

SENATE BILL NO. 10

INTRODUCED BY BENGTON, SCOTT, LARSON,  
GOULD, TOOLE, FORRESTER

IN THE SENATE

DECEMBER 28, 1990                   INTRODUCED AND REFERRED TO COMMITTEE  
ON LOCAL GOVERNMENT.

JANUARY 7, 1991                    FIRST READING.

JANUARY 9, 1991                   ON MOTION, ADDITIONAL SPONSORS ADDED.

JANUARY 25, 1991                  COMMITTEE RECOMMEND BILL  
DO PASS AS AMENDED. REPORT ADOPTED.

JANUARY 26, 1991                  PRINTING REPORT.

                                      SECOND READING, DO PASS.

JANUARY 28, 1991                  ENGROSSING REPORT.

                                      THIRD READING, PASSED.  
AYES, 47; NOES, 0.

                                      TRANSMITTED TO HOUSE.

IN THE HOUSE

JANUARY 29, 1991                  INTRODUCED AND REFERRED TO COMMITTEE  
ON LOCAL GOVERNMENT.

                                      FIRST READING.

MARCH 8, 1991                    COMMITTEE RECOMMEND BILL BE  
CONCURRED IN. REPORT ADOPTED.

MARCH 11, 1991                  SECOND READING, CONCURRED IN.

MARCH 12, 1991                  THIRD READING, CONCURRED IN.  
AYES, 97; NOES, 1.

                                      RETURNED TO SENATE.

IN THE SENATE

MARCH 13, 1991                  RECEIVED FROM HOUSE.

                                      SENT TO ENROLLING.

MARCH 15, 1991 REPORTED CORRECTLY ENROLLED.

SIGNED BY PRESIDENT.

MARCH 16, 1991

SIGNED BY SPEAKER.

DELIVERED TO GOVERNOR.

MARCH 19, 1991

RETURNED FROM GOVERNOR WITH  
RECOMMENDED AMENDMENTS.

MARCH 23, 1991

SECOND READING, GOVERNOR'S  
AMENDMENTS CONCURRED IN.

MARCH 25, 1991

THIRD READING, GOVERNOR'S  
AMENDMENTS CONCURRED IN.

IN THE HOUSE

APRIL 8, 1991

SECOND READING, GOVERNOR'S  
AMENDMENTS CONCURRED IN.

APRIL 9, 1991

THIRD READING, GOVERNOR'S  
AMENDMENTS CONCURRED IN.

IN THE SENATE

APRIL 10, 1991

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 SENATE BILL NO. 10  
2 INTRODUCED BY BENGTON

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING RURAL FIRE  
5 DISTRICTS AND FIRE SERVICE AREAS TO SELL BONDS TO PROVIDE  
6 FUNDS FOR THE PURCHASE AND MAINTENANCE OF FIRE EQUIPMENT AND  
7 FACILITIES; AND AMENDING SECTIONS 7-33-2109 AND 7-33-2404,  
8 MCA."

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

11 Section 1. Section 7-33-2109, MCA, is amended to read:

12 "7-33-2109. Tax levy and bonds authorized. (1) At the  
13 time of the annual levy of taxes, the board of county  
14 commissioners may levy a special tax upon all property  
15 within ~~such-districts~~ a rural fire district for the purpose  
16 of buying or maintaining fire protection facilities and  
17 apparatus for ~~such-districts~~ the district or for the purpose  
18 of paying to a city, town, or private fire service the  
19 consideration provided for in any contract with the council  
20 of such the city, town, or private fire service for the  
21 purpose of furnishing fire protection service to property  
22 within such the district. Such The tax must be collected as  
23 are other taxes.

24 (2) In addition to the levy authorized in subsection  
25 (1), a rural fire district may borrow money by the issuance

1 of bonds to provide funds for the payment of all or part of  
2 the cost of buying or maintaining fire protection facilities  
3 and apparatus for the district.

