## HOUSE BILL NO. 125

## INTRODUCED BY VOGEL, SWIFT, CLARK, MOLNAR

## IN THE HOUSE

**JANUARY 8, 1993** 

INTRODUCED AND REFERRED TO COMMITTEE ON FISH & GAME.

FIRST READING.

PRINTING REPORT.

ENGROSSING REPORT.

- JANUARY 21, 1993
- JANUARY 22, 1993
- JANUARY 23, 1993
- JANUARY 25, 1993
- JANUARY 26, 1993

THIRD READING, PASSED. AYES, 93; NOES, 2.

COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.

SECOND READING, DO PASS.

TRANSMITTED TO SENATE.

IN THE SENATE

JANUARY 28, 1993

ON FISH & GAME.

INTRODUCED AND REFERRED TO COMMITTEE

FIRST READING.

MARCH 3, 1993 COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.

SECOND READING, CONCURRED IN.

THIRD READING, CONCURRED IN. AYES, 48; NOES, 0.

RETURNED TO HOUSE.

IN THE HOUSE

MARCH 6, 1993

MARCH 4, 1993

MARCH 5, 1993

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

LC 0960/01

HO 125 INTRODUCED BILL

1	there BILL NO 125				
2	INTRODUCED BY Ranky Vog & Swift and Mary				
	INTRODUCED DI MANY VITE ACCEPT COMPANY				
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	<b>70-17-101. Servitudes attached to land.</b> 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;				

(10) the right of flooding land;

2 (11) the right of having water flow without diminution

3 or disturbance of any kind;

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4

5

(12) the right of using a wall as a party wall;

(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-

-2-

ana Legislative Council

APPROVED BY COMM. ON FISH AND GAME

1	House BILL NO. 125
2	INTRODUCED BY Carly Jogal Swift Count Maching
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."
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8	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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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	<pre>(4) the right-of-way;</pre>
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-

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40125 SECOND READING

53rd Legislature

LC 0960/01

	,		
1	House BILL NO. 125	1	(10) the right of flooding land;
2	INTRODUCED BY Range Jogal Swift Comp Machine	2	(11) the right of having water flow without diminution
3		3	or disturbance of any kind;
4	A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A PRIVATE	4	(12) the right of using a wall as a party wall;
5	EASEMENT FOR A FIREARMS SHOOTING RANGE SAFETY ZONE; AND	5	(13) the right of receiving more than natural support
6	AMENDING SECTION 70-17-101, MCA."	6	from adjacent land or things affixed thereto;
7		7	(14) the right of having the whole of a division fence
8	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	8	maintained by a coterminous owner;
9	Section 1. Section 70-17-101, MCA, is amended to read:	9	(15) the right of having public conveyances stopped or
10	"70-17-101. Servitudes attached to land. The following	10	of stopping the same on land;
11	land burdens or servitudes upon land may be attached to	11	(16) the right of a seat in church;
12	other land as incidents or appurtenances and are then called	12	(17) the right of burial;
13	easements:	. 13	(18) the right of conserving open space to preserve
14	(1) the right of pasture;	14	park, recreational, historic, aesthetic, cultural, and
15	(2) the right of fishing;	15	natural values on or related to land;
16	(3) the right of taking game;	16	(19) the right of receiving sunlight or wind for
17	(4) the right-of-way;	17	recognized nonfossil forms of energy generation; and
18	(5) the right of taking water, wood, minerals, and	18	(20) the right of using land adjacent to a firearms
19	other things;	19	shooting range as a range safety zone."
20	(6) the right of transacting business upon land;		-End-
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 discharging25 the same upon land;

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THIRD READING

HO 125

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НВ 0125/02

1	HOUSE BILL NO. 125	1	(10) the right of flooding land:
2	INTRODUCED BY VOGEL, SWIFT, CLARK, MOLNAR	2	
	INTRODUCED DI VOGEL, SWIFI, CLARK, BOLNAR		(11) the right of having water flow without diminution
3		3	or disturbance of any kind;
4	A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A PRIVATE	· <b>4</b>	(12) the right of using a wall as a party wall;
5	EASEMENT FOR A FIREARMS SHOOTING RANGE SAFETY ZONE; AND	5	(13) the right of receiving more than natural support
6	AMENDING SECTION 70-17-101, MCA."	6	from adjacent land or things affixed thereto;
7		7	(14) the right of having the whole of a division fence
8	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	8	maintained by a coterminous owner;
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10	"70-17-101. Servitudes attached to land. The following	10	of stopping the same on land;
11	land burdens or servitudes upon land may be attached to	11	(16) the right of a seat in church;
12	other land as incidents or appurtenances and are then called	12	(17) the right of burial;
13	easements:	13	(18) the right of conserving open space to preserve
14	(1) the right of pasture;	14	park, recreational, historic, aesthetic, cultural, and
15	(2) the right of fishing;	15	natural values on or related to land;
16	(3) the right of taking game;	16	(19) the right of receiving sunlight or wind for
17	<pre>(4) the right-of-way;</pre>	17	recognized nonfossil forms of energy generation; and
18	(5) the right of taking water, wood, minerals, and	18	(20) the right of using land adjacent to a firearms
19	other things;	19	shooting range as a range safety zone."
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REFERENCE BILL.