

Unofficial Draft Copy

As of: August 28, 2008 (11:27AM)

LC0153

**** Bill No. ****

Introduced By *****

By Request of the *****

Education and Local Government Interim Committee

A Bill for an Act Entitled: "An Act clarifying legislative approval by joint resolution of the organization of a community college district following approval by local voters and a positive or negative recommendation by the Board of Regents; amending section 20-15-209, MCA; and providing an immediate effective date and an applicability date."

Be it enacted by the Legislature of the State of Montana:

Section 1. Section 20-15-209, MCA, is amended to read:

"20-15-209. Determination of approval or disapproval of proposition -- subsequent procedures if approved. (1) To carry, the proposal to organize the community college district must receive a majority of the total number of votes cast ~~thereon,~~ ~~and the~~ The coordinator of community college districts, ~~from the results so certified and attested,~~ shall determine whether the proposal has received the majority of the votes cast ~~thereon~~ for each county within the proposed district and shall certify the results to the regents. ~~Approval~~ Final approval for the organization of a new community college district ~~shall~~ may be granted ~~at the discretion of~~ by passage of a joint resolution by the legislature acting upon ~~the~~ a positive or a negative

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recommendation of the regents. ~~Should~~ If the certificate of the coordinator of community college districts ~~show~~ shows that the proposition to organize ~~such~~ the community college district has received a majority of the votes cast ~~thereon~~ on the proposition in each county within the proposed district and the legislature then approves the organization of the community college district, the regents ~~may make~~ shall then issue an order declaring the community college district organized and ~~cause~~ shall send a copy ~~thereof~~ of the order to be recorded in the office of the county clerk and recorder in each county in which a portion of ~~such~~ the new district is located. If the proposition carries, the regents also shall determine which candidates have been elected trustees. ~~Should~~ If the proposition ~~to organize the community college district fail~~ fails ~~to receive a majority of the votes cast thereon,~~ no tabulation shall accounting will not be made to determine the candidates who received the greatest number of votes ~~elected trustees.~~

(2) Within 30 days of the date of the ~~organization~~ organizational order, the regents shall set a date and call an ~~organization~~ organizational meeting for the board of trustees of the community college district and shall notify the ~~duly~~ elected trustees of their membership and of the ~~organization~~ organizational meeting. ~~Such~~ The notification ~~shall~~ must designate a temporary ~~chairman~~ presiding officer and secretary for the purposes of organization."

{ *Internal References to 20-15-209: None.* }

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NEW SECTION. Section 2. {standard} Effective date -- applicability. [This act] is effective on passage and approval and applies to the approval of a community college district on or after [the effective date of this act].

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