

HOUSE BILL NO. 414

INTRODUCED BY KELLER, BECK, HAYNE

IN THE HOUSE

JANUARY 30, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.
	FIRST READING.
FEBRUARY 12, 1993	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
FEBRUARY 13, 1993	PRINTING REPORT.
	SECOND READING, DO PASS.
FEBRUARY 15, 1993	ENGROSSING REPORT.
FEBRUARY 16, 1993	THIRD READING, PASSED. AYES, 98; NOES, 1.
FEBRUARY 17, 1993	TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 20, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.
	FIRST READING.
MARCH 17, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 18, 1993	SECOND READING, CONCURRED IN.
MARCH 19, 1993	THIRD READING, CONCURRED IN. AYES, 47; NOES, 0.
	RETURNED TO HOUSE.

IN THE HOUSE

MARCH 20, 1993	RECEIVED FROM SENATE.
	SENT TO ENROLLING.
	REPORTED CORRECTLY ENROLLED.

1 House BILL NO. 414
2 INTRODUCED BY Kellen Buck
3 Hayne
4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING THE BONDING
5 AUTHORITY FOR SOLID WASTE MANAGEMENT DISTRICTS; AMENDING
6 SECTIONS 7-13-236 AND 7-13-308, MCA; AND PROVIDING AN
7 EFFECTIVE DATE."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 **Section 1.** Section 7-13-236, MCA, is amended to read:

11 "7-13-236. Revenue bonds and obligations. (1) The
12 commissioners may issue revenue bonds, including refunding
13 bonds, or borrow money for the acquisition of property,
14 construction of improvements, or purchase of equipment or to
15 pay costs related to planning, designing, and financing a
16 solid waste management system.

17 (2) Revenue bonds may be issued in a form and upon
18 terms as provided in 7-7-2501.

19 (3) Bonds or loans may be payable from any revenue of
20 the solid waste management district, including revenue from:

21 (a) service charges authorized in 7-13-233 that--are
22 collected--other--than--through--tax--notices--and--a--lien--upon
23 property;

24 (b) grants or contributions from the state or federal
25 government; or

1 (c) other sources."

2 **Section 2.** Section 7-13-308, MCA, is amended to read:

3 "7-13-308. Revenue bonds and obligations. (1) A joint
4 district may borrow money for any purpose provided in this
5 part and issue bonds, including refunding bonds, in a form
6 and upon terms as it may determine, payable from any revenue
7 of the joint district, including revenue from:

8 (a) service charges authorized in 7-13-307 that--are
9 collected--other--than--through--tax--notices--and--a--lien--upon
10 property;

11 (b) grants or contributions from the state or federal
12 government; or

13 (c) other sources.

14 (2) The bonds may be issued by resolution of the joint
15 district without an election and without any limitation of
16 the amount, except that bonds may not be issued at any time
17 if the total amount of principal and interest to become due
18 in any year on the bonds and on any then-outstanding bonds
19 for which revenue from the same source or sources is pledged
20 exceeds the amount of the revenue to be received in that
21 year as estimated in the resolution authorizing the issuance
22 of the bonds. The board shall take all action necessary and
23 possible to impose, maintain, and collect rates, charges,
24 rentals, and taxes, if any are pledged, sufficient to make
25 the revenue from the pledged source in a year at least equal

1 to the amount of the principal and interest due in that
2 year.

3 (3) The bonds may be sold at public or private sale and
4 may bear interest as provided in 17-5-102. Except as
5 otherwise provided in this part, bonds issued pursuant to
6 this part by a joint district may be payable in principal
7 and interest solely from revenues of the joint district and
8 must state on their face the applicable limitations or
9 restrictions regarding the source from which the principal
10 and interest are payable.

11 (4) Bonds issued by a joint district under this part
12 are issued for an essential public and governmental purpose
13 by a political subdivision within the meaning of
14 15-30-111(2)(a).

15 (5) For the security of any bond, the joint district
16 may by resolution make and enter into any covenant,
17 agreement, or indenture. The sums required from time to time
18 to pay principal and interest and to create and maintain a
19 reserve for the bonds may be paid from any revenue referred
20 to in this part prior to the payment of current costs of
21 operation and maintenance of the solid waste management
22 system."

