

HOUSE BILL NO. 285
INTRODUCED BY SCHYE

IN THE HOUSE

JANUARY 19, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON LOCAL GOVERNMENT.

JANUARY 21, 1991 FIRST READING.

FEBRUARY 6, 1991 COMMITTEE RECOMMEND BILL
DO PASS AS AMENDED. REPORT ADOPTED.

ON MOTION, REREFERRED TO COMMITTEE
ON TAXATION.

MARCH 18, 1991 COMMITTEE RECOMMEND BILL
DO PASS AS AMENDED. REPORT ADOPTED.

MARCH 19, 1991 PRINTING REPORT.

APRIL 1, 1991 SECOND READING, DO PASS.

APRIL 2, 1991 ENGROSSING REPORT.

APRIL 3, 1991 THIRD READING, PASSED.
AYES, 55; NOES, 45.

TRANSMITTED TO SENATE.

IN THE SENATE

APRIL 3, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON LOCAL GOVERNMENT.

FIRST READING.

APRIL 10, 1991 COMMITTEE RECOMMEND BILL BE
CONCURRED IN. REPORT ADOPTED.

APRIL 15, 1991 SECOND READING, CONCURRED IN.

APRIL 16, 1991 THIRD READING, CONCURRED IN.
AYES, 48; NOES, 1.

RETURNED TO HOUSE.

IN THE HOUSE

APRIL 17, 1991 RECEIVED FROM SENATE.

1 HOUSE BILL NO. 285
2 INTRODUCED BY Schuyler

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING COUNTY
5 COMMISSIONERS TO CHARGE FEES ON STRUCTURES FOR THE OPERATION
6 OF A MOSQUITO CONTROL DISTRICT; AMENDING SECTION 7-22-2432,
7 MCA; AND PROVIDING AN EFFECTIVE DATE."
8

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

10 **Section 1.** Section 7-22-2432, MCA, is amended to read:

11 "7-22-2432. Levy Financing of mosquito control district
12 -- levy of district taxes -- limit on mill levy -- fee on
13 structures. (1) At--the--time--fixed--by--law--for--levy--and
14 assessment--of--taxes,--the The board of county commissioners
15 of any county within which a mosquito control board has been
16 created shall finance the operation of the district:

17 (a) by levy levying a tax not exceeding 5 mills on the
18 dollar of the total taxable valuation in such the district
19 on all property situated within the said district at the
20 time fixed by law for levy and assessment of taxes; or

21 (b) by collecting a fee from the owners of structures
22 that are benefited by the mosquito control services offered
23 by the district. The schedule of fees is as follows:

- 24 (i) up to \$20 per single-unit dwelling;
- 25 (ii) up to \$20 per unit in a duplex dwelling;

1 (iii) up to \$5 per unit in a multiple-unit dwelling; and
2 (iv) up to \$75 per commercial establishment.

3 (2) The fees provided for in subsection (1)(b) must be
4 collected with the general taxes of the county. The
5 assessments are a lien on the property assessed.

6 (3) The proceeds of from the tax and the fees shall
7 must be placed in a separate fund with the county treasurer
8 of such the county and shall must be used solely for the
9 purpose for which such the mosquito control district was
10 created."

11 **NEW SECTION. Section 2.** Effective date. [This act] is
12 effective July 1, 1991.

-End-



-2- INTRODUCED BILL
HB 285

APPROVED BY COMM.
ON LOCAL GOVERNMENT

HOUSE BILL NO. 285
INTRODUCED BY SCHYE

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING COUNTY COMMISSIONERS TO CHARGE FEES ON STRUCTURES FOR THE OPERATION OF A MOSQUITO CONTROL DISTRICT; AMENDING SECTION 7-22-2432, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 7-22-2432, MCA, is amended to read:

"7-22-2432. Levy Financing of mosquito control district -- levy of district taxes -- limit on mill levy -- fee on structures. (1) At--the--time--fixed--by--law--for--levy--and assessment-of-taxes,--the The board of county commissioners of any county within which a mosquito control board has been created shall finance the operation of the district BY ONE OR BOTH OF THE FOLLOWING METHODS:

(a) by levy levying a tax not exceeding 5 mills on the dollar of the total taxable valuation in such the district on all property situated within the said district at the time fixed by law for levy and assessment of taxes; or

(b) by collecting a AN ANNUAL fee from the owners of structures that are benefited by the mosquito control services offered by the district. The schedule of fees is as follows:

- 1 (i) up to \$20 per single-unit dwelling;
- 2 (ii) up to \$20 per unit in a duplex dwelling;
- 3 (iii) up to \$5 per unit in a multiple-unit dwelling; and
- 4 (iv) up to \$75 per commercial establishment.

