HOUSE BILL NO. 301

INTRODUCED BY WYATT, WALLIN, EWER, MCCAFFREE, DOWELL

IN THE HOUSE

IN	THE HOUSE
JANUARY 21, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.
	FIRST READING.
FEBRUARY 5, 1993	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
FEBRUARY 6, 1993	PRINTING REPORT.
FEBRUARY 8, 1993	SECOND READING, DO NOT PASS.
	SEGREGATED FROM COMMITTEE OF WHOLE REPORT.
FEBRUARY 11, 1993	SECOND READING, DO PASS AS AMENDED.
FEBRUARY 12, 1993	ENGROSSING REPORT.
FEBRUARY 13, 1993	THIRD READING, PASSED. AYES, 81; NOES, 17.
FEBRUARY 15, 1993	TRANSMITTED TO SENATE.
IN	THE SENATE
FEBRUARY 16, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.
	FIRST READING.
MARCH 27, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.
MARCH 31, 1993	SECOND READING, CONCURRED IN.
APRIL 1, 1993	THIRD READING, CONCURRED IN. AYES, 30; NOES, 18.

IN THE HOUSE

RETURNED TO HOUSE WITH AMENDMENTS.

APRIL 6, 1993	SECOND READING, AMENDMENTS NOT CONCURRED IN.
	ON MOTION, CONFERENCE COMMITTEE REQUESTED AND APPOINTED.
	IN THE SENATE
APRIL 7, 1993	ON MOTION, CONFERENCE COMMITTEE REQUESTED AND APPOINTED.
	IN THE HOUSE
APRIL 13, 1993	ON MOTION, CONFERENCE COMMITTEE DISSOLVED.
	ON MOTION, FREE CONFERENCE COMMITTEE REQUESTED AND APPOINTED.
	IN THE SENATE
APRIL 13, 1993	ON MOTION, CONFERENCE COMMITTEE DISSOLVED.
	ON MOTION, FREE CONFERENCE COMMITTEE REQUESTED AND APPOINTED.
	IN THE HOUSE
APRIL 16, 1993	SECOND READING, FREE CONFERENCE COMMITTEE REPORT ADOPTED.
APRIL 19, 1993	THIRD READING, FREE CONFERENCE COMMITTEE REPORT ADOPTED.
	IN THE SENATE
APRIL 22, 1993	FREE CONFERENCE COMMITTEE REPORT ADOPTED.
	IN THE HOUSE
APRIL 23, 1993	SENT TO ENROLLING.
	REPORTED CORRECTLY ENROLLED.

1 HOUSE BILL NO. 301
2 INTRODUCED BY WINT Willing Earl
3

A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE MAXIMUM PENALTY FOR VIOLATION OF A MUNICIPAL OR LOCAL GOVERNMENT ORDINANCE FROM \$500 TO \$1,000; AND AMENDING SECTIONS 7-5-109 AND 7-5-4207, MCA."

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

Section 1. Section 7-5-109, MCA, is amended to read:

*7-5-109. Penalty for violation of ordinance. A local government may fix penalties for the violation of an ordinance which that do not exceed a fine of \$500 \$1,000 or 6 months' imprisonment or both the fine and imprisonment."

Section 2. Section 7-5-4207, MCA, is amended to read:

"7-5-4207. Penalties for violation of municipal ordinances. The city or town council has-power-to may impose fines and penalties for the violation of any city ordinance, but no <u>a</u> fine or penalty may <u>not</u> exceed \$500 \$1,000 and no imprisonment may <u>not</u> exceed 6 months for any one offense."

-End-

Storeans Lapistative Council

HB 301 INTRODUCED BILL

APPROVED BY COMM. ON LOCAL GOVERNMENT

HOUSE BILL NO. 301

INTRODUCED BY WY

maffe David

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-End-

Comments Laphstative Council

HB 301 SECOND READING

1	HOUSE BILL NO. 301
2	INTRODUCED BY WYATT, WALLIN, EWER,
3	MCCAFFREE, DOWELL
4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING-THEMAXIMUM
6	ESTABLISHING A PENALTY, NOT TO EXCEED \$1,000 PER DAY PER
7	VIOLATION OR 6 MONTHS' IMPRISONMENT, FOR VIOLATION OF A
8	MUNICIPAL OR LOCAL GOVERNMENT ORDINANCE FROM-\$500-TO-\$1,000
9	RELATING TO LOCAL OR FEDERAL PRETREATMENT STANDARDS; AND
10	AMENDING SECTIONS 7-5-109 AND 7-5-4207, MCA."
11	
12	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
13	Section 1. Section 7-5-109, MCA, is amended to read:
14	"7-5-109. Penalty for violation of ordinance. A (1)
15	EXCEPT AS PROVIDED IN SUBSECTION (2), A local government may
16	fix penalties for the violation of an ordinance which that
17	do not exceed a fine of \$500 \$\frac{41}{1000} \$500 or 6 months'
18	imprisonment or both the fine and imprisonment.
19	(2) A LOCAL GOVERNMENT MAY FIX PENALTIES FOR THE
20	VIOLATION OF AN ORDINANCE RELATING TO LOCAL OR FEDERAL
21	PRETREATMENT STANDARDS IF THE PENALTIES DO NOT EXCEED \$1,000
22	PER DAY FOR EACH VIOLATION OR 6 MONTHS' IMPRISONMENT, OR
23	BOTH."
24	Section 2. Section 7-5-4207, MCA, is amended to read:
25	*7-5-4207. Penalties for violation of municipal

