

HOUSE BILL NO. 507

INTRODUCED BY AZZARA, BERGENE, KEMMIS, EUDAILY

IN THE HOUSE

January 27, 1981	Introduced and referred to Committee on Local Government.
February 11, 1981	Committee recommend bill do pass. Report adopted.
February 12, 1981	Bill printed and placed on members' desks.
February 14, 1981	Second reading, do pass.
February 16, 1981	Considered correctly engrossed.
February 17, 1981	Third reading, passed. Ayes, 99; Noes, 1. Transmitted to Senate.

IN THE SENATE

February 18, 1981	Introduced and referred to Committee on Local Government.
March 26, 1981	Committee recommend bill be concurred in as amended. Report adopted.
March 28, 1981	Second reading, concurred in.
March 30, 1981	Motion pass consideration.
March 31, 1981	On motion rules suspended. Bill allowed to be transmitted on 71st legislative day. Motion adopted.
	Third reading, concurred in as amended. Ayes, 45; Noes, 5.

IN THE HOUSE

April 1, 1981	Returned from Senate with amendments.
April 8, 1981	Second reading, amendments concurred in.
April 9, 1981	Third reading, amendments concurred in. Ayes, 96; Noes, 0. Sent to enrolling.
April 13, 1981	Correctly enrolled.
April 14, 1981	Signed by Speaker.
April 15, 1981	Signed by President. Delivered to Governor.
April 20, 1981	Returned from Governor with recommended amendments.
April 22, 1981	Second reading, Governor's amendments concurred in. On motion rules suspended and bill placed on third reading this day. Third reading, Governor's amendments concurred in. Ayes, 86; Noes, 9. Transmitted to Senate.

IN THE SENATE

April 23, 1981	Second reading, Governor's amendments concurred in. Third reading, Governor's amendments concurred in. Ayes, 44; Noes, 4.
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IN THE HOUSE

April 23, 1981	Returned from Senate. Sent to enrolling. Reported correctly enrolled.
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HOUSE BILL NO. 507

INTRODUCED BY ~~AZZAR~~ *Bryone Kemmis*
Eddily

A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE REMAINING TRANSPORTATION BOARD MEMBERS TO FILL VACANCIES ON THE TRANSPORTATION BOARD; TO REMOVE THE 2-WEEK WAITING PERIOD REQUIREMENT AFTER THE REQUIREMENT OF NOTICE OF VACANCY HAS BEEN MET; AMENDING SECTIONS 7-14-216 AND 7-14-217, MCA."

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

Section 1. Section 7-14-216, MCA, is amended to read:

"7-14-216. Vacancies on transportation board. (1) The ~~selection-board remaining transportation board members~~ shall fill all vacancies occurring on the transportation board.

(2) ~~A member appointed to fill a vacancy shall serve until the first county general election after his appointment.~~"

Section 2. Section 7-14-217, MCA, is amended to read:

"7-14-217. Notice ~~required~~ of opening on board to be filled by appointment. (1) The selection board ~~or the remaining board members~~ shall give public notice of ~~its~~ their solicitation of applications for ~~initial~~ membership on the board ~~or for the filling of a board vacancy.~~

(2) The notice ~~shall~~ ~~must~~ be published in a newspaper having general circulation in the district, once each week

for at least 2 weeks, ~~and, when involving an initial appointment,~~ the last publication ~~to~~ ~~must~~ be at least 2 weeks before the appointment. If there is no newspaper having general circulation within the boundaries of the proposed district, the notice of solicitation ~~shall~~ ~~must~~ be posted in at least three public places within the boundaries of the proposed district for 2 weeks before the appointment."

-End-

Approved by Comm.
on Local Government

HOUSE BILL NO. 507

INTRODUCED BY

Aspen Eddily
Boygne Kenmis

A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE REMAINING
TRANSPORTATION BOARD MEMBERS TO FILL VACANCIES ON THE
TRANSPORTATION BOARD; TO REMOVE THE 2-WEEK WAITING PERIOD
REQUIREMENT AFTER THE REQUIREMENT OF NOTICE OF VACANCY HAS
BEEN MET; AMENDING SECTIONS 7-14-216 AND 7-14-217, MCA."

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

Section 1. Section 7-14-216, MCA, is amended to read:

"7-14-216. Vacancies on transportation board. (1) The
~~selection-board remaining transportation board members~~ shall
fill all vacancies occurring on the transportation board.

