

HOUSE BILL NO. 612

INTRODUCED BY ROTH, GLASER, PATTERSON, KITSELMAN, HAGER,
SPAETH, BENGTSON, IVERSON

IN THE HOUSE

FEBRUARY 5, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON LOCAL GOVERNMENT.

FEBRUARY 11, 1987 COMMITTEE RECOMMEND BILL
DO PASS. REPORT ADOPTED.

FEBRUARY 12, 1987 PRINTING REPORT.

FEBRUARY 14, 1987 SECOND READING, DO PASS.

FEBRUARY 16, 1987 ENGROSSING REPORT.

THIRD READING, PASSED.
AYES, 87; NOES, 3.

TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 17, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON LOCAL GOVERNMENT.

MARCH 20, 1987 COMMITTEE RECOMMEND BILL BE
CONCURRED IN AS AMENDED. REPORT
ADOPTED.

MARCH 24, 1987 SECOND READING, CONCURRED IN.

MARCH 26, 1987 THIRD READING, CONCURRED IN.
AYES, 50; NOES, 0.

RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

APRIL 8, 1987

RECEIVED FROM SENATE.

SECOND READING, AMENDMENTS
CONCURRED IN.

APRIL 9, 1987

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

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INTRODUCED BY *House* BILL NO. *612*
Ritschmann *Hager* *Spaeth*, *Bangston* *Jenn*

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT THE ASSETS OF A COUNTY WATER OR SEWER DISTRICT BE DISTRIBUTED, UPON DISSOLUTION, TO THE OWNERS OF LAND WITHIN THE DISTRICT SO THAT EACH OWNER RECEIVES THE SAME PERCENTAGE OF THE ASSETS AS THE OWNER'S LAND IS A PERCENTAGE OF THE TOTAL DISTRICT AREA; AND AMENDING SECTION 7-13-2351, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
Section 1. Section 7-13-2351, MCA, is amended to read:
"7-13-2351. Dissolution of district. (1) Upon receipt of a petition to dissolve the district, signed by more than 50% of the freeholders of the district, the board of directors shall set a date for a public hearing on dissolution of the district. The hearing date may be not earlier than 45 days or later than 60 days after the date on which the board schedules the date of the hearing. A notice of the public hearing on the dissolution must be published as provided in 7-1-2121. The published notice must include notice to creditors of the district to present claims owed by the district to the board of directors prior to the date set for the dissolution hearing.
(2) At the dissolution hearing the board of directors

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shall hear testimony of all persons interested in whether the district should be dissolved and shall determine whether there are any outstanding debts of the district.

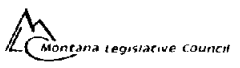
(3) After the hearing, if the board determines that dissolution of the district is in the best interest of the public and that there are no outstanding debts of the district, it may resolve to recommend that the district be dissolved. A copy of the resolution must be sent to the county commissioners of the county or counties in which the district is located.

(4) The district is dissolved after the approval of the dissolution by all the boards of county commissioners of the counties in which the district is located. An instrument approving dissolution must be filed with the clerk and recorder of the county or counties in which the district is located, who shall then cause a copy of the instrument to be filed with the secretary of state.

(5) Any assets of the district after dissolution shall be distributed ~~pro-rata-by-taxable-valuation-to-the-general funds--of-the-counties-in-which-the-district-was-located~~ to the owners of record of each lot or parcel of land within the district boundaries so that each owner receives the same percentage of the assets as the owner's land is a percentage of the total district area."

-End-

-2- INTRODUCED BILL
HB-612



1 House BILL NO. 613

2 INTRODUCED BY Sebye

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING MEDICAL
5 PERSONNEL WHO MUST REPORT GUNSHOT AND STAB WOUNDS TO INCLUDE
6 THE CAUSE, NATURE, AND EXTENT OF THE INJURY IN THE REPORT;
7 AND AMENDING SECTION 37-2-302, MCA."

