HOUSE BILL NO, 414

INTRODUCED BY KELLER, BECK, HAYNE

IN THE HOUSE

JANUARY 30, 1993

INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.

INTRODUCED AND REFERRED TO COMMITTEE

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

MARCH 17, 1993

MARCH 18, 1993

MARCH 19, 1993

RETURNED TO HOUSE.

AYES, 47; NOES, 0.

ON LOCAL GOVERNMENT.

COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.

SECOND READING, CONCURRED IN.

THIRD READING, CONCURRED IN.

FIRST READING.

IN THE HOUSE

MARCH 20, 1993 RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1

LC 1258/01

HOUSE BILL NO. <u>414</u> INTRODUCED BY <u>Kellen Eurk</u> 2 з A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING THE BONDING 4 AUTHORITY FOR SOLID WASTE MANAGEMENT DISTRICTS; AMENDING 5 SECTIONS 7-13-236 AND 7-13-308, MCA; AND PROVIDING AN 6 7 EFFECTIVE DATE." B BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 Section 1. Section 7-13-236, MCA, is amended to read: 10 *7-13-236. Revenue bonds and obligations. (1) The 11 commissioners may issue revenue bonds, including refunding 12 bonds, or borrow money for the acquisition of property, 13 construction of improvements, or purchase of equipment or to 14 pay costs related to planning, designing, and financing a 15 solid waste management system. 16

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

(3) Bonds or loans may be payable from any revenue of 19 the solid waste management district, including revenue from: 20 (a) service charges authorized in 7-13-233 that--are 21 collected--other--than--through--tax-notices-and-a-lien-upon 22 23 property;

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

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1 (c) other sources."

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

"7-13-308. Revenue bonds and obligations. (1) A joint 3 district may borrow money for any purpose provided in this Δ part and issue bonds, including refunding bonds, in a form 5 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

H& 419 INTRODUCED BILL

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

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

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

23 <u>NEW SECTION.</u> Section 3. Effective date. [This act] is
24 effective July 1, 1993.

-End-

53rd Legislature

LC 1258/01

APPROVED BY COMM. On Local Government

1 <u>House</u> Bill NO. <u>414</u> 2 INTRODUCED BY <u>Mellin Bink</u> 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, WCA; 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.

(3) Bonds or loans may be payable from any revenue of
the solid waste management district, including revenue from:
(a) service charges authorized in 7-13-233 that--are
collected--other--than--through--tax-notices-and-a-lien-upon
property;

(b) grants or contributions from the state or federalgovernment; or



1 (c) other sources."

2 Section 2. Section 7-13-308, MCA, is amended to read: "7-13-308. Revenue bonds and obligations. (1) A joint 3 4 district may borrow money for any purpose provided in this part and issue bonds, including refunding bonds, in a form 5 6 and upon terms as it may determine, payable from any revenue 7 of the joint district, including revenue from: R (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 of the bonds. The board shall take all action necessary and 22 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

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HB 414

SECOND READING

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

(3) The bonds may be sold at public or private sale and 3 may bear interest as provided in 17-5-102. Except as 4 S otherwise provided in this part, bonds issued pursuant to this part by a joint district may be payable in principal 6 and interest solely from revenues of the joint district and 7 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 to pay principal and interest and to create and maintain a 18 19 reserve for the bonds may be paid from any revenue referred to in this part prior to the payment of current costs of 20 21 operation and maintenance of the solid waste management 22 system."

23 <u>NEW SECTION.</u> Section 3. Effective date. [This act] is
24 effective July 1, 1993.

-End-

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HOUSE BILL NO. 414 INTRODUCED BY Kelle Buck 1 2 Harme 3 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING THE BONDING 4 AUTHORITY FOR SOLID WASTE MANAGEMENT DISTRICTS: AMENDING 5 SECTIONS 7-13-236 AND 7-13-308, NCA: AND PROVIDING AN 6 REPECTIVE DATE." 7 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 Section 1. Section 7-13-236, MCA, is amended to read: 10 *7-13-236. Revenue bonds and obligations. (1) The 11 commissioners may issue revenue bonds, including refunding 12 bonds, or borrow money for the acquisition of property, 13 construction of improvements, or purchase of equipment or to 14 pay costs related to planning, designing, and financing a 15

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;

(b) grants or contributions from the state or federalgovernment; or



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(c) other sources."

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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:

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

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THIRD READING

LC 1258/01

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 otherwise provided in this part, bonds issued pursuant to 5 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 restrictions regarding the source from which the principal 9 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).

(5) For the security of any bond, the joint district 15 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 <u>NEW SECTION.</u> Section 3. Effective date. [This act] is
24 effective July 1, 1993.

-End-

HB 0414/02

1 (c) other sources." HOUSE BILL NO. 414 1 INTRODUCED BY KELLER, BECK, HAYNE 2 2 3 3 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING THE BONDING 4 4 AUTHORITY FOR SOLID WASTE MANAGEMENT DISTRICTS; AMENDING 5 5 SECTIONS 7-13-236 AND 7-13-308, MCA; AND PROVIDING AN 6 6 7 EFFECTIVE DATE." 7 8 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 9 Section 1. Section 7-13-236, MCA, is amended to read: 10 property; 10 11 7-13-236. Revenue bonds and obligations. (1) The 11 commissioners may issue revenue bonds, including refunding 12 government; or 12 bonds, or borrow money for the acquisition of property, 13 (c) other sources. 13 construction of improvements, or purchase of equipment or to 14 14 pay costs related to planning, designing, and financing a 15 15 16 solid waste management system. 16 (2) Revenue bonds may be issued in a form and upon 17 17 18 terms as provided in 7-7-2501. 18 (3) Bonds or loans may be payable from any revenue of 19 19 the solid waste management district, including revenue from: 20 20 (a) service charges authorized in 7-13-233 that--are 21 21 22 collected--other--than--through--tax-notices-and-a-lien-upon 22 23 23 property; (b) grants or contributions from the state or federal 24 24 25 government; or 25



HB 0414/02

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:

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

(b) grants or contributions from the state or federal

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

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HB 414 REFERENCE BILL 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 may bear interest as provided in 17-5-102. Except as 4 otherwise provided in this part, bonds issued pursuant to 5 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 regulred 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 <u>NEW SECTION.</u> Section 3. Effective date. [This act] is
24 effective July 1, 1993.

-End-