4 (3) The amount of the bonds issued pursuant to  
5 subsection (2) and outstanding at any time may not exceed  
6 18% of the taxable value of the property in the district as  
7 ascertained by the most recent assessment for state and  
8 county taxes prior to issuance of the bonds.

9 (4) The bonds must be authorized, sold, and issued and  
10 provisions must be made for their payment in the manner and  
11 subject to the conditions and limitations prescribed for the  
12 issuance of bonds by school districts under Title 20,  
13 chapter 9, part 4."

14 Section 2. Section 7-33-2404, MCA, is amended to read:

15 "7-33-2404. Financing of fire service area -- fee on  
16 structures -- bonds. (1) In the resolution creating the fire  
17 service area and by resolution as necessary thereafter, the  
18 board of county commissioners shall establish a schedule of  
19 rates to be charged owners of structures that are benefited  
20 by the fire services offered by the fire service area.

21 (2) The rates must be applied on a fair and equal basis  
22 to all classes of structures benefited by the fire service  
23 area.

24 (3) The board of county commissioners shall collect the  
25 funds necessary to operate the fire service area by charging



1 the area rate as a special assessment on the owners of  
2 structures and collect the assessments with the general  
3 taxes of the county. The assessments are a lien on the  
4 property so assessed.

1 chapter 9, part 4."

-End-

5 (4) The board of county commissioners or the trustees,  
6 if the fire service area is governed by trustees under  
7 7-33-2403, may pledge the income of the fire service area to  
8 secure financing necessary to procure fire equipment and  
9 buildings to house fire equipment. The outstanding amount of  
10 such indebtedness may not exceed 7% of the taxable valuation  
11 of the area.

12 (5) In addition to any fees authorized in subsection  
13 (1), the fire service area may borrow money by the issuance  
14 of bonds to provide funds for the payment of all or part of  
15 the cost of buying or maintaining fire protection facilities  
16 and apparatus for the area.

17 (6) The amount of the bonds issued pursuant to  
18 subsection (5) and outstanding at any time may not exceed  
19 18% of the taxable value of the property in the area as  
20 ascertained by the most recent assessment for state and  
21 county taxes prior to issuance of the bonds.

22 (7) The bonds must be authorized, sold, and issued and  
23 provisions must be made for their payment in the manner and  
24 subject to the conditions and limitations prescribed for the  
25 issuance of bonds by school districts under Title 20,

APPROVED BY COMM.  
ON LOCAL GOVERNMENT

SENATE BILL NO. 10

INTRODUCED BY BENGTSON, SCOTT, LARSON,

GOULD, TOOLE, FORRESTER

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING RURAL FIRE DISTRICTS AND--FIRE--SERVICE-AREAS TO SELL BONDS TO PROVIDE FUNDS FOR THE PURCHASE AND MAINTENANCE OF FIRE AND EMERGENCY RESPONSE EQUIPMENT AND FACILITIES; ESTABLISHING RESPONSIBILITY FOR BONDED INDEBTEDNESS IF MUNICIPAL ANNEXATION OCCURS; AND AMENDING SECTIONS SECTION 7-33-2109 AND 7-33-2404, MCA."

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

Section 1. Section 7-33-2109, MCA, is amended to read:

"7-33-2109. Tax levy and bonds authorized. (1) At the time of the annual levy of taxes, the board of county commissioners may levy a special tax upon all property within such-districts a rural fire district for the purpose of buying or maintaining fire protection facilities and apparatus, INCLUDING EMERGENCY RESPONSE APPARATUS, for such districts the district or for the purpose of paying to a city, town, or private fire service the consideration provided for in any contract with the council of such the city, town, or private fire service for the purpose of furnishing fire protection service to property within such

the district. Such The tax must be collected as are other taxes.

(2) In addition to the levy authorized in subsection (1), a rural fire district may borrow money by the issuance of bonds to provide funds for the payment of all or part of the cost of buying or maintaining fire protection facilities and apparatus for the district.