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

10 Section 1. Section 37-2-302, MCA, is amended to read:

11 "37-2-302. Gunshot or stab wounds to be reported. The
12 physician, nurse, or other person licensed to practice a
13 health care profession treating the victim of a gunshot
14 wound or stabbing shall make a report that includes but is
15 not limited to the cause, if reported to him, nature, and
16 extent of the injury. The report shall be sent to a law
17 enforcement officer by the fastest possible means. Within 24
18 hours after initial treatment or first observation of the
19 wound, a written report shall be submitted, including but
20 not limited to the cause, if reported to him, nature, and
21 extent of the injury and the name and address of the victim,
22 if known, and shall be sent by regular mail."

-End-

APPROVED BY COMM.
ON LOCAL GOVERNMENT

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INTRODUCED BY *House* BILL NO. *612*
Ritzelmann *Hager* *Spaeth*, *Bington* *Jen*

5 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT THE
6 ASSETS OF A COUNTY WATER OR SEWER DISTRICT BE DISTRIBUTED,
7 UPON DISSOLUTION, TO THE OWNERS OF LAND WITHIN THE DISTRICT
8 SO THAT EACH OWNER RECEIVES THE SAME PERCENTAGE OF THE
9 ASSETS AS THE OWNER'S LAND IS A PERCENTAGE OF THE TOTAL
10 DISTRICT AREA; AND AMENDING SECTION 7-13-2351, MCA."

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

12 Section 1. Section 7-13-2351, MCA, is amended to read:
13 "7-13-2351. Dissolution of district. (1) Upon receipt
14 of a petition to dissolve the district, signed by more than
15 50% of the freeholders of the district, the board of
16 directors shall set a date for a public hearing on
17 dissolution of the district. The hearing date may be not
18 earlier than 45 days or later than 60 days after the date on
19 which the board schedules the date of the hearing. A notice
20 of the public hearing on the dissolution must be published
21 as provided in 7-1-2121. The published notice must include
22 notice to creditors of the district to present claims owed
23 by the district to the board of directors prior to the date
24 set for the dissolution hearing.

25 (2) At the dissolution hearing the board of directors

1 shall hear testimony of all persons interested in whether
2 the district should be dissolved and shall determine whether
3 there are any outstanding debts of the district.

4 (3) After the hearing, if the board determines that
5 dissolution of the district is in the best interest of the
6 public and that there are no outstanding debts of the
7 district, it may resolve to recommend that the district be
8 dissolved. A copy of the resolution must be sent to the
9 county commissioners of the county or counties in which the
10 district is located.

11 (4) The district is dissolved after the approval of
12 the dissolution by all the boards of county commissioners of
13 the counties in which the district is located. An instrument
14 approving dissolution must be filed with the clerk and
15 recorder of the county or counties in which the district is
16 located, who shall then cause a copy of the instrument to be
17 filed with the secretary of state.

18 (5) Any assets of the district after dissolution shall
19 be distributed ~~pro-rata-by-taxable-valuation-to-the-general~~
20 ~~funds-of-the-counties-in-which-the-district-was-located-~~ to
21 the owners of record of each lot or parcel of land within
22 the district boundaries so that each owner receives the same
23 percentage of the assets as the owner's land is a percentage
24 of the total district area."

-End-



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 2 INTRODUCED BY *House* BILL NO. *612*
 3 *Kitschman* *Hager Spack, Livingston Jew*

4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT THE
 5 ASSETS OF A COUNTY WATER OR SEWER DISTRICT BE DISTRIBUTED,
 6 UPON DISSOLUTION, TO THE OWNERS OF LAND WITHIN THE DISTRICT
 7 SO THAT EACH OWNER RECEIVES THE SAME PERCENTAGE OF THE
 8 ASSETS AS THE OWNER'S LAND IS A PERCENTAGE OF THE TOTAL
 9 DISTRICT AREA; AND AMENDING SECTION 7-13-2351, MCA."

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 20 of the public hearing on the dissolution must be published
 21 as provided in 7-1-2121. The published notice must include
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 8 dissolved. A copy of the resolution must be sent to the
 9 county commissioners of the county or counties in which the
 10 district is located.