(2) The fees provided for in subsection (i)(b) must be collected with the general taxes of the county. The assessments are a lien on the property assessed.

(3) The proceeds of from the tax and the fees shall must be placed in a separate fund with the county treasurer of such the county and shall must be used solely for the purpose for which such the mosquito control district was created."

NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 1991.

-End-

SECOND READING



HOUSE BILL NO. 285
INTRODUCED BY SCHYE

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING COUNTY COMMISSIONERS TO CHARGE FEES ON STRUCTURES FOR THE OPERATION OF A MOSQUITO CONTROL DISTRICT; AMENDING SECTION 7-22-2432, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 7-22-2432, MCA, is amended to read:

"7-22-2432. Levy Financing of mosquito control district -- levy of district taxes -- limit on mill levy -- fee on structures. (1) ~~At the time fixed by law for levy and assessment of taxes, the~~ The board of county commissioners of any county within which a mosquito control board has been created shall finance the operation of the district BY ONE OR BOTH OF THE FOLLOWING METHODS:

(a) by levy levying a tax not exceeding 5 mills on the dollar of the total taxable valuation in such the district on all property situated within the said district at the time fixed by law for levy and assessment of taxes; or

(b) by collecting a AN ANNUAL fee from the owners of structures that are benefited by the mosquito control services offered by the district. The schedule of fees is as follows:

(i) up to \$20 per single-unit dwelling;
(ii) up to \$20 per unit in a duplex dwelling;
(iii) up to \$5 per unit in a multiple-unit dwelling; and
(iv) up to \$75 per commercial establishment;
(V) UP TO \$50 ON EACH IRRIGATED PARCEL OF PROPERTY THAT DOES NOT CONTAIN A DWELLING; AND
(VI) UP TO \$15 ON EACH NONIRRIGATED PARCEL OF PROPERTY THAT DOES NOT CONTAIN A DWELLING.

(2) A COUNTYWIDE MOSQUITO CONTROL DISTRICT MAY BE FINANCED BY A PROPERTY TAX PURSUANT TO SUBSECTION (1)(A) OR A FEE UNDER SUBSECTION (1)(B), BUT NOT BY BOTH A TAX AND A FEE.

~~(2)(3)~~ The fees provided for in subsection (1)(b) must be collected with the general taxes of the county. The assessments are a lien on the property assessed.

~~(3)(4)~~ The proceeds of from the tax and the fees shall must be placed in a separate fund with the county treasurer of such the county and shall must be used solely for the purpose for which such the mosquito control district was created."

NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 1991.

-End-

HOUSE BILL NO. 285

INTRODUCED BY SCHYE

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING COUNTY COMMISSIONERS TO CHARGE FEES ON STRUCTURES FOR THE OPERATION OF A MOSQUITO CONTROL DISTRICT; AMENDING SECTION 7-22-2432, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 7-22-2432, MCA, is amended to read:

~~"7-22-2432. Levy Financing of mosquito control district -- levy of district taxes -- limit on mill levy -- fee on structures. (1) At--the--time--fixed--by--law--for--levy--and--assessment--of--taxes--the~~ The board of county commissioners of any county within which a mosquito control board has been created shall finance the operation of the district BY ONE OR BOTH OF THE FOLLOWING METHODS:

(a) by levy levying a tax not exceeding 5 mills on the dollar of the total taxable valuation in such the district on all property situated within the said district at the time fixed by law for levy and assessment of taxes; or

(b) by collecting a AN ANNUAL fee from the owners of structures that are benefited by the mosquito control services offered by the district. The schedule of fees is as follows:

(i) up to \$20 per single-unit dwelling;
 (ii) up to \$20 per unit in a duplex dwelling;
 (iii) up to \$5 per unit in a multiple-unit dwelling; and
 (iv) up to \$75 per commercial establishment;
 (v) UP TO \$50 ON EACH IRRIGATED PARCEL OF PROPERTY THAT DOES NOT CONTAIN A DWELLING; AND
 (vi) UP TO \$15 ON EACH NONIRRIGATED PARCEL OF PROPERTY THAT DOES NOT CONTAIN A DWELLING.

