

SENATE BILL NO. 121

INTRODUCED BY FULLER, BERTELSEN

IN THE SENATE

January 12, 1983	Introduced and referred to Committee on Local Government.
January 29, 1983	Committee recommend bill do pass as amended. Report adopted.
January 31, 1983	Bill printed and placed on members' desks.
February 1, 1983	Second reading, do pass.
February 2, 1983	Correctly engrossed.
February 3, 1983	Third reading, passed. Ayes, 48; Noes, 2. Transmitted to House.

IN THE HOUSE

February 4, 1983	Introduced and referred to Committee on Local Government.
March 4, 1983	Committee recommend bill be concurred in. Report adopted.
March 5, 1983	Second reading, concurred in.
March 7, 1983	Third reading, concurred in.

IN THE SENATE

March 8, 1983	Returned to Senate. Sent to enrolling. Reported correctly enrolled.
---------------	--

1 *Senate* BILL NO. *121*
 2 INTRODUCED BY *Fuller, Bartelsen*
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW A BOARD OF
 5 COUNTY COMMISSIONERS TO INITIATE AND ADOPT A RESOLUTION THAT
 6 CALLS FOR AN ELECTION ON THE QUESTION OF ISSUING COUNTY
 7 BONDS; AMENDING SECTIONS 7-7-2223 AND 7-7-2227, MCA."
 8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 10 Section 1. Section 7-7-2223, MCA, is amended to read:
 11 "7-7-2223. ~~Petition and election~~ Election required for
 12 issuance of certain bonds. (1) County bonds for any purpose
 13 other than those enumerated in 7-7-2221 and 7-7-2311 may not
 14 be issued unless authorized at a duly called special or
 15 general election at which the question of issuing such bonds
 16 is submitted to the registered electors of the county and
 17 approved as provided in 7-7-2237.
 18 (2) No bond election may be called unless the board of
 19 county commissioners:
 20 (a) initiates and adopts a resolution in accordance
 21 with the provisions of 7-7-2227; or
 22 (b) receives a petition, delivered and certified by
 23 the election administrator, asking that such election be
 24 held and the question be submitted. The petition must be
 25 signed by at least 20% of the registered electors of the

1 county."
 2 Section 2. Section 7-7-2227, MCA, is amended to read:
 3 "7-7-2227. Examination of petition -- resolution
 4 calling for election. (1) Upon delivery of the certified
 5 petition, the board shall carefully examine the petition and
 6 make such other investigation as it may consider necessary.
 7 If it is found that the petition is in proper form, bears
 8 the requisite number of signers of qualified petitioners,
 9 and is in all other respects sufficient, the board shall
 10 pass and adopt a resolution that contains the provisions of
 11 subsection (2) plus the essential facts in regard to the
 12 petition and its filing and presentation.
 13 (2) The resolution shall:
 14 (a) ~~recite the essential facts in regard to the~~
 15 ~~petition and its filing and presentation and the purpose or~~
 16 ~~purposes for which the bonds are proposed to be issued;~~
 17 (b) fix the exact amount of bonds proposed to be
 18 issued for each purpose, which amount may be less than but
 19 must not exceed the amount set forth in the petition;
 20 (c) determine the number of years through which such
 21 bonds are to be paid, not exceeding the limitations fixed in
 22 7-7-2206; and
 23 (d) make provision for having the question submitted
 24 to the registered electors of the county at the next general
 25 election or at a special election which the board may call

1 for that purpose.

2 (3) Whenever a board of county commissioners initiates
3 a resolution in accordance with the provisions of 7-7-2223,
4 the resolution must contain the provisions of subsection
5 (2)."

-End-

Approved by Comm.
on Local Government

SENATE BILL NO. 121

INTRODUCED BY FULLER, BERTELSEN

A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW A BOARD OF COUNTY COMMISSIONERS TO INITIATE AND ADOPT A RESOLUTION THAT CALLS FOR AN ELECTION ON THE QUESTION OF ISSUING COUNTY BONDS; AMENDING SECTIONS 7-7-2223 AND 7-7-2227, MCA."

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

Section 1. Section 7-7-2223, MCA, is amended to read:

"7-7-2223. ~~Petition-and-election~~ Election required for issuance of certain bonds. (1) County bonds for any purpose other than those enumerated in 7-7-2221 and 7-7-2311 may not be issued unless authorized at a duly called special or general election at which the question of issuing such bonds is submitted to the registered electors of the county and approved as provided in 7-7-2237.

(2) No bond election may be called unless the board of county commissioners:

~~(a) initiates and UNANIMOUSLY adopts a resolution in accordance with the provisions of 7-7-2227(2); or~~

(b) receives a petition, delivered and certified by the election administrator, asking that such election be held and the question be submitted. The petition must be signed by at least 20% of the registered electors of the

county."

Section 2. Section 7-7-2227, MCA, is amended to read:

"7-7-2227. Examination of petition -- resolution calling for election. (1) Upon delivery of the certified petition, the board shall carefully examine the petition and make such other investigation as it may consider necessary. If it is found that the petition is in proper form, bears the requisite number of signers of qualified petitioners, and is in all other respects sufficient, the board shall pass and adopt a resolution ~~that contains the provisions of subsection (2) plus the essential facts in regard to the petition and its filing and presentation.~~

(2) The resolution shall:

(a) ~~recite the essential facts in regard to the petition--and-its-filing-and-presentation-and~~ the purpose or purposes for which the bonds are proposed to be issued;

(b) fix the exact amount of bonds proposed to be issued for each purpose, which amount may be less than but must not exceed the amount set forth in the petition;

(c) determine the number of years through which such bonds are to be paid, not exceeding the limitations fixed in 7-7-2206; and

(d) make provision for having the question submitted to the registered electors of the county at the next general election or at a special election which the board may call

1 for that purpose.

