carry out the purposes and provisions of
3 this chapter;

4 ~~(16) To conduct surveys, investigations, and research~~
5 ~~relating to saline groundwater and other soil and water salinity~~
6 ~~problems, including analyses of preventive and control~~
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13 ~~responsibilities.~~

14 B. No provisions with respect to the acquisition,
15 operation, or disposition of property by other public bodies
16 shall be applicable to a district organized hereunder unless
17 the legislature shall specifically so state."

-End-

HOUSE OF REPRESENTATIVES

MARCH 29, 1977

Committee of the Whole on Senate Bill No. 209, third reading copy as follows:

1. Amend page 1, line 21.
Following: "QUALITY"
Strike: ", AND"
Insert: "as it pertains to"

AS AMENDED BE
CONCURRED IN

March 23, 1977

HOUSE COMMITTEE ON AGRICULTURE, LIVESTOCK AND IRRIGATION
AMENDMENTS TO SENATE BILL 209, third reading copy.

1. Amend title, line 7.

Following: line 6

Strike: "SALINITY"

Insert: "QUALITY"

1 SENATE BILL NO. 209

2 INTRODUCED BY GALT, KOLSTAD

3 MCOMBER, DUNKLE, ROSKIE, NELSON, JERGESON

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO EMPOWER CONSERVATION
6 DISTRICTS TO DEAL WITH SALINE SEEP AND OTHER SOIL AND WATER
7 SALINITY QUALITY PROBLEMS; AMENDING SECTION 76-108, R.C.M.
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10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:11 Section 1. Section 76-108, R.C.M. 1947, is amended to
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14 conservation district organized under the provisions of this
15 act shall constitute a governmental subdivision of this
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17 public powers, and such district, and the supervisors
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19 others granted in other sections of this act:

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21 relating to the character of soil erosion, floodwater and
22 sediment damages, ~~WATER QUALITY,--AND AS IT PERTAINS TO~~
23 ~~SALINE SEEP~~ and to the conservation, development,
24 utilization, and disposal of water and the preventive and
25 control measures and works of improvement needed, to publish

1 the results of such surveys, investigations, or research,
2 and to disseminate information concerning such preventive
3 and control measures and works of improvement; provided,
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5 activities, no district shall initiate any research program
6 except in co-operation with the government of this state or
7 any of its agencies, or with the United States or any of its
8 agencies;

9 (2) To conduct soil, vegetation, and water resources
10 conservation projects on lands within the districts upon
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13 (3) To carry out preventive and control measures and
14 works of improvement for flood prevention and the
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16 water within the district, including, but not limited to,
17 engineering operations, range management, methods of
18 cultivation, the growing of vegetation, changes in use of
19 land, and the measures listed in subsection C of section
20 76-102, R.C.M. 1947, on lands owned or controlled by this
21 state or any of its agencies with the co-operation of the
22 agency administering and having jurisdiction thereof, and on
23 any other lands within the district upon obtaining the
24 consent of the occupier of such lands or the necessary
25 rights or interests in such lands;

1 (4) To co-operate, or enter into agreements with, and
 2 within the limits of appropriations duly made available to
 3 it by law, to furnish financial or other aid to, any agency,
 4 governmental or otherwise, or any occupier of lands within
 5 the district, in the carrying on of erosion-control and
 6 prevention operations, and works of improvement for flood
 7 prevention and the conservation, development, utilization
 8 and disposal of water within the district, subject to such
 9 conditions as the supervisors may deem necessary to advance
 10 the purposes of this act;

11 (5) To obtain options upon and to acquire, by
 12 purchase, exchange, lease, gift, grant, bequest, devise, or
 13 otherwise, any property, real or personal, or rights or
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 15 from taxation by the state or any political subdivision
 16 thereof, to maintain, administer, and improve any properties
 17 acquired, to receive income from such properties and to
 18 expend such income in carrying out the purposes and
 19 provisions of this act; and to sell, lease, or otherwise
 20 dispose of any of its property or interests therein in
 21 furtherance of the purposes and provisions of this act;

22 (6) To make available on such terms as it shall
 23 prescribe, to land occupiers within the district,
 24 agricultural and engineering machinery and equipment,
 25 fertilizer, seeds and seedlings, and such other material or

1 equipment, as will assist such land occupiers to carry on
 2 operations upon their lands for the conservation of soil
 3 resources and for the prevention and control of soil
 4 erosion, and for flood prevention and the conservation,
 5 development, utilization, and disposal of water;

