

1

SENATE BILL NO. 299

2 INTRODUCED BY

Beck Drury

3

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

7

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

9

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

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

26

27 **NEW SECTION.** **Section 2. Allocation of funds upon termination of local water quality district or**
28 **joint local water quality district.** (1) Except as provided in subsection (2), if a local water quality district
29 or joint local water quality district is terminated, any funds held by the county treasurer pursuant to
30 7-13-4525 or 7-13-4529 must be deposited in the county general fund. In the case of a terminated joint

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.

6

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].

10

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

12

-END-

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17 to the county clerk who shall endorse on it the date on which the petition was received and immediately
18 ~~deliver the petition to~~ **VALIDATE THE SIGNATURES WITHIN 60 DAYS OF RECEIPT OF THE PETITION.** IF
19 **THE PETITION CONTAINS VALID SIGNATURES OF AT LEAST 20% OF THE OWNERS OF FEE-ASSESSED**
20 **UNITS LOCATED WITHIN THE DISTRICT, THE COUNTY CLERK SHALL NOTIFY** the commissioners of a
21 local water quality district or the board of directors of a joint water quality district.

22 (2) Upon receipt of a valid petition described in subsection (1), the commissioners of a local water
23 quality district or the board of directors of a joint water quality district shall, ~~within 45 days of receiving~~
24 ~~the petition requesting a referendum,~~ submit the referendum to the registered voters residing in the district
25 **IN ACCORDANCE WITH THE PROVISIONS OF 7-5-136.** ~~If a majority of the registered voters in a district~~
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