SENATE BILL NO. 289

INTRODUCED BY HAGER

IN THE SENATE

JANUARY 30, 1989 INTRODUCED AND REFERRED TO COMMITTEE ON PUBLIC HEALTH, WELFARE & SAFETY.

FIRST READING.

- FEBRUARY 10, 1989 COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
- FEBRUARY 11, 1989 PRINTING REPORT.
- FEBRUARY 14, 1989 SECOND READING, DO PASS.
- FEBRUARY 15, 1989 ENGROSSING REPORT.
 - THIRD READING, PASSED. AYES, 48; NOES, 0.

TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 16, 1989

FEBRUARY 16, 1989

FEBRUARY 20, 1989

MARCH 9, 1989

MARCH 11, 1989

MARCH 13, 1989

INTRODUCED AND REFERRED TO COMMITTEE ON HUMAN SERVICES & AGING.

FIRST READING.

COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.

SECOND READING, CONCURRED IN.

THIRD READING, CONCURRED IN. AYES, 98; NOES, 1.

RETURNED TO SENATE.

IN THE SENATE

MARCH 14, 1989

RECEIVED FROM HOUSE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

LC 1443/01

12

INTRODUCED BY Hager 1 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING AN INCREASE 4 5 IN THE TERM OF A LEASE OF A COUNTY NURSING HOME TO ALLOW A 6 SUFFICIENT TERM TO FINANCE MANDATED HEALTH AND SAFETY 7 IMPROVEMENTS; AMENDING SECTION 7-34-2303, MCA; AND PROVIDING 8 AN IMMEDIATE EFFECTIVE DATE." 9 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 11 Section 1. Section 7-34-2303, MCA, is amended to read: 12 *7-34-2303. Lease of county property for boarding or 13 nursing home. (1) The board of county commissioners may 14 lease and demise county buildings, equipment, furniture, and 15 fixtures for the purpose of operation of a boarding home or nursing home for aged persons, with full power of lessor 16 except as hereinafter limited in this part, upon such terms 17 18 and conditions as the board shall decide upon. 19 (2) The rentals received under such the lease or 20 leases shall must be paid into the poor fund of the county. (3) (a) No--such Except as provided in subsection 21 (3)(b), the lease and demise shall may not be made for a 22

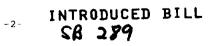
23 longer period than 5 years.

(b) If a lessee of a nursing home is required to
 undertake capital improvements by state or federal agencies

1	administering health and safety laws and the undertaking
2	requires financing from sources other than county revenues,
3	the term of the lease and demise may correspond to the term
4	of the financing but may not exceed 15 years.
5	(4) Such The board shall may not enter into a contract
6	of lease without-and-until-having unless it has advertised
7	in a newspaper published in the county at least once a week
8	for 5 weeks that the-said specified buildings and equipment
9	are for lease for the purpose of a boarding home or nursing
10	home for aged persons."
11	NEW SECTION. Section 2. Effective date. [This act] is

-End-

effective on passage and approval.



51st Legislature

LC 1443/01

APPROVED BY COMMITTEE ON PUBLIC HEALTH, WELFARE & SAFETY

1		Starte BILL NO. 289
2	INTRODUCED BY	Hager
3		\mathcal{O}

.

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING AN INCREASE
IN THE TERM OF A LEASE OF A COUNTY NURSING HOME TO ALLOW A
SUFFICIENT TERM TO FINANCE MANDATED HEALTH AND SAFETY
IMPROVEMENTS; AMENDING SECTION 7-34-2303, MCA; AND PROVIDING
AN IMMEDIATE EFFECTIVE DATE."

9

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

11 Section 1. Section 7-34-2303, MCA, is amended to read: 12 "7-34-2303. Lease of county property for boarding or 13 nursing home. (1) The board of county commissioners may 14 lease and demise county buildings, equipment, furniture, and 15 fixtures for the purpose of operation of a boarding home or 16 nursing home for aged persons, with full power of lessor 17 except as hereinafter limited in this part, upon such terms and conditions as the board shall decide upon. 18

(2) The rentals received under such the lease or
leases shall must be paid into the poor fund of the county.
(3) (a) No--such Except as provided in subsection
(3)(b), the lease and demise shall may not be made for a
longer period than 5 years.