6 (7) To construct, improve, operate and maintain such
 7 structures as may be necessary or convenient for the
 8 performance of any of the operations authorized in this act;

9 (8) To develop comprehensive plans for the
 10 conservation of soil resources and for the control and
 11 prevention of soil erosion, and for flood prevention, and
 12 conservation, development, utilization, and disposal of
 13 water within the district, which plans shall specify in such
 14 detail as may be possible, the acts, procedures,
 15 performances, and avoidances which are necessary or
 16 desirable, for the effectuation of such plans, including the
 17 specification of engineering operations, range management,
 18 methods of cultivation, the growing of vegetation, cropping,
 19 and range programs, tillage and grazing practices, and
 20 changes in use of land; and to publish such plans and
 21 information and bring them to the attention of occupiers of
 22 lands within the district;

23 (9) To take over, by purchase, lease, or otherwise,
 24 and to administer any soil-conservation, flood-prevention,
 25 drainage, irrigation, water-management, erosion-control, or

1 erosion-prevention project, or combinations thereof, located
 2 within its boundaries undertaken by the United States or any
 3 of its agencies, or by this state or any of its agencies; to
 4 manage, as agent of the United States or any of its
 5 agencies, or of this state or any of its agencies, any
 6 soil-conservation, flood-prevention, drainage, irrigation,
 7 water-management, erosion-control, or erosion-prevention
 8 project, or combination thereof, within its boundaries; to
 9 act as agent for the United States, or any of its agencies,
 10 or for this state or any of its agencies, in connection with
 11 the acquisition, construction, operation, or administration
 12 of any soil-conservation, flood-prevention, drainage,
 13 irrigation, water-management, erosion-control, or
 14 erosion-prevention projects, or combination thereof, within
 15 its boundaries; to accept donations, gifts, and
 16 contributions in money, services, materials, or otherwise,
 17 from the United States or any of its agencies, or from this
 18 state or any of its agencies, and to use or expend such
 19 moneys, services, materials, or other contributions in
 20 carrying on its operations;

21 (10) To sue and be sued in the name of the district; to
 22 have a seal, which seal shall be judicially noticed; to have
 23 perpetual succession unless terminated as hereinafter
 24 provided; to make and execute contracts and other
 25 instruments, necessary or convenient to the exercise of its

1 powers; to make, and from time to time amend and repeal,
 2 rules and regulations not consistent with this act, to carry
 3 into effect its purposes and powers;

4 (11) As a condition to the extending of any benefits
 5 under this act to, or the performance of work upon, any
 6 lands not owned or controlled by this state or any of its
 7 agencies, the supervisors may require contributions in
 8 money, services, materials, or otherwise to any operations
 9 conferring such benefits, and may require land occupiers to
 10 enter into and perform such agreements or covenants as to
 11 the permanent use of such lands as will tend to prevent or
 12 control erosion and prevent floodwater and sediment damages
 13 thereon;

14 (12) To borrow money and incur indebtedness and to
 15 issue bonds or other evidence of such indebtedness; also to
 16 refund or retire an indebtedness or lien that may exist
 17 against the district or property thereof;

18 (13) To fix and revise as necessary and collect rates,
 19 fees, tolls, rents, or other charges for the use of or for
 20 services, facilities and materials furnished or provided.
 21 Revenues from these sources may be expended in carrying out
 22 the purposes and provisions of this act;

23 (14) To cause taxes to be levied in the same manner
 24 provided for in Title 76, chapter 2, R. C. M. 1947, for the
 25 purpose of paying any obligation of the district and to

1 accomplish the purposes of this act in the manner herein
2 provided.

3 (15) To apply for and receive federal revenue sharing
4 funds in order to carry out the purposes and provisions of
5 this chapter;

6 ~~(16) To conduct surveys, investigations, and research~~
7 ~~relating to saline seep and other soil and water salinity~~
8 ~~problems, including analyses of preventive and control~~
9 ~~measures, and to publish and disseminate information~~
10 ~~concerning such surveys, investigations, and research, in~~
11 ~~order to avoid duplication of research activities, no~~
12 ~~district may initiate any research program except in~~
13 ~~cooperation with the department of state lands or any other~~
14 ~~agency of this state or the United States having similar~~
15 ~~responsibilities.~~

16 B. No provisions with respect to the acquisition,
17 operation, or disposition of property by other public bodies
18 shall be applicable to a district organized hereunder unless
19 the legislature shall specifically so state."

-End-