

SENATE BILL NO. 316

INTRODUCED BY HIRSCH, CONNELLY, MOHAR,
ZABROCKI, DARKO, B. BROWN

IN THE SENATE

February 4, 1985	Introduced and referred to Committee on Education and Cultural Resources.
February 19, 1985	Committee recommend bill do pass as amended. Report adopted.
February 20, 1985	Bill printed and placed on members' desks.
February 21, 1985	Second reading, do pass. Segregated from Committee of the Whole report.
February 22, 1985	Second reading, do pass as amended.
February 23, 1985	Correctly engrossed.
February 25, 1985	Third reading, passed. Ayes, 40; Noes, 8. Transmitted to House.

IN THE HOUSE

February 27, 1985	Introduced and referred to Committee on Education and Cultural Resources.
March 25, 1985	Committee recommend bill be concurred in. Report adopted.
March 30, 1985	Second reading, concurred in.
April 1, 1985	Third reading, concurred in. Returned to Senate.

IN THE SENATE

April 1, 1985

Received from House.

Sent to enrolling.

Reported correctly enrolled.

Senate BILL NO. 316

INTRODUCED BY Hines Connelly Moran
Zaback Nichols Bob Brown

A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE ANNEXATION PROVISIONS OF THE COMMUNITY COLLEGE LAWS TO PROVIDE FOR TRANSITION IN TRUSTEE REPRESENTATION AND FOR A MEANS OF DISANNEXATION; AMENDING SECTION 20-15-231, MCA."

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

Section 1. Section 20-15-231, MCA, is amended to read:

"20-15-231. Annexation of territory of districts to community college district. (1) Whenever 10% of the registered electors of an elementary district or districts of a county that is contiguous to the existing community college district petition the board of trustees of a community college district for annexation of the territory encompassed in such elementary school districts, the board of trustees of the community college district may order an annexation election in the area defined by the petition. Such election shall be held on the next general election day.

(2) (a) Prior to the election on the question of annexation, the trustees shall adopt a plan that includes:

(i) a schedule that provides for the orderly transition from the existing trustee representation to the

representation required by 20-15-204, with such transition period not to exceed 3 years from the date of the election on the question of annexation; and

(ii) a procedure by means of which the electors of the annexed area may withdraw the annexed area from the community college district and the conditions of such withdrawal.

(b) The plan required by this subsection (2) may not be changed by the trustees without the approval of at least 51% of the electors of the annexed area.

~~(3)~~(3) The election shall be conducted in the proposed area for annexation in accordance with the requirements of the community college organization election, except that the board of trustees of the community college shall perform the requirements of the board of regents and there shall not be an election of the board of trustees of the community college.

~~(4)~~(4) The proposition on the ballot shall be as follows:

Shall school districts be annexed to and become a part of the Community College District of, Montana?

FOR annexation.

AGAINST annexation.

~~(5)~~(5) To carry, the proposals to annex must receive a majority of the total votes cast thereon. Upon receipt of



1 the certified results of the election from the elementary
2 districts encompassed in the proposed area to be annexed,
3 the board of trustees of the community college district
4 shall canvass the vote and declare the results of the
5 election. If the annexation proposition carries, a certified
6 copy of the canvassing resolution shall be filed in the
7 office of the county clerk and recorder of the county
8 encompassing the area to be annexed and, upon such filing,
9 the area to be annexed shall then become a part of the
10 community college district."

-End-

APPROVED BY COMM. ON EDUCATION AND CULTURAL RESOURCES

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(ii) a procedure by means of which the electors of the annexed area may withdraw the annexed area from the community college district and the conditions of such withdrawal.

(b) The plan required by this subsection (2) may not be changed by the trustees without the approval of at least 51% A MAJORITY of the electors of the annexed area VOTING ON THE QUESTION.

(3) The election shall be conducted in the proposed area for annexation in accordance with the requirements of the community college organization election, except that the board of trustees of the community college shall perform the requirements of the board of regents and there shall not be an election of the board of trustees of the community college.

(4) The proposition on the ballot shall be as follows:

Shall school districts ... be annexed to and become a part of the Community College District of ..., Montana?

