

MINUTES OF THE MEETING
LOCAL GOVERNMENT COMMITTEE
MONTANA STATE SENATE

January 11, 1979

The meeting of the Local Government Committee was called to order by Chairman, Senator George McCallum, on January 11, 1979, at 1:30 p.m. in Room 405 of the State Capitol Building.

ROLL CALL: All members were present with the exception of Senator Lockrem, who was excused.

The following visitors were present to testify: Mike Young, Attorney for the Department of Administration; Sonny Hansen, Montana Technical Council; Jim Kemble, Department of Administration, Building Codes; David Goss, City of Billings; Senator Bill Lowe; Dan Mizner, League of Cities and Towns; Mike Stevens, Montana Association of Counties; John Hale, Montana Chapter of S.A.E.D.; Ray Wayrynen, State Council of Building and Construction; Bill Eggan I. B. E. W., and Building Trades; Chris Johansen, Montana Grain Elevators Association; Dennis Lopach, Montana Power; Marian Campbell, Secretary of State's Office; and also Larry Weinburg, Staff Attorney for the Legislative Council. Other visitors were present. (See attachment)

CONSIDERATION OF SENATE BILL #47: Senator Lockrem of Senate District 32, sponsor of Senate Bill #47, could not attend the hearing. In his absence, Senator Jergeson of Senate District #3, gave a brief resume of the bill. This bill is an act to generally clarify, revise, and standardize, all laws relating to building codes, electrical codes, and plumbing and mechanical codes; to adopt a uniform building code for the State of Montana; to transfer all enforcement of building codes, electrical codes, and plumbing and mechanical codes to local government entities.

Senator Jergeson, co-sponsor of the bill, introduced Mike Young, Attorney for the Department of Administration, Mr. Young stated that this bill was designed to be simple, accurate, and to unify the building codes of the state. It would give the local government jurisdiction over these codes. Mr. Young presented an ammendment which he felt would improve the bill. In finishing, he stated that SB 47 would encourage the local government to promote regular inspections. (See attachment)

Sonny Hansen, Montana Technical Association, and Jim Kemble, Department of Administration, Building Codes, both spoke in favor of the bill.

David Goss, representing the city of Billings, stated that they favored the bill with a few changes. (See Attachment)

Senator Bill Lowe stated that he is in favor of the bill and that it is necessary to have a unified building code. He suggested that the committee delay action of the bill for a couple of days.

Senator McCallum asked for statements from the opponents of SB 47.

Dan Mizner, League of Cities and Towns, spoke against the bill as it is now written. However, he stated that the concept was fine and could be accepted with a few changes.

Mike Stevens, Montana Association of Counties, stated that he did not feel that the bill applied to Montana, perhaps it should be optional.

John Hale of the Montana Chapter of S.A.E.D., noted that the state already has a set of central building codes. He did not feel that the bill was necessary.

Ray Wayrynen, State Council of Building Construction, stated that he felt the same as others who spoke in opposition to the bill, because it makes it mandatory and enforcement would be hard for some cities.

Bill Eggan, I.B.E.W., and Building and Trades, spoke in opposition because of the cost of enforcement to the local governments and he also did not feel it would be enforceable.

Chris Johansen, Montana Grain Elevators Association, spoke against the building code part of the bill, more specifically parts regarding manlifts in grain elevators.

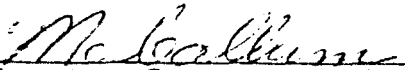
Dennis Lopach, Montana Power Company, stated that if something could be done regarding manlifts in elevators, his group would back the bill.

Senator Jergeson, one of the co-sponsors of the bill, asked Mike Young, Department of Administration Attorney, to make the closing statements.

Senator McCallum then opened the meeting to a question and answer period from the committee. Discussion was held, however, no action was taken on the bill.

