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INTRODUCED BY

SENATE BILL NO. 299

Beck Drach

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING A PROCEDURE FOR TERMINATING LOCAL WATER QUALITY DISTRICTS OR JOINT LOCAL WATER QUALITY DISTRICTS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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NEW SECTION. Section 1. Referendum to abolish local water quality district or joint local water

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quality district -- termination procedures. (1) A person owning a fee-assessed unit located within a local water quality district or a joint local water quality district may petition the commissioners of a local water quality district or the board of directors of a joint water quality district to submit a referendum to the registered voters residing in the district to terminate or abolish the district. The petition must be in writing and contain the signatures and addresses of 20% or more of the owners of fee-assessed units in the district. The petition requesting a referendum for termination or abolishment of a district must be delivered to the county clerk who shall endorse on it the date on which the petition was received and immediately deliver the petition to the commissioners of a local water quality district or the board of directors of a joint water quality district.

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(2) Upon receipt of a valid petition described in subsection (1), the commissioners of a local water quality district or the board of directors of a joint water quality district shall, within 45 days of receiving the petition requesting a referendum, submit the referendum to the registered voters residing in the district. If a majority of the registered voters in a district approve the termination of that district, the commissioners of a local water quality district or the board of directors of a joint water quality district shall, by resolution, terminate and abolish the district within 30 days after the registered voters approve the referendum.

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NEW SECTION. Section 2. Allocation of funds upon termination of local water quality district or joint local water quality district. (1) Except as provided in subsection (2), if a local water quality district or joint local water quality district is terminated, any funds held by the county treasurer pursuant to 7-13-4525 or 7-13-4529 must be deposited in the county general fund. In the case of a terminated joint

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1 local water quality district, any funds held by the county treasurer pursuant to 7-13-4529 must be allocated
2 between the counties on the basis of the number of fee-assessed units located in each county.

3 (2) If the funds held by the county treasurer pursuant to 7-13-4525 or 7-13-4529 are derived from
4 grants or gifts that restrict the use of those funds, the county treasurer shall return those funds to the
5 grantor or donor.

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7 **NEW SECTION. Section 3. Codification instruction.** [Sections 1 and 2] are intended to be codified
8 as an integral part of Title 7, chapter 13, part 45, and the provisions of Title 7, chapter 13, part 45, apply
9 to [sections 1 and 2].

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11 **NEW SECTION. Section 4. Effective date.** [This act] is effective on passage and approval.

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