

HOUSE BILL NO. 351
INTRODUCED BY KESSLER

IN THE HOUSE

January 19, 1981	Introduced and referred to Committee on Local Government.
February 2, 1981	Committee recommend bill do pass. Report adopted.
February 3, 1981	Bill printed and placed on members' desks.
February 5, 1981	Second reading, do pass.
February 6, 1981	Considered correctly engrossed.
February 7, 1981	Third reading, passed. Transmitted to Senate.

IN THE SENATE

February 9, 1981	Introduced and referred to Committee on Taxation.
March 12, 1981	Committee recommend bill be concurred in. Report adopted.
March 14, 1981	Second reading, concurred in.
March 17, 1981	Third reading, concurred in. Ayes, 50; Nays, 0.

IN THE HOUSE

March 17, 1981	Returned from Senate. Concurred in. Sent to enrolling. Reported correctly enrolled.
----------------	---

1 HOUSE BILL NO. 351

2 INTRODUCED BY Kessler

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE
5 AUTHORITY OF MUNICIPAL AND COUNTY GOVERNING BODIES AND TO
6 PROVIDE FOR ADMINISTRATION OF RURAL SPECIAL IMPROVEMENT
7 DISTRICTS WHEN THE PROPERTY HAS BECOME PART OF AN
8 INCORPORATED CITY OR TOWN."

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

11 Section 1. Transfer of management and control of
12 district to city or town. (1) When a special improvement
13 district has been created in accordance with the provisions
14 of this part in any county of the state and the property
15 contained therein subsequently becomes a part of the
16 boundaries of an incorporated city or town, the board of
17 county commissioners or the multicounty district trustees,
18 as the case may be, may transfer the operation, control, and
19 management of the district to a city or town, upon such
20 terms and conditions as may be agreed upon.

21 (2) A city or town may accept the responsibility to
22 operate and control such a district.

23 (3) An agreement for transfer of responsibilities from
24 a county to a city or town must be properly executed in
25 writing and must be approved by both governing bodies. Until

1 an agreement is effective, the board of county commissioners
2 or the multicounty district trustees, as the case may be,
3 shall retain operation, control, and management of the
4 district. The date of transfer of operation, control, and
5 management is the date the agreement is fully effective or
6 the date of transfer specified in the agreement, whichever
7 is later.

8 Section 2. Codification instruction. Section 1 is
9 intended to be codified as an integral part of Title 7,
10 chapter 12, part 21, and the provisions of Title 7, chapter
11 12, part 21, apply to section 1.

-End-

-2- INTRODUCED BILL
HB 351

Approved by Comm.
on Local Government

1 HOUSE BILL NO. 351
2 INTRODUCED BY Hessler

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE
5 AUTHORITY OF MUNICIPAL AND COUNTY GOVERNING BODIES AND TO
6 PROVIDE FOR ADMINISTRATION OF RURAL SPECIAL IMPROVEMENT
7 DISTRICTS WHEN THE PROPERTY HAS BECOME PART OF AN
8 INCORPORATED CITY OR TOWN."

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

11 Section 1. Transfer of management and control of
12 district to city or town. (1) When a special improvement
13 district has been created in accordance with the provisions
14 of this part in any county of the state and the property
15 contained therein subsequently becomes a part of the
16 boundaries of an incorporated city or town, the board of
17 county commissioners or the multicounty district trustees,
18 as the case may be, may transfer the operation, control, and
19 management of the district to a city or town, upon such
20 terms and conditions as may be agreed upon.

21 (2) A city or town may accept the responsibility to
22 operate and control such a district.

23 (3) An agreement for transfer of responsibilities from
24 a county to a city or town must be properly executed in
25 writing and must be approved by both governing bodies. Until

1 an agreement is effective, the board of county commissioners
2 or the multicounty district trustees, as the case may be,
3 shall retain operation, control, and management of the
4 district. The date of transfer of operation, control, and
5 management is the date the agreement is fully effective or
6 the date of transfer specified in the agreement, whichever
7 is later.

8 Section 2. Codification instruction. Section 1 is
9 intended to be codified as an integral part of Title 7,
10 chapter 12, part 21, and the provisions of Title 7, chapter
11 12, part 21, apply to section 1.

-End-

-2- SECOND READING
 HB 351

1 HOUSE BILL NO. 351

2 INTRODUCED BY Hessle

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE
5 AUTHORITY OF MUNICIPAL AND COUNTY GOVERNING BODIES AND TO
6 PROVIDE FOR ADMINISTRATION OF RURAL SPECIAL IMPROVEMENT
7 DISTRICTS WHEN THE PROPERTY HAS BECOME PART OF AN
8 INCORPORATED CITY OR TOWN."

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

11 Section 1. Transfer of management and control of
12 district to city or town. (1) When a special improvement
13 district has been created in accordance with the provisions
14 of this part in any county of the state and the property
15 contained therein subsequently becomes a part of the
16 boundaries of an incorporated city or town, the board of
17 county commissioners or the multicounty district trustees,
18 as the case may be, may transfer the operation, control, and
19 management of the district to a city or town, upon such
20 terms and conditions as may be agreed upon.

21 (2) A city or town may accept the responsibility to
22 operate and control such a district.

23 (3) An agreement for transfer of responsibilities from
24 a county to a city or town must be properly executed in
25 writing and must be approved by both governing bodies. Until

1 an agreement is effective, the board of county commissioners
2 or the multicounty district trustees, as the case may be,
3 shall retain operation, control, and management of the
4 district. The date of transfer of operation, control, and
5 management is the date the agreement is fully effective or
6 the date of transfer specified in the agreement, whichever
7 is later.

8 Section 2. Codification instruction. Section 1 is
9 intended to be codified as an integral part of Title 7,
10 chapter 12, part 21, and the provisions of Title 7, chapter
11 12, part 21, apply to section 1.

-End-

1 HOUSE BILL NO. 351

2 INTRODUCED BY KESSLER

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE
5 AUTHORITY OF MUNICIPAL AND COUNTY GOVERNING BODIES AND TO
6 PROVIDE FOR ADMINISTRATION OF RURAL SPECIAL IMPROVEMENT
7 DISTRICTS WHEN THE PROPERTY HAS BECOME PART OF AN
8 INCORPORATED CITY OR TOWN."

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

11 Section 1. Transfer of management and control of
12 district to city or town. (1) When a special improvement
13 district has been created in accordance with the provisions
14 of this part in any county of the state and the property
15 contained therein subsequently becomes a part of the
16 boundaries of an incorporated city or town, the board of
17 county commissioners or the multicounty district trustees,
18 as the case may be, may transfer the operation, control, and
19 management of the district to a city or town, upon such
20 terms and conditions as may be agreed upon.

21 (2) A city or town may accept the responsibility to
22 operate and control such a district.

23 (3) An agreement for transfer of responsibilities from
24 a county to a city or town must be properly executed in
25 writing and must be approved by both governing bodies. Until

1 an agreement is effective, the board of county commissioners
2 or the multicounty district trustees, as the case may be,
3 shall retain operation, control, and management of the
4 district. The date of transfer of operation, control, and
5 management is the date the agreement is fully effective or
6 the date of transfer specified in the agreement, whichever
7 is later.

8 Section 2. Codification instruction. Section 1 is
9 intended to be codified as an integral part of Title 7,
10 chapter 12, part 21, and the provisions of Title 7, chapter
11 12, part 21, apply to section 1.

-End-