HOUSE BILL NO. 632

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INTRODUCED BY BLISS

IN THE HOUSE

February 3, 1983	Introduced and referred to Committee on Local Government.
February 21, 1983	Committee recommend bill do pass. Report adopted.
	Bill printed and placed on members' desks.
February 22, 1983	Second reading, do pass.
February 23, 1983	Considered correctly engrossed.
	Third reading, passed. Transmitted to Senate.
	IN THE SENATE
March 1, 1983	Introduced and referred to Committee on Local Government.
March 15, 1983	Committee recommend bill be concurred in as amended. Report adopted.
March 17, 1983	Second reading, concurred in.
March 19, 1983	Third reading, concurred in. Ayes, 49; Noes, 0.
	IN THE HOUSE
March 19, 1983	Returned to House with amendments.
March 31, 1983	Second reading, amendments concurred in.

April 1, 1983

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Third reading, amendments concurred in.

Sent to enrolling.

Reported correctly enrolled.

1 House Bill No. 632 2 INTRODUCED BY A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE COUNTY 5 GOVERNING BODY TO APPOINT A FIRE DISTRICT TRUSTEE WHEN THERE

6 ARE NO NOMINEES FOR THE POSITION; AMENDING SECTION 7 7-33-2106, MCA."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10 Section 1. Section 7-33-2106, MCA, is amended to read:
11 "7-33-2106. Details relating to board of trustees of
12 fire district. (1) The five trustees initially appointed by
13 the county commissioners shall hold office until their
14 successors are elected <u>pr_appointed</u> and qualified as
15 hereinafter provided.

16 (2) Trustees shall be elected or annointed as provided in subsection (3) of this section, 13-1+104(3), and 17 13-1-401. The term of office shall be 3 years beginning at 18 the first district meeting following their election or 19 20 appointment and continuing until their successors are elected or appointed and qualified. Appointments to fill 21 vacancies shall be made by the county governing body and 22 23 appointees shall hold office until the next regular 24 election. All electors, as defined in Title 13, who reside 25 in the district are eligible to vote in the election,

including any holder of title to lands within the district
 who presents a proof of interest in such land at the polling
 place, regardless of whether he is registered to vote.

4 (3) Candidates for the office of trustee of the fire 5 district to be filled by election may be nominated by 6 petition filed with the election administrator or deputy 7 election administrator at least 30 days before the election 8 day and signed by at least five electors of the district.

9 [41 If no nominations are made for one or more trustee offices, the-electors-of-the-district--shall--write--on--the 10 11 bollots--the--neme--op--nemes--of--the-persons-for-whom-they 12 destre-to-voter-This-subsection-does-not-prevent-an--elector 13 from-voting-for-anv-guatified-persony-atthough-the-name-does 14 not-appear-on-the-official-ballot the county governing __body 15 shall_appoint_one_or_more_trustees_as_necessary_to_fill 16 those offices. +4+151 The trustees shall organize by choosing a 17

18 chairman and appointing one member to act as secretary."

-End-

___ INTRODUCED BILL NB 632

LC 2358/01

Approved by Comm. on Local Government

I INTRODUCED BY BILL NO. 632. INTRODUCED BY BILL NO. 632. A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE COUNTY GOVERNING BODY TO APPOINT A FIRE DISTRICT TRUSTEE WHEN THERE ARE NO NOMINEES FOR THE POSITION; AMENDING SECTION 7 T-33-2106, MCA."

7 8

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10 Section 1. Section 7-33-2106, MCA, is amended to read:
11 "7-33-2106. Details relating to board of trustees of
12 fire district. (1) The five trustees initially appointed by
13 the county commissioners shall hold office until their
14 successors are elected <u>pr_appointed</u> and qualified as
15 hereinafter provided.

16 (2) Trustees shall be elected or appointed as provided 17 in subsection (3) of this section, 13-1+104(3), and 18 13-1-401. The term of office shall be 3 years beginning at 19 the first district meeting following their election or 20 appointment, and continuing until their successors are elected or appointed and qualified. Appointments to fill 21 vacancies shall be made by the county governing body and 22 23 appointees shall hold office until the next regular All electors, as defined in Title 13, who reside 24 election. 25 in the district are eligible to vote in the election,

including any holder of title to lands within the district
 who presents a proof of interest in such land at the polling
 place, regardless of whether he is registered to vote.

4 (3) Candidates for the office of trustee of the fire 5 district to be filled by election may be nominated by 6 petition filed with the election administrator or deputy 7 election administrator at least 30 days before the election 8 day and signed by at least five electors of the district.

