

HOUSE BILL NO. 779

INTRODUCED BY SCHYE, SPAETH, BENGTON, PATTERSON, MANUEL,
COMPTON, ABRAMS, MEYERS

IN THE HOUSE

FEBRUARY 16, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON AGRICULTURE, LIVESTOCK & IRRIGATION.

FEBRUARY 21, 1987 COMMITTEE RECOMMEND BILL
DO PASS. REPORT ADOPTED.

 PRINTING REPORT.

FEBRUARY 23, 1987 SECOND READING, DO PASS.

FEBRUARY 24, 1987 ENGROSSING REPORT.

 THIRD READING, PASSED.
AYES, 99; NOES, 0.

 TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 2, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON AGRICULTURE, LIVESTOCK & IRRIGATION.

MARCH 16, 1987 COMMITTEE RECOMMEND BILL BE
CONCURRED IN AS AMENDED. REPORT
ADOPTED.

MARCH 19, 1987 SECOND READING, CONCURRED IN.

MARCH 21, 1987 THIRD READING, CONCURRED IN.
AYES, 41; NOES, 0.

 RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

MARCH 25, 1987 RECEIVED FROM SENATE.

 SECOND READING, AMENDMENTS
CONCURRED IN.

MARCH 26, 1987

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

1 House BILL NO. 779
 2 INTRODUCED BY Deby
 3 Bingham Parsons Manuel Compton Spaeth
 4 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING EVIDENCE OF
 5 TITLE FOR PURPOSES OF DETERMINING A HOLDER OF TITLE TO LAND
 6 UNDER THE IRRIGATION DISTRICT LAWS; AMENDING SECTION
 7 85-7-102, MCA; AND PROVIDING AN EFFECTIVE DATE."
 8

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

10 Section 1. Section 85-7-102, MCA, is amended to read:

11 "85-7-102. Evidence of title. (1) ~~The certificate--of~~
 12 ~~the--county--clerk--and--recorder--or--the--certificate--of--the~~
 13 ~~department--of--state--lands~~ following documents shall be
 14 sufficient evidence of title for the purpose of this
 15 chapter-;

- 16 (a) the certificate of the county clerk and recorder;
- 17 (b) the certificate of the department of state lands;
- 18 (c) a recorded abstract of title;
- 19 (d) a contract for deed; or
- 20 (e) any other legal instrument of ownership to real
 21 property.

22 (2) Where lands have been purchased from the state and
 23 part or all of the purchase money has been paid but the
 24 patents or deeds from the state to such lands have not been
 25 issued, the receipt or receipts held by the purchasers or

1 the certificate of the department of state lands showing the
 2 payments on account of purchase shall be evidence of title
 3 to such lands under this chapter.

4 NEW SECTION. Section 2. Effective date. This act is
 5 effective July 1, 1987.

-End-



1 House BILL NO. 779
 2 INTRODUCED BY DeWay Spaith
 3 Boughton Parsons Manuel Compton Alvares
 4 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING EVIDENCE OF
 5 TITLE FOR PURPOSES OF DETERMINING A HOLDER OF TITLE TO LAND
 6 UNDER THE IRRIGATION DISTRICT LAWS; AMENDING SECTION
 7 85-7-102, MCA; AND PROVIDING AN EFFECTIVE DATE."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 10 Section 1. Section 85-7-102, MCA, is amended to read:

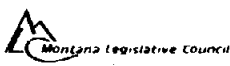
11 "85-7-102. Evidence of title. (1) ~~The certificate--of~~
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 4 NEW SECTION. Section 2. Effective date. This act is
 5 effective July 1, 1987.

-End-



- 2 -
 THIRD READING
 HB 779

1 HOUSE BILL NO. 779

2 INTRODUCED BY SCHYE, SPAETH, BENGTON, PATTERSON, MANUEL,
3 COMPTON, ABRAMS, MEYERS

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING EVIDENCE OF
6 TITLE FOR PURPOSES OF DETERMINING A HOLDER OF TITLE TO LAND
7 UNDER THE IRRIGATION DISTRICT LAWS; AMENDING SECTION
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17 (a) the certificate of the county clerk and recorder;

18 (b) the certificate of the department of state lands;

19 (c) a recorded abstract of title;

20 ~~(d) a contract for deed; or~~

21 ~~(e) any other legal instrument of ownership to real~~
22 property RECORDS OF OWNERSHIP PREPARED BY LICENSED TITLE
23 INSURANCE AGENTS.

24 (2) Where lands have been purchased from the state and
25 part or all of the purchase money has been paid but the

1 patents or deeds from the state to such lands have not been
2 issued, the receipt or receipts held by the purchasers or
3 the certificate of the department of state lands showing the
4 payments on account of purchase shall be evidence of title
5 to such lands under this chapter.

6 NEW SECTION. Section 2. Effective date. This act is
7 effective July 1, 1987.

-End-

STANDING COMMITTEE REPORT

SENATE

March 13

19 87

MR. PRESIDENT

We, your committee on AGRICULTURE, LIVESTOCK AND IRRIGATION

having had under consideration..... House Bill..... No. 779.....

~~third~~ reading copy (blue)
color

CLARIFIES EVIDENCE OF TITLE FOR PURPOSES OF THE IRRIGATION DISTRICT LAW

SCHYE (Lybeck)

Respectfully report as follows: That..... House Bill..... No. 779,.....
be amended as follows:

1. Page 1, lines 18 through 21.

Following: "(c)"

Strike: remainder of line 18 through "property" line 21

Insert: "records of ownership prepared by licensed title insurance
agents"

AND AS AMENDED
BE CONCURRED IN

~~DO NOT PASS~~

~~DO NOT PASS~~

Handwritten initials

Boylan
Senator Boylan

Chairman.

Handwritten notes
3/15/87
11:00
JES