

HOUSE BILL NO. 125

INTRODUCED BY VOGEL, SWIFT, CLARK, MOLNAR

IN THE HOUSE

|                  |   |
|------------------|---|
| JANUARY 8, 1993  | INTRODUCED AND REFERRED TO COMMITTEE<br>ON FISH & GAME. |
|                  | FIRST READING.  |
| JANUARY 21, 1993 | COMMITTEE RECOMMEND BILL<br>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.<br>AYES, 93; NOES, 2.            |
|                  | TRANSMITTED TO SENATE.                                  |

IN THE SENATE

|                  |  |
|------------------|--|
| JANUARY 28, 1993 | INTRODUCED AND REFERRED TO COMMITTEE<br>ON FISH & GAME.      |
|                  | FIRST READING.   |
| MARCH 3, 1993    | COMMITTEE RECOMMEND BILL BE<br>CONCURRED IN. REPORT ADOPTED. |
| MARCH 4, 1993    | SECOND READING, CONCURRED IN.                                |
| MARCH 5, 1993    | THIRD READING, CONCURRED IN.<br>AYES, 48; NOES, 0.           |
|                  | RETURNED TO HOUSE.   |

IN THE HOUSE

|               |                              |
|---------------|------------------------------|
| MARCH 6, 1993 | RECEIVED FROM SENATE.        |
|               | SENT TO ENROLLING.           |
|               | REPORTED CORRECTLY ENROLLED. |

1 *House* BILL NO. *125*  
2 INTRODUCED BY *Randy Vogel*  
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A PRIVATE  
5 EASEMENT FOR A FIREARMS SHOOTING RANGE SAFETY ZONE; AND  
6 AMENDING SECTION 70-17-101, MCA."

7  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 **Section 1.** Section 70-17-101, MCA, is amended to read:

10 "70-17-101. Servitudes attached to land. The following  
11 land burdens or servitudes upon land may be attached to  
12 other land as incidents or appurtenances and are then called  
13 easements:

- 14 (1) the right of pasture;  
15 (2) the right of fishing;  
16 (3) the right of taking game;  
17 (4) the right-of-way;  
18 (5) the right of taking water, wood, minerals, and  
19 other things;  
20 (6) the right of transacting business upon land;  
21 (7) the right of conducting lawful sports upon land;  
22 (8) the right of receiving air, light, or heat from or  
23 over or discharging the same upon or over land;  
24 (9) the right of receiving water from or discharging  
25 the same upon land;

- 1 (10) the right of flooding land;  
2 (11) the right of having water flow without diminution  
3 or disturbance of any kind;  
4 (12) the right of using a wall as a party wall;  
5 (13) the right of receiving more than natural support  
6 from adjacent land or things affixed thereto;  
7 (14) the right of having the whole of a division fence  
8 maintained by a coterminous owner;  
9 (15) the right of having public conveyances stopped or  
10 of stopping the same on land;  
11 (16) the right of a seat in church;  
12 (17) the right of burial;  
13 (18) the right of conserving open space to preserve  
14 park, recreational, historic, aesthetic, cultural, and  
15 natural values on or related to land;  
16 (19) the right of receiving sunlight or wind for  
17 recognized nonfossil forms of energy generation; and  
18 (20) the right of using land adjacent to a firearms  
19 shooting range as a range safety zone."

-End-

APPROVED BY COMM.  
ON FISH AND GAME

1 *House* BILL NO. *125*  
2 INTRODUCED BY *Randy Vogel Swift Creek Mill*  
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A PRIVATE  
5 EASEMENT FOR A FIREARMS SHOOTING RANGE SAFETY ZONE; AND  
6 AMENDING SECTION 70-17-101, MCA."

7  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 **Section 1.** Section 70-17-101, MCA, is amended to read:

10 "70-17-101. Servitudes attached to land. The following  
11 land burdens or servitudes upon land may be attached to  
12 other land as incidents or appurtenances and are then called  
13 easements:

- 14 (1) the right of pasture;  
15 (2) the right of fishing;  
16 (3) the right of taking game;  
17 (4) the right-of-way;  
18 (5) the right of taking water, wood, minerals, and  
19 other things;  
20 (6) the right of transacting business upon land;  
21 (7) the right of conducting lawful sports upon land;  
22 (8) the right of receiving air, light, or heat from or  
23 over or discharging the same upon or over land;  
24 (9) the right of receiving water from or discharging  
25 the same upon land;

- 1 (10) the right of flooding land;  
2 (11) the right of having water flow without diminution  
3 or disturbance of any kind;  
4 (12) the right of using a wall as a party wall;  
5 (13) the right of receiving more than natural support  
6 from adjacent land or things affixed thereto;  
7 (14) the right of having the whole of a division fence  
8 maintained by a coterminous owner;  
9 (15) the right of having public conveyances stopped or  
10 of stopping the same on land;  
11 (16) the right of a seat in church;  
12 (17) the right of burial;  
13 (18) the right of conserving open space to preserve  
14 park, recreational, historic, aesthetic, cultural, and  
15 natural values on or related to land;  
16 (19) the right of receiving sunlight or wind for  
17 recognized nonfossil forms of energy generation; and  
18 (20) the right of using land adjacent to a firearms  
19 shooting range as a range safety zone."

