

HOUSE BILL NO. 220

INTRODUCED BY W. SALES

A BILL FOR AN ACT ENTITLED: "AN ACT EXTENDING THE TIME PERIOD IN WHICH IT IS REALISTIC AND FEASIBLE FOR THE WATER COURT TO ISSUE A PRELIMINARY OR TEMPORARY PRELIMINARY DECREE; AND AMENDING SECTION 85-2-270, MCA."

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

Section 1. Section 85-2-270, MCA, is amended to read:

"85-2-270. (Temporary) Findings -- purpose. (1) The purpose of 85-2-271, 85-2-280 through 85-2-282, and this section is to:

(a) complete claims examination and the initial decree phase;

(b) reexamine claims in basins that were verified and were not subject to the supreme court examination rules when the water court has received a petition and issued an order pursuant to 85-2-282 or the water court has issued an order on its own initiative; and

(c) ensure that the product of the adjudication is enforceable decrees.

(2) With adequate funding, it is realistic and feasible for the department to complete claims examination and reexamination of verified basins for which the water court has received a petition and issued an order pursuant to 85-2-282 or the water court has issued an order on its own initiative by June 30, 2015. It is also realistic and feasible for the water court to issue a preliminary or temporary preliminary decree by ~~June 30, 2020~~ June 30, 2024, for all basins in Montana. (Terminates June 30, 2028--secs. 10, 11, Ch. 269, L. 2015.)"

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