

1 H BILL NO. 186
2 INTRODUCED BY Epistonia

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CHANGE THE
5 REQUIREMENT FOR PETITIONERS FOR A COUNTY BOND ELECTION FROM
6 20% to 25%, TO PLACE TIME LIMITS ON THE HOLDING OF SUCH A
7 BOND ELECTION, AND TO REQUIRE THE COUNTY CLERK TO DELIVER
8 THE PETITION TO THE COUNTY COMMISSIONERS; AMENDING SECTIONS
9 16-2021 AND 16-2022, R.C.M. 1947."

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

12 Section 1. Section 16-2021, R.C.M. 1947, is amended to
13 read as follows:

14 "16-2021. Petition and election required for bonds
15 issued for other purposes. ~~(1)~~ County bonds for any other
16 purpose than those enumerated in section 16-2013 shall not
17 be issued unless authorized at a duly called special or
18 general election at which the question of issuing such bonds
19 was submitted to the qualified electors of the county and
20 approved, as provided in section 16-2027~~f~~, and ~~no~~ No such
21 bond election ~~shall~~ may be called unless ~~there has been~~
22 ~~presented to~~ the board of county commissioners receives a
23 petition, delivered and certified by the county clerk,
24 asking that such election be held and such question be
25 submitted. The petition must be signed by ~~not less than~~

1 ~~twenty-per-centum (20%)~~ at least 25% of the qualified
2 electors of the county.

3 ~~(2) The bond election required by this section may not~~
4 ~~be held any sooner than 45 days after receipt of the~~
5 ~~petition by the county commissioners and must be held no~~
6 ~~later than the first general election following the 45-day~~
7 ~~period."~~

8 Section 2. Section 16-2022, R.C.M. 1947, is amended to
9 read as follows:

10 "16-2022. Form, contents, and proof of petition. ~~(1)~~
11 Every petition for the calling of an election to vote upon
12 the question of issuing county bonds shall plainly and
13 clearly state the purpose or purposes for which the proposed
14 bonds are to be issued, and shall contain an estimate of the
15 amount necessary to be issued for such purpose or purposes.
16 There may be a separate petition for each purpose, or two
17 ~~(2)~~ or more purposes may be combined in one ~~(1)~~ petition if
18 each purpose, with an estimate of the amount of bonds
19 necessary to be issued therefor, is separately stated in ~~the~~
20 ~~such~~ petition. Such petition may consist of one ~~(1)~~ sheet
21 or of several sheets identical in form and fastened together
22 after being circulated and signed so as to form a single
23 complete petition before being delivered to the county clerk
24 ~~as---hereinafter---provided.~~ The petition shall give the
25 ~~postoffice post-office~~ address and voting precinct of each

INTRODUCED BILL

HB/186

1 person signing the same.

2 (2) Only persons who are qualified to sign such
3 petitions shall be qualified to circulate the same, and
4 there shall be attached to the completed petition the
5 affidavit of some person who circulated, or assisted in
6 circulating such petition, that he believes the signatures
7 thereon are genuine and that the signers knew the contents
8 thereof before signing the--same. The completed petition
9 shall be filed with the county clerk who shall, within
10 fifteen--(15) days thereafter, carefully examine the same
11 petition and the county records showing the qualifications
12 of the petitioners, and attach thereto a certificate under
13 his official signature and the seal of his office, which
14 certificate shall set forth:

15 (1)(a) ~~The~~ the total number of persons who are
16 registered electors;

17 (2)(b) ~~Which~~ which and how many of the persons whose
18 names are subscribed to such the petition are--possessed-of
19 possess all of the qualifications required of signers to of
20 such a petition;

21 (3)(c) ~~Whether~~ whether such qualified signers
22 constitute more or less than 25 ~~twenty-per-centum~~-(20%) of
23 the registered electors of the county.

24 (3) After completing the certificate required by
25 subsection (2), the county clerk shall deliver the certified

1 petition to the board of county commissioners."

-End-

Approved by Comm.
on Local Government

HOUSE BILL NO. 186

INTRODUCED BY PISTORIA

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SECTIONS 16-2021 AND 16-2022, R.C.M. 1947."

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Section 1. Section 16-2021, R.C.M. 1947, is amended to
read as follows:

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purpose than those enumerated in ~~section~~ 16-2013 shall not
be issued unless authorized at a duly called special or
general election at which the question of issuing such bonds
was submitted to the qualified electors of the county and
approved, as provided in ~~section~~ 16-2027, ~~and no~~ no such
bond election ~~shall~~ may be called unless ~~there has been~~
~~presented to~~ the board of county commissioners receives a
petition, delivered and certified by the county clerk,
asking that such election be held and such question be
submitted. The petition must be signed by ~~not less than~~

~~twenty per centum (20%) at least 25% 20%~~ of the qualified
electors of the county.

(2) The bond election required by this section may not
be held any sooner than 45 60 days after receipt of the
petition by the county commissioners and must be held no
later than the first general election following the 45-day
60-DAY period."

Section 2. Section 16-2022, R.C.M. 1947, is amended to
read as follows:

"16-2022. Form, contents, and proof of petition. (1)
Every petition for the calling of an election to vote upon
the question of issuing county bonds shall plainly and
clearly state the purpose or purposes for which the proposed
bonds are to be issued, and shall contain an estimate of the
amount necessary to be issued for such purpose or purposes.
There may be a separate petition for each purpose, or two
~~(2)~~ or more purposes may be combined in one ~~(4)~~ petition if
each purpose, with an estimate of the amount of bonds
necessary to be issued therefor, is separately stated in the
such petition. Such petition may consist of one ~~(4)~~ sheet,
or of several sheets identical in form and fastened together
after being circulated and signed so as to form a single
complete petition before being delivered to the county clerk
~~as hereinafter provided.~~ The petition shall give the
postoffice post-office address and voting precinct of each

SECOND READING

1 person signing the same.

2 (2) Only persons who are qualified to sign such
3 petitions shall be qualified to circulate the same, and
4 there shall be attached to the completed petition the
5 affidavit of some person who circulated, or assisted in
6 circulating such petition, that he believes the signatures
7 thereon are genuine and that the signers knew the contents
8 thereof before signing ~~the same~~. The completed petition
9 shall be filed with the county clerk who shall, within
10 ~~fifteen~~ (15) days thereafter, carefully examine the ~~same~~
11 petition and the county records showing the qualifications
12 of the petitioners, and attach thereto a certificate under
13 his official signature and the seal of his office, which
14 certificate shall set forth:

15 (1) (a) ~~The~~ the total number of persons who are
16 registered electors;

17 (2) (b) ~~which~~ which and how many of the persons whose
18 names are subscribed to ~~such~~ the petition ~~are possessed of~~
19 possess all of the qualifications required of signers ~~to~~ of
20 such a petition;

21 (3) (c) ~~whether~~ whether such qualified signers
22 constitute more or less than ~~25%~~ 20% ~~twenty per centum~~ (20%)
23 of the registered electors of the county.

24 (3) After completing the certificate required by
25 subsection (2), the county clerk shall deliver the certified

1 petition to the board of county commissioners."

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25 ~~postoffice~~ post-office address and voting precinct of each

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