9 141 If no nominations are made for one or more trustee offices, the-electors-of-the-district--shall--write--on--the 10 11 ballats--the--nsme--or--nsmes--efe-the-persons-for-whom-they 12 destre-to-votes-Thts-subsectton-does-not-provent-en-etector 13 from-voting-for-any-qualified-persony-although-the-name-does not-appear-on-the-official-ballot the county governing body 14 15 shall_appoint_oue_or_pore_trustees_as_necessary_to_fill those offices. 16 +4+151 The trustees shall organize by choosing a 17

18 chairman and appointing one member to act as secretary."

-End-

SECOND READING

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LC 2358/01

INTRODUCED BY 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE COUNTY 5 GOVERNING BODY TO APPOINT A FIRE DISTRICT TRUSTEE WHEN THERE ARE NO NOMINEES FOR THE POSITION; AMENDING SECTION 6 7-33-2106, MCA." 7 8

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 10 Section 1. Section 7-30-2106: MCA. is amended to read: 11 #7-33-2106. Details relating to board of trustees of 12 fire district. (1) The five trustees initially appointed by 13 the county commissioners shall hold office until their 14 successors are elected or appointed and qualified as hereinafter provided. 15

16 (2) Trustees shall be elected or appointed as provided 17 in subsection (3) of this section, 13-1-104(3), and 13-1-401. The term of office shall be 3 years beginning at 18 19 the first district meeting following their election or appointment___and__continuing until their successors are 20 21 elected or appointed and qualified. Appointments to fill 22 vacancies shall be made by the county governing body and 23 appointees shall hold office until the next regular 24 election. All electors, as defined in Title 13, who reside 25 in the district are eligible to vote in the election,

including any holder of title to lands within the district 1 2 who presents a proof of interest in such land at the polling place, regardless of whether he is registered to vote. 3

(3) Candidates for the office of trustee of the fire 4 5 district to be filled by election may be nominated by petition filed with the election administrator or deputy 6 election administrator at least 30 days before the election 7 day and signed by at least five electors of the district. 8 9 [4] If no nominations are made for one or more trustee offices, the-electors-of-the-district--shall--write--on--the 10 ballats--the--nase--or--nases--of--the-persons-for-whom-they 11 destre-to-votes-This-subsection-does-not-prevent-an--efector 12 13 from-voting-for-any-gualified-persony-atthough-the-name-does not-appear-on-the-officiel-beliet the county governing __body 14 shall_appoint_one_or_more_trustees_as_peressary_to_fill 15 16 those offices. (4)(5) The trustees shall organize by choosing a 17

chairman and appointing one member to act as secretary." 18

-End-

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SENATE STANDING COMMITTEE REPORT (Local Government)

That House Bill No. 632 be amended as follows:

- 1. Page 1, line 16.
 Strike: "or appointed"
- 2. Page 1, line 18. Following: "13-1-401" Insert: ", or appointed as provided in subsection (4) of this section"

HOUSE BILL NO. 632 1 to vote in the election, including any holder of title to 1 2 INTRODUCED BY BEISS lands within the district who presents a proof of interest 2 3 in such land at the polling place, regardless of whether he ч. A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE COUNTY 4 is registered to vote. 4 GOVERNING BODY TO APPOINT A FIRE DISTRICT TRUSTEE WHEN THERE (3) Candidates for the office of trustee of the fire 5 5 ARE NO NOMINEES FOR THE POSITION; AMENDING SECTION district to be filled by election may be nominated by 6 6 petition filed with the election administrator or deputy 7 7-33-2106. MCA.* 7 8 election administrator at least 30 days before the election 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 day and signed by at least five electors of the district. 9 Section 1. Section 7-33-2106, MCA, is amended to read: 10 10 [1] If no nominations are made for one or more trustee #7-33-2106. Details relating to board of trustees of 11 offices, the--electors--of--the-district-shall-write-on-the 11 fire district. (1) The five trustees initially appointed by 12 battots-the-name-or-names--of--the--persons--for--whom--they 12 the county commissioners shall hold office until their 13 destre-to-votex-This-subsection-does-not-prevent-an--elector 13 successors are elected or appointed and qualified as 14 from-voting-for-ony-qualified-persony-although-the-name-does 14 15 15 hereinafter provided. not--appear-on-the-official-ballot the county governing body (2) Trustees shall be elected or appointed as provided 16 shall_appoint_one_or_ectrustees_as_necessary_to_fill 16 in subsection (3) of this section, 13-1-104(3), and 13-1-401 17 those_offices. 17 UR_APPOINTED_AS_PROVIDED_IN_SUBSECTION_141_DE_IHIS__SECTION. 18 141151 The trustees shall organize by choosing a 18 The term of office shall be 3 years beginning at the first 19 chairman and appointing one member to act as secretary." 19 district meeting following their election or appointment and -End-20 continuing until their successors are elected <u>pr_appointed</u> 21 and qualified. Appointments to fill vacancies shall be made 22 by the county governing body and appointees shall hold 23 office until the next regular election. All electors, as 24 defined in Title 13, who reside in the district are eligible 25

> -2- HB632 REFERENCE BILL