

HOUSE BILL NO. 102

INTRODUCED BY SCHYE
BY REQUEST OF THE DEPARTMENT OF
NATURAL RESOURCES AND CONSERVATION

IN THE HOUSE

JANUARY 5, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON NATURAL RESOURCES.
	FIRST READING.
JANUARY 21, 1993	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
JANUARY 22, 1993	PRINTING REPORT.
JANUARY 23, 1993	SECOND READING, DO PASS.
JANUARY 25, 1993	ENGROSSING REPORT.
JANUARY 26, 1993	THIRD READING, PASSED. AYES, 96; NOES, 0.
	TRANSMITTED TO SENATE.

IN THE SENATE

JANUARY 28, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.
	FIRST READING.
JANUARY 29, 1993	ON MOTION, REREFERRED TO COMMITTEE ON NATURAL RESOURCES.
MARCH 24, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 25, 1993	SECOND READING, CONCURRED IN.
MARCH 26, 1993	THIRD READING, CONCURRED IN. AYES, 44; NOES, 2.
	RETURNED TO HOUSE.

IN THE HOUSE

MARCH 27, 1993	RECEIVED FROM SENATE.
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SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

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2 INTRODUCED BY Selja
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6 A BILL FOR AN ACT ENTITLED: "AN ACT EXTENDING THE TIME FOR
7 THE BOARD OF NATURAL RESOURCES AND CONSERVATION TO ACT ON
8 APPLICATIONS FOR RESERVATIONS OF WATER IN THE MISSOURI RIVER
9 BASIN BELOW FORT PECK DAM AND IN THE LITTLE MISSOURI RIVER
10 BASIN; AMENDING SECTION 85-2-331, MCA; AND PROVIDING AN
11 IMMEDIATE EFFECTIVE DATE."
12

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

14 **Section 1.** Section 85-2-331, MCA, is amended to read:

15 "85-2-331. Reservations within Missouri River basin and
16 Little Missouri River basin. (1) The state or any an agency
17 or political subdivision thereof of the state or the United
18 States or any an agency thereof of the United States that
19 desires to apply for a reservation of water in the Missouri
20 River basin or in the Little Missouri River basin shall file
21 an application pursuant to 85-2-316 no later than:

22 (a) July 1, 1989, for reservation of water above Fort
23 Peck dam; or

24 (b) July 1, 1991, for reservation of water below Fort
25 Peck dam and in the Little Missouri River basin.

1 (2) Subject to legislative appropriation, the
2 department shall provide technical and financial assistance
3 to other state agencies and political subdivisions in
4 applying for reservations within the Missouri River basin
5 and the Little Missouri River basin.

6 (3) (a) Before July 1, 1992, the board shall make a
7 final determination in accordance with 85-2-316 on all
8 applications filed before July 1, 1989, for reservations of
9 water in the Missouri River basin above Fort Peck dam.

10 (b) Before December 31, 1993 1994, the board shall make
11 a final determination in accordance with 85-2-316 on all
12 applications filed before July 1, 1991, for reservations of
13 water in the Missouri River basin below Fort Peck dam and in
14 the Little Missouri River basin.

15 (c) The board shall determine which applications or
16 portions of applications are considered to be above or below
17 Fort Peck dam.

18 (4) Water reservations approved by the board under this
19 section have a priority date of July 1, 1985, in the
20 Missouri River basin and a priority date of July 1, 1989, in
21 the Little Missouri River basin. If the department issues a
22 permit under Title 85, chapter 2, part 3, prior to the
23 granting of a reservation under this section, the board may
24 subordinate the reservation to the permit if it finds that
25 the subordination does not interfere substantially with the

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1 purpose of any reservation. The board shall by order
2 establish the relative priority of applications approved
3 under this section."

4 NEW SECTION. **Section 2.** Effective date. [This act] is
5 effective on passage and approval.

-End-

APPROVED BY COMM. ON
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