

HOUSE BILL 388

IN THE HOUSE

January 24, 1979	Introduced and referred to Committee on Local Government.
February 7, 1979	Committee recommend bill, as amended.
February 8, 1979	Printed and placed on members' desks.
February 9, 1979	Second reading, as amended.
February 12, 1979	Correctly engrossed.
February 13, 1979	Third reading, not passed.

1 House BILL NO. 388
 2 INTRODUCED BY Kenneth Kusby Reichert
 3 Rockie

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REMOVE CERTAIN
 5 RESTRICTIONS ON THE ANNEXATION POWER OF MUNICIPALITIES;
 6 AMENDING SECTION 7-2-4503; AND REPEALING SECTION 7-2-4303,
 7 MCA."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 7-2-4503, MCA, is amended to read:
 11 "7-2-4503. Restrictions on annexation power. Land
 12 shall not be annexed under this part whenever the land is
 13 used:

14 (1) for agricultural, mining, smelting, refining, or
 15 transportation ~~or any industrial or manufacturing purpose;~~
 16 or

17 (2) for the purpose of maintaining or operating a golf
 18 or country club, an athletic field or aircraft landing
 19 field, a cemetery, or a place for public or private outdoor
 20 entertainment or any purpose incident thereto."

21 Section 2. Repealer. Section 7-2-4303, MCA, is
 22 repealed.

-End-

HB 388
 INTRODUCED BILL

Approved by Comm.
on Local Government

HOUSE BILL NO. 388

INTRODUCED BY KEMMIS, KESSLER, REICHERT, ROSKIE

A BILL FOR AN ACT ENTITLED: "AN ACT TO REMOVE CERTAIN
RESTRICTIONS ON THE ANNEXATION POWER OF MUNICIPALITIES;
AMENDING SECTION ~~SECTIONS~~ 7-2-4503 AND ~~7-2-4608~~; AND
REPEALING SECTION 7-2-4303, MCA."

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

Section 1. Section 7-2-4503, MCA, is amended to read:

"7-2-4503. Restrictions on annexation power. Land shall not be annexed under this part whenever the land is used:

(1) for agricultural, mining, smelting, refining, or transportation--or-any-industrial-or-manufacturing purpose; or

(2) for the purpose of maintaining or operating a golf or country club, an athletic field or aircraft landing field, a cemetery, or a place for public or private outdoor entertainment or any purpose incident thereto."

~~SECTION 2. SECTION 7-2-4608, MCA, IS AMENDED TO READ:~~

"7-2-4608. Restrictions on annexation power. (1) No territory which, at the time such petition for such proposed annexation is presented to such council or legislative body, forms any part of any incorporated city or town shall be

annexed under the provisions of this part.

(2) No parcel of land which, at the time such petition for such proposed annexation is presented to such council or legislative body, is used in whole or in part for agricultural, mining, smelting, refining, or transportation or any industrial or manufacturing purpose or any purpose incident thereto shall be annexed under the provisions of this part."

Section 3. Repealer. Section 7-2-4303, MCA, is repealed.

-End-

1 HOUSE BILL NO. 388
 2 INTRODUCED BY KEMMIS, KESSLER, REICHERT, ROSKIE
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 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REMOVE CERTAIN
 5 RESTRICTIONS ON THE ANNEXATION POWER OF MUNICIPALITIES;
 6 AMENDING SECTION SECTIONS 7-2-4503 AND ~~7-2-4608~~; AND
 7 REPEALING SECTION 7-2-4303, MCA."

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 12 shall not be annexed under this part whenever the land is
 13 used:

14 (1) for agricultural, ~~mining, smelting, refining, or~~
 15 ~~transportation, or any industrial or manufacturing purpose~~
 16 PURPOSES; or

17 (2) for the purpose of maintaining or operating a golf
 18 or country club, an athletic field or aircraft landing
 19 field, a cemetery, or a place for public or private outdoor
 20 entertainment or any purpose incident thereto."

21 ~~SECTION 2. SECTION 7-2-4608, MCA, IS AMENDED TO READ:~~

22 "7-2-4608. Restrictions on annexation power. (1) No
 23 territory which, at the time such petition for such proposed
 24 annexation is presented to such council or legislative body,
 25 forms any part of any incorporated city or town shall be

1 annexed under the provisions of this part.
 2 (2) No parcel of land which, at the time such petition
 3 for such proposed annexation is presented to such council or
 4 legislative body, is used in whole or in part for
 5 agricultural, ~~mining, smelting, refining, or transportation,~~
 6 ~~or any industrial or manufacturing purpose~~ PURPOSES or any
 7 purpose incident thereto shall be annexed under the
 8 provisions of this part."
 9 Section 3. Repealer. Section 7-2-4303, MCA, is
 10 repealed.

-End-