(2) ~~A member appointed to fill a vacancy shall serve
until the first county general election after his
appointment.~~"

Section 2. Section 7-14-217, MCA, is amended to read:

"7-14-217. Notice ~~required~~ of opening on board to be
filled by appointment. (1) The selection board ~~or the
remaining board members~~ shall give public notice of ~~its
their~~ solicitation of applications for ~~initial~~ membership on
the board ~~or for the filling of a board vacancy.~~

(2) The notice ~~shall~~ ~~must~~ be published in a newspaper
having general circulation in the district, once each week

for at least 2 weeks, ~~and, when involving an initial
appointment,~~ the last publication to ~~must~~ be at least 2
weeks before the appointment. If there is no newspaper
having general circulation within the boundaries of the
proposed district, the notice of solicitation ~~shall~~ ~~must~~ be
posted in at least three public places within the boundaries
of the proposed district for 2 weeks before the
appointment."

-End-

SECOND READING

-2-

HB 507

HOUSE BILL NO. 507

INTRODUCED BY Azusa Bagnone Kemmis
Erdaily

A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE REMAINING TRANSPORTATION BOARD MEMBERS TO FILL VACANCIES ON THE TRANSPORTATION BOARD; TO REMOVE THE 2-WEEK WAITING PERIOD REQUIREMENT AFTER THE REQUIREMENT OF NOTICE OF VACANCY HAS BEEN MET; AMENDING SECTIONS 7-14-216 AND 7-14-217, MCA."

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

Section 1. Section 7-14-216, MCA, is amended to read:

"7-14-216. Vacancies on transportation board. (1) The ~~selection-board remaining transportation board members~~ shall fill all vacancies occurring on the transportation board.

(2) ~~A member appointed to fill a vacancy shall serve until the first county general election after his appointment.~~

Section 2. Section 7-14-217, MCA, is amended to read:

"7-14-217. Notice ~~required~~ of opening on board to be filled by appointment. (1) The selection board ~~or the remaining board members~~ shall give public notice of ~~its~~ their solicitation of applications for initial membership on the board ~~or for the filling of a board vacancy.~~

(2) The notice ~~shall~~ must be published in a newspaper having general circulation in the district, once each week

for at least 2 weeks, ~~and when involving an initial appointment,~~ the last publication to ~~must~~ be at least 2 weeks before the appointment. If there is no newspaper having general circulation within the boundaries of the proposed district, the notice of solicitation ~~shall~~ must be posted in at least three public places within the boundaries of the proposed district for 2 weeks before the appointment."

-End-

-2- THIRD READING
HB 507

HOUSE BILL NO. 507

INTRODUCED BY AZZARA, BERGENE, KEMMIS, EUDAILY

A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE REMAINING TRANSPORTATION BOARD MEMBERS TO FILL VACANCIES ON THE TRANSPORTATION BOARD; TO REMOVE THE 2-WEEK WAITING PERIOD REQUIREMENT AFTER THE REQUIREMENT OF NOTICE OF VACANCY HAS BEEN MET; AMENDING SECTIONS 7-14-216 AND 7-14-217, MCA."

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

Section 1. Section 7-14-216, MCA, is amended to read:

"7-14-216. Vacancies on transportation board. ~~(1) The selection-board remaining-transportation-board-members shall fill-all-vacancies-occurring-on-the-transportation-board. A~~ VACANCY ON THE BOARD SHALL BE FILLED BY A SELECTION BOARD COMPOSED OF TWO COUNTY COMMISSIONERS, TWO REPRESENTATIVES FROM GOVERNING BODIES OF EACH MUNICIPALITY INCLUDED OR PARTIALLY INCLUDED IN THE DISTRICT, AND TWO TRANSPORTATION BOARD MEMBERS.

~~(2) A member appointed to fill a vacancy shall serve until the first county general election after his appointment."~~

Section 2. Section 7-14-217, MCA, is amended to read:

, "7-14-217. Notice required of opening on board to be filled by appointment. (1) The selection board or the

remaining board members shall give public notice of its their solicitation of applications for initial membership on the board or for the filling of a board vacancy.

(2) The notice ~~shall~~ must be published in a newspaper having general circulation in the district, once each week for at least 2 weeks, and, when involving an initial appointment, the last publication ~~to~~ must be at least 2 weeks before the appointment. If there is no newspaper having general circulation within the boundaries of the proposed district, the notice of solicitation ~~shall~~ must be posted in at least three public places within the boundaries of the proposed district for 2 weeks before the appointment."

