

SENATE BILL NO. 90

Introduced: 01/10/83

Referred to Committee on Judiciary: 01/10/83

Hearing: 1/18/83

Report: 01/18/83, Do Not Pass. Report Adopted.

Bill Killed.

1 *Senate* BILL NO. *90*  
2 INTRODUCED BY *Sen. Hahn*  
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT GRANTING AUTHORITY TO  
5 THE WATER COURT TO ASSESS FEES AND PROVIDING THAT SUCH FEES  
6 BE PLACED IN THE WATER RIGHT ADJUDICATION ACCOUNT; AMENDING  
7 SECTION 85-2-241, MCA."  
8

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

10 Section 1. Section 85-2-241, MCA, is amended to read:

11 "85-2-241. Fees of water court -- Water water right  
12 adjudication account. (1) Subject to subsection (2), the  
13 water court may prescribe fees to cover the cost of services  
14 performed by the court in the general adjudication of water  
15 rights.

16 (2) All fees provided for in subsection (1) must be  
17 approved by the Montana supreme court.

18 (3) There is established a water right adjudication  
19 account in the earmarked revenue fund of the state treasury.  
20 All fees collected under this section subsection (1) and  
21 under 85-2-232 shall be deposited in the account to pay the  
22 expenses incurred by the state for administering this part,  
23 part 7, and Title 3, chapter 7."

-End-

INTRODUCED BILL

SB-90

STATE OF MONTANA

REQUEST NO. 077-83

FISCAL NOTE

Form BD-15

In compliance with a written request received January 11, 19 83, there is hereby submitted a Fiscal Note for Senate Bill 90 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

Senate Bill 90 is "an act granting authority to the water court to assess fees and to provide that such fees be placed in the water right adjudication account; and amends Section 85-2-241, MCA."

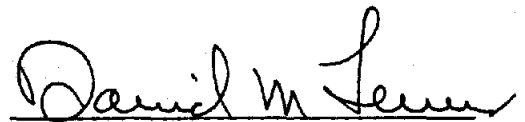
COMMENTS:

No dollar estimate can be made on the fee for Senate Bill 90. There is no historical data from which to base an estimate.

The budget request, however, for Water Courts is \$431,820 in FY 84 and \$630,298 in FY 85. The fees in this bill would have to generate these amounts if the fees were intended to cover the entire cost of the courts.

However, we have been informed that the intent of this bill is to allow the court to only levy bills for transcripts. If this is the case, the fees would be much lower.

FISCAL NOTE 3:U/1



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-15-83