(3) The amount of the bonds issued pursuant to subsection (2) and outstanding at any time may not exceed 18% of the taxable value of the property in the district as ascertained by the most recent assessment for state and county taxes prior to issuance of the bonds.

(4) The bonds must be authorized, sold, and issued and provisions must be made for their payment in the manner and subject to the conditions and limitations prescribed for the issuance of bonds by school-districts COUNTIES under Title 20 7, chapter 9 7, part 4 22."

Section-2---Section-7-33-2404,-MCA,-is-amended-to-read:

"7-33-2404---Financing-of-fire-service-area-----fee--on structures---bonds--(1)--In-the-resolution-creating-the-fire service--area-and-by-resolution-as-necessary-thereafter,-the board-of-county-commissioners-shall-establish-a-schedule--of rates--to-be-charged-owners-of-structures-that-are-benefited by-the-fire-services-offered-by-the-fire-service-area-

(2)--The-rates-must-be-applied-on-a-fair-and-equal-basis

SECOND READING



1 to all classes of structures benefited by the fire service  
2 area.

3 (3) The board of county commissioners shall collect the  
4 funds necessary to operate the fire service area by charging  
5 the area rate as a special assessment on the owners of  
6 structures and collect the assessments with the general  
7 taxes of the county. The assessments are a lien on the  
8 property so assessed.

9 (4) The board of county commissioners or the trustees,  
10 if the fire service area is governed by trustees under  
11 7-33-2403, may pledge the income of the fire service area to  
12 secure financing necessary to procure fire equipment and  
13 buildings to house fire equipment. The outstanding amount of  
14 such indebtedness may not exceed 7% of the taxable valuation  
15 of the area.

16 (5) In addition to any fees authorized in subsection  
17 (1), the fire service area may borrow money by the issuance  
18 of bonds to provide funds for the payment of all or part of  
19 the cost of buying or maintaining fire protection facilities  
20 and apparatus for the area.

21 (6) The amount of the bonds issued pursuant to  
22 subsection (5) and outstanding at any time may not exceed  
23 18% of the taxable value of the property in the area as  
24 ascertained by the most recent assessment for state and  
25 county taxes prior to issuance of the bonds.

1 ~~(7) The bonds must be authorized, sold, and issued and~~  
2 ~~provisions must be made for their payment in the manner and~~  
3 ~~subject to the conditions and limitations prescribed for the~~  
4 ~~issuance of bonds by school districts under Title 20,~~  
5 ~~chapter 9, part 4.~~

6 NEW SECTION. SECTION 2. ANNEXATION OF RURAL FIRE  
7 DISTRICT PROPERTY BY MUNICIPALITY -- RESPONSIBILITY FOR  
8 BONDED INDEBTEDNESS. (1) IF A MUNICIPALITY ANNEXES PROPERTY  
9 FROM A RURAL FIRE DISTRICT, THE ANNEXED PROPERTY IS LIABLE  
10 FOR ANY BONDED INDEBTEDNESS OF THE RURAL FIRE DISTRICT  
11 EXISTING AS OF THE DATE OF ANNEXATION TO THE SAME EXTENT AS  
12 IT WOULD HAVE BEEN LIABLE IF NOT WITHDRAWN.

13 (2) A MUNICIPALITY MAY:

14 (A) OFFSET THE MUNICIPAL MILLS LEVIED ON THE ANNEXED  
15 PROPERTY BY THE MILLS LEVIED ON THE PROPERTY FOR BONDED  
16 INDEBTEDNESS; OR

17 (B) ANNUALLY APPROPRIATE FUNDS TO THE RURAL FIRE  
18 DISTRICT IN AN AMOUNT EQUAL TO THE MILLS LEVIED ON THE  
19 ANNEXED PROPERTY FOR BONDED INDEBTEDNESS.