23 NEW SECTION. **Section 3.** Effective date. [This act] is
24 effective July 1, 1993.

-End-

APPROVED BY COMM.
ON LOCAL GOVERNMENT

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15 pay costs related to planning, designing, and financing a
16 solid waste management system.
17 (2) Revenue bonds may be issued in a form and upon
18 terms as provided in 7-7-2501.
19 (3) Bonds or loans may be payable from any revenue of
20 the solid waste management district, including revenue from:
21 (a) service charges authorized in 7-13-233 that--are
22 collected--other--than--through--tax--notices--and--a--lien--upon
23 property;
24 (b) grants or contributions from the state or federal
25 government; or

1 (c) other sources."
2 **Section 2.** Section 7-13-308, MCA, is amended to read:
3 "7-13-308. Revenue bonds and obligations. (1) A joint
4 district may borrow money for any purpose provided in this
5 part and issue bonds, including refunding bonds, in a form
6 and upon terms as it may determine, payable from any revenue
7 of the joint district, including revenue from:
8 (a) service charges authorized in 7-13-307 that--are
9 collected--other--than--through--tax--notices--and--a--lien--upon
10 property;
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15 district without an election and without any limitation of
16 the amount, except that bonds may not be issued at any time
17 if the total amount of principal and interest to become due
18 in any year on the bonds and on any then-outstanding bonds
19 for which revenue from the same source or sources is pledged
20 exceeds the amount of the revenue to be received in that
21 year as estimated in the resolution authorizing the issuance
22 of the bonds. The board shall take all action necessary and
23 possible to impose, maintain, and collect rates, charges,
24 rentals, and taxes, if any are pledged, sufficient to make
25 the revenue from the pledged source in a year at least equal

1 to the amount of the principal and interest due in that
2 year.

3 (3) The bonds may be sold at public or private sale and
4 may bear interest as provided in 17-5-102. Except as
5 otherwise provided in this part, bonds issued pursuant to
6 this part by a joint district may be payable in principal
7 and interest solely from revenues of the joint district and
8 must state on their face the applicable limitations or
9 restrictions regarding the source from which the principal
10 and interest are payable.

11 (4) Bonds issued by a joint district under this part
12 are issued for an essential public and governmental purpose
13 by a political subdivision within the meaning of
14 15-30-111(2)(a).

15 (5) For the security of any bond, the joint district
16 may by resolution make and enter into any covenant,
17 agreement, or indenture. The sums required from time to time
18 to pay principal and interest and to create and maintain a
19 reserve for the bonds may be paid from any revenue referred
20 to in this part prior to the payment of current costs of
21 operation and maintenance of the solid waste management
22 system."

23 NEW SECTION. Section 3. Effective date. [This act] is
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17 (2) Revenue bonds may be issued in a form and upon
18 terms as provided in 7-7-2501.

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20 the solid waste management district, including revenue from:

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4 district may borrow money for any purpose provided in this
5 part and issue bonds, including refunding bonds, in a form
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7 of the joint district, including revenue from:

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24 rentals, and taxes, if any are pledged, sufficient to make
25 the revenue from the pledged source in a year at least equal

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2 year.

3 (3) The bonds may be sold at public or private sale and
4 may bear interest as provided in 17-5-102. Except as
5 otherwise provided in this part, bonds issued pursuant to
6 this part by a joint district may be payable in principal
7 and interest solely from revenues of the joint district and
8 must state on their face the applicable limitations or
9 restrictions regarding the source from which the principal
10 and interest are payable.

11 (4) Bonds issued by a joint district under this part
12 are issued for an essential public and governmental purpose
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15 (5) For the security of any bond, the joint district
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(2) Revenue bonds may be issued in a form and upon terms as provided in 7-7-2501.

(3) Bonds or loans may be payable from any revenue of the solid waste management district, including revenue from:

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Section 2. Section 7-13-308, MCA, is amended to read:

"7-13-308. Revenue bonds and obligations. (1) A joint district may borrow money for any purpose provided in this part and issue bonds, including refunding bonds, in a form and upon terms as it may determine, payable from any revenue of the joint district, including revenue from:

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