

HOUSE BILL NO. 742
INTRODUCED BY O'CONNELL

IN THE HOUSE

February 12, 1983	Introduced and referred to Committee on Taxation.
February 18, 1983	Committee recommend bill do pass. Report adopted.
February 19, 1983	Bill printed and placed on members' desks.
	Second reading, do pass.
February 22, 1983	Considered correctly engrossed.
	Third reading, passed. Transmitted to Senate.

IN THE SENATE

March 1, 1983	Introduced and referred to Committee on Taxation.
March 28, 1983	Committee recommend bill be concurred in as amended. Report adopted.
March 30, 1983	Second reading, concurred in.
March 31, 1983	Third reading, concurred in. Ayes, 49; Noes, 0.

IN THE HOUSE

March 31, 1983	Returned to House with amendments.
April 12, 1983	Rules suspended to allow House to act upon Senate amendments.
April 13, 1983	Second reading, amendments not concurred in.

April 13, 1983

On motion, Conference
Committee requested and
appointed.

April 19, 1983

Conference Committee
dissolved.

On motion, Free Conference
Committee requested and
appointed.

April 20, 1983

Free Conference Committee
reported.

Second reading, Free
Conference Committee report
adopted.

Third reading, Free Conference
Committee report adopted.

April 21, 1983

Free Conference Committee
report adopted by Senate.

Sent to enrolling.

Reported correctly enrolled.

NO. 742

INTRODUCED BY H. Russell

A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE OPTIONS OF ASSESSING STREET LIGHTING DISTRICT COSTS ACCORDING TO THE TAXABLE VALUATION OF THE PROPERTY OR ACCORDING TO A COMBINED AREA-FRONTAGE METHOD; AMENDING SECTIONS 7-12-4323 AND 7-12-4324, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 7-12-4323, MCA, is amended to read:

"7-12-4323. Assessment of costs -- area ~~or taxable valuation~~ option. (1) The city council ~~shall~~ may assess the entire cost of such improvement against the entire district, each lot or parcel of land within such district to be assessed for that part of the whole cost which its:

(a) area bears to the area of the entire district, exclusive of streets, avenues, alleys, and public places; or

(b) ~~taxable valuation, including improvements, bears to the taxable valuation of the entire district.~~

(2) The council, in its discretion, shall have the power to pay the whole or any part of the cost of any street, avenue, or alley intersection out of any funds in its hands available for that purpose or to include the whole

or any part of such costs within the amount of the assessment to be paid by the property in the district.

(3) In order to apportion the cost of any of the improvements provided in this part between the corner lot and the inside lots of any block, the council may, in the resolution creating any district, provide that whenever any of the improvements provided in this part shall be along any side street or bordering or abutting upon the side of any corner lot of any block, the amount of the assessment against the property in such district to defray the cost of such improvements shall be so assessed that each square foot of the land embraced within any such corner lot shall bear double the amount of the cost of such improvement that a square foot of any inside lot shall bear."

Section 2. Section 7-12-4324, MCA, is amended to read:

"7-12-4324. Assessment of costs -- frontage or combined area-frontage option. (1) The city council ~~shall~~ may assess the cost of the improvements against the entire district;

(a) by assessing each lot or parcel of land within the district bordering or abutting upon the streets whereon or wherein the improvement has been made to bear costs in proportion to the lineal feet abutting or bordering the streets; or

(b) by assessing a portion of the total costs by the

INTRODUCED BILL

1 ~~method provided in 7-12-4323(1)(a) on an area basis and the~~
2 ~~remainder of such cost by the method provided in subsection~~
3 ~~(1)(a) of this section on a frontage basis. The portion to~~
4 ~~be assessed in each district by each such method must be~~
5 ~~determined and fixed by the city or town council.~~

6 (2) The council, in its discretion, may pay the whole
7 or any part of the cost of any street, avenue, or alley
8 intersection out of any funds in its hands available for
9 that purpose or include the whole or any part of such costs
10 within the amount of the assessment to be paid by the
11 property in the district."

12 ~~NEW SECTION.~~ Section 3. Effective date. This act is
13 effective on passage and approval.