(b) If a lessee of a nursing home is required to
 undertake capital improvements by state or federal agencies

Montana Legislative Council

1	administering health and safety laws and the undertaking
2	requires financing from sources other than county revenues,
3	the term of the lease and demise may correspond to the term
4	of the financing but may not exceed 15 years.
5	(4) Such The board shall may not enter into a contract
6	of lease without-and-until-having unless it has advertised
7	in a newspaper published in the county at least once a week
8	for 5 weeks that the said specified buildings and equipment
9	are for lease for the purpose of a boarding home or nursing
10	home for aged persons."
11	NEW SECTION. Section 2. Effective date. [This act] is
12	effective on passage and approval.

-End-

SECOND READING -2-SB 289

LC 1443/01

LC 1443/01

Hager BILL NO. 289 1 INTRODUCED BY 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING AN INCREASE 4

A DIDD FOR AN ACT ENTITIED. AN ACT NOTIONITIES AN INCLEMENT
IN THE TERM OF A LEASE OF A COUNTY NURSING HOME TO ALLOW A
SUFFICIENT TERM TO FINANCE MANDATED HEALTH AND SAFETY
IMPROVEMENTS; AMENDING SECTION 7-34-2303, MCA; AND PROVIDING
AN IMMEDIATE EFFECTIVE DATE."

9

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

11 Section 1. Section 7-34-2303, MCA, is amended to read: 12 "7-34-2303. Lease of county property for boarding or 13 nursing home. (1) The board of county commissioners may lease and demise county buildings, equipment, furniture, and 14 15 fixtures for the purpose of operation of a boarding home or nursing home for aged persons, with full power of lessor 16 17 except as hereinafter limited in this part, upon such terms 18 and conditions as the board shall decide upon.

(2) The rentals received under such the lease or
leases shall must be paid into the poor fund of the county.
(3) (a) No--such Except as provided in subsection
(3)(b), the lease and demise shall may not be made for a
longer period than 5 years.

(b) If a lessee of a nursing home is required to
 undertake capital improvements by state or federal agencies

Montana Legislative Council

1	administering health and safety laws and the undertaking
2	requires financing from sources other than county revenues,
3	the term of the lease and demise may correspond to the term
4	of the financing but may not exceed 15 years.
5	(4) Such The board shall may not enter into a contract
6	of lease without-and-until-having unless it has advertised
7	in a newspaper published in the county at least once a week
8	for 5 weeks that the-said specified buildings and equipment
9	are for lease for the purpose of a boarding home or nursing
10	home for aged persons."

<u>NEW SECTION.</u> Section 2. Effective date. [This act] is
 effective on passage and approval.

-End-

-2- THIRD READING SB 289 SB 0289/02

SB 0289/02

administering health and safety laws and the undertaking SENATE BILL NO. 289 1 1 requires financing from sources other than county revenues, 2 INTRODUCED BY HAGER 2 the term of the lease and demise may correspond to the term 3 3 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING AN INCREASE of the financing but may not exceed 15 years. Δ 4 IN THE TERM OF A LEASE OF A COUNTY NURSING HOME TO ALLOW A (4) Such The board shall may not enter into a contract 5 5 of lease without-and-until-having unless it has advertised 6 SUFFICIENT TERM TO FINANCE MANDATED HEALTH AND SAFETY 6 in a newspaper published in the county at least once a week 7 IMPROVEMENTS; AMENDING SECTION 7-34-2303, MCA; AND PROVIDING 7 AN IMMEDIATE EFFECTIVE DATE." for 5 weeks that the-said specified buildings and equipment 8 8 are for lease for the purpose of a boarding home or nursing 9 9 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 10 home for aged persons." NEW SECTION. Section 2. Effective date. [This act] is 11 Section 1. Section 7-34-2303, MCA, is amended to read: 11 effective on passage and approval. 12 *7-34-2303. Lease of county property for boarding or 12 -Endnursing home. (1) The board of county commissioners may 13 lease and demise county buildings, equipment, furniture, and 14 15 fixtures for the purpose of operation of a boarding home or 16 nursing home for aged persons, with full power of lessor except as hereinafter limited in this part, upon such terms 17 18 and conditions as the board shall decide upon. 19 (2) The rentals received under such the lease or 20 leases shall must be paid into the poor fund of the county. 21 (3) (a) No--such Except as provided in subsection 22 (3)(b), the lease and demise shall may not be made for a 23 longer period than 5 years. 24 (b) If a lessee of a nursing home is required to 25 undertake capital improvements by state or federal agencies -2-

ntana Legislative Counci

REFERENCE BILL