(2) A COUNTYWIDE MOSQUITO CONTROL DISTRICT MAY BE FINANCED BY A PROPERTY TAX PURSUANT TO SUBSECTION (1)(A) OR A FEE UNDER SUBSECTION (1)(B), BUT NOT BY BOTH A TAX AND A FEE.

~~(2)(3)~~ (3) The fees provided for in subsection (1)(b) must be collected with the general taxes of the county. The assessments are a lien on the property assessed.

~~(3)(4)~~ (4) The proceeds of from the tax and the fees shall must be placed in a separate fund with the county treasurer of such the county and shall must be used solely for the purpose for which such the mosquito control district was created."

NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 1991.

-End-

GOVERNOR'S AMENDMENTS TO
HOUSE BILL 285
(REFERENCE COPY, AS AMENDED)
April 25, 1991

1. Page 1, line 16.
Following: "BY"
Strike: "ONE"
2. Page 1, line 17.
Strike: line 17 in its entirety
3. Page 1, line 18.
Following: line 17
Strike: "(a) by levy"
4. Page 1, line 21.
Following: "taxes"
Strike: "; or"
Insert: "."
5. Page 1, line 22.
Following: line 21
Strike: "(b) by collecting"
Insert: "(2) Instead of or in addition to imposing the levy authorized in subsection (1) the county commissioners may, upon an affirmative vote of a majority of the qualified voters residing in the mosquito control district, collect"
6. Page 2, line 9.
Following: line 8
Strike: "(2)"
Insert: "(3)"
7. Page 2, line 10.
Following: "SUBSECTION (1)"
Strike: "(A)"
8. Page 2, line 11.
Following: "SUBSECTION"
Strike: "(1) (B)"
Insert: "(2)"
9. Page 2, line 13.
Following: "(2)"
Strike: "(3)"
Insert: "(4)"
Following: "subsection"
Strike: "(1) (b)"
Insert: "(2)"
10. Page 2, line 16.
Following: "(3)"
Strike: "(4)"
Insert: "(5)"

Gov. Amend
HB 285



AN ACT ALLOWING COUNTY COMMISSIONERS TO CHARGE FEES ON STRUCTURES FOR THE OPERATION OF A MOSQUITO CONTROL DISTRICT; AMENDING SECTION 7-22-2432, MCA; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Section 7-22-2432, MCA, is amended to read:

"7-22-2432. Levy Financing of mosquito control district -- levy of district taxes -- limit on mill levy -- fee on structures.

(1) At-the-time-fixed-by-law-for-levy-and-assessment-of-taxes, the The board of county commissioners of any county within which a mosquito control board has been created shall finance the operation of the district by levy levying a tax not exceeding 5 mills on the dollar of the total taxable valuation in such the district on all property situated within the said district at the time fixed by law for levy and assessment of taxes.

(2) Instead of or in addition to imposing the levy authorized in subsection (1), the county commissioners may, upon an affirmative vote of a majority of the qualified voters residing in the mosquito control district, collect an annual fee from the owners of structures that are benefited by the mosquito control services offered by the district. The schedule of fees is as follows:

- (a) up to \$20 per single-unit dwelling;
- (b) up to \$20 per unit in a duplex dwelling;
- (c) up to \$5 per unit in a multiple-unit dwelling;

(d) up to \$75 per commercial establishment;

(e) up to \$50 on each irrigated parcel of property that does not contain a dwelling; and

(f) up to \$15 on each nonirrigated parcel of property that does not contain a dwelling.

(3) A countywide mosquito control district may be financed by a property tax pursuant to subsection (1) or a fee under subsection (2), but not by both a tax and a fee.

(4) The fees provided for in subsection (2) must be collected with the general taxes of the county. The assessments are a lien on the property assessed.

(5) The proceeds of from the tax and the fees shall must be placed in a separate fund with the county treasurer of such the county and shall must be used solely for the purpose for which such the mosquito control district was created."

Section 2. Effective date. [This act] is effective July 1, 1991.