-End-

Approved by committee
on Taxation

1 *House* BILL NO. 742
2 INTRODUCED BY *J. Canell*
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE OPTIONS OF
5 ASSESSING STREET LIGHTING DISTRICT COSTS ACCORDING TO THE
6 TAXABLE VALUATION OF THE PROPERTY OR ACCORDING TO A COMBINED
7 AREA-FRONTAGE METHOD; AMENDING SECTIONS 7-12-4323 AND
8 7-12-4324, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

11 Section 1. Section 7-12-4323, MCA, is amended to read:

12 "7-12-4323. Assessment of costs -- area or taxable
13 valuation option. (1) The city council ~~shall~~ may assess the
14 entire cost of such improvement against the entire district,
15 each lot or parcel of land within such district to be
16 assessed for that part of the whole cost which its:

17 (a) area bears to the area of the entire district,
18 exclusive of streets, avenues, alleys, and public places; or
19 or

20 (b) taxable valuation, including improvements, bears
21 to the taxable valuation of the entire district.

22 (2) The council, in its discretion, shall have the
23 power to pay the whole or any part of the cost of any
24 street, avenue, or alley intersection out of any funds in
25 its hands available for that purpose or to include the whole

1 or any part of such costs within the amount of the
2 assessment to be paid by the property in the district.

3 (3) In order to apportion the cost of any of the
4 improvements provided in this part between the corner lot
5 and the inside lots of any block, the council may, in the
6 resolution creating any district, provide that whenever any
7 of the improvements provided in this part shall be along any
8 side street or bordering or abutting upon the side of any
9 corner lot of any block, the amount of the assessment
10 against the property in such district to defray the cost of
11 such improvements shall be so assessed that each square foot
12 of the land embraced within any such corner lot shall bear
13 double the amount of the cost of such improvement that a
14 square foot of any inside lot shall bear."

15 Section 2. Section 7-12-4324, MCA, is amended to read:

16 "7-12-4324. Assessment of costs -- frontage or
17 combined area-frontage option. (1) The city council ~~shall~~
18 may assess the cost of the improvements against the entire
19 district; or

20 (a) by assessing each lot or parcel of land within the
21 district bordering or abutting upon the streets whereon or
22 wherein the improvement has been made to bear costs in
23 proportion to the lineal feet abutting or bordering the
24 streets; or

25 (b) by assessing a portion of the total costs by the

1 ~~method provided in 7-12-43231111al on an area basis and the~~
 2 ~~remainder of such cost by the method provided in subsection~~
 3 ~~1111al of this section on a frontage basis. The portion to~~
 4 ~~be assessed in each district by each such method must be~~
 5 ~~determined and fixed by the city or town council.~~

6 (2) The council, in its discretion, may pay the whole
 7 or any part of the cost of any street, avenue, or alley
 8 intersection out of any funds in its hands available for
 9 that purpose or include the whole or any part of such costs
 10 within the amount of the assessment to be paid by the
 11 property in the district."

12 ~~NEW SECTION.~~ Section 3. Effective date. This act is
 13 effective on passage and approval.

-End-

1 *House* BILL NO. 742
 2 INTRODUCED BY *D. Russell*
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE OPTIONS OF
 5 ASSESSING STREET LIGHTING DISTRICT COSTS ACCORDING TO THE
 6 TAXABLE VALUATION OF THE PROPERTY OR ACCORDING TO A COMBINED
 7 AREA-FRONTAGE METHOD; AMENDING SECTIONS 7-12-4323 AND
 8 7-12-4324, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."
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 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 11 Section 1. Section 7-12-4323, MCA, is amended to read:
 12 "7-12-4323. Assessment of costs -- area or taxable
 13 valuation option. (1) The city council ~~shall~~ may assess the
 14 entire cost of such improvement against the entire district,
 15 each lot or parcel of land within such district to be
 16 assessed for that part of the whole cost which its:
 17 (a) area bears to the area of the entire district,
 18 exclusive of streets, avenues, alleys, and public places;
 19 or
 20 (b) taxable valuation, including improvements, bears
 21 to the taxable valuation of the entire district.
 22 (2) The council, in its discretion, shall have the
 23 power to pay the whole or any part of the cost of any
 24 street, avenue, or alley intersection out of any funds in
 25 its hands available for that purpose or to include the whole

