

HOUSE BILL NO. 301

INTRODUCED BY WYATT, WALLIN, EWER,
MCCAFFREE, DOWELL

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.
	RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

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 Wyatt McAllister Emery
3 McAllister
4 A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE MAXIMUM
5 PENALTY FOR VIOLATION OF A MUNICIPAL OR LOCAL GOVERNMENT
6 ORDINANCE FROM \$500 TO \$1,000; AND AMENDING SECTIONS 7-5-109
7 AND 7-5-4207, MCA."
8

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

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

11 "7-5-109. Penalty for violation of ordinance. A local
12 government may fix penalties for the violation of an
13 ordinance ~~which~~ that do not exceed a fine of \$500 \$1,000 or
14 6 months' imprisonment or both the fine and imprisonment."

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

16 "7-5-4207. Penalties for violation of municipal
17 ordinances. The city or town council ~~has power to~~ may impose
18 fines and penalties for the violation of any city ordinance,
19 but ~~no~~ a fine or penalty ~~may not~~ may exceed \$500 \$1,000 and no
20 imprisonment ~~may not~~ may exceed 6 months for any one offense."

-End-

HB 301
INTRODUCED BILL

APPROVED BY COMM.
ON LOCAL GOVERNMENT

1 House BILL NO. 301
2 INTRODUCED BY Wyatt Wesley Egan
3 McGowan
4 A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE MAXIMUM
5 PENALTY FOR VIOLATION OF A MUNICIPAL OR LOCAL GOVERNMENT
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19 but no a fine or penalty may not exceed \$500 \$1,000 and no
20 imprisonment may not exceed 6 months for any one offense."

-End-

HB 301
SECOND READING

HOUSE BILL NO. 301

INTRODUCED BY WYATT, WALLIN, EWER,

MCCAFFREE, DOWELL

A BILL FOR AN ACT ENTITLED: "AN ACT ~~INCREASING THE~~ MAXIMUM
ESTABLISHING A PENALTY, NOT TO EXCEED \$1,000 PER DAY PER
VIOLATION OR 6 MONTHS' IMPRISONMENT, FOR VIOLATION OF A
MUNICIPAL OR LOCAL GOVERNMENT ORDINANCE FROM ~~\$500 TO \$1,000~~
RELATING TO LOCAL OR FEDERAL PRETREATMENT STANDARDS; AND
AMENDING SECTIONS 7-5-109 AND 7-5-4207, MCA."

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 (1)
EXCEPT AS PROVIDED IN SUBSECTION (2), A local government may
fix penalties for the violation of an ordinance which that
do not exceed a fine of \$500 ~~\$1,000~~ \$500 or 6 months'
imprisonment or both the fine and imprisonment.

(2) A LOCAL GOVERNMENT MAY FIX PENALTIES FOR THE
VIOLATION OF AN ORDINANCE RELATING TO LOCAL OR FEDERAL
PRETREATMENT STANDARDS IF THE PENALTIES DO NOT EXCEED \$1,000
PER DAY FOR EACH VIOLATION OR 6 MONTHS' IMPRISONMENT, OR
BOTH."

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

"7-5-4207. Penalties for violation of municipal

ordinances. The (1) EXCEPT AS PROVIDED IN SUBSECTION (2),
THE city or town council ~~has power to~~ may impose fines and
penalties for the violation of any city ordinance, but no a
fine or penalty may not exceed \$500 ~~\$1,000~~ \$500 and no
imprisonment may not exceed 6 months for any one offense.

(2) THE CITY OR TOWN COUNCIL MAY IMPOSE FINES AND
PENALTIES FOR VIOLATION OF AN ORDINANCE RELATING TO LOCAL OR
FEDERAL PRETREATMENT STANDARDS IF THE PENALTIES DO NOT
EXCEED \$1,000 PER DAY FOR EACH VIOLATION OR 6 MONTHS'
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: John Ed Kennedy Jr
Senator John "Ed" Kennedy, Jr., Chair

That such amendments read:

1. 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

APN Amd. Coord.
W Sec. of Senate

Senator Weldon
Senator Carrying Bill

HB 301
681608SC.San

HOUSE BILL NO. 301

INTRODUCED BY WYATT, WALLIN, EWER,

MCCAFFREE, DOWELL

A BILL FOR AN ACT ENTITLED: "AN ACT ~~INCREASING THE--MAXIMUM~~
~~INCREASING THE MAXIMUM ESTABLISHING-A~~ PENALTY, ~~NOT TO EXCEED~~
~~\$1,000--PER-DAY-PER-VIOLATION-OR-6-MONTHS--IMPRISONMENT,~~ FOR
 VIOLATION OF A MUNICIPAL OR LOCAL GOVERNMENT ORDINANCE FROM
~~\$500--TO--\$1,000~~ FROM \$500 TO \$1,000 ~~RELATING TO LOCAL OR~~
~~FEDERAL--PRETREATMENT--STANDARDS;~~ AND AMENDING SECTIONS
 7-5-109 AND 7-5-4207, MCA."

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 ~~{1}~~
~~EXCEPT-AS-PROVIDED-IN-SUBSECTION-(2),~~ A A local government
 may fix penalties for the violation of an ordinance which
 that do not exceed a fine of \$500 ~~\$1,000~~ \$500 \$1,000 or 6
 months' imprisonment or both the fine and imprisonment.

