

SENATE BILL NO. 278

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, 38; Noes, 8. Transmitted to House.

IN THE HOUSE

February 7, 1983	Introduced and referred to Committee on Agriculture, Livestock and Irrigation.
March 17, 1983	Committee recommend bill be concurred in. Report adopted.
March 21, 1983	Second reading, concurred in.
March 22, 1983	Third reading, concurred in.

IN THE SENATE

March 23, 1983

Returned to Senate. Sent
to enrolling.

Reported correctly
enrolled.

1 *Senate* BILL NO. *278*
2 INTRODUCED BY *Conover, Moynihan, Lybick*
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
5 85-7-1904, MCA, TO INCREASE FROM \$125,000 TO \$150,000 THE
6 AMOUNT OF A PURCHASE OR RENTAL TO WHICH AN IRRIGATION
7 DISTRICT BOARD MAY BIND A DISTRICT WITHOUT CONSENT OF THE
8 LANDOWNERS."
9

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

11 Section 1. Section 85-7-1904, MCA, is amended to read:

12 "85-7-1904. Acquisition of water and waterworks by
13 board. (1) The board shall have power and authority to:

14 (a) appropriate water in the name of the district;

15 (b) acquire by purchase, lease, or contract water and
16 water rights; additional waters and supplies of water;
17 canals, reservoirs, dams, and other works already
18 constructed or in the course of construction; and

19 (c) acquire by purchase, lease, contract,
20 condemnation, or other legal means:

21 (i) lands and rights in lands for rights-of-way, for
22 reservoirs, for the storage of needful waters, and for dam
23 sites and necessary appurtenances; and

24 (ii) such other lands and property as may be necessary
25 for the construction, use, maintenance, repair, improvement,

1 enlargement, and operation of any district system of
2 irrigation works.

3 (2) The board shall have the privilege, if desired, to
4 contract with the owner or owners of such canals,
5 reservoirs, dams, and other works so purchased and in the
6 course of construction for the completion thereof.

7 (3) No purchase, lease, or contract for purchase of
8 any water, water rights, canals, reservoirs, reservoir
9 sites, dam sites, irrigation works, or other property of any
10 nature or kind or for the making or purchasing of surveys,
11 maps, plans, estimates, and specifications or for the
12 purchase of machinery for pumping plants or for the erection
13 of buildings, aqueducts, and other structures necessarily
14 used in connection with such pumping plants, for a price or
15 rental in excess of ~~\$125,000~~ \$150,000, is final or binding
16 upon the district, and no sum may be paid for such purchase,
17 lease, or contract without the written consent or petition
18 of at least a majority in number and acreage of the holders
19 of title or evidence of title to the lands within the
20 district. Any splitting or division of such purchase, lease,
21 or contract with the purpose or intention of avoiding or
22 circumventing the provisions of this section shall render
23 such divided or split contract or contracts void."

-End-

Approved by Committee
on Natural Resources

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-End-

-2- THIRD READING
SB 278

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