-End-

SENATE BILL NO. 10

INTRODUCED BY BENGTSON, SCOTT, LARSON,

GOULD, TOOLE, FORRESTER

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING RURAL FIRE DISTRICTS AND--FIRE--SERVICE-AREAS TO SELL BONDS TO PROVIDE FUNDS FOR THE PURCHASE AND MAINTENANCE OF FIRE AND EMERGENCY RESPONSE EQUIPMENT AND FACILITIES; ESTABLISHING RESPONSIBILITY FOR BONDED INDEBTEDNESS IF MUNICIPAL ANNEXATION OCCURS; AND AMENDING SECTIONS SECTION 7-33-2109 AND-7-33-2404, MCA."

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

Section 1. Section 7-33-2109, MCA, is amended to read:

"7-33-2109. Tax levy and bonds authorized. (1) At the time of the annual levy of taxes, the board of county commissioners may levy a special tax upon all property within such-districts a rural fire district for the purpose of buying or maintaining fire protection facilities and apparatus, INCLUDING EMERGENCY RESPONSE APPARATUS, for such districts the district or for the purpose of paying to a city, town, or private fire service the consideration provided for in any contract with the council of such the city, town, or private fire service for the purpose of furnishing fire protection service to property within such

the district. Such The tax must be collected as are other taxes.

(2) In addition to the levy authorized in subsection (1), a rural fire district may borrow money by the issuance of bonds to provide funds for the payment of all or part of the cost of buying or maintaining fire protection facilities and apparatus for the district.

(3) The amount of the bonds issued pursuant to subsection (2) and outstanding at any time may not exceed 18% of the taxable value of the property in the district as ascertained by the most recent assessment for state and county taxes prior to issuance of the bonds.

(4) The bonds must be authorized, sold, and issued and provisions must be made for their payment in the manner and subject to the conditions and limitations prescribed for the issuance of bonds by school-districts COUNTIES under Title 20 7, chapter 9 7, part 4 22."

Section-2:--Section-7-33-2404,-MCA,-is-amended-to-read:

"7-33-2404:--Financing-of-fire-service-area-----fee--on-structures----bonds:--(1)--In-the-resolution-creating-the-fire-service--area-and-by-resolution-as-necessary-thereafter,-the-board-of-county-commissioners-shall-establish-a-schedule--of-rates--to-be-charged-owners-of-structures-that-are-benefited-by-the-fire-services-offered-by-the-fire-service-area-

(2)--The-rates-must-be-applied-on-a-fair-and-equal-basis

THIRD READING



1 to all classes of structures benefited by the fire service  
2 area:

3 {3} The board of county commissioners shall collect the  
4 funds necessary to operate the fire service area by charging  
5 the area rate as a special assessment on the owners of  
6 structures and collect the assessments with the general  
7 taxes of the county. The assessments are a lien on the  
8 property so assessed:

9 {4} The board of county commissioners or the trustees,  
10 if the fire service area is governed by trustees under  
11 7-33-2403, may pledge the income of the fire service area to  
12 secure financing necessary to procure fire equipment and  
13 buildings to house fire equipment. The outstanding amount of  
14 such indebtedness may not exceed 7% of the taxable valuation  
15 of the area:

16 {5} In addition to any fees authorized in subsection  
17 {1}, the fire service area may borrow money by the issuance  
18 of bonds to provide funds for the payment of all or part of  
19 the cost of buying or maintaining fire protection facilities  
20 and apparatus for the area:

21 {6} The amount of the bonds issued pursuant to  
22 subsection {5} and outstanding at any time may not exceed  
23 10% of the taxable value of the property in the area as  
24 ascertained by the most recent assessment for state and  
25 county taxes prior to issuance of the bonds:

1 {7} The bonds must be authorized, sold, and issued and  
2 provisions must be made for their payment in the manner and  
3 subject to the conditions and limitations prescribed for the  
4 issuance of bonds by school districts under Title 20,  
5 chapter 9, part 4."