-End-

March 26, 1981

SENATE STANDING COMMITTEE REPORT
(Local Government)

That House Bill No. 507 be amended as follows:

1. Page 1, lines 12 through 14.

Following: "(1)" on line 12

Strike: the remainder of line 12 through line 14 in their entirety

Insert: "A vacancy on the board shall be filled by a selection board composed of two county commissioners, two representatives from governing bodies of each municipality included or partially included in the district, and two transportation board members."

April 20, 1981

GOVERNOR'S PROPOSED AMENDMENT TO HOUSE BILL NO. 507;
REFERENCE COPY; AS FOLLOWS:

1. Title, Lines 4 and 5
Following: "TO"
Strike: "ALLOW THE REMAINING TRANSPORTATION BOARD
MEMBERS"
Insert: "PROVIDE THE MEMBERSHIP OF A SELECTION BOARD"

1 HOUSE BILL NO. 507

2 INTRODUCED BY AZZARA, BERGENE, KEMMIS, EUDAILY

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ~~ALLOW THE REMAINING~~
5 ~~TRANSPORTATION BOARD MEMBERS~~ PROVIDE THE MEMBERSHIP OF A
6 SELECTION BOARD TO FILL VACANCIES ON THE TRANSPORTATION
7 BOARD; TO REMOVE THE 2-WEEK WAITING PERIOD REQUIREMENT AFTER
8 THE REQUIREMENT OF NOTICE OF VACANCY HAS BEEN MET; AMENDING
9 SECTIONS 7-14-216 AND 7-14-217, MCA."

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

12 Section 1. Section 7-14-216, MCA, is amended to read:

13 "7-14-216. Vacancies on transportation board. (1) The
14 selection board remaining transportation board members shall
15 fill all vacancies occurring on the transportation board. A
16 VACANCY ON THE BOARD SHALL BE FILLED BY A SELECTION BOARD
17 COMPOSED OF TWO COUNTY COMMISSIONERS, TWO REPRESENTATIVES
18 FROM GOVERNING BODIES OF EACH MUNICIPALITY INCLUDED OR
19 PARTIALLY INCLUDED IN THE DISTRICT, AND TWO TRANSPORTATION
20 BOARD MEMBERS.

21 (2) A member appointed to fill a vacancy shall serve
22 until the first county general election after his
23 appointment."

24 Section 2. Section 7-14-217, MCA, is amended to read:

25 "7-14-217. Notice required of opening on board to be

1 filled by appointment. (1) The selection board or the
2 remaining board members shall give public notice of ~~its~~
3 their solicitation of applications for initial membership on
4 the board or for the filling of a board vacancy.

5 (2) The notice ~~shall~~ must be published in a newspaper
6 having general circulation in the district, once each week
7 for at least 2 weeks, and, when involving an initial
8 appointment, the last publication ~~to~~ must be at least 2
9 weeks before the appointment. If there is no newspaper
10 having general circulation within the boundaries of the
11 proposed district, the notice of solicitation ~~shall~~ must be
12 posted in at least three public places within the boundaries
13 of the proposed district for 2 weeks before the
14 appointment."

-End-



State of Montana
Office of the Governor
Helena 59620

TED SCHWINDEN
GOVERNOR

April 20, 1981

The Honorable Robert L. Marks
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable Jean A. Turnage
President of the Senate
State Capitol
Helena, Montana 59620

Dear Representative Marks and Senator Turnage:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return House Bill No. 507, "AN ACT TO ALLOW THE REMAINING TRANSPORTATION BOARD MEMBERS TO FILL VACANCIES ON THE TRANSPORTATION BOARD; TO REMOVE THE 2 WEEK WAITING PERIOD REQUIREMENT AFTER THE REQUIREMENT OF NOTICE OF VACANCY HAS BEEN MET; AMENDING SECTIONS 7-14-216 AND 7-14-217, MCA," without my signature and recommend the following amendment for the following reason.

After introduction, H.B. 507 was amended to provide for a selection board which would choose persons to fill vacancies on transportation boards, rather than having the remaining board members fill the vacancies. The title was not amended at that time to reflect this change. I am proposing an amendment to the title so it reflects the change in the bill.

I urge your concurrence in this amendment.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ted Schwinden".

TED SCHWINDEN
Governor