1 or any part of such costs within the amount of the
 2 assessment to be paid by the property in the district.
 3 (3) In order to apportion the cost of any of the
 4 improvements provided in this part between the corner lot
 5 and the inside lots of any block, the council may, in the
 6 resolution creating any district, provide that whenever any
 7 of the improvements provided in this part shall be along any
 8 side street or bordering or abutting upon the side of any
 9 corner lot of any block, the amount of the assessment
 10 against the property in such district to defray the cost of
 11 such improvements shall be so assessed that each square foot
 12 of the land embraced within any such corner lot shall bear
 13 double the amount of the cost of such improvement that a
 14 square foot of any inside lot shall bear."
 15 Section 2. Section 7-12-4324, MCA, is amended to read:
 16 "7-12-4324. Assessment of costs -- frontage or
 17 combined area-frontage option. (1) The city council ~~shall~~
 18 may assess the cost of the improvements against the entire
 19 district;
 20 (a) by assessing each lot or parcel of land within the
 21 district bordering or abutting upon the streets whereon or
 22 wherein the improvement has been made to bear costs in
 23 proportion to the lineal feet abutting or bordering the
 24 streets;
 25 (b) by assessing a portion of the total costs by the

1 ~~method provided in 7-12-4323(l)(1) on an area basis and the~~
2 ~~remainder of such cost by the method provided in subsection~~
3 ~~(l)(1) of this section on a frontage basis. The portion to~~
4 ~~be assessed in each district by each such method must be~~
5 ~~determined and fixed by the city or town council.~~

6 (2) The council, in its discretion, may pay the whole
7 or any part of the cost of any street, avenue, or alley
8 intersection out of any funds in its hands available for
9 that purpose or include the whole or any part of such costs
10 within the amount of the assessment to be paid by the
11 property in the district."

12 **NEW SECTION.** Section 3. Effective date. This act is
13 effective on passage and approval.

-End-

March 28, 1983

SENATE STANDING COMMITTEE REPORT
(Taxation)

That House Bill No. 742 be amended as follows:

1. Title, line 6.

Following: "PROPERTY"

Strike: "OR ACCORDING TO A COMBINED AREA-FRONTAGE METHOD"

Insert: "; PROVIDING THAT PROTEST BE WEIGHTED ACCORDING TO THE
AMOUNT TO BE ASSESSED AGAINST THE PROPERTY; REQUIRING THE CITY
OR TOWN TO PAY 25% OF THE COST OF THE LIGHTING SYSTEM ON
ARTERIAL STREETS"

2. Title, line 7.

Following: "SECTIONS"

Insert: "7-12-4301, 7-12-4305, AND"

Following: "7-12-4323"

Strike: "AND"

3. Title, line 8.

Strike: "7-12-4324"

4. Page 2, line 16 through page 3, line 11.

Following: line 15

Strike: Section 2 in its entirety

Insert: "Section 2. Section 7-12-4301, MCA, is amended to read:

"7-12-4301. Special improvement districts for lighting
streets authorized. (1) The council of any city or town is
authorized to:

(a) create special improvement districts embracing any
street or streets or public highway therein or portions
thereof and property adjacent thereto or property which may be
declared by said council to be benefited by the
improvement to be made for the purpose of lighting such
street or streets or public highway;

(b) require that all or any portion of the cost of
installing and maintaining such lighting system be paid by the
owners of the property embraced within the boundaries of such
districts, except that the city or town must pay at least 25% of
the cost of installing and maintaining such lighting system
located on arterial streets; and

(c) assess and collect such portion of such cost by
special assessment against said property.

(2) The governing body may create special lighting
districts on any street or streets or public highway for the
purpose of lighting them and assess the costs for
installation and maintenance to property abutting thereto and
collect the costs by special assessment against the
property."

Section 3. Section 7-12-4305, MCA, is amended to read:

"7-12-4305. Consideration of protest. (1) At the next regular meeting of the city council after the expiration of the time within which said protests may be made, the city council shall proceed to hear and pass upon all protests so made, and its decision shall be final and conclusive. When the protest is against the proposed work and the cost thereof is to be assessed upon property embraced within the boundaries of the district and if the city council finds that such protest is made by the owners of a majority of the property embraced within the district to be assessed for the proposed work, no further proceedings shall be taken for a period of 6 months from the date when said protest was received by the city clerk of said city council.