6 NEW SECTION. SECTION 2. ANNEXATION OF RURAL FIRE  
7 DISTRICT PROPERTY BY MUNICIPALITY -- RESPONSIBILITY FOR  
8 BONDED INDEBTEDNESS. (1) IF A MUNICIPALITY ANNEXES PROPERTY  
9 FROM A RURAL FIRE DISTRICT, THE ANNEXED PROPERTY IS LIABLE  
10 FOR ANY BONDED INDEBTEDNESS OF THE RURAL FIRE DISTRICT  
11 EXISTING AS OF THE DATE OF ANNEXATION TO THE SAME EXTENT AS  
12 IT WOULD HAVE BEEN LIABLE IF NOT WITHDRAWN.

13 (2) A MUNICIPALITY MAY:

14 (A) OFFSET THE MUNICIPAL MILLS LEVIED ON THE ANNEXED  
15 PROPERTY BY THE MILLS LEVIED ON THE PROPERTY FOR BONDED  
16 INDEBTEDNESS; OR

17 (B) ANNUALLY APPROPRIATE FUNDS TO THE RURAL FIRE  
18 DISTRICT IN AN AMOUNT EQUAL TO THE MILLS LEVIED ON THE  
19 ANNEXED PROPERTY FOR BONDED INDEBTEDNESS.

-End-



SENATE BILL NO. 10

INTRODUCED BY BENGTSON, SCOTT, LARSON,

GOULD, TOOLE, FORRESTER

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING RURAL FIRE DISTRICTS AND--FIRE--SERVICE--AREAS TO SELL BONDS TO PROVIDE FUNDS FOR THE PURCHASE AND MAINTENANCE OF FIRE AND EMERGENCY RESPONSE EQUIPMENT AND FACILITIES; ESTABLISHING RESPONSIBILITY FOR BONDED INDEBTEDNESS IF MUNICIPAL ANNEXATION OCCURS; AND AMENDING SECTIONS SECTION 7-33-2109 AND-7-33-2404, MCA."

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

Section 1. Section 7-33-2109, MCA, is amended to read:

"7-33-2109. Tax levy and bonds authorized. (1) At the time of the annual levy of taxes, the board of county commissioners may levy a special tax upon all property within such-districts a rural fire district for the purpose of buying or maintaining fire protection facilities and apparatus, INCLUDING EMERGENCY RESPONSE APPARATUS, for such districts the district or for the purpose of paying to a city, town, or private fire service the consideration provided for in any contract with the council of such the city, town, or private fire service for the purpose of furnishing fire protection service to property within such

the district. Such The tax must be collected as are other taxes.

(2) In addition to the levy authorized in subsection (1), a rural fire district may borrow money by the issuance of bonds to provide funds for the payment of all or part of the cost of buying or maintaining fire protection facilities and apparatus for the district.

(3) The amount of the bonds issued pursuant to subsection (2) and outstanding at any time may not exceed 18% of the taxable value of the property in the district as ascertained by the most recent assessment for state and county taxes prior to issuance of the bonds.

(4) The bonds must be authorized, sold, and issued and provisions must be made for their payment in the manner and subject to the conditions and limitations prescribed for the issuance of bonds by school-districts COUNTIES under Title 20 7, chapter 9 7, part 4 22."

Section-2---Section-7-33-2404, MCA, is amended to read:

"7-33-2404.---Financing-of-fire-service-area-----fee--on structures---bonds---(1)---In-the-resolution-creating-the-fire service--area-and-by-resolution-as-necessary-thereafter, the board-of-county-commissioners-shall-establish-a-schedule--of rates--to-be-charged-owners-of-structures-that-are-benefited by-the-fire-services-offered-by-the-fire-service-area-

(2)---The-rates-must-be-applied-on-a-fair-and-equal-basis

REFERENCE BILL

SB 10



1 to all classes of structures benefited by the fire service  
2 area;

3 (3) The board of county commissioners shall collect the  
4 funds necessary to operate the fire service area by charging  
5 the area rate as a special assessment on the owners of  
6 structures and collect the assessments with the general  
7 taxes of the county. The assessments are a lien on the  
8 property so assessed;

