

HOUSE BILL NO. 367

INTRODUCED BY WYATT, WALLIN, DOWELL,
MCCAFFREE, BRANDEWIE

IN THE HOUSE

JANUARY 27, 1993

INTRODUCED AND REFERRED TO COMMITTEE
ON LOCAL GOVERNMENT.

FIRST READING.

FEBRUARY 10, 1993

COMMITTEE RECOMMEND BILL
DO PASS. REPORT ADOPTED.

POSTED ON CONSENT CALENDAR.

FEBRUARY 11, 1993

CONSENT CALENDAR, QUESTIONS AND ANSWERS.

ENGROSSING REPORT.

FEBRUARY 13, 1993

THIRD READING, PASSED.
AYES, 97; NOES, 0.

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, 48; NOES, 0.

RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

APRIL 6, 1993

SECOND READING, AMENDMENTS
CONCURRED IN.

APRIL 12, 1993

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

House BILL NO. 367

INTRODUCED BY

W. J. [Signature]
Dawell McClure B. [Signature]

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING REQUIREMENTS
CONCERNING THE OATH OF OFFICE TO BE TAKEN BY ELECTED AND
APPOINTED MUNICIPAL OFFICIALS; AMENDING SECTION 7-1-4137,
MCA; REPEALING SECTIONS 7-3-4318 AND 7-4-4108, MCA; AND
PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 7-1-4137, MCA, is amended to read:

"7-1-4137. Oath of office. Every elected and appointed
municipal officer shall take the oath of office prescribed
in Article III, section 3, of the Montana constitution. The
Before the officer performs any official duties, the oath of
office, certified by the official before whom the same oath
was taken, shall must be filed. An elected officer shall
file the oath with the county election administrator before
the--officer--exercises--any--official--duties. An appointed
officer shall file the oath with the city clerk."

NEW SECTION. Section 2. Repealer. Sections 7-3-4318
and 7-4-4108, MCA, are repealed.

NEW SECTION. Section 3. Effective date. [This act] is
effective on passage and approval.

-End-

APPROVED BY COMM.
ON LOCAL GOVERNMENT1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24House BILL NO. 367

INTRODUCED BY

Wright
Dowell Melby B. Lewis

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING REQUIREMENTS
CONCERNING THE OATH OF OFFICE TO BE TAKEN BY ELECTED AND
APPOINTED MUNICIPAL OFFICIALS; AMENDING SECTION 7-1-4137,
MCA; REPEALING SECTIONS 7-3-4318 AND 7-4-4108, MCA; AND
PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 7-1-4137, MCA, is amended to read:

"7-1-4137. Oath of office. Every elected and appointed
municipal officer shall take the oath of office prescribed
in Article III, section 3, of the Montana constitution. The
Before the officer performs any official duties, the oath of
office, certified by the official before whom the same oath
was taken, shall must be filed. An elected officer shall
file the oath with the county election administrator before
the--officer--exercises--any--official--duties. An appointed
officer shall file the oath with the city clerk."

NEW SECTION. Section 2. Repealer. Sections 7-3-4318
and 7-4-4108, MCA, are repealed.

NEW SECTION. Section 3. Effective date. [This act] is
effective on passage and approval.

-End-



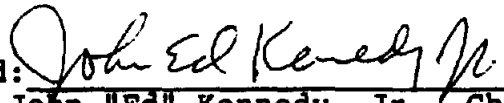
HB 367
THIRD READING
CONSENT CALENDAR

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. 367 (third reading copy -- blue), respectfully report that House Bill No. 367 be amended as follows and as so amended be concurred in.

Signed: 
Senator John "Ed" Kennedy, Jr., Chair

That such amendments read:

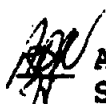
1. Page 1, line 12.
Following: "office."
Insert: "(1)"


2. Page 1, line 19.
Strike: "An"
Insert: "Except as provided in subsection (2), an"

3. Page 1.
Following: line 20
Insert: "(2) A person appointed to fill a vacancy in an elected municipal office shall file the oath of office with the county election administrator."

-END-

SENATE

 Amd. Coord.
Sec. of Senate


Senator Carrying Bill

HB 367
681614SC.San

1 HOUSE BILL NO. 367
2 INTRODUCED BY WYATT, WALLIN, DOWELL,
3 MCCAFFREE, BRANDEWIE
4
5 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING REQUIREMENTS
6 CONCERNING THE OATH OF OFFICE TO BE TAKEN BY ELECTED AND
7 APPOINTED MUNICIPAL OFFICIALS; AMENDING SECTION 7-1-4137,
8 MCA; REPEALING SECTIONS 7-3-4318 AND 7-4-4108, MCA; AND
9 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

10

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

12 Section 1. Section 7-1-4137, MCA, is amended to read:

13 "7-1-4137. Oath of office. (1) Every elected and
14 appointed municipal officer shall take the oath of office
15 prescribed in Article III, section 3, of the Montana
16 constitution. The Before the officer performs any official
17 duties, the oath of office, certified by the official before
18 whom the same oath was taken, shall must be filed. An
19 elected officer shall file the oath with the county election
20 administrator before--the--officer--exercises--any--official
21 duties. An EXCEPT AS PROVIDED IN SUBSECTION (2), AN
22 appointed officer shall file the oath with the city clerk.

23 (2) A PERSON APPOINTED TO FILL A VACANCY IN AN ELECTED
24 MUNICIPAL OFFICE SHALL FILE THE OATH OF OFFICE WITH THE
25 COUNTY ELECTION ADMINISTRATOR."

1 NEW SECTION. Section 2. Repealer. Sections 7-3-4318
2 and 7-4-4108, MCA, are repealed.
3 NEW SECTION. Section 3. Effective date. [This act] is
4 effective on passage and approval.

-End-