SENATE BILL NO. 108

INTRODUCED BY BENGTSON, KASTEN, BENEDICT, PINSONEAULT, J. DEBRUYCKER, FOSTER, SCHYE

IN THE SENATE

IN THE SENATE
INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.
FIRST READING.
COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
PRINTING REPORT.
SECOND READING, DO PASS.
ENGROSSING REPORT.
THIRD READING, PASSED. AYES, 49; NOES, 0.
TRANSMITTED TO HOUSE.
IN THE HOUSE
INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.
FIRST READING.
COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.
POSTED ON CONSENT CALENDAR.
CONSENT CALENDAR, QUESTIONS AND ANSWERS.
THIRD READING, CONCURRED IN. AYES, 99; NOES, 0.
RETURNED TO SENATE WITH AMENDMENTS.
IN THE SENATE

RECEIVED FROM HOUSE.

•

SECOND READING, AMENDMENTS

MARCH 16, 1991

CONCURRED IN.

MARCH 18, 1991

THIRD READING, AMENDMENTS CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

24

25

to vote.

1		Senate BILL NO. 108
2	1	INTRODUCED BY Dengton Sent Bangont
3		in quesel Sentitrupher take Sense
4		A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE PROCEDURES
5		FOR ELECTING IRRIGATION DISTRICT TRUSTEES; ALLOWING
6		NOMINATIONS TO BE MADE FROM THE FLOOR AT THE ANNUAL MEETING;
7		REQUIRING ELECTION BY ACCLAMATION WHEN THERE IS ONLY ONE
8		NOMINEE FOR A POSITION; AND AMENDING SECTION 85-7-1702,
9		MCA."
0		
1		BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
2		Section 1. Section 85-7-1702, MCA, is amended to read:
3		"85-7-1702. Regular election term of office. (1) The
4		regular election for commissioners in each district must be
5		held annually in accordance with 13-1-104 and 13-1-401.
6		(1) (2) Candidates for the office of commissioner may be
7		nominated by petition filed with the election administrator
8		or deputy election administrator at least 75 days before the
9		election and signed by at least five electors of the
0		district. If no nominations are made, the following
1		procedures must be followed:
2		(a) For elections held in accordance with 13-1-401(1),
3		the electors of the district shall write on the hallots the

name or-names of the person or persons for whom they desire

L	(b) For elections held in accordance with 13-1-401(2).
2	the electors of the district may either accept nominations
3	from the floor or write on the ballots the name of the
ı	person or persons for whom they desire to vote.
5	(2)Theregularelectionforcommissionersin-each
5	district-shall-be-held-annually-in-accordance-with13-1-10-
7	and-13-1-401-
3	(3) If there is only one nominee for each ballot
•	position, the nominee must be declared elected by
)	acclamation and ballots may not be cast. The action must be
L	taken in accordance with 13-1-304.
2	au au au au au au Within 40 days following their election $ au$ the
3	commissioners shall meet and organize as a board by electing
4	a president from their number and a secretary, who may o
5	may not be a commissioner, and who shall each hold office
5	during at the pleasure of the board. The term of office o
7	each commissioner shall-begin begins on the date of th
8	organizational meeting after the regular election and shal
9	continue continues for 3 years and until the election an
0	qualification of his successor.
1	(4)(5) Commissioners are elected by the electors of th
2	entire district."