11 (4) The district is dissolved after the approval of
 12 the dissolution by all the boards of county commissioners of
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 14 approving dissolution must be filed with the clerk and
 15 recorder of the county or counties in which the district is
 16 located, who shall then cause a copy of the instrument to be
 17 filed with the secretary of state.

18 (5) Any assets of the district after dissolution shall
 19 be distributed ~~pro-rata-by-taxable-valuation-to-the-general~~
 20 ~~funds--of-the-counties-in-which-the-district-was-located;~~ to
 21 the owners of record of each lot or parcel of land within
 22 the district boundaries so that each owner receives the same
 23 percentage of the assets as the owner's land is a percentage
 24 of the total district area."

-End-

THIRD READING
 HB-612



1 HOUSE BILL NO. 612

2 INTRODUCED BY ROTH, GLASER, PATTERSON, KITSELMAN, HAGER,
3 SPAETH, BENGTSON, IVERSON
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT THE
6 ASSETS OF A COUNTY WATER OR SEWER DISTRICT BE DISTRIBUTED,
7 UPON DISSOLUTION, ~~TO THE OWNERS OF LAND WITHIN THE DISTRICT~~
8 ~~SO THAT EACH OWNER RECEIVES THE SAME PERCENTAGE OF THE~~
9 ~~ASSETS AS THE OWNER'S LAND IS A PERCENTAGE OF THE TOTAL~~
10 ~~DISTRICT AREA~~ ACCORDING TO A PLAN ADOPTED BY THE BOARD OF
11 DIRECTORS AFTER A PUBLIC HEARING; AND AMENDING SECTION
12 7-13-2351, MCA."

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

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20 dissolution of the district. The hearing date may be not
21 earlier than 45 days or later than 60 days after the date on
22 which the board schedules the date of the hearing. A notice
23 of the public hearing on the dissolution must be published
24 as provided in 7-1-2121. The published notice must include
25 notice to creditors of the district to present claims owed

1 by the district to the board of directors prior to the date
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4 shall hear testimony of all persons interested in whether
5 the district should be dissolved and shall determine whether
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8 dissolution of the district is in the best interest of the
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21 (5) Any assets of the district after dissolution shall
22 be distributed ~~pro-rata-by-taxable-valuation-to-the-general~~
23 ~~funds-of-the-counties-in-which-the-district-was-located; to~~
24 ~~the-owners-of-record-of-each-lot-or-parcel-of-land-within~~
25 ~~the-district-boundaries-so-that-each-owner-receives-the-same~~

1 ~~percentage-of-the-assets-as-the-owner's-land-is-a-percentage~~
2 ~~of--the--total--district--area~~ ACCORDING TO A SPECIFIC PLAN
3 ADOPTED BY THE BOARD OF DIRECTORS AFTER A PUBLIC HEARING AND
4 SET FORTH IN THE RESOLUTION RECOMMENDING THAT THE DISTRICT
5 BE DISSOLVED."

-End-

STANDING COMMITTEE REPORT

SENATE

HB612.scr

March 19, 1987

MR. PRESIDENT

Local Government

We, your committee on.....

House Bill

612

having had under consideration..... No.....

third reading copy (blue color)

Roth (Hager)

DESCRIBES DISPERSAL OF COUNTY WATER OR SEWER DIST. ASSETS UPON DISSOLUTIONS

Respectfully report as follows: That..... House Bill..... No. 612.....

BE AMENDED AS FOLLOWS:

1. Title, lines 6 through 9.

Following: "DISSOLUTION,"

Strike: Remainder of line 6 through "AREA" in line 9

Insert: "ACCORDING TO A PLAN ADOPTED BY THE BOARD OF DIRECTORS AFTER A PUBLIC HEARING"

2. Page 2, LINES 20 THROUGH 24.

Strike: "to" in line 20 through " area" in line 24

Insert: "according to a specific plan adopted by the board of directors after a public hearing and set forth in the resolution recommending that the district be dissolved"

AND AS AMENDED, BE CONCURRED IN

KB

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XXXXXXXXXX

Sen. Vinsonneault, Vice Chairman. (Signature)

3-20-87