

House BILL NO. 322

INTRODUCED BY McCullough Van Vleet Denney Volpe
Coakley

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR AN ELECTION ON THE QUESTION OF ENLARGING A TRANSPORTATION DISTRICT; REDUCING THE NUMBER OF SIGNATURES NEEDED ON A PETITION TO ENLARGE A TRANSPORTATION DISTRICT FROM 51 PERCENT TO 20 PERCENT; AND AMENDING SECTIONS 7-14-203, 7-14-204, 7-14-207, 7-14-208, 7-14-209, 7-14-210, AND 7-14-241, MCA."

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

Section 1. Section 7-14-203, MCA, is amended to read:

"7-14-203. **Petition to create or enlarge an urban transportation district.** Proceedings for creation of creating or enlarging a transportation district may be initiated by a petition signed by not less than 20% of the registered electors who reside within the proposed district or the area to be added to an existing district."

Section 2. Section 7-14-204, MCA, is amended to read:

"7-14-204. **Details relating to petition.** The petition under 7-14-203 shall must include a map showing the limits of the proposed district or the area to be added to an existing district and shall must be in the form provided in Title 13, chapter 27."

Section 3. Section 7-14-207, MCA, is amended to read:

"7-14-207. **Presentation of petition to board of county commissioners -- hearing required.** (1) ~~Provided~~ If the petition contains the signatures of 20% of the qualified electors of the proposed transportation district or the area proposed to be added to an existing district, the county clerk shall present the petition and ~~his~~ the county clerk's certificate to the commissioners at their first meeting held after ~~he~~ the county clerk has attached ~~his~~ the certificate to the petition.

(2) Upon receipt of the petition from the county clerk, the ~~The~~ commissioners shall ~~thereupon~~ examine the petition and shall by resolution call for a public hearing on the creation of ~~such~~ the district or



1 the enlargement of the district."

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3 **Section 4.** Section 7-14-208, MCA, is amended to read:

4 **"7-14-208. Notice of hearing.** (1) A notice of the public hearing required by 7-14-207 shall must
5 be published in a newspaper having general circulation within the proposed transportation district or
6 addition to the district once each week for at least 2 weeks, the last publication to be at least 2 weeks prior
7 to the hearing. If there is ~~no~~ not a newspaper having general circulation within the proposed district or
8 addition, the notice of public hearing ~~shall~~ must be posted in at least three public places within the
9 proposed district for 2 weeks prior to the hearing.

10 (2) The notice ~~shall~~ must state the time, date, place, and purpose of the hearing and describe the
11 boundaries of the proposed district or addition."

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13 **Section 5.** Section 7-14-209, MCA, is amended to read:

14 **"7-14-209. Hearing on petition.** (1) At the time fixed for the public hearing required by 7-14-207,
15 the commissioners shall hear all testimony offered in support of and in opposition to any petition ~~and~~ for
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19 originally noticed and published for the hearing."

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21 **Section 6.** Section 7-14-210, MCA, is amended to read:

22 **"7-14-210. Election on question of creating urban transportation district or addition to a district.**

23 (1) The commissioners, upon completion of the public hearing required by 7-14-207, shall proceed by
24 resolution to refer the creation of the district or addition to a district to the persons qualified to vote on the
25 proposition.

26 (2) The commissioners may designate in their resolution whether a special election is to be held
27 in conjunction with a regular or primary election, ~~or~~ whether the matter is to be determined at the next
28 general election, or whether the matter is to be determined by a mail ballot election held pursuant to the
29 provisions of Title 13, chapter 19. If a special election is ordered, the order must specify the date for the
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3 Section 7. Section 7-14-241, MCA, is amended to read:

4 "7-14-241. Procedure to ~~enlarge district or be included in district or to remove an addition to a~~
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7 ~~(2)(1)~~ A real property owner may petition to have that owner's property included in a district.

8 ~~(3) Each~~ The addition of the real property owner's property must be approved by a majority vote
9 of the transportation board.

