

1 SENATE BILL NO. 41

2 INTRODUCED BY WELDON

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR AN OPTIONAL METHOD OF ASSESSMENT FOR
5 A COUNTY WATER OR SEWER DISTRICT; AND AMENDING SECTION 7-13-2303, MCA."6
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:8
9 Section 1. Section 7-13-2303, MCA, is amended to read:10 "7-13-2303. Method of assessment. (1) When the amount of money required for any purpose
11 enumerated in 7-13-2302 has been determined:12 (a) each lot or parcel of land to be assessed ~~shall~~ must be assessed with that part of the amount
13 of money required ~~which~~ that its area bears to the total area of all of the lands to be assessed; or14 (b) ~~said the~~ assessment may, at the option of the board or boards of county commissioners;
15 (i) be based upon the taxable valuation as stated in the ~~last-completed~~ last-completed county
16 assessment roll of the lots or parcels of land, exclusive of improvements ~~thereon~~, within ~~said the~~ district;
17 ~~and,~~ in which case, each lot or parcel of land to be assessed ~~shall~~ must be assessed with that part of the
18 amount of money required ~~which~~ that its taxable valuation bears to the total taxable valuation of all of the
19 lands to be assessed; or20 (ii) be a fixed amount of money for each subsurface sewage disposal system or for each water or
21 sewer connection on each lot or parcel of land.22 (2) However, ~~where~~ when the district lies in more than one county, the same method of
23 assessment ~~shall~~ must be used by each board of county commissioners."

24 -END-

SENATE BILL NO. 41

INTRODUCED BY WELDON

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR AN OPTIONAL A METHOD OF ASSESSMENT FOR FEASIBILITY STUDY COSTS FOR A COUNTY WATER OR SEWER DISTRICT; AND AMENDING SECTION ~~7-13-2303~~ 7-13-2301, MCA."

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

~~Section 1. Section 7-13-2303, MCA, is amended to read:~~

~~"7-13-2303. Method of assessment. (1) When the amount of money required for any purpose enumerated in 7-13-2302 has been determined:~~

~~(a) each lot or parcel of land to be assessed shall must be assessed with that part of the amount of money required which that its area bears to the total area of all of the lands to be assessed; or~~

~~(b) said the assessment may, at the option of the board or boards of county commissioners,~~

~~(i) be based upon the taxable valuation as stated in the last completed last completed county assessment roll of the lots or parcels of land, exclusive of improvements thereon, within said the district; and, in which case, each lot or parcel of land to be assessed shall must be assessed with that part of the amount of money required which that its taxable valuation bears to the total taxable valuation of all of the lands to be assessed; or~~

~~(ii) be a fixed amount of money for each subsurface sewage disposal system or for each water or sewer connection on each lot or parcel of land.~~

~~(2) However, where when the district lies in more than one county, the same method of assessment shall must be used by each board of county commissioners."~~

SECTION 1. SECTION 7-13-2301, MCA, IS AMENDED TO READ:

"7-13-2301. Establishment of charges ~~for services~~. (1) The board of directors shall fix all water and sewer rates and shall, through the general manager, collect the sewer charges and the charges for the sale and distribution of water to all users.

(2) The board in the furnishing of water, sewer service, other services, and facilities shall fix ~~such~~

1 the rate, fee, toll, rent, or other charge ~~as~~ that will pay the operating expenses of the district, provide for
2 repairs and depreciation of works owned or operated by it, pay the interest on any bonded debt, and so
3 far as possible, provide a sinking or other fund for the payment of the principal of ~~such~~ the debt as it may
4 become due.

5 (3) The board of directors may impose on all properties in the district a charge sufficient to defray
6 the costs of engineering or other services required in designing or preparing a feasibility study for a water
7 or sewer system. These charges may be based on any method authorized for rural special improvement
8 districts in 7-12-2151.

9 (4) Notwithstanding any other section of this part or part 22 or limitation imposed ~~therein~~ in this
10 part or part 22 and when the board has applied for and received from the federal government any money
11 for the construction, operation, and maintenance of treatment services and works, the board may adopt
12 a system of charges and rates to require that each recipient of treatment works services pays its
13 proportionate share of the costs of operation, maintenance, and replacement and to require industrial users
14 of treatment works to pay the portion of the cost of construction of the treatment works ~~which~~ that is
15 allocable to the treatment of that industrial user's wastes."

16 -END-

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~~(i) be based upon the taxable valuation as stated in the last completed last completed county assessment roll of the lots or parcels of land, exclusive of improvements thereon, within said the district; and, in which case, each lot or parcel of land to be assessed shall must be assessed with that part of the amount of money required which that its taxable valuation bears to the total taxable valuation of all of the lands to be assessed; or~~

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16

-END-