

1 HOUSE BILL NO. 35
2 INTRODUCED BY L. BREWSTER
3 BY REQUEST OF THE LOCAL GOVERNMENT INTERIM COMMITTEE
4
5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING COUNTY WATER AND/OR SEWER DISTRICT
6 ADMINISTRATION LAWS; REMOVING CERTAIN APPOINTED COUNTY WATER AND/OR SEWER
7 DISTRICT BOARD POSITIONS; ALLOWING FOR NONVOTING EX OFFICIO MEMBERS ON A COUNTY
8 WATER AND/OR SEWER DISTRICT BOARD IN CERTAIN CIRCUMSTANCES; CLARIFYING THE DATE A
9 DIRECTOR'S TERM OF OFFICE BEGINS; REMOVING BOND REQUIREMENTS OF CERTAIN COUNTY
10 WATER AND/OR SEWER DISTRICT ADMINISTRATIVE PERSONNEL; AMENDING SECTIONS 7-13-2231, 7-
11 13-2232, 7-13-2233, 7-13-2234, 7-13-2259, AND 7-13-2262, MCA; ~~AND~~ REPEALING SECTION 7-13-2279,
12 MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

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16 **Section 1.** Section 7-13-2231, MCA, is amended to read:

17 **"7-13-2231. Election or appointment of board of directors.** (1) The district shall elect a board of
18 directors, except as provided in subsection (2).

19 (2) If no qualified electors reside in the district at a time when directors of the district are to be
20 elected, the directors must be appointed in a certificate of appointment. The certificate of appointment must be
21 signed by the owners of all of the real property in the district and must contain the signed acceptance of the
22 appointment by all of the directors.

23 (3) The board of directors is the governing body of the district.

24 ~~(4) When an appointed director's term expires, the position must be filled by election, except as
25 provided in subsection (2)."~~

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27 **Section 2.** Section 7-13-2232, MCA, is amended to read:

28 **"7-13-2232. Composition of board of directors.** (1) ~~If there are no municipalities within the~~

Amendment - 1st Reading-white - Requested by: Larry Brewster - (H) Local Government

68th Legislature

Drafter: Laura Sankey Keip, 406-444-4410

HB0035.001.001

1 repealed:

2 7-13-2279. Performance bonds for administrative personnel.

3

4 **NEW SECTION. Section 9. Codification instruction.** [Section 3] is intended to be codified as an
5 integral part of Title 7, chapter 13, part 22, and the provisions of Title 7, chapter 13, part 22, apply to [section 3].

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7 **NEW SECTION. Section 10. Effective date.** [This act] is effective on passage and approval.

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