(2) In determining the sufficiency of protest, each protest shall be weighted in proportion to the amount of the assessment to be levied against the lot or parcel with respect to which it is made.

~~(2)~~ (3) In determining whether or not sufficient protest has been filed in a proposed district to prevent further

proceedings therein, property owned by a county, city, or town shall be considered the same as other property in the district.

~~43~~ (4) The city council may adjourn said hearing from time to time."

Renumber: subsequent sections

HOUSE BILL NO. 742

INTRODUCED BY O'CONNELL

A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE OPTIONS OF ASSESSING STREET LIGHTING DISTRICT COSTS ACCORDING TO THE TAXABLE VALUATION OF THE PROPERTY OR ACCORDING TO A COMBINED AREA-FRONTAGE METHOD; PROVIDING THAT DISTRICT BE WEIGHTED ACCORDING TO THE AMOUNT TO BE ASSESSED AGAINST THE PROPERTY; REQUIRING THE CITY OR TOWN TO PAY 25 PERCENT OF THE COST OF THE LIGHTING SYSTEM ON ARTERIAL STREETS; AMENDING SECTIONS 7-12-4301, 7-12-4305, AND 7-12-4323 AND 7-12-4324, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 7-12-4323, MCA, is amended to read:

"7-12-4323. Assessment of costs -- area or taxable valuation option. (1) The city council shall may assess the entire cost of such improvement against the entire district, each lot or parcel of land within such district to be assessed for that part of the whole cost which its;

(a) area bears to the area of the entire district, exclusive of streets, avenues, alleys, and public places; or

(b) taxable valuation, including improvements, bears to the taxable valuation of the entire district.

(2) The council, in its discretion, shall have the power to pay the whole or any part of the cost of any street, avenue, or alley intersection out of any funds in its hands available for that purpose or to include the whole or any part of such costs within the amount of the assessment to be paid by the property in the district.

(3) In order to apportion the cost of any of the improvements provided in this part between the corner lot and the inside lots of any block, the council may, in the resolution creating any district, provide that whenever any of the improvements provided in this part shall be along any side street or bordering or abutting upon the side of any corner lot of any block, the amount of the assessment against the property in such district to defray the cost of such improvements shall be so assessed that each square foot of the land embraced within any such corner lot shall bear double the amount of the cost of such improvement that a square foot of any inside lot shall bear."

Section 2. Section 7-12-4324, MCA, is amended to read:

"7-12-4324. Assessment of costs -- frontage or combined area-frontage options. (1) The city council shall may assess the cost of the improvements against the entire district;

(a) by assessing each lot or parcel of land within the district bordering or abutting upon the streets whereon or

wherein the improvement has been made to bear costs in proportion to the lineal feet abutting or bordering the streets; and

(b) by assessing a portion of the total costs by the method provided in 7-12-4323 and on an area basis and the remainder of such cost by the method provided in subsection 11101 of this section on a frontage basis; the portion to be assessed in each district by each such method must be determined and fixed by the city or town council;

(2) The council in its discretion may pay the whole or any part of the cost of any street, avenue or alley intersection out of any funds in its hands available for that purpose or include the whole or any part of such costs within the amount of the assessment to be paid by the property in the district;

SECTION 2. SECTION 7-12-4301, MCA, IS AMENDED TO READ:

"7-12-4301. Special improvement districts for lighting streets authorized. (1) The council of any city or town is authorized to:

(a) create special improvement districts embracing any street or streets or public highway therein or portions thereof and property adjacent thereto or property which may be declared by said council to be benefited by the improvement to be made for the purpose of lighting such street or streets or public highway;

(b) require that all or any portion of the cost of installing and maintaining such lighting system be paid by the owners of the property embraced within the boundaries of such districts, except that the city or town must pay at least 25% of the cost of installing and maintaining such lighting system located on arterial streets; and

(c) assess and collect such portion of such cost by special assessment against said property.

(2) The governing body may create special lighting districts on any street or streets or public highway for the purpose of lighting them and assess the costs for installation and maintenance to property abutting thereto and collect the costs by special assessment against the property."