-End-

1

APPROVED BY COMM. ON LOCAL GOVERNMENT

2	INTRODUCED BY BENGTSON, KASTEN, BENEDICT,
3	PINSONEAULT, J. DEBRUYCKER, FOSTER, SCHYE
4	•
5	A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE PROCEDURES
6	FOR ELECTING IRRIGATION DISTRICT TRUSTEES; ALLOWING
7	NOMINATIONS TO BE MADE FROM THE FLOOR AT THE ANNUAL MEETING;
8	REQUIRING ELECTION BY ACCLAMATION WHEN THERE IS ONLY ONE
9	NOMINEE FOR A POSITION; AND AMENDING SECTION 85-7-1702,
10	MCA."
11	
12	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
13	Section 1. Section 85-7-1702, MCA, is amended to read:
14	*85-7-1702. Regular election term of office. (1) The
15	regular election for commissioners in each district must be
16	held annually in accordance with 13-1-104 and 13-1-401.
17	(1)(2) Candidates for the office of commissioner may be
18	nominated by petition filed with the election administrator
19	or deputy election administrator at least 75 days before the
20	election and signed by at least five electors of the
21	district. If no nominations are made, the following
22	procedures must be followed:
23	(a) For elections held in accordance with 13-1-401(1),
24	the electors of the district shall write on the ballots the
25	name or-names of the person or persons for whom they desire

SENATE BILL NO. 108

1	to vote.
2	(b) For elections held in accordance with 13-1-401(2),
3	the electors of the district may either accept nominations
4	from the floor or write on the ballots the name of the
5	person or persons for whom they desire to vote.
6	(2)Theregularelectionforcommissionersin-each
7	district-shall-be-held-annually-in-accordance-with13-1-104
8	and-13-1-401-
9	(3) If there is only one nominee for each ballot
10	position, the nominee must be declared elected by
11	acclamation and-ballots-may-not-be-cast. The action must be
12	taken in accordance with 13-1-304.
13	$\{3\}(4)$ Within 40 days following their election, the
14	commissioners shall meet and organize as a board by electing
15	a president from their number and a secretary, who may or
16	may not be a commissioner, and who shall each hold office
17	during at the pleasure of the board. The term of office of
18	each commissioner shall-begin begins on the date of the
19	organizational meeting after the regular election and shalf
70	setting continues for 2 years and until the election and

entire district."

of the district may either accept nominations or or write on the ballots the name of the sons for whom they desire to vote. -requiar--election--for--commissioners--in-each th-be-held-annually-in-accordance-with--13-1-104 there is only one nominee for each ballot he nominee must be declared elected by and-ballots-may-not-be-east. The action must be ordance with 13-1-304. Within 40 days following their election, the s shall meet and organize as a board by electing from their number and a secretary, who may or commissioner, and who shall each hold office the pleasure of the board. The term of office of ioner shall-begin begins on the date of the al meeting after the regular election and shall continue continues for 3 years and until the election and 21 qualification of his successor. 22 (4)(5) Commissioners are elected by the electors of the

-End-

SECOND READING

1

2	INTRODUCED BY BENGTSON, KASTEN, BENEDICT,
3	PINSONEAULT, J. DEBRUYCKER, FOSTER, SCHYE
4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE PROCEDURES
6	FOR ELECTING IRRIGATION DISTRICT TRUSTEES; ALLOWING
7	NOMINATIONS TO BE MADE FROM THE FLOOR AT THE ANNUAL MEETING;
8	REQUIRING ELECTION BY ACCLAMATION WHEN THERE IS ONLY ONE
9	NOMINEE FOR A POSITION; AND AMENDING SECTION 85-7-1702,
10	MCA."
11	
12	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
13	Section 1. Section 85-7-1702, MCA, is amended to read:
14	"85-7-1702. Regular election term of office. (1) The
15	regular election for commissioners in each district must be
16	held annually in accordance with 13-1-104 and 13-1-401.
17	(1)(2) Candidates for the office of commissioner may be
18	nominated by petition filed with the election administrator
19	or deputy election administrator at least 75 days before the
20	election and signed by at least five electors of the
21	district. If no nominations are made, the following
22	procedures must be followed:
23	(a) For elections held in accordance with 13-1-401(1),
24	the electors of the district shall write on the ballots the
25	name ex-memor of the person or persons for whom they desire