2 (3) Whenever a board of county commissioners initiates
3 a resolution in accordance with the provisions of 7-7-2223,
4 the resolution must contain the provisions of subsection
5 (2)."

-End-

SENATE BILL NO. 121

INTRODUCED BY FULLER, BERTELSEN

A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW A BOARD OF COUNTY COMMISSIONERS TO INITIATE AND ADOPT A RESOLUTION THAT CALLS FOR AN ELECTION ON THE QUESTION OF ISSUING COUNTY BONDS; AMENDING SECTIONS 7-7-2223 AND 7-7-2227, MCA."

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

Section 1. Section 7-7-2223, MCA, is amended to read:

"7-7-2223. ~~Petition-and-election~~ Election required for issuance of certain bonds. (1) County bonds for any purpose other than those enumerated in 7-7-2221 and 7-7-2311 may not be issued unless authorized at a duly called special or general election at which the question of issuing such bonds is submitted to the registered electors of the county and approved as provided in 7-7-2237.

(2) No bond election may be called unless the board of county commissioners:

~~(a) initiates and UNANIMOUSLY adopts a resolution in accordance with the provisions of 7-7-2227(2); or~~

(b) receives a petition, delivered and certified by the election administrator, asking that such election be held and the question be submitted. The petition must be signed by at least 20% of the registered electors of the

county."

Section 2. Section 7-7-2227, MCA, is amended to read:

"7-7-2227. Examination of petition -- resolution calling for election. (1) Upon delivery of the certified petition, the board shall carefully examine the petition and make such other investigation as it may consider necessary. If it is found that the petition is in proper form, bears the requisite number of signers of qualified petitioners, and is in all other respects sufficient, the board shall pass and adopt a resolution that contains the provisions of subsection (2) plus the essential facts in regard to the petition and its filing and presentation.

(2) The resolution shall:

(a) ~~recite the--essential--facts--in--regard--to--the petition--and--its--filing--and--presentation--and~~ the purpose or purposes for which the bonds are proposed to be issued;

(b) fix the exact amount of bonds proposed to be issued for each purpose, which amount may be less than but must not exceed the amount set forth in the petition;

(c) determine the number of years through which such bonds are to be paid, not exceeding the limitations fixed in 7-7-2206; and

(d) make provision for having the question submitted to the registered electors of the county at the next general election or at a special election which the board may call

1 for that purpose.

2 ~~(3) Whenever a board of county commissioners initiates~~
3 ~~a resolution in accordance with the provisions of 1-7-2223,~~
4 ~~the resolution must contain the provisions of subsection~~
5 ~~(2)1a.~~

-End-

SENATE BILL NO. 121

INTRODUCED BY FULLER, BERTELSEN

A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW A BOARD OF COUNTY COMMISSIONERS TO INITIATE AND ADOPT A RESOLUTION THAT CALLS FOR AN ELECTION ON THE QUESTION OF ISSUING COUNTY BONDS; AMENDING SECTIONS 7-7-2223 AND 7-7-2227, MCA."

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

Section 1. Section 7-7-2223, MCA, is amended to read:

"7-7-2223. ~~Petition-and-election~~ Election required for issuance of certain bonds. (1) County bonds for any purpose other than those enumerated in 7-7-2221 and 7-7-2311 may not be issued unless authorized at a duly called special or general election at which the question of issuing such bonds is submitted to the registered electors of the county and approved as provided in 7-7-2237.

(2) No bond election may be called unless the board of county commissioners:

~~(a) initiates and UNANIMOUSLY adopts a resolution in accordance with the provisions of 7-7-2227(2); or~~

~~(b) receives a petition, delivered and certified by the election administrator, asking that such election be held and the question be submitted. The petition must be signed by at least 20% of the registered electors of the~~

county."

Section 2. Section 7-7-2227, MCA, is amended to read:

"7-7-2227. Examination of petition -- resolution calling for election. (1) Upon delivery of the certified petition, the board shall carefully examine the petition and make such other investigation as it may consider necessary. If it is found that the petition is in proper form, bears the requisite number of signers of qualified petitioners, and is in all other respects sufficient, the board shall pass and adopt a resolution ~~that contains the provisions of subsection (2) plus the essential facts in regard to the petition and its filing and presentation.~~

(2) The resolution shall:

(a) ~~recite the essential facts in regard to the petition and its filing and presentation and~~ the purpose or purposes for which the bonds are proposed to be issued;

(b) fix the exact amount of bonds proposed to be issued for each purpose, which amount may be less than but must not exceed the amount set forth in the petition;

(c) determine the number of years through which such bonds are to be paid, not exceeding the limitations fixed in 7-7-2206; and

(d) make provision for having the question submitted to the registered electors of the county at the next general election or at a special election which the board may call

1 for that purpose.

2 ~~(3) Whenever a board of county commissioners initiates~~
3 ~~a resolution in accordance with the provisions of 7-7-2223,~~
4 ~~the resolution must contain the provisions of subsection~~
5 ~~(2)."~~

-End-