

EXHIBIT 2
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SB 245

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FACT SHEET ON SB 245

Refresher: Resort Community: a municipality that meets the criteria of 7-6-1501, MCA.
Resort Area: an unincorporated area that meets the criteria of 7-6-1501, MCA.
Resort Area District: is a district created under 7-6-1531 through 76-1550, that has previously been established as a resort area.
Big Sky and St. Regis Resort Area Districts expire in 2012.

This bill is procedural clean-up for resort area districts in 2 statutory areas.

1. Section 1- allows a resort area district, which has been established by the electors for a term of years, to extend the term by submitting the question directly to the electors residing within the district.

A. The existing resort area district statute does not provide a method for "renewal". As a result, a resort area district would have to go back to step one to recreate itself. This would require the resort area to reestablish itself and return to governance by the county, and then have another election to create a district having local control. By allowing an extension to its term by a vote of the electors, the district would be able to maintain the local control and implementation of the district in a continuous fashion. The locally elected Board of Directors would continue to govern the district.

B. The vote to extend the term of the resort area district may be taken after at least one-half of its term has expired.

C. The electors of the resort communities of West Yellowstone and Whitefish have already voted to extend their terms. Since the governance for resort communities always lies with the local governing body, resort communities have no need for this statutory amendment.

2. Section 2 - provides a procedure for district boards to complete board membership if the number of candidates for an upcoming election is insufficient to do so. The Board must appoint the member to complete the 5 member board. Such appointee must be elected by a majority of electors voting at the next election provided for in 13-1-104.

A. This procedure will enable a full board to be constituted.

B. This procedure will enable the electors to affirm or reject the appointee.