

MOSQUITO CONTROL DISTRICT CREATION

It is the intent of the Montana Association of Counties to seek Legislation enabling commissioners to create mosquito districts by a resolution of intent adopted by the governing body, calling for the creation of a mosquito district.

WHEREAS, current law authorizes the creation of mosquito control district by petition signed by at least 25% of the qualified electors in the proposed district; and

WHEREAS, there is a need for an expedited process due to the risk of the West Nile Virus to address mosquito control throughout the state on an urgent basis.

NOW, THEREFORE, BE IT RESOLVED that the Montana Association of Counties will seek to amend MCA 7-22-2303 to authorize the creation of a mosquito control district by a resolution of intent adopted by the county governing body, calling for the creation of a mosquito control district.

BE IT FURTHER RESOLVED to reduce the petition process from the current "25% of the qualified electors" to "10% of the qualified electors" of the proposed district.

SPONSOR: Districts 10 and 11

RECOMMENDATION: Do Pass

PRIORITY: High

REFERRED TO: MACo Agriculture Committee

ADOPTED: Annual Conference, Missoula, MT,
September 29, 2004

MOSQUITO CONTROL DISTRICT CREATION AMENDMENT

7-22-2403. Creation of a mosquito control district -- hearing required.

(1) Proceedings for the creation of a mosquito control district may be initiated by:

(a) a petition, signed by at least 10% of the qualified electors of the proposed district or 10% of the owners of any property within the boundaries whose names appear as property owners on the last-completed assessment roll of the county in which the proposed district is situated, is presented to the board of commissioners of the county asking for the creation of a mosquito control district, or

(b) a resolution of intent adopted by the county governing body, calling for the creation of a mosquito control district.

(2) The petition or resolution must contain:

(a) the boundaries of the proposed district;

(b) subject to 15-10-420, the proposed property tax mill levy that could be levied on property owners within the district or the proposed maximum fee on each household within the proposed district for the operation of the district; and

(3) the commissioners shall set a day for a hearing on the petition or resolution and order notice of the hearing to be given to all persons interested.

(4) The commissioners by resolution shall fix a time for a hearing on the petition or resolution at not less than 2 or more than 4 weeks from the time of presentation of the petition or adoption of the resolution unless additional time is needed to prepare a survey and study as authorized by this subsection. Before setting a time for a hearing, the commissioners may cause a survey and study of the area sought to be included in the district to be made by competent personnel and may submit a report of the study to the department of public health and human services for its review and recommendations.