FOR annexation.

AGAINST annexation.

SECOND READING



1 ~~4~~(5) To carry, the proposals to annex must receive
2 a majority of the total votes cast thereon. Upon receipt of
3 the certified results of the election from the elementary
4 districts encompassed in the proposed area to be annexed,
5 the board of trustees of the community college district
6 shall canvass the vote and declare the results of the
7 election. If the annexation proposition carries, a certified
8 copy of the canvassing resolution shall be filed in the
9 office of the county clerk and recorder of the county
10 encompassing the area to be annexed and, upon such filing,
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12 community college district."

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(2) (a) Prior to the election on the question of annexation, the trustees shall adopt a plan that includes:

(i) a schedule that provides for the orderly

transition from the existing trustee representation to the representation required by 20-15-204, with such transition period not to exceed 3 years from the date of the election on the question of annexation; and

(II) PROVISIONS RELATING TO THE ASSUMPTION OR NONASSUMPTION OF EXISTING COMMUNITY COLLEGE DISTRICT BONDED INDEBTEDNESS BY THE ANNEXED AREA AND PROVISIONS RELATING TO THE RESPONSIBILITIES OF THE ANNEXED AREA FOR ANY BONDED INDEBTEDNESS IF IT WITHDRAWS FROM THE DISTRICT; AND

(iii)(III) a procedure by means of which the electors of the annexed area may withdraw the annexed area from the community college district and the conditions of such withdrawal.

(b) The plan required by this subsection (2) may not be changed by the trustees without the approval of at least 51% A MAJORITY of the electors of the annexed area VOTING ON THE QUESTION. THE BONDING PROVISIONS OF THE PLAN SET FORTH PURSUANT TO SUBSECTION (2)(A)(II) MAY NOT BE CHANGED.

(2)(3) The election shall be conducted in the proposed area for annexation in accordance with the requirements of the community college organization election, except that the board of trustees of the community college shall perform the requirements of the board of regents and there shall not be an election of the board of trustees of the community college.

1 †3†(4) The proposition on the ballot shall be as
2 follows:

3 Shall school districts be annexed to and become a
4 part of the Community College District of, Montana?

5 FOR annexation.

6 AGAINST annexation.

7 †4†(5) To carry, the proposals to annex must receive
8 a majority of the total votes cast thereon. Upon receipt of
9 the certified results of the election from the elementary
10 districts encompassed in the proposed area to be annexed,
11 the board of trustees of the community college district
12 shall canvass the vote and declare the results of the
13 election. If the annexation proposition carries, a certified
14 copy of the canvassing resolution shall be filed in the
15 office of the county clerk and recorder of the county
16 encompassing the area to be annexed and, upon such filing,
17 the area to be annexed shall then become a part of the
18 community college district."

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16 college district petition the board of trustees of a
17 community college district for annexation of the territory
18 encompassed in such elementary school districts, the board
19 of trustees of the community college district may order an
20 annexation election in the area defined by the petition.
21 Such election shall be held on the next general election
22 day.

23 (2) (a) Prior to the election on the question of
24 annexation, the trustees shall adopt a plan that includes:

25 (i) a schedule that provides for the orderly

1 transition from the existing trustee representation to the
2 representation required by 20-15-204, with such transition
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7 INDEBTEDNESS BY THE ANNEXED AREA AND PROVISIONS RELATING TO
8 THE RESPONSIBILITIES OF THE ANNEXED AREA FOR ANY BONDED
9 INDEBTEDNESS IF IT WITHDRAWS FROM THE DISTRICT; AND

10 ~~†††~~(III) a procedure by means of which the electors of
11 the annexed area may withdraw the annexed area from the
12 community college district and the conditions of such
13 withdrawal.

14 (b) The plan required by this subsection (2) may not
15 be changed by the trustees without the approval of ~~at least~~
16 ~~51%~~ A MAJORITY of the electors of the annexed area VOTING ON
17 THE QUESTION. THE BONDING PROVISIONS OF THE PLAN SET FORTH
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20 area for annexation in accordance with the requirements of
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22 board of trustees of the community college shall perform the
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