SECTION 3. SECTION 7-12-4305, MCA, IS AMENDED TO READ:

"7-12-4305. Consideration of protest. (1) At the next regular meeting of the city council after the expiration of the time within which said protests may be made, the city council shall proceed to hear and pass upon all protests so made, and its decision shall be final and conclusive. When the protest is against the proposed work and the cost thereof is to be assessed upon property embraced within the boundaries of the district and if the city council finds that such protest is made by the owners of a majority of the property embraced within the district to be assessed for the

1 proposed work, no further proceedings shall be taken for a
2 period of 6 months from the date when said protest was
3 received by the city clerk of said city council.

4 ~~(2) In determining the sufficiency of protests, each~~
5 ~~protest shall be weighted in proportion to the amount of the~~
6 ~~assessment to be levied against the lot or parcel with~~
7 ~~respect to which it is made.~~

8 ~~(2)(3)~~ In determining whether or not sufficient
9 protest has been filed in a proposed district to prevent
10 further proceedings therein, property owned by a county,
11 city, or town shall be considered the same as other property
12 in the district.

13 ~~(3)(4)~~ The city council may adjourn said hearing from
14 time to time."

15 ~~NEW SECTION.~~ Section 4. Effective date. This act is
16 effective on passage and approval.

-End-

FREE CONFERENCE COMMITTEE
HOUSE BILL NO. 742 19.....
(Report No. 1, April 19, 1983)

MR. SPEAKER:

We, your Free Conference Committee on House Bill 742,
met and considered:

House Bill 742; and
Senate Committee on Taxation amendments to House Bill
742 of March 28, 1983.

We respectfully recommend:

That the Senate recede from the Senate Committee on
Taxation amendments numbers 1, 2, and 4 of March 28, 1983;

That the House accede to Senate Committee on Taxation
amendment number 3;

That House Bill 742 be further amended as specified in
the CLERICAL INSTRUCTIONS; and

That this Free Conference Committee report be adopted.

.....
CLERICAL INSTRUCTIONS FOR REFERENCE COPY (SALMON)

1. Title, lines 9 and 10.

Following: line 8

Strike: line 9 in its entirety through ";" on line 10

2. Title, line 11.

Strike: "7-12-4301,"

Following: "7-12-4305"

Strike: "+"
+

3. Pages 3 and 4.

Strike: line 16 on page 3 through line 14 on page 4

Renumber: subsequent sections

FOR THE HOUSE

FOR THE SENATE

O'Connell
O'CONNELL, CHAIR

McCallum
MCALLUM, CHAIR

Bill Hand
HAND

Hager
HAGER

Les Kittelman
KITSELMAN

Lynch
LYNCH

PK

Les

Chairman

HOUSE BILL NO. 742

INTRODUCED BY O'CONNELL

A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE OPTIONS OF ASSESSING STREET LIGHTING DISTRICT COSTS ACCORDING TO THE TAXABLE VALUATION OF THE PROPERTY OR ACCORDING TO A COMBINED AREA-FRONTAGE METHOD; PROVIDING THAT PROTEST BE WEIGHED ACCORDING TO THE AMOUNT TO BE ASSESSED AGAINST THE PROPERTY; ~~REGULATING THE CITY OR TOWN TO PAY 25 PERCENT OF THE COST OF THE LIGHTING SYSTEM ON ARTERIAL STREETS;~~ AMENDING SECTIONS ~~7-12-4321, 7-12-4305, AND 7-12-4323 AND 7-12-4324,~~ MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 7-12-4323, MCA, is amended to read:

"7-12-4323. Assessment of costs -- area or taxable valuation option. (1) The city council ~~shall~~ may assess the entire cost of such improvement against the entire district, each lot or parcel of land within such district to be assessed for that part of the whole cost which its:

(a) area bears to the area of the entire district, exclusive of streets, avenues, alleys, and public places; or

(b) taxable valuation, including improvements, bears to the taxable valuation of the entire district.

(2) The council, in its discretion, shall have the power to pay the whole or any part of the cost of any street, avenue, or alley intersection out of any funds in its hands available for that purpose or to include the whole or any part of such costs within the amount of the assessment to be paid by the property in the district.

