

SENATE BILL NO. 277

INTRODUCED BY CONOVER, MAZUREK, LYBECK

IN THE SENATE

January 24, 1983	Introduced and referred to Committee on Natural Resources.
February 1, 1983	Committee recommend bill do pass. Report adopted.
February 2, 1983	Bill printed and placed on members' desks.
February 3, 1983	Second reading, do pass.
February 4, 1983	Correctly engrossed.
February 5, 1983	Third reading, passed. Ayes, 44; Noes, 2. Transmitted to House.

IN THE HOUSE

February 7, 1983	Introduced and referred to Committee on Agriculture, Livestock and Irrigation.
March 14, 1983	Committee recommend bill be concurred in. Report adopted.
March 18, 1983	Second reading, concurred in.
March 19, 1983	Third reading, concurred in.

IN THE SENATE

March 21, 1983

Returned to Senate. Sent  
to enrolling.

Reported correctly  
enrolled.

1 *Senate* BILL NO. *277*  
2 INTRODUCED BY *Conover Nugent Lybick*  
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION  
5 85-7-1902, MCA, TO PROVIDE THAT A BOARD OF COMMISSIONERS OF  
6 AN IRRIGATION DISTRICT MAY REFUSE DELIVERY OF WATER TO ANY  
7 PERSON WHO OWES MONEY TO THE DISTRICT."

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

10 Section 1. Section 85-7-1902, MCA, is amended to read:

11 "85-7-1902. Management of district by board. (1) The  
12 board of commissioners of every irrigation district  
13 established and organized under and by virtue of parts 1 and  
14 15 of this chapter shall constitute the corporate authority  
15 of said district.

16 (2) The board shall have the power and it shall be the  
17 duty of the members thereof to manage and conduct the  
18 business and affairs of the district; adopt a corporate seal  
19 therefor; make and execute all necessary contracts; employ  
20 and appoint such agents, officers, and employees as may be  
21 required and prescribe their duties.

22 (3) The board is hereby authorized and empowered to  
23 institute and maintain any and all actions and proceedings,  
24 suits at law or in equity, necessary or proper in order to  
25 fully carry out the provisions of this chapter, or to

1 enforce, maintain, protect, or preserve any and all rights,  
2 privileges, and immunities created by this chapter or  
3 acquired in pursuance thereof. In all courts, suits, or  
4 proceedings, the board may sue, appear, and defend in person  
5 or by attorneys and in the name of such irrigation district.

6 (4) The board may adopt rules and bylaws governing the  
7 calling and holding of meetings of the board; the manner of  
8 transacting business thereat; and the publishing or posting  
9 of the orders, resolutions, and proceedings of the board. It  
10 shall be the duty of said board to pass or adopt bylaws and  
11 rules for the apportionment and distribution of water to the  
12 lands of the district and for the protection and  
13 preservation of the works and other property of the  
14 district, and the board may therein require the prompt  
15 payment of all current and delinquent taxes and assessments  
16 delinquent--for--not--to--exceed--2--years and other financial  
17 obligations owing the district as a prerequisite to water  
18 service. The bylaws and rules shall be printed in convenient  
19 form for distribution in the district. All orders and  
20 resolutions shall be passed or adopted by a majority of the  
21 commissioners by a yea and nay vote, to be entered upon the  
22 records of the board.

23 (5) Said board shall have power generally to do and  
24 perform all such other acts as shall be necessary or  
25 appropriate to fully carry out the purposes of this

1 chapter.\*

-End-

Approved by Committee  
on Natural Resources

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2 INTRODUCED BY *Conner*  
3  
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1 *As Amended* BILL NO. *277*  
2 INTRODUCED BY *Conrad Maguire Lybeck*  
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