9 (4) The board of county commissioners or the trustees,  
10 if the fire service area is governed by trustees under  
11 7-33-2403, may pledge the income of the fire service area to  
12 secure financing necessary to procure fire equipment and  
13 buildings to house fire equipment. The outstanding amount of  
14 such indebtedness may not exceed 7% of the taxable valuation  
15 of the area;

16 (5) In addition to any fees authorized in subsection  
17 (1), the fire service area may borrow money by the issuance  
18 of bonds to provide funds for the payment of all or part of  
19 the cost of buying or maintaining fire protection facilities  
20 and apparatus for the area;

21 (6) The amount of the bonds issued pursuant to  
22 subsection (5) and outstanding at any time may not exceed  
23 18% of the taxable value of the property in the area as  
24 ascertained by the most recent assessment for state and  
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4 ~~issuance of bonds by school districts under Title 20,~~  
5 ~~chapter 9, part 4.~~

6 NEW SECTION. SECTION 2. ANNEXATION OF RURAL FIRE  
7 DISTRICT PROPERTY BY MUNICIPALITY -- RESPONSIBILITY FOR  
8 BONDED INDEBTEDNESS. (1) IF A MUNICIPALITY ANNEXES PROPERTY  
9 FROM A RURAL FIRE DISTRICT, THE ANNEXED PROPERTY IS LIABLE  
10 FOR ANY BONDED INDEBTEDNESS OF THE RURAL FIRE DISTRICT  
11 EXISTING AS OF THE DATE OF ANNEXATION TO THE SAME EXTENT AS  
12 IT WOULD HAVE BEEN LIABLE IF NOT WITHDRAWN.

13 (2) A MUNICIPALITY MAY:  
14 (A) OFFSET THE MUNICIPAL MILLS LEVIED ON THE ANNEXED  
15 PROPERTY BY THE MILLS LEVIED ON THE PROPERTY FOR BONDED  
16 INDEBTEDNESS; OR

17 (B) ANNUALLY APPROPRIATE FUNDS TO THE RURAL FIRE  
18 DISTRICT IN AN AMOUNT EQUAL TO THE MILLS LEVIED ON THE  
19 ANNEXED PROPERTY FOR BONDED INDEBTEDNESS.

-End-

GOVERNOR'S AMENDMENTS  
TO SENATE BILL 10  
(REFERENCE COPY, AS AMENDED)  
MARCH 19, 1991)

1. Page 2, line 7.  
Following: "apparatus"  
Insert: ", including emergency response apparatus,"

## 1 SENATE BILL NO. 10

2 INTRODUCED BY BENGTSON, SCOTT, LARSON,

3 GOULD, TOOLE, FORRESTER

4  
5 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING RURAL FIRE  
6 DISTRICTS ~~AND--FIRE--SERVICE-AREAS~~ TO SELL BONDS TO PROVIDE  
7 FUNDS FOR THE PURCHASE AND MAINTENANCE OF FIRE AND EMERGENCY  
8 RESPONSE EQUIPMENT AND FACILITIES; ESTABLISHING  
9 RESPONSIBILITY FOR BONDED INDEBTEDNESS IF MUNICIPAL  
10 ANNEXATION OCCURS; AND AMENDING SECTIONS SECTION 7-33-2109  
11 AND-7-33-2404, MCA."

12  
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:14 **Section 1.** Section 7-33-2109, MCA, is amended to read:

15 "7-33-2109. Tax levy and bonds authorized. (1) At the  
16 time of the annual levy of taxes, the board of county  
17 commissioners may levy a special tax upon all property  
18 within ~~such-districts~~ a rural fire district for the purpose  
19 of buying or maintaining fire protection facilities and  
20 apparatus, INCLUDING EMERGENCY RESPONSE APPARATUS, for such  
21 districts the district or for the purpose of paying to a  
22 city, town, or private fire service the consideration  
23 provided for in any contract with the council of such the  
24 city, town, or private fire service for the purpose of  
25 furnishing fire protection service to property within such

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2 taxes.