	(1) EXCEPT AS PROVIDED IN SUBSECTION (2)
2	THE city or town council has-power-to may impose fines an
3	penalties for the violation of any city ordinance, but no
4	fine or penalty may not exceed \$500 \$17000 \$500 and n
5	imprisonment may not exceed 6 months for any one offense.
6	(2) THE CITY OR TOWN COUNCIL MAY IMPOSE FINES AN
7	PENALTIES FOR VIOLATION OF AN ORDINANCE RELATING TO LOCAL O
В	PEDERAL PRETREATMENT STANDARDS IF THE PENALTIES DO NO
9	EXCEED \$1,000 PER DAY FOR EACH VIOLATION OR 6 MONTHS
0	IMPRISONMENT, OR BOTH."

-End-

SENATE STANDING COMMITTEE REPORT

Page 1 of 1 March 26, 1993

MR. PRESIDENT:

We, your committee on Local Government having had under consideration House Bill No. 301 (third reading copy -- blue), respectfully report that House Bill No. 301 be amended as follows and as so amended be concurred in.

Signed:

Senator John "Ed" Kennedy, Jr., Chair

That such amendments read:

17 Title, line 5. Following: "MAXIMUM"

Insert: "INCREASING THE MAXIMUM"

2. Title, line 6.

Strike: "ESTABLISHING A"

3. Title, lines 6 and 7.

Strike: ", NOT" on line 6 through "IMPRISONMENT," on line 7

4. Title, line 8. Following: "\$1,000"

Insert: "FROM \$500 TO \$1,000"

5. Title, line 9.

Strike: "RELATING TO LOCAL OR FEDERAL PRETREATMENT STANDARDS"

6. Page 1, lines 14 and 15.

Strike: "(1)" on line 14 through "A" on line 15

Insert: "A"

7. Page 1, line 17.

Strike: "\$500" Insert: "\$1,000"

8. Page 1, lines 19 through 23.

Strike: subsection (2) in its entirety

9. Page 2, lines 1 and 2.

Strike: "(1)" on line 1 through "THE" on line 2

Insert: "The"

10. Page 2, line 4.

Strike: "\$500" Insert: "\$1,000"

11. Page 2, lines 6 through 10.

Strike: subsection (2) in its entirety

- END -

SENATE

HB 301

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Amd. Coord.

Senator Carrying Bill

1	HOUSE BILL NO. 301
2	INTRODUCED BY WYATT, WALLIN, EWER,
3	MCCAFFREE, DOWELL
4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING-THEMAXIMUM
6	INCREASING THE MAXIMUM ESTABLESHING-A PENALTY,-NOT-TO-EXCEED
7	\$17000PER-DAY-PER-VIOLATION-OR-6-MONTHS1-IMPRISONMENT, FOR
8	VIOLATION OF A MUNICIPAL OR LOCAL GOVERNMENT ORDINANCE PROM
9	\$588T8\$1,000 FROM \$500 TO \$1,000 REBATING-T8-68CAL-OR
.0	PEDERALPRETREATMENTSTANDARDS; AND AMENDING SECTIONS
11	7-5-109 AND 7-5-4207, MCA."
12	
13	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
14	Section 1. Section 7-5-109, MCA, is amended to read:
15	"7-5-109. Penalty for violation of ordinance. A (\pm)
16	EXCEPT-AS-PROVIDED-IN-SUBSECTION-(2)7-A A local government
17	may fix penalties for the violation of an ordinance which
18	that do not exceed a fine of \$500 \$1,000 or 6
19	months' imprisonment or both the fine and imprisonment.
20	{2}ALocalGov ernmentMayPixPenaltiesPorThe
21	Violationopanordinancerelatingtobocal-or-pederal
22	Pretreatment-Standards-IP-THE-Penalties-DO-NOT-Exceed-91,000
23	PER-DAY-FOR-EACH-VIOLATION-OR6-MONTHSIMPRISONMENT7OF
24	BOTH;"
25	Section 7 Continue 7-E-4207 MCA in amended to wood.

