

HOUSE BILL NO. 171

INTRODUCED BY WILLIAMS, YARDLEY

IN THE HOUSE

January 11, 1983	Introduced and referred to Committee on Local Government.
January 18, 1983	Committee recommend bill do pass. Report adopted. Bill printed and placed on members' desks.
January 19, 1983	On motion rules suspended and bill placed on second reading this day. Second reading, do pass.
January 20, 1983	Considered correctly engrossed.
January 21, 1983	Third reading, passed. Transmitted to Senate.

IN THE SENATE

January 22, 1983	Introduced and referred to Committee on Local Government.
March 18, 1983	Committee recommend bill be not concurred in. Report adopted. Ayes, 50; Noes, 0.

IN THE HOUSE

March 18, 1983	Returned to House.
April 14, 1983	On motion, request of Senate granted for return of HB 171 for further consideration.

IN THE SENATE

April 15, 1983

Rereferred to Committee on
Local Government.

April 19, 1983

Committee recommend bill be
concurrent in as amended.
Report adopted.

Second reading, concurrent in.

April 20, 1983

Third reading, concurrent in.
Ayes, 41; Noes, 4.

IN THE HOUSE

April 20, 1983

Returned to House with
amendments.

On motion, rules suspended to
allow House to act upon Senate
amendments.

On motion, Senate amendments
placed on second reading this
day.

Second reading, amendments
concurrent in.

Third reading, amendments
concurrent in.

Sent to enrolling.

Reported correctly enrolled.

1 House BILL NO. 171
 2 INTRODUCED BY William J. Anderson
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE LAWS
 5 RELATING TO THE ANNEXATION OF LAND INTO A FIRE DISTRICT BY
 6 DELETING THE PROVISION FOR PROTESTS BY FREEHOLDERS WITHIN
 7 THE AREA OF THE EXISTING FIRE DISTRICT; REQUIRING APPROVAL
 8 BY THE BOARD OF TRUSTEES OF A PETITION FOR ANNEXATION TO THE
 9 FIRE DISTRICT; REQUIRING PUBLISHED NOTICE OF A HEARING ON A
 10 PETITION FOR ANNEXATION TO A FIRE DISTRICT; AMENDING SECTION
 11 7-33-2125, MCA."

12
 13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 Section 1. Section 7-33-2125, MCA, is amended to read:
 15 "7-33-2125. Annexation of adjacent territory not
 16 contained in a fire district. (1) Adjacent territory that is
 17 not already a part of a fire district may be annexed in the
 18 following manner:

19 (a) A petition in writing by the owners of 50% or more
 20 of the area of privately owned lands of the adjacent area
 21 proposed to be annexed who constitute a majority of the
 22 taxpaying freeholders within such proposed area to be
 23 annexed and whose names appear upon the last completed
 24 assessment roll shall be presented to the board of trustees
 25 of the district for approval, and if the proposed annexation

1 is approved by the board of trustees, the petition shall be
 2 presented to the board of county commissioners.

3 (b) The At the first regular meeting of the board of
 4 county commissioners after the presentation of the petition,
 5 the commissioners shall set a date to hold a hearing on such
 6 petition in accordance with the procedure outlined in
 7 7-33-2122 and shall allow the annexation of such proposed
 8 adjacent territory unless protests are presented at the
 9 hearing by the owners of 50% or more of the area of the
 10 privately owned lands included within the original district
 11 who constitute a majority of the taxpaying freeholders
 12 within the original district. The date of the hearing may
 13 not be less than 4 weeks after the date of the presentation
 14 of the petition to the board of county commissioners. The
 15 board of county commissioners shall publish notice of the
 16 hearing at least once a week for 2 successive weeks in a
 17 newspaper published within the county.

18 (2) On the date set for the hearing, the board of
 19 county commissioners shall consider the petition and any
 20 objections to the annexation. The board may approve the
 21 annexation, in whole or in part, or it may disapprove the
 22 annexation.

23 (2)(3) Such annexed territory shall become liable for
 24 any outstanding warrant and bonded indebtedness of the
 25 original district."

INTRODUCED BILL

-End-

Approved by Comm.
on Local Government

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2 INTRODUCED BY Williams & Anderson
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-END-
-2-

SECOND READING

HB 171

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 24 any outstanding warrant and bonded indebtedness of the
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THIRD READING

April 19, 1983

SENATE STANDING COMMITTEE REPORT
(Local Government)

That House Bill No. 171 be amended as follows:

1. Page 2, line 20.

Following: "board"

Strike: "may"

Insert: "shall"

2. Page 2, line 21.

Following: "annexation"

Strike: ", in whole or in part, or it may disapprove the annexation"

Insert: "unless a protest petition signed by a majority of the land-owners of the area proposed for annexation is presented at the hearing in which case the annexation shall be disapproved."

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(a) A petition in writing by the owners of 50% or more of the area of privately owned lands of the adjacent area proposed to be annexed who constitute a majority of the taxpaying freeholders within such proposed area to be annexed and whose names appear upon the last completed assessment roll shall be presented to the board of trustees of the district for approval, and if the proposed annexation

is approved by the board of trustees, the petition shall be presented to the board of county commissioners.

(b) The At the first regular meeting of the board of county commissioners after the presentation of the petition, the commissioners shall set a date to hold a hearing on such petition in accordance with the procedure outlined in 7-33-2122 and shall allow the annexation of such proposed adjacent territory unless protests are presented at the hearing by the owners of 50% or more of the area of the privately owned lands included within the original district who constitute a majority of the taxpaying freeholders within the original district. The date of the hearing may not be less than 4 weeks after the date of the presentation of the petition to the board of county commissioners. The board of county commissioners shall publish notice of the hearing at least once a week for 2 successive weeks in a newspaper published within the county.

(2) On the date set for the hearing, the board of county commissioners shall consider the petition and any objections to the annexation. The board may SHALL approve the annexation in whole or in part or it may disapprove the annexation UNLESS A PROTEST PETITION SIGNED BY A MAJORITY OF THE LANDOWNERS OF THE AREA PROPOSED FOR ANNEXATION IS PRESENTED AT THE HEARING, IN WHICH CASE THE ANNEXATION SHALL BE DISAPPROVED.

1 ~~§27(3)~~ Such annexed territory shall become liable for
2 any outstanding warrant and bonded indebtedness of the
3 original district."

-End-