

HOUSE BILL NO. 562

INTRODUCED BY THOFT

IN THE HOUSE

January 29, 1981	Introduced and referred to Committee on Local Government.
February 13, 1981	Committee recommend bill do pass. Report adopted.
February 16, 1981	Bill printed and placed on members' desks.
February 18, 1981	Second reading, do pass.
February 19, 1981	Considered correctly engrossed.
February 20, 1981	Third reading, passed. Ayes, 99; Noes, 0. Transmitted to Senate.

IN THE SENATE

February 21, 1981	Introduced and referred to Committee on Local Government.
March 21, 1981	Committee recommend bill be concurred in as amended. Report adopted.
March 24, 1981	Motion pass consideration.
March 25, 1981	Second reading, concurred in.
March 27, 1981	Third reading, concurred in as amended. Ayes, 49; Noes, 0.

IN THE HOUSE

March 28, 1981	Returned from Senate with amendments.
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April 8, 1981

Second reading, amendments  
concurred in.

April 9, 1981

Third reading, amendments  
concurred in. Ayes, 95; Noes, 2.  
Sent to enrolling.

Reported correctly enrolled.

HOUSE BILL NO. 562

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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE AND SIMPLIFY  
5 THE PROCESS OF ADDING CONTIGUOUS LAND IN AN UNINCORPORATED  
6 AREA TO A SEWER DISTRICT WHEN THE BOARD OF DIRECTORS  
7 DETERMINES THERE IS EXCESS CAPACITY; AMENDING SECTION  
8 7-13-2341, MCA."

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

11           Section 1. Section 7-13-2341, MCA, is amended to read:  
12           \*7-13-2341. Addition of land to district. (1) Any  
13       Except as provided in subsection (5), any portion of any  
14       county, any municipality, or both, may be added to any  
15       district organized under the provisions of this part and  
16       part 22 at any time upon petition presented in the manner  
17       provided in this part and part 22 for the organization of  
18       such district.

11       (4) From and after the date of such certificate, the  
12 territory named therein shall be deemed added to and form a  
13 part of said district with all the rights, privileges, and  
14 powers set forth in this part and necessarily incident  
15 thereto.

16       15) If the board of directors determines that a  
17 district has a sewer facility with a capacity greater than  
18 required to meet the needs of the current district, it may  
19 by ordinance, upon petition of contiguous property owners,  
20 expand the district to include land in an unincorporated  
21 area, to the extent of excess capacity, without complying  
22 with subsections (1) and (2). However, if the board  
23 determines that an election should be held or if 40% or more  
24 of the members of the district petition for an election,  
25 compliance with subsections (1) and (2) is required."

-End- INTRODUCED BILL  
-2-

HB 562

Approved by Comm.  
on Local Government

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16        part 22 at any time upon petition presented in the manner  
17        provided in this part and part 22 for the organization of  
18        such district.

19        (2) The petition may be granted by ordinance of the  
20        board of directors of such district. Such ordinance shall be  
21        submitted for adoption or rejection to the vote of the  
22        electors in such district and in the proposed addition at a  
23        general or special election held, as provided in this part  
24        and part 22, within 70 days after the adoption of such  
25        ordinance.

1                    (3) If such ordinance is approved, the president and  
2        secretary of the board of directors shall certify that fact  
3        to the secretary of state and to the county recorder of the  
4        county in which such district is located. Upon the receipt  
5        of such last-mentioned certificate, the secretary of state  
6        shall within 10 days issue his certificate, reciting the  
7        passage of said ordinance and the addition of said territory  
8        to said district. A copy of such certificate shall be  
9        transmitted to and filed with the county clerk of the county  
10      in which such district is situated.

11                   (4) From and after the date of such certificate, the  
12        territory named therein shall be deemed added to and form a  
13        part of said district with all the rights, privileges, and  
14        powers set forth in this part and necessarily incident  
15        thereto.

16        (5) If the board of directors determines that a  
17        district has a sewer facility with a capacity greater than  
18        required to meet the needs of the current district, it may  
19        by ordinance, upon petition of contiguous property owners,  
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21        area, to the extent of excess capacity, without complying  
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23        determines that an election should be held or if 40% or more  
24        of the members of the district petition for an election,  
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END    SECOND READING

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6 AREA TO A SEWER DISTRICT WHEN THE BOARD OF DIRECTORS  
7 DETERMINES THERE IS EXCESS CAPACITY; AMENDING SECTION  
8 7-13-2341, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

11       Section 1. Section 7-13-2341, MCA, is amended to read:

12       "7-13-2341. Addition of land to district. (1) Any

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HB 0562/02

- 1        SECTION 2. EFFECTIVE DATE. THIS ACT IS EFFECTIVE ON
- 2        PASSAGE AND APPROVAL.

-End-

March 21, 1981

SENATE STANDING COMMITTEE REPORT  
(Local Government)

That House Bill No. 562 be amended as follows:

1. Title, line 8.

Following: "MCA"

Insert: ";" AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 3.

Following: line 25 on page 2

Insert: "Section 2. Effective date. This act is effective on  
passage and approval."