3 (2) In addition to the levy authorized in subsection  
4 (1), a rural fire district may borrow money by the issuance  
5 of bonds to provide funds for the payment of all or part of  
6 the cost of buying or maintaining fire protection facilities  
7 and apparatus, INCLUDING EMERGENCY RESPONSE APPARATUS, for  
8 the district.

9 (3) The amount of the bonds issued pursuant to  
10 subsection (2) and outstanding at any time may not exceed  
11 18% of the taxable value of the property in the district as  
12 ascertained by the most recent assessment for state and  
13 county taxes prior to issuance of the bonds.

14 (4) The bonds must be authorized, sold, and issued and  
15 provisions must be made for their payment in the manner and  
16 subject to the conditions and limitations prescribed for the  
17 issuance of bonds by school-districts COUNTIES under Title  
18 20 7, chapter 9 7, part 4 22."

19 ~~Section-2,--Section-7-33-2404,--MCA,--is--amended--to--read:~~

20 ~~"7-33-2404:--Financing--of--fire--service-area---fee-on~~  
21 ~~structures---bonds;--(1)--In-the-resolution-creating-the-fire~~  
22 ~~service-area-and-by-resolution-as-necessary-thereafter,--the~~  
23 ~~board--of-county-commissioners-shall-establish-a-schedule-of~~  
24 ~~rates-to-be-charged-owners-of-structures-that-are--benefited~~  
25 ~~by-the-fire-services-offered-by-the-fire-service-area.~~

1 (2)--The rates must be applied on a fair and equal basis  
2 to all classes of structures benefited by the fire service  
3 area.

4 (3)--The board of county commissioners shall collect the  
5 funds necessary to operate the fire service area by charging  
6 the area rate as a special assessment on the owners of  
7 structures and collect the assessments with the general  
8 taxes of the county. The assessments are a lien on the  
9 property so assessed.

10 (4)--The board of county commissioners or the trustees,  
11 if the fire service area is governed by trustees under  
12 7-33-2403, may pledge the income of the fire service area to  
13 secure financing necessary to procure fire equipment and  
14 buildings to house fire equipment. The outstanding amount of  
15 such indebtedness may not exceed 7% of the taxable valuation  
16 of the area.

17 (5)--In addition to any fees authorized in subsection  
18 (1), the fire service area may borrow money by the issuance  
19 of bonds to provide funds for the payment of all or part of  
20 the cost of buying or maintaining fire protection facilities  
21 and apparatus for the area.

22 (6)--The amount of the bonds issued pursuant to  
23 subsection (5) and outstanding at any time may not exceed  
24 18% of the taxable value of the property in the area as  
25 ascertained by the most recent assessment for state and

1 county taxes prior to issuance of the bonds;

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3 provisions must be made for their payment in the manner and  
4 subject to the conditions and limitations prescribed for the  
5 issuance of bonds by school districts under Title 20,  
6 chapter 9, part 4."

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8 DISTRICT PROPERTY BY MUNICIPALITY -- RESPONSIBILITY FOR  
9 BONDED INDEBTEDNESS. (1) IF A MUNICIPALITY ANNEXES PROPERTY  
10 FROM A RURAL FIRE DISTRICT, THE ANNEXED PROPERTY IS LIABLE  
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13 IT WOULD HAVE BEEN LIABLE IF NOT WITHDRAWN.

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15 (A) OFFSET THE MUNICIPAL MILLS LEVIED ON THE ANNEXED  
16 PROPERTY BY THE MILLS LEVIED ON THE PROPERTY FOR BONDED  
17 INDEBTEDNESS; OR

18 (B) ANNUALLY APPROPRIATE FUNDS TO THE RURAL FIRE  
19 DISTRICT IN AN AMOUNT EQUAL TO THE MILLS LEVIED ON THE  
20 ANNEXED PROPERTY FOR BONDED INDEBTEDNESS.

-End-