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12 the area sign a petition requesting to be removed from the district. The removal of the area is effective 60
13 days after submission of the petition to the transportation board unless within that time, it is determined
14 that the petition contains insufficient signatures for removal of the area. An insufficient petition must be
15 returned to the petitioners, who may resubmit a corrected version within 90 days.

16 ~~(5)(3)~~ (a) All property within any addition to ~~the a~~ a district is subject to all existing indebtedness of
17 the district.

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19 indebtedness if the area was added to the district within 5 years of the date on which the petition for
20 removal was submitted to the transportation board."

21

-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0322, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

A bill providing for an election on the question of enlarging a transportation district.

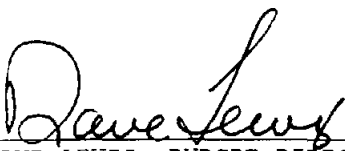
FISCAL IMPACT:

Passage of HB 322 will have no fiscal impact on the state.

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

If the election provided by this bill in Section 6 were included in a regular, primary or general election, the fiscal impact of this bill would be minimal. If a "mail ballot" election were used, as also provided in Section 6, an indeterminable fiscal impact on a local government is likely.

Therefore, this bill may require local governments to spend additional sums for which no specific means of financing are provided. Section 1-2-114, MCA, provides that bills which have such an impact may not be introduced.

 1-23-97
DAVE LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

LINDA MCCULLOCH, PRIMARY SPONSOR DATE

Fiscal Note for HB0322, as introduced

HB 322

STATE OF MONTANA - FISCAL NOTE

Revised Fiscal Note for HB0322, as introduced

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 2-3-97

DAVE LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

LINDA MCCULLOCH, PRIMARY SPONSOR DATE

Rev. Fiscal Note for HB0322, as introduced

Rev. HB 322 #2

APPROVED BY COM ON LOCAL GOVERNMENT

1 House BILL NO. 322
2 INTRODUCED BY McCullough Van Vleet Denney Galloway
3 Cochran

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21 -END-

House BILL NO. 322

INTRODUCED BY McCullough, Van Vleet, King, Denney, Holley,
Cook

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR AN ELECTION ON THE QUESTION OF ENLARGING A TRANSPORTATION DISTRICT; REDUCING THE NUMBER OF SIGNATURES NEEDED ON A PETITION TO ENLARGE A TRANSPORTATION DISTRICT FROM 51 PERCENT TO 20 PERCENT; AND AMENDING SECTIONS 7-14-203, 7-14-204, 7-14-207, 7-14-208, 7-14-209, 7-14-210, AND 7-14-241, MCA."

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House BILL NO. 322

INTRODUCED BY

McClure Van Dine Denney Kelly
Coakley

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INTRODUCED BY MCCULLOCH, VAN VALKENBURG, DENNY, HALLIGAN, COCCHIARELLA

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4 **"7-14-241. Procedure to ~~enlarge district or be included in district or to remove an addition to a~~**
5 **district.** ~~(1) The boundaries of any transportation district may be enlarged if 51% of the qualified electors~~
6 ~~of the area to be added to the existing district sign a petition requesting addition to the district.~~

7 ~~(2)(1)~~ (1) A real property owner may petition to have that owner's property included in a district.

8 ~~(3) Each~~ The addition of the real property owner's property must be approved by a majority vote
9 of the transportation board.

10 ~~(4)(2)~~ The An area added to a district pursuant to ~~subsection (1)~~ this part may be removed if the
11 area does not directly receive transportation services from the district and 51% of the qualified voters in
12 the area sign a petition requesting to be removed from the district. The removal of the area is effective 60
13 days after submission of the petition to the transportation board unless within that time, it is determined
14 that the petition contains insufficient signatures for removal of the area. An insufficient petition must be
15 returned to the petitioners, who may resubmit a corrected version within 90 days.

16 ~~(5)(3)~~ (a) All property within any addition to ~~the a~~ a district is subject to all existing indebtedness of
17 the district.

18 (b) Property within an area removed from ~~the a~~ a district is not subject to the district's existing
19 indebtedness if the area was added to the district within 5 years of the date on which the petition for
20 removal was submitted to the transportation board."

21 -END-