

HOUSE BILL NO. 815

INTRODUCED BY FABREGA, METCALF, PAVLOVICH,  
HART, KADAS, HANSEN, SCHULTZ, LYBECK,  
NISBET, ELLISON, R. JENSEN, KITSELMAN,  
SAUNDERS, HOWE, ELLERD, BACHINI

BY REQUEST OF THE HOUSE COMMITTEE  
ON BUSINESS AND INDUSTRY

IN THE HOUSE

February 15, 1983

Introduced and referred to  
Committee on Highways and  
Transportation.

March 2, 1983

Committee recommend bill do  
pass. Report adopted.

Bill printed and placed on  
members' desks.

March 4, 1983

On motion taken from second  
reading and referred to  
Committee on Appropriations.

March 28, 1983

Committee recommend bill do  
pass as amended. Report  
adopted.

Bill printed and placed on  
members' desks.

Second reading, do pass.

Third reading, do pass.  
Transmitted to Senate.

IN THE SENATE

April 5, 1983

Introduced and referred to  
Committee on Finance and  
Claims.

April 13, 1983

Committee recommend bill be  
concurrent in as amended.  
Report adopted.

April 14, 1983

Second reading, concurrent in.

April 15, 1983

Third reading, concurrent in.  
Ayes, 37; Noes, 11.

#### IN THE HOUSE

April 16, 1983

Returned to House with  
amendments.

April 18, 1983

Second reading, amendments  
concurrent in.

Third reading, amendments  
concurrent in.

Sent to enrolling.

Reported correctly enrolled.



Rereferred and

Approved by Comm.  
on Appropriations

## HOUSE BILL NO. 815

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HART, KADAS, S. HANSEN, SCHULTZ, LYBECK,

NISBET, ELLISON, R. JENSEN, KITSELMAN,

SAUNDERS, HOWE, ELLERD, BACHINI

BY REQUEST OF THE HOUSE

COMMITTEE ON BUSINESS AND INDUSTRY

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING IDENTIFICATION OF AND PREPARATION OF A PLAN FOR ACQUISITION OF ABANDONED RAILROAD RIGHTS-OF-WAY; APPROPRIATING ~~\$70,500~~ \$10,000 FROM THE GENERAL FUND; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Authorization. The department of commerce shall:

(1) identify abandoned railroad rights-of-way in this state;

(2) study the feasibility and desirability of state acquisition of the abandoned railroad rights-of-way identified pursuant to subsection (1); and

(3) submit to the 49th legislature a plan for and the estimated cost of acquisition of those identified abandoned railroad rights-of-way for which acquisition is found to be

feasible and desirable.

Section 2. Appropriation. There is appropriated to the department of commerce ~~\$70,500~~ \$10,000 from the general fund for the biennium ending June 30, 1985, for the purposes provided in section 1.

Section 3. Effective date. This act is effective on passage and approval.

-End-

SECOND READING

-2-

HB 815

SECOND PRINTING

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INTRODUCED BY FABREGA, METCALF, PAVLOVICH,  
HART, KADAS, S. HANSEN, SCHULTZ, LYBECK,  
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BY REQUEST OF THE HOUSE

COMMITTEE ON BUSINESS AND INDUSTRY

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

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shall:

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state;

(2) study the feasibility and desirability of state  
acquisition of the abandoned railroad rights-of-way  
identified pursuant to subsection (1); and

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estimated cost of acquisition of those identified abandoned  
railroad rights-of-way for which acquisition is found to be

feasible and desirable.

Section 2. Appropriation. There is appropriated to the  
department of commerce ~~\$70,500~~ \$10,000 from the general fund  
for the biennium ending June 30, 1985, for the purposes  
provided in section 1.

Section 3. Effective date. This act is effective on  
passage and approval.

-End-

April 13, 1983

SENATE STANDING COMMITTEE REPORT  
(Finance & Claims)

That House Bill No. 815 be amended as follows:

1. Title, line 10.

Strike: "PREPARATION OF A PLAN FOR"

2. Title, line 11.

Strike: "ABANDONED"

Following: "RIGHTS-OF-WAY"

Insert: "THAT MAY BE ABANDONED"

3. Title, line 12.

Strike: "\$10,000 FROM THE GENERAL FUND"

Insert: "FUNDS"

4. Page 1, line 16.

Following: line 15

Insert: "Section 1. Purpose. Identification of those railroad lines proposed for abandonment in the State of Montana that may have potential for local transportation service is necessary to determine the feasibility of acquisition by the state and to allow the state to negotiate for acquisition of those railroad lines."

Re-number: subsequent sections

5. Page 1, line 17

Strike: "shall"

6. Page 1, line 18

Following: "(1)"

Insert: "shall"

7. Page 1, line 18

Strike: "abandoned"

8. Page 1, line 19

Following: "state"

Insert: "that may be abandoned and research the feasibility of acquisition by the state of Montana of those rights-of-way that may be abandoned"

9. Page 1, line 20

Following: "(2)"

Strike: remainder of line 20 through line 1 on page 2

Insert: "shall report periodically to the legislative finance committee, created in 5-12-201, on the progress of the duties imposed upon it pursuant to subsection (1),

(3) may negotiate for and acquire the railroad rights-of-way and attendant facilities identified pursuant to subsection (1) and hold all such acquired lands in trust for transportation purposes, and

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(4) upon creation of an appropriate local authority, other than an agency of state government, shall transfer to such local authority all attendant facilities and all rights and responsibility to operate and maintain transportation services over the lands acquired in subsection (1)."

10. Section 3. Report to Legislature. The Department of Commerce may research the feasibility and desirability of state acquisition of abandoned railroad rights-of-way and shall submit to the 49th legislature a plan for and the estimated cost of acquisition of those identified abandoned railroad rights-of-way for which acquisition is found to be feasible and desirable.

11. Page 2, line 3

Strike: "\$10,000"

Insert: "\$64,682"

12. Page 2, line 5

Strike: "1"

Insert: "2"

Re-number subsequent sections.

REFERENCE BILL

MISSING