SENATE BILL NO. 108

1	to vote.
2	(p)
3	the ele
4	from the
5	person o
6	(2) -
7	district
8	and-13-1
9	(3)
10	position
11	acclamat
12	taken ir
13	(3)
14	commissi
15	a presi
16	may not
17	during
18	each cor

electors of the district may either accept nominations om the floor or write on the ballots the name of the son or persons for whom they desire to vote. (2)--The--regular--election--for--commissioners--in-each trict-shall-be-held-annually-in-accordance-with--13-1-104 I-13-1-401. (3) If there is only one nominee for each ballot ition, the nominee must be declared elected by clamation and-ballots-may-not-be-cast. The action must be en in accordance with 13-1-304. (3)(4) Within 40 days following their election, the mmissioners shall meet and organize as a board by electing president from their number and a secretary, who may or y not be a commissioner, and who shall each hold office ring at the pleasure of the board. The term of office of ch commissioner shall-begin begins on the date of the 19 organizational meeting after the regular election and shall continue continues for 3 years and until the election and 20 21 qualification of his successor. 22 (4)(5) Commissioners are elected by the electors of the entire district."

(b) For elections held in accordance with 13-1-401(2),

-End-

THIRD READING

HOUSE STANDING COMMITTEE REPORT

March 8, 1991 Page 1 of 1

Mr. Speaker: We, the committee on Local Government report that Senate Bill 108 (third reading copy -- blue) be concurred in as amended and be placed on consent calendar

Signed:

Carried by: Rep. Kasten

And, that such amendments read:

1. Title, line 8. Strike: "REQUIRING" Insert: "PERMITTING"

2. Page 2, line 9. Strike: "each"
Insert: "a"

3. Page 2, line 10.

Strike: "must"
Insert: "may"

4. Page 2, lines 11 and 12.

Strike: ". The action must be taken" Insert: "or"

HOUSE

5B 108

1	SENATE BILL NO. 108	1	to vote.
2	INTRODUCED BY BENGTSON, KASTEN, BENEDICT,	2	(b) For elections held in accordance with 13-1-401(2),
3	PINSONEAULT, J. DEBRUYCKER, FOSTER, SCHYE	3	the electors of the district may either accept nominations
4		4	from the floor or write on the ballots the name of the
5	A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE PROCEDURES	5	person or persons for whom they desire to vote.
6	FOR ELECTING IRRIGATION DISTRICT TRUSTEES; ALLOWING	6	(2)Theregularelectionforcommissionersin-each
7	NOMINATIONS TO BE MADE FROM THE FLOOR AT THE ANNUAL MEETING;	7	district-shall-be-held-annually-in-accordance-with13-1-104
8	REQUIRING PERMITTING ELECTION BY ACCLAMATION WHEN THERE IS	8	and-13-1-401:
9	ONLY ONE NOMINEE FOR A POSITION; AND AMENDING SECTION	9	(3) If there is only one nominee for each A ballot
10	85-7-1702, MCA."	10	position, the nominee must MAY be declared elected by
11		11	acclamation and-bailots-may-not-be-castThe-action-must-be
12	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	12	taken OR in accordance with 13-1-304.
13	Section 1. Section 85-7-1702, MCA, is amended to read:	13	(3)(4) Within 40 days following their election, the
14	"85-7-1702. Regular election term of office. (1) The	14	commissioners shall meet and organize as a board by electing
15	regular election for commissioners in each district must be	15	a president from their number and a secretary, who may or
16	held annually in accordance with 13-1-104 and 13-1-401.	16	may not be a commissioner, and who shall each hold office
17	(\pm) (2) Candidates for the office of commissioner may be	17	during at the pleasure of the board. The term of office of
18	nominated by petition filed with the election administrator	18	each commissioner shall-begin begins on the date of the
19	or deputy election administrator at least 75 days before the	19	organizational meeting after the regular election and shall
20	election and signed by at least five electors of the	20	continue continues for 3 years and until the election and
21	district. If no nominations are made, the following	21	qualification of his successor.
22	procedures must be followed:	22	(4)(5) Commissioners are elected by the electors of the
23	(a) For elections held in accordance with 13-1-401(1),	23	entire district."
24	the electors of the district shall write on the ballots the		-End-
25	name or-names of the person or persons for whom they desire		

REFERENCE BILL

-2-

CONSENT CALENDAR