

SENATE BILL NO. 86

Introduced: 01/08/83

Referred to Committee on Local Government: 01/08/83

Hearing: 1/13/83

Died in Committee.

1 *Sen. Thomas* BILL NO. *86*  
2 INTRODUCED BY *Thomas*  
3 *Miller* *Keating*

4 A BILL FOR AN ACT ENTITLED: "AN ACT REDUCING THE COMMENT  
5 PERIOD ON A RESOLUTION OF INTENT TO ANNEX BY A FIRST-CLASS  
6 CITY FROM 20 DAYS TO 10 DAYS; AND REDUCING THE COMMENT  
7 PERIOD ON A RESOLUTION OF INTENT TO ANNEX CONTIGUOUS  
8 GOVERNMENT LAND BY A MUNICIPALITY FROM 20 DAYS TO 10 DAYS;  
9 AMENDING SECTIONS 7-2-4313, 7-2-4314, AND 7-2-4405, MCA."

10

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

12 Section 1. Section 7-2-4313, MCA, is amended to read:

13 "7-2-4313. Contents of notice -- protest period. The  
14 notice shall be to the effect that:

15 (1) such resolution has been duly and regularly  
16 passed; and

17 (2) for a period of 20 10 days after the first  
18 publication of such notice, such city clerk will receive  
19 expressions, in writing, of approval or disapproval of the  
20 proposed extensions of the boundaries of such city of the  
21 first class from freeholders of the territory proposed to be  
22 embraced therein."

23 Section 2. Section 7-2-4314, MCA, is amended to read:

24 "7-2-4314. Hearing on question of annexation --  
25 resolution of annexation. (1) The clerk shall, at the next

1 regular meeting of the city council of such city of the  
2 first class after the expiration of said 20 10 days, lay  
3 before the same all communications in writing so received by  
4 him for its consideration. Except as provided in subsection  
5 (2), if after considering the same such council shall duly  
6 and regularly pass and adopt a resolution to that effect,  
7 the boundaries of such city of the first class shall be  
8 extended so as to embrace and include such platted tracts or  
9 parcels of land or unplatted land for which a certificate of  
10 survey has been filed; the time when the same shall go into  
11 effect to be fixed by such resolution.

12 (2) Such resolution shall not be adopted by such  
13 council if disapproved in writing by a majority of the  
14 resident freeholders of the territory proposed to be  
15 embraced, and no further resolutions relating to the  
16 annexation of said territory or any portion thereof may be  
17 considered or acted upon by the council on its own  
18 initiative and without petition for a period of 1 year from  
19 the date of disapproval."

20 Section 3. Section 7-2-4405, MCA, is amended to read:

21 "7-2-4405. Notice of resolution -- protest period. The  
22 clerk of the municipality shall forthwith cause to be  
23 published in the newspaper nearest such land, at least once  
24 a week for 2 successive weeks, a notice that such resolution  
25 has been duly and regularly passed and that for a period of

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1 20 10 days after the first publication of such notice, such  
2 clerk will receive expressions of approval or disapproval,  
3 in writing, of the proposed alterations of the boundaries of  
4 the municipality. Said notice shall also state the time and  
5 place set for the public hearing on the proposed  
6 annexation."

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