

1 House BILL NO. 253
2 INTRODUCED BY Ream for Dinwiddie

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR THE
5 REMOVAL OF TERRITORY FROM AN URBAN TRANSPORTATION DISTRICT
6 UPON PETITION OF 51 PERCENT OF THE QUALIFIED ELECTORS OF
7 SUCH TERRITORY; TO PROVIDE THAT IF THE REMOVED TERRITORY WAS
8 ORIGINALLY ADDED TO THE DISTRICT BY ANNEXATION WITHIN THE
9 PREVIOUS 5 YEARS, SUCH TERRITORY IS NOT SUBJECT TO THE
10 DISTRICT'S CURRENT INDEBTEDNESS; AND AMENDING SECTION
11 7-14-241, MCA."

12
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 Section 1. Section 7-14-241, MCA, is amended to read:

15 "7-14-241. Procedure to enlarge or reduce district.

16 (1) The boundaries of any transportation district may be
17 enlarged or reduced if 51% of the qualified electors of the
18 area to be added to or removed from the existing district
19 sign a petition requesting addition-to such district action.

20 (2) (a) ~~However,~~ each An addition must be approved by
21 a majority vote of the transportation board.

22 (b) The removal of territory is effective 60 days
23 after submission of the petition to the transportation board
24 unless within that time it is determined that the petition
25 contains insufficient signatures for removal of territory.

1 An insufficient petition must be returned to the
2 petitioners, who may resubmit it within 90 days.

3 (3) (a) All property within any addition to the
4 district shall be subject to all existing indebtedness of
5 the district.

6 (b) Except as provided in subsection (3)(c), property
7 removed from the district is subject to any existing
8 indebtedness of the district.

9 (c) Property is not subject to the district's existing
10 indebtedness if all of the removed territory is land that
11 was added to the district pursuant to this section within 5
12 years of the date the petition for removal was submitted to
13 the transportation board."

-End-



-2- INTRODUCED BILL
HB-253

APPROVED BY COMM.
ON LOCAL GOVERNMENT

HOUSE BILL NO. 253

INTRODUCED BY REAM, PINSONEAULT

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR THE REMOVAL OF TERRITORY CERTAIN PREVIOUSLY ADDED AREAS FROM AN URBAN TRANSPORTATION DISTRICT UPON PETITION OF 51 PERCENT OF THE QUALIFIED ELECTORS OF SUCH TERRITORY AREA; TO PROVIDE THAT IF THE REMOVED TERRITORY AREA WAS ORIGINALLY ADDED TO THE DISTRICT BY ANNEXATION WITHIN THE PREVIOUS 5 YEARS, SUCH TERRITORY AREA IS NOT SUBJECT TO THE DISTRICT'S CURRENT INDEBTEDNESS; AND AMENDING SECTION 7-14-241, MCA."

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

(Refer to Introduced Bill)

Strike everything after the enacting clause and insert:

Section 1. Section 7-14-241, MCA, is amended to read:

"7-14-241. Procedure to enlarge district. (1) The boundaries of any transportation district may be enlarged if 51% of the qualified electors of the area to be added to the existing district sign a petition requesting addition to such district.

(2) However, each addition must be approved by a majority vote of the transportation board.

(3) The area added to a district pursuant to subsection (1) may be removed if the area does not directly

receive transportation services from the district and 51% of the qualified voters in the area sign a petition requesting to be removed from the district. The removal of the area is effective 60 days after submission of the petition to the transportation board, unless within that time it is determined that the petition contains insufficient signatures for removal of territory. An insufficient petition must be returned to the petitioners who may submit it again within 90 days.

~~(3)~~(4) (a) All property within any addition to the district shall be subject to all existing indebtedness of the district.

(b) Property within an area removed from the district is not subject to the district's existing indebtedness if the area had been added to the district within 5 years of the date the petition for removal was submitted to the transportation board.

-End-

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(2) However, each addition must be approved by a majority vote of the transportation board.

(3) The area added to a district pursuant to subsection (1) may be removed if the area does not directly

receive transportation services from the district and 51% of the qualified voters in the area sign a petition requesting to be removed from the district. The removal of the area is effective 60 days after submission of the petition to the transportation board, unless within that time it is determined that the petition contains insufficient signatures for removal of territory. An insufficient petition must be returned to the petitioners who may submit it again within 90 days.

(3)(4) (a) All property within any addition to the district shall be subject to all existing indebtedness of the district.

(b) Property within an area removed from the district is not subject to the district's existing indebtedness if the area had been added to the district within 5 years of the date the petition for removal was submitted to the transportation board."

-End-



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8 THAT IF THE REMOVED TERRITORY AREA WAS ORIGINALLY ADDED TO
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18 boundaries of any transportation district may be enlarged if
19 51% of the qualified electors of the area to be added to the
20 existing district sign a petition requesting addition to
21 such district.

22 (2) However, each addition must be approved by a
23 majority vote of the transportation board.

24 (3) The area added to a district pursuant to
25 subsection (1) may be removed if the area does not directly

1 receive transportation services from the district and 51% of
2 the qualified voters in the area sign a petition requesting
3 to be removed from the district. The removal of the area is
4 effective 60 days after submission of the petition to the
5 transportation board, unless within that time it is
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8 petition must be returned to the petitioners who may submit
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11 district shall be subject to all existing indebtedness of
12 the district.

13 (b) Property within an area removed from the district
14 is not subject to the district's existing indebtedness if
15 the area had been added to the district within 5 years of
16 the date the petition for removal was submitted to the
17 transportation board."

-End-