1	"7-5-4207. Penalties for violation of municipal
2	ordinances. The 117EXCEPT-AS-PROVIDED-IN-SUBSECTION-(2)7
3	THE THE city or town council has-power-to may impose fines
4	and penalties for the violation of any city ordinance, but
5	no a fine or penalty may not exceed \$500 \$1,000 \$500 \$1,000
6	and no imprisonment may not exceed 6 months for any one
7	offense.
8	12)THE-CITY-ORTOWNCOUNCILMAYIMPOSEFINESAND
9	PENALTIES-POR-VIOLATION-OF-AN-ORDINANCE-RELATING-TO-LOCAL-OR
10	PEDERALPRETREATMENTSTANDARDSIFTHEPENALTIESDO-NOT
11	EXCEBD-\$17000-PERBAYPORBACHVIOLATIONOR6MONTHS1
12	IMPRISONMENT, -OR-BOTH-"

-End-

Conference Committee on House Bill 301 Report No. 1 , April 14, 1993

Page 1 of 2

Mr. Speaker and Mr. President:

We, your Conference Committee on House Bill 301 met and considered and recommend that House Bill 301 (reference copy -- salmon) be amended as follows:

1. Title, line 8.
Following: "ORDINANCE"
Insert: "RELATING TO LOCAL OR FEDERAL WASTEWATER PRETREATMENT
STANDARDS"

2. Page 1, line 16.
Strike: "A"
Insert: "(1) Except as provided in subsection (2), a"

3. Page 1, line 18. Strike: "\$1,000" Insert: "\$500"

4. Page 1, line 25.
Following: line 24
Insert: "(2) A local government may fix penalties for the violation of an ordinance relating to local or federal wastewater pretreatment standards implementing the Federal Water Pollution Control Act, 33 U.S.C. 1251 through 1387, if the penalties do not exceed \$1,000 per day for each

5. Page 2, line 3. Strike: "THE" Insert: "($\overline{1}$) Except as provided in subsection (2), the"

violation or 6 months' imprisonment, or both."

6. Page 2, line 5.

Strike: "\$1,000"

Insert: "\$500"

7. Page 2, line 13.

Following: line 12

Insert: "(2) A local government may fix penalties for the violation of an ordinance relating to local or federal wastewater pretreatment standards implementing the Federal Water Pollution Control Act, 33 U.S.C. 1251 through 1387, if the penalties do not exceed \$1,000 per day for each violation or 6 months' imprisonment, or both."

CC. R. # 1 HB 301 821411CC. Hpf And this Conference Committee report be adopted.

For the House:

For the Senate:

Rep. Sayles Chair

Sen. Vaughn

Rep. Bergmen

Sen. Rye

ADOPT

REJECT

821411CC.Hpf

Free Conference Committee Report on House Bill 301 Report No. 1 , April 14, 1993

Page 1 of 2

Mr. Speaker and Mr. President:

We, your Free Conference Committee on House Bill 301 met and considered House Bill 301 and recommend that the bill (reference copy -- salmon) be amended as follows:

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Following: "ORDINANCE"
Insert: "RELATING TO LOCAL OR FEDERAL WASTEWATER PRETREATMENT
STANDARDS"

2. Page 1, line 16.

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•

the House: For the Senate:

Further, that this Free Conference Committee report be adopted.

Rep. Sayles, Chair

Ser. Weldon, Chair

Rep. Wyatt

Sen. Vaughn

Ellen Bergman

Sen. Rve

ADOPT

PEJECT

821411CC.Hpf

F. C.C.R.#1 HB 301 821411CC.Hpf

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6	INCREASING THE MAXIMUM ESTABLISHING-A PENALTYNOT-TO-EXCEED
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2	SECTIONS 7-5-109 AND 7-5-4207, MCA."
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4	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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, 2	(2) A LOCAL GOVERNMENT MAY FIX PENALTIES FOR THE
3	VIOLATION OF AN ORDINANCE RELATING TO LOCAL OR FEDERAL
4	WASTEWATER PRETREATMENT STANDARDS IMPLEMENTING THE FEDERAL
5	WATER POLLUTION CONTROL ACT, 33 U.S.C. 1251 THROUGH 1387, IF
6	THE PENALTIES DO NOT EXCEED \$1,000 PER DAY FOR EACH
7	VIOLATION OR 6 MONTHS' IMPRISONMENT, OR BOTH.
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9	"7-5-4207. Penalties for violation of municipal
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16	(2)THECITYORTOWNCOUNCILMAYIMPOSE-FINES-AND
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HB 0301/04

VIOLATION OR 6 MONTHS' IMPRISONMENT, OR BOTH."

-End-