(3) In order to apportion the cost of any of the improvements provided in this part between the corner lot and the inside lots of any block, the council may, in the resolution creating any district, provide that whenever any of the improvements provided in this part shall be along any side street or bordering or abutting upon the side of any corner lot of any block, the amount of the assessment against the property in such district to defray the cost of such improvements shall be so assessed that each square foot of the land embraced within any such corner lot shall bear double the amount of the cost of such improvement that a square foot of any inside lot shall bear."

~~Section 2. Section 7-12-4324, MCA, is amended to read:~~

~~"7-12-4324. Assessment of costs ----- frontage or combined area-frontage option. (1) The city council shall pay the cost of the improvements against the entire district;~~

~~(a) by assessing each lot or parcel of land within the district bordering or abutting upon the streets whereon or~~

1 wherein the improvement has been made to bear costs in
2 proportion to the lineal feet abutting or bordering the
3 streets; or

4 (b) by assessing a portion of the total costs by the
5 method provided in 7-12-4323 (1) (a) on an area basis and the
6 remainder of such cost by the method provided in subsection
7 (1) (a) of this section on a frontage basis; the portion to
8 be assessed in each district by each such method must be
9 determined and fixed by the city or town council;

10 (2) the council in its discretion may pay the whole
11 or any part of the cost of any streets, avenues or alley
12 intersection out of any funds in its hands available for
13 that purpose or include the whole or any part of such costs
14 within the amount of the assessment to be paid by the
15 property in the districts;

16 ~~SECTION 2. SECTION 7-12-4305, MCA, IS AMENDED TO READ:~~

17 ~~"7-12-4305. Special improvement districts for lighting~~
18 ~~streets authorized. (1) The council of any city or town is~~
19 ~~authorized to:~~

20 ~~(a) create special improvement districts embracing any~~
21 ~~street or streets or public highway therein or portions~~
22 ~~thereof and property adjacent thereto or property which may~~
23 ~~be declared by said council to be benefited by the~~
24 ~~improvement to be made for the purpose of lighting such~~
25 ~~street or streets or public highway;~~

1 (b) require that all or any portion of the cost of
2 installing and maintaining such lighting system be paid by
3 the owners of the property embraced within the boundaries of
4 such district; except that the city or town must pay at
5 least 25% of the cost of installing and maintaining such
6 lighting system located on arterial streets; and

7 (c) assess and collect such portion of such cost by
8 special assessment against said property;

9 (2) the governing body may create special lighting
10 districts on any street or streets or public highway for the
11 purpose of lighting them and assess the costs for
12 installation and maintenance to property abutting thereto
13 and collect the costs by special assessment against the
14 property;

15 ~~SECTION 2. SECTION 7-12-4305, MCA, IS AMENDED TO READ:~~

16 ~~"7-12-4305. Consideration of protest. (1) At the next~~
17 ~~regular meeting of the city council after the expiration of~~
18 ~~the time within which said protests may be made, the city~~
19 ~~council shall proceed to hear and pass upon all protests so~~
20 ~~made, and its decision shall be final and conclusive. When~~
21 ~~the protest is against the proposed work and the cost~~
22 ~~thereof is to be assessed upon property embraced within the~~
23 ~~boundaries of the district and if the city council finds~~
24 ~~that such protest is made by the owners of a majority of the~~
25 ~~property embraced within the district to be assessed for the~~

1 proposed work, no further proceedings shall be taken for a
2 period of 6 months from the date when said protest was
3 received by the city clerk of said city council.

4 ~~(2) In determining the sufficiency of protest, each~~
5 ~~protest shall be weighted in proportion to the amount of the~~
6 ~~assessment to be levied against the lot or parcel with~~
7 ~~respect to which it is made.~~

8 ~~(2)(3)~~ In determining whether or not sufficient
9 protest has been filed in a proposed district to prevent
10 further proceedings therein, property owned by a county,
11 city, or town shall be considered the same as other property
12 in the district.

13 ~~(3)(4)~~ The city council may adjourn said hearing from
14 time to time."

15 ~~NEW SECTION.~~ Section 3. Effective date. This act is
16 effective on passage and approval.

-End-