

SENATE BILL NO. 259

INTRODUCED BY HARP
BY REQUEST OF THE SENATE JUDICIARY COMMITTEE

IN THE SENATE

JANUARY 26, 1993 INTRODUCED AND REFERRED TO COMMITTEE
ON JUDICIARY.

FIRST READING.

FEBRUARY 10, 1993 COMMITTEE RECOMMEND BILL
DO PASS. REPORT ADOPTED.

PRINTING REPORT.

FEBRUARY 11, 1993 SECOND READING, DO PASS.

FEBRUARY 12, 1993 ENGROSSING REPORT.

THIRD READING, PASSED.
AYES, 39; NOES, 11.

TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 23, 1993 INTRODUCED AND REFERRED TO COMMITTEE
ON AGRICULTURE, LIVESTOCK, & IRRIGATION.

FIRST READING.

MARCH 5, 1993 COMMITTEE RECOMMEND BILL BE
CONCURRED IN. REPORT ADOPTED.

MARCH 9, 1993 SECOND READING, CONCURRED IN.

MARCH 11, 1993 THIRD READING, CONCURRED IN.
AYES, 87; NOES, 11.

MARCH 12, 1993 RETURNED TO SENATE.

IN THE SENATE

MARCH 13, 1993 RECEIVED FROM HOUSE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

Senate BILL NO. 259

INTRODUCED BY HERP
BY REQUEST OF THE SENATE JUDICIARY COMMITTEE

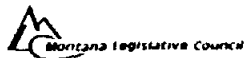
A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT AN AGRICULTURAL PROPERTY OWNER WHO PETITIONS FOR THE RELOCATION OF AN OVERHEAD UTILITY LINE SHALL PAY THE FULL COST OF RELOCATING THE LINE; AND AMENDING SECTION 69-4-404, MCA."

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

Section 1. Section 69-4-404, MCA, is amended to read:

"69-4-404. Costs of relocation. The costs of relocating an overhead utility line as ordered under 69-4-403 shall must be paid ~~50% by the utility and 50% by the owner of the land. However, if the person petitioning for the order fails for any reason to install the agricultural improvement within 2 years following the date relocation is completed, he must reimburse the owner of the line the full cost of relocation, and the court has continuing jurisdiction over the parties for the purpose of ordering such reimbursement.~~"

-End-



SB 259
INTRODUCED BILL

APPROVED BY COMMITTEE
ON JUDICIARY*Senate* BILL NO. *259*INTRODUCED BY *Harry*
BY REQUEST OF THE SENATE JUDICIARY COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT AN AGRICULTURAL PROPERTY OWNER WHO PETITIONS FOR THE RELOCATION OF AN OVERHEAD UTILITY LINE SHALL PAY THE FULL COST OF RELOCATING THE LINE; AND AMENDING SECTION 69-4-404, MCA."

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

Section 1. Section 69-4-404, MCA, is amended to read:

"69-4-404. Costs of relocation. The costs of relocating an overhead utility line as ordered under 69-4-403 shall must be paid 50% by the utility and 50% by the owner of the land. However, if the person petitioning for the order fails for any reason to install the agricultural improvement within 2 years following the date relocation is completed, he must reimburse the owner of the line the full cost of relocation, and the court has continuing jurisdiction over the parties for the purpose of ordering such reimbursement."

-End-

*SB 259*

SECOND READING

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Senate BILL NO. 259

INTRODUCED BY H.R.P.
BY REQUEST OF THE SENATE JUDICIARY COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT AN AGRICULTURAL PROPERTY OWNER WHO PETITIONS FOR THE RELOCATION OF AN OVERHEAD UTILITY LINE SHALL PAY THE FULL COST OF RELOCATING THE LINE; AND AMENDING SECTION 69-4-404, MCA."

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

Section 1. Section 69-4-404, MCA, is amended to read:

"69-4-404. Costs of relocation. The costs of relocating an overhead utility line as ordered under 69-4-403 shall must be paid 50% by the utility and 50% by the owner of the land. However, ~~if the person petitioning for the order fails for any reason to install the agricultural improvement within 2 years following the date relocation is completed, he must reimburse the owner of the line the full cost of relocation, and the court has continuing jurisdiction over the parties for the purpose of ordering such reimbursement.~~"

-End-

1 SENATE BILL NO. 259

2 INTRODUCED BY HARP

3 BY REQUEST OF THE SENATE JUDICIARY COMMITTEE

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5 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT AN
6 AGRICULTURAL PROPERTY OWNER WHO PETITIONS FOR THE RELOCATION
7 OF AN OVERHEAD UTILITY LINE SHALL PAY THE FULL COST OF
8 RELOCATING THE LINE; AND AMENDING SECTION 69-4-404, MCA."

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

11 **Section 1.** Section 69-4-404, MCA, is amended to read:

12 "69-4-404. Costs of relocation. The costs of relocating
13 an overhead utility line as ordered under 69-4-403 shall
14 must be paid 50% by the utility and 50% by the owner of the
15 land. However, if the person petitioning for the order fails
16 for any reason to install the agricultural improvement
17 within 2 years following the date relocation is completed,
18 he must reimburse the owner of the line the full cost of
19 relocation, and the court has continuing jurisdiction over
20 the parties for the purpose of ordering such reimbursement."

-End-