

SENATE BILL NO. 110

INTRODUCED BY STORY

IN THE SENATE

January 13, 1981	Introduced and referred to Committee on Agriculture, Livestock, and Irrigation.
January 21, 1981	Committee recommend bill do not pass. Report adopted.
January 22, 1981	On motion Senate reconsider its action taken on adverse committee report and print and place on second reading. Motion adopted.
January 23, 1981	Bill printed and placed on members' desks.
January 26, 1981	Second reading, pass consideration.
January 27, 1981	Second reading, do pass as amended.
January 28, 1981	Correctly engrossed.
January 29, 1981	Third reading, passed. Transmitted to House.

IN THE HOUSE

January 30, 1981	Introduced and referred to Committee on Water.
March 12, 1981	Committee recommend bill be concurred in as amended. Report adopted.
March 14, 1981	Second reading, pass consideration.
March 18, 1981	Second reading, concurred in.
March 20, 1981	Third reading, concurred in as amended. Ayes, 90; Noes, 3.

IN THE SENATE

March 21, 1981

Returned from House with amendments.

March 23, 1981

On motion, consideration be passed for the day.

March 24, 1981

Second reading, amendments concurred in.

March 26, 1981

Third reading, amendments concurred in. Ayes, 34; Noes, 12. Sent to enrolling.

Reported correctly enrolled.

1 Sen. Stouffer BILL NO. 110  
2 INTRODUCED BY \_\_\_\_\_  
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT DELETING THE  
5 REQUIREMENT THAT A DECREE OF WATER RIGHT BE CERTIFIED TO  
6 EVOKE AN EXCEPTION TO THE FILING FEE; AMENDING SECTION  
7 85-2-225, MCA."  
8

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

10 Section 1. Section 85-2-225, MCA, is amended to read:

11 "85-2-225. Filing fee. Each claim filed under 85-2-221  
12 shall be accompanied by a filing fee in the amount of \$40,  
13 subject to the following exceptions:

14 (1) the total filing fees for all claims filed by one  
15 person in any one water court division may not exceed \$480;  
16 and

17 (2) no filing fee is required accompanying a claim of  
18 an existing right that is included in a decree of a court in  
19 the state of Montana and which is accompanied by a certified  
20 copy of that decree or pertinent portion thereof ~~or verified~~  
21 ~~as otherwise ordered by the court.~~"

-End-

INTRODUCED BILL  
SB 110

LC 0063/01  
Committee  
on Agriculture Livestock  
& Irrigation Reconsider  
Adverse Committee Report

1 *Smith* BILL NO. *110*  
2 INTRODUCED BY *Stouy*  
3

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5 REQUIREMENT THAT A DECREE OF WATER RIGHT BE CERTIFIED TO  
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18 an existing right that is included in a decree of a court in  
19 the state of Montana and which is accompanied by a certified  
20 copy of that decree or pertinent portion thereof ~~or-verified~~  
21 ~~as-otherwise-ordered-by-the-court."~~

-End-

SECOND READING  
SB110

1 SENATE BILL NO. 110  
2 INTRODUCED BY STORY

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT DELETING THE  
5 REQUIREMENT THAT A DECREE OF WATER RIGHT BE CERTIFIED TO  
6 EVOKE AN EXCEPTION TO THE FILING FEE; PROVIDING FOR EVIDENCE  
7 OF DECREE OF WATER RIGHT; AND PROVIDING AN IMMEDIATE  
8 EFFECTIVE DATE; AMENDING SECTION 85-2-225, MCA."

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

11 Section 1. Section 85-2-225, MCA, is amended to read:  
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14 subject to the following exceptions:

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16 person in any one water court division may not exceed \$480;  
17 and

18 (2) no filing fee is required accompanying a claim of  
19 an existing right that is included in a decree of a court in  
20 the state of Montana and which is accompanied by a certified  
21 CERTIFIED copy of that decree or pertinent portion thereof  
22 ~~or verified as otherwise ordered by the court~~ OR VERIFIED AS  
23 OTHERWISE ORDERED BY THE COURT, UNLESS THE ORIGINAL DECREE  
24 IS LOST OR UNAVAILABLE IN WHICH CASE A COPY SHALL BE  
25 SUFFICIENT AND ADMISSIBLE AS EVIDENCE OF THE DECREE."

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

-End-

THIRD READING

1                   SENATE BILL NO. 110  
2                   INTRODUCED BY STORY  
3  
4   A BILL FOR AN ACT ENTITLED: "AN ACT DELETING THE  
5   REQUIREMENT THAT A DECREE OF WATER RIGHT BE CERTIFIED TO  
6   EVOKE AN EXCEPTION TO THE FILING FEE; ~~PROVIDING FOR EVIDENCE~~  
7   ~~OF DECREE OF WATER RIGHT; AND PROVIDING AN IMMEDIATE~~  
8   ~~EFFECTIVE DATE; AMENDING SECTION 85-2-225, MCA."~~  
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10   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
11       Section 1. Section 85-2-225, MCA, is amended to read:  
12       "85-2-225. Filing fee. Each claim filed under 85-2-221  
13   shall be accompanied by a filing fee in the amount of \$40,  
14   subject to the following exceptions:  
15       (1) the total filing fees for all claims filed by one  
16   person in any one water court division may not exceed \$480;  
17   and  
18       (2) no filing fee is required accompanying a claim of  
19   an existing right that is included in a decree of a court in  
20   the state of Montana and which is accompanied by a ~~certified~~  
21   ~~CERTIFIED~~ copy of that decree or pertinent portion thereof  
22   ~~or verified as otherwise ordered by the court OR VERIFIED AS~~  
23   ~~OTHERWISE ORDERED BY THE COURT, UNLESS THE ORIGINAL DECREE~~  
24   ~~IS LOST OR UNAVAILABLE IN WHICH CASE A COPY SHALL BE~~  
25   ~~SUFFICIENT AND ADMISSIBLE AS EVIDENCE OF THE DECREE."~~

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

-End-

SELECT COMMITTEE OF THE HOUSE  
HOUSE AMENDMENTS TO SB 110  
March 11, 1981

HOUSE AMENDMENTS TO:

Respectfully report as follows: That.....SENATE..... Bill No. 110.....

Introduced copy be amended as follows:

1. Title, lines 6 and 7.

Strike: "PROVIDING FOR EVIDENCE OF DECREE OF WATER RIGHT;"

2. Page 1, line 21.

Strike: "CERTIFIED"

3. Page 1, lines 22 through 25.

Following: "court" on line 22

Strike: line 22 through "DECREE" on line 25