

HOUSE BILL NO. 182
INTRODUCED BY QUILICI, LYNCH

IN THE HOUSE

JANUARY 14, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.
JANUARY 16, 1989	FIRST READING.
JANUARY 25, 1989	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
JANUARY 26, 1989	PRINTING REPORT.
JANUARY 28, 1989	SECOND READING, DO PASS.
JANUARY 30, 1989	ENGROSSING REPORT.
JANUARY 31, 1989	THIRD READING, PASSED. AYES, 95; NOES, 1.
	TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 2, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.
	FIRST READING.
FEBRUARY 15, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.
FEBRUARY 28, 1989	SECOND READING, CONCURRED IN.
MARCH 2, 1989	THIRD READING, CONCURRED IN. AYES, 42; NOES, 3.
	RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

MARCH 4, 1989	RECEIVED FROM SENATE.
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MARCH 6, 1989

SECOND READING, AMENDMENTS
CONCURRED IN.

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *HOUSE* BILL NO. *182*
2 INTRODUCED BY *Julian Speltz*
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE THE
5 DISCONTINUANCE OF A MUNICIPAL STREET OR ALLEY UPON A WRITTEN
6 PETITION BY MORE THAN 50 PERCENT OF THE OWNERS AND UPON
7 APPROVAL OF THE DISCONTINUANCE BY A MAJORITY VOTE OF THE
8 MUNICIPAL COUNCIL; AND AMENDING SECTION 7-14-4114, MCA."

9

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

11 **Section 1.** Section 7-14-4114, MCA, is amended to read:

12 "7-14-4114. Procedure to discontinue streets. (1) The
13 council may discontinue a street or alley or any part
14 thereof in a city or town ~~upon the petition in writing of~~
15 ~~all owners of lots on the street or alley~~, if it can be done
16 without detriment to the public interest, upon:

17 (a) a petition in writing of all owners of lots on the
18 street or alley; or

19 (b) (i) a petition in writing of more than 50% of the
20 owners of lots on the street or alley; and

21 (ii) approval by a majority vote of the council.

22 (2) Where the street or alley is to be closed for
23 school purposes, the council may discontinue the street or
24 alley upon a petition signed by 75% of the lot owners on the
25 whole street or alley to be closed ~~will be required~~.

1 (3) Before acting upon such petition, a notice must be
2 published or posted in three public places, stating when
3 such petition will be acted on and what street or alley or
4 part thereof is asked to be vacated. Such notice must be
5 published in a newspaper or posted at least 1 week before
6 the petition is acted on."

-End-

APPROVED BY COMM.
ON LOCAL GOVERNMENT

HOUSE BILL NO. 182

INTRODUCED BY QUILICI, LYNCH

A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE THE DISCONTINUANCE OF A MUNICIPAL STREET OR ALLEY UPON A WRITTEN PETITION BY MORE THAN 50 75 PERCENT OF THE OWNERS AND UPON APPROVAL OF THE DISCONTINUANCE BY A MAJORITY VOTE OF THE MUNICIPAL COUNCIL; AND AMENDING SECTION 7-14-4114, MCA."

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

Section 1. Section 7-14-4114, MCA, is amended to read:

"7-14-4114. Procedure to discontinue streets. (1) The council may discontinue a street or alley or any part thereof in a city or town ~~upon the petition in writing of all owners of lots on the street or alley~~, if it can be done without detriment to the public interest, upon:

(a) a petition in writing of all owners of lots on the street or alley; or

(b) (i) a petition in writing of more than 50% 75% of the owners of lots on the street or alley; and

(ii) approval by a majority vote of the council.

(2) Where the street or alley is to be closed for school purposes, the council may discontinue the street or alley upon a petition signed by 75% of the lot owners on the whole street or alley to be closed will-be-required.

(3) Before acting upon such petition, a notice must be published or posted in three public places, stating when such petition will be acted on and what street or alley or part thereof is asked to be vacated. Such notice must be published in a newspaper or posted at least 1 week before the petition is acted on."

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6 the petition is acted on."

-End-

SENATE STANDING COMMITTEE REPORT

February 15, 1989

MR. PRESIDENT:

We, your committee on Local Government, having had under consideration HB 182 (third reading copy -- blue), respectfully report that HB 182 be amended and as so amended be concurred in:

Sponsor: Quilici (Lynch)

1. Title, line 6.

Following: "~~50~~"

Strike: "75"

Insert: "50"

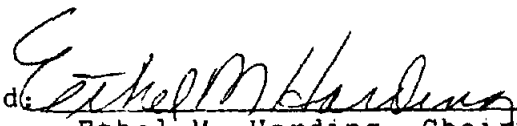
2. Page 1, line 19.

Following: "~~50%~~"

Strike: "75%"

Insert: "50%"

AND AS AMENDED BE CONCURRED IN

Signed: 

Ethel M. Harding, Chairman

SENATE

SCRHB182.215

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-End-