~~{2}--A--LOCAL--GOVERNMENT--MAY--FIX--PENALTIES--FOR--THE~~
~~VIOLATION--OF--AN--ORDINANCE--RELATING--TO--LOCAL-OR-FEDERAL~~
~~PRETREATMENT-STANDARDS-IF-THE-PENALTIES-DO-NOT-EXCEED-\$1,000~~
~~PER-DAY-FOR-EACH-VIOLATION-OR--6--MONTHS--IMPRISONMENT,--OR~~
~~BOTH."~~

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

"7-5-4207. Penalties for violation of municipal
 ordinances. The ~~{1}--EXCEPT-AS-PROVIDED-IN-SUBSECTION-(2),~~
~~THE~~ THE city or town council has power to may impose fines
 and penalties for the violation of any city ordinance, but
 no a fine or penalty may not exceed \$500 ~~\$1,000~~ \$500 \$1,000
 and no imprisonment may not exceed 6 months for any one
 offense.

~~{2}--THE-CITY-OR--TOWN--COUNCIL--MAY--IMPOSE--FINES--AND~~
~~PENALTIES-FOR-VIOLATION-OF-AN-ORDINANCE-RELATING-TO-LOCAL-OR~~
~~FEDERAL--PRETREATMENT--STANDARDS--IF--THE--PENALTIES--DO-NOT~~
~~EXCEED-\$1,000-PER--DAY--FOR--EACH--VIOLATION--OR--6--MONTHS--~~
~~IMPRISONMENT,--OR--BOTH."~~

-End-

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

April 14, 1993
Page 2 of 2

Page 1 of 2

Mr. Speaker and Mr. President:

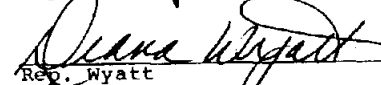
We, your Conference Committee on House Bill 301 met and considered and recommend that House Bill 301 (reference copy -- salmon) be amended as follows:

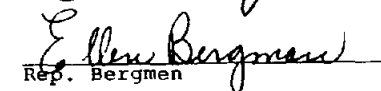
1. Title, line 8.
Following: "ORDINANCE"
Insert: "RELATING TO LOCAL OR FEDERAL WASTEWATER PRETREATMENT STANDARDS"
2. Page 1, line 16.
Strike: "A"
Insert: "(1) Except as provided in subsection (2), a"
3. Page 1, line 18.
Strike: "\$1,000"
Insert: "\$500"
4. Page 1, line 25.
Following: line 24
Insert: "(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 violation or 6 months' imprisonment, or both."
5. Page 2, line 3.
Strike: "THE"
Insert: "(1) Except as provided in subsection (2), the"
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."

And this Conference Committee report be adopted.

For the House:

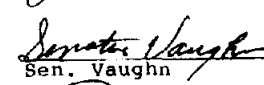

Rep. Sayles, Chair

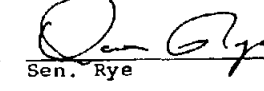

Rep. Wyatt


Rep. Bergman

For the Senate:


Sen. Weldon, Chair


Sen. Vaughn


Sen. Rye

ADOPT

REJECT

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

821411CC.Hpf

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

April 21, 1993
Page 2 of 2

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:

1. Title, line 8.

Following: "ORDINANCE"

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

2. Page 1, line 16.

Strike: "A"

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5. Page 2, line 3.

Strike: "THE"

Insert: "(1) Except as provided in subsection (2), the"

6. Page 2, line 5.

Strike: "\$1,000"

Insert: "\$500"

7. Page 2, line 13.

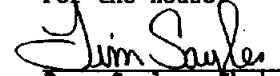
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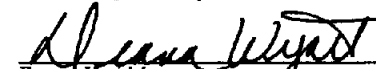
Further, that this Free Conference Committee report be adopted.

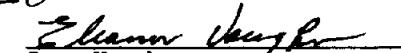
For the House:

For the Senate:

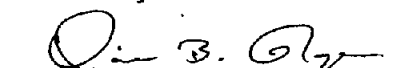

Rep. Sayles, Chair


Sen. Weldon, Chair


Rep. Wyatt


Sen. Vaughn


Rep. Bergman


Sen. Rye

ADOPT

REJECT

821411CC.Hpf

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

HOUSE BILL NO. 301

INTRODUCED BY WYATT, WALLIN, EWER,
MCCAFFREE, DOWELL

A BILL FOR AN ACT ENTITLED: "AN ACT ~~INCREASING-THE--MAXIMUM~~
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~~\$1,000--PER-DAY-PER-VIOLATION-OR-6-MONTHS--IMPRISONMENT,~~ FOR
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RELATING TO LOCAL OR FEDERAL WASTEWATER PRETREATMENT
STANDARDS ~~FROM-\$500-TO-\$1,000~~ FROM \$500 TO \$1,000 ~~RELATING~~
~~TO--LOCAL-OR--FEDERAL--PRETREATMENT-STANDARDS;~~ AND AMENDING
SECTIONS 7-5-109 AND 7-5-4207, MCA."

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~~EXCEPT--AS--PROVIDED--IN--SUBSECTION--(2)~~ A (1) EXCEPT AS
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penalties for the violation of an ordinance which that do
not exceed a fine of \$500 ~~\$1,000~~ \$500 ~~\$1,000~~ \$500 or 6
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~~PER-DAY-PER-EACH-VIOLATION-OR-6--MONTHS--IMPRISONMENT,--OR~~

BOTH.

(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
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~~FEDERAL-PRETREATMENT-STANDARDS-IF-THE-PENALTIES-DO-NOT~~
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THE PENALTIES DO NOT EXCEED \$1,000 PER DAY FOR EACH

HB 0301/04

1 VIOLATION OR 6 MONTHS' IMPRISONMENT, OR BOTH."

-End-