-End-

1 *House* BILL NO. *125*  
 2 INTRODUCED BY *Randy Boyd Swift Clerk McClellan*  
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A PRIVATE  
 5 EASEMENT FOR A FIREARMS SHOOTING RANGE SAFETY ZONE; AND  
 6 AMENDING SECTION 70-17-101, MCA."

7  
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 **Section 1.** Section 70-17-101, MCA, is amended to read:

10 "70-17-101. Servitudes attached to land. The following  
 11 land burdens or servitudes upon land may be attached to  
 12 other land as incidents or appurtenances and are then called  
 13 easements:

- 14 (1) the right of pasture;
- 15 (2) the right of fishing;
- 16 (3) the right of taking game;
- 17 (4) the right-of-way;
- 18 (5) the right of taking water, wood, minerals, and  
 19 other things;
- 20 (6) the right of transacting business upon land;
- 21 (7) the right of conducting lawful sports upon land;
- 22 (8) the right of receiving air, light, or heat from or  
 23 over or discharging the same upon or over land;
- 24 (9) the right of receiving water from or discharging  
 25 the same upon land;

- 1 (10) the right of flooding land;
- 2 (11) the right of having water flow without diminution  
 3 or disturbance of any kind;
- 4 (12) the right of using a wall as a party wall;
- 5 (13) the right of receiving more than natural support  
 6 from adjacent land or things affixed thereto;
- 7 (14) the right of having the whole of a division fence  
 8 maintained by a coterminous owner;
- 9 (15) the right of having public conveyances stopped or  
 10 of stopping the same on land;
- 11 (16) the right of a seat in church;
- 12 (17) the right of burial;
- 13 (18) the right of conserving open space to preserve  
 14 park, recreational, historic, aesthetic, cultural, and  
 15 natural values on or related to land;
- 16 (19) the right of receiving sunlight or wind for  
 17 recognized nonfossil forms of energy generation; and
- 18 (20) the right of using land adjacent to a firearms  
 19 shooting range as a range safety zone."

-End-

## 1 HOUSE BILL NO. 125

2 INTRODUCED BY VOGEL, SWIFT, CLARK, MOLNAR

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A PRIVATE  
5 EASEMENT FOR A FIREARMS SHOOTING RANGE SAFETY ZONE; AND  
6 AMENDING SECTION 70-17-101, MCA."

7  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 70-17-101, MCA, is amended to read:

10 "70-17-101. Servitudes attached to land. The following  
11 land burdens or servitudes upon land may be attached to  
12 other land as incidents or appurtenances and are then called  
13 easements:

- 14 (1) the right of pasture;  
15 (2) the right of fishing;  
16 (3) the right of taking game;  
17 (4) the right-of-way;  
18 (5) the right of taking water, wood, minerals, and  
19 other things;  
20 (6) the right of transacting business upon land;  
21 (7) the right of conducting lawful sports upon land;  
22 (8) the right of receiving air, light, or heat from or  
23 over or discharging the same upon or over land;  
24 (9) the right of receiving water from or discharging  
25 the same upon land;

- 1 (10) the right of flooding land;  
2 (11) the right of having water flow without diminution  
3 or disturbance of any kind;  
4 (12) the right of using a wall as a party wall;  
5 (13) the right of receiving more than natural support  
6 from adjacent land or things affixed thereto;  
7 (14) the right of having the whole of a division fence  
8 maintained by a coterminous owner;  
9 (15) the right of having public conveyances stopped or  
10 of stopping the same on land;  
11 (16) the right of a seat in church;  
12 (17) the right of burial;  
13 (18) the right of conserving open space to preserve  
14 park, recreational, historic, aesthetic, cultural, and  
15 natural values on or related to land;  
16 (19) the right of receiving sunlight or wind for  
17 recognized nonfossil forms of energy generation; and  
18 (20) the right of using land adjacent to a firearms  
19 shooting range as a range safety zone."

-End-