EXHIBIT 6
DATE 1/23/07
HB 253

RESOLUTION 2006 - 19

REPEAL MUNICIPALITY BRIDGE CONSTRUCTION ELECTION REQUIREMENT

It is the intent of the Montana Association of Counties to support efforts to repeal the provisions of Section 7-14-2205, MCA, requiring a county election be held to construct a bridge in a municipality, when the anticipated construction cost exceeds $10,000.

WHEREAS, it is the responsibility of counties to construct bridges, including those located within of cities and towns; and

WHEREAS, Section 7-14-2503, MCA gives a board of county commissioners authority to levy a special tax on taxable property in the county to defray the costs of any bridge required to be constructed and maintained by the county in any city or town; and

WHEREAS, Section 7-14-2205, MCA requires a board of county commissioners conduct a county election if the cost of construction of a bridge in any city or town exceeds $10,000; and

WHEREAS, with the current costs of materials and labor, it is not feasible to construct a bridge under a cost of $10,0000, and, therefore, an election to construct a bridge would be required:

NOW, THEREFORE, BE IT RESOLVED, Section 7-14-2205, MCA, requiring a county election be held to construct a bridge in a municipality, when the anticipated construction cost exceeds $10,000 shall be repealed.

SPONSOR:	MACo Resolutions Committee
RECOMMENDATION:	Do Pass
PRIORITY:	High
REFERRED TO:	MACo Transportation Committee Montana Association of Road Supervisors
ADOPTED:	Annual Conference, Bozeman, MT September 27, 2006

RELEVENT STATUTE (S)

7-14-2205. Construction of bridge in municipality -- election. (1) Before undertaking the construction in any city or town of any bridge, the cost of which exceeds $10,000, the board of county commissioners shall submit to the qualified electors of the county at a general election or a special election held in conjunction with a regular or primary election the question of whether the bridge is to be constructed and paid for by the county.

(2) (a) If the electors vote in favor of construction, the board may issue and sell bonds of the county in the amount authorized for the construction of the bridge. Bonds must be issued under the regulations that apply to other bonds of the county.

(b) The bridge must be constructed using the proceeds of the bond sale.

(3) Subject to 15-10-420, if the cost of the bridge does not exceed the amount authorized to be raised by a special tax, it may be levied as provided in 7-14-2503.

History: En. Sec. 5-203, Ch. 197, L. 1965; R.C.M. 1947, 32-2903; amd. Sec. 49, Ch. 387, L. 1995; amd. Sec. 37, Ch. 584, L. 1999.

7-14-2503. Special municipal bridge tax authorized. Subject to 15-10-420, a board may levy a special tax on the taxable property in the county to defray the costs of any bridge required to be constructed and maintained by the county in any city or town.

History: En. Sec. 7-104, Ch. 197, L. 1965; R.C.M. 1947, 32-3604; amd. Sec. 40, Ch. 584, L. 1999; amd. Sec. 48, Ch. 574, L. 2001.

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