RECODIFICATION: Larry Weinburg, Staff Attorney for the Legislative Council, spoke to the committee explaining how and why he had redone the recodification books. The books will be cross-referenced in the Annotated Books when they are printed. He passed out some sheets to the group to help explain his talk. (See Attachment)

ADJOURN: The meeting adjourned at 3:35 with the next meeting to be held on Saturday, January 13, 1979, at 1:30 p.m. to consider Senate Bill 14.



Senator George McCallum

ROLL CALL

LOCAL GOVERNMENT COMMITTEE

46th LEGISLATIVE SESSION - 1979

NAME	PRESENT	ABSENT	EXCUSED
GEORGE MCCALLUM, CHAIRMAN	✓		
LLOYD LOCKREN, VICE CHAIRMAN			✓
MAX CONOVER	✓		
JESSE A. O'HARA	✓		
BOB PETERSON	✓		
A. T. (TOM) RASMUSSEN	✓		
PETE STORY	✓		
BILL THOMAS	✓		
ROBERT D. WATT	✓		

Each Day Attach to Minutes.

BILL SB 47

VISITORS' REGISTER

DATE 1-11-79

Please note bill no.

NAME	REPRESENTING	BILL #	(check one)	
			SUPPORT	OPPOSE
Thomas F. Campbell	Sec. of State	47	-	-
Jim Johnson	Sec. of State	47	-	-
Scott A. Sencat	LEGISLATIVE AUDIT	47		
Chris Johnson	Mont. Gen. Elec. Assn.	47		
A.S. Hanson	MONT. TECHNICAL COUNCIL	47	X	
J. Michael [unclear]	Dept. Admin.	47	✓	
[unclear] Ken [unclear]	Bldg Codes; Dept of Admin.	47	✓	
[unclear]	Chpt. 1 ASD	47		
Mike Stephen	MT Assoc. of Counties	47		
ELRY LETCHER	MT COUNCIL of SUPERINTENDENTS	47		
Tim G. [unclear]	City of [unclear]	47	X	
Greg Jorgenson	Senator	47	X	
RAY WAYRYNEN	St. Council ^{Buildings & Construct.} TREES	47		X
Walt [unclear]	IBEW & B & Trade	47		
Larry [unclear]	Mont. Co. T. Assoc (MTC)	47		
David M. [unclear]	Mont. League of [unclear]	47		X
Bill [unclear]	Senator	47	X	

Edwin Stan, Esq.

COMMENTS FROM THE CITY OF BILLINGS, MONTANA, REGARDING SB 47 ENTITLED " AN ACT TO GENERALLY CLARIFY, REVISE, AND STANDARDIZE ALL LAWS RELATING TO BUILDING CODES, ELECTRICAL CODES, AND PLUMBING AND MECHANICAL CODES; TO ADOPT A UNIFORM BUILDING CODE FOR THE STATE OF MONTANA: TO TRANSFER ALL ENFORCEMENT OF BUILDING CODES, ELECTRICAL CODES, AND PLUMBING AND MECHANICAL CODES TO LOCAL GOVERNMENT ENTITIES:

The City of Billings presently is operating a complete code enforcement program and is having no serious problems with the present system. And after review of SB 47, the City of Billings would also have no serious problems with the system outlined in this bill, with the exception of some specific areas which the City would like to see amended. These areas in which the City of Billings would like to see amendments made in are listed below. But first the City would like to make these general comments regarding this bill.

1. The City favors the creation of a strong state organization to be responsible for the enforcement of one single building code statewide, regardless of whether the enforcement of this code is carried out by the state or the local governments.

2. If the Department of Administration is going to be the final and sole authority in the interpretation of the statewide building code, the City of Billings would like to see a Board of Building Standards created to get input from the local governments, general public, and building profession to the Department. Such a board should be made up of elected officials, local government representatives, building profession representatives, and members of the general public.

3. If this bill is amended to make enforcement of a state building code optional on the part of local governments, the City of Billings feels the state should then assume the responsibility for the enforcement of the code in areas that choose not to enforce it so that the state truly does have a statewide enforcement program.

Listed below are those areas of SB 47 which the City of Billings has questions about or would like to see amended.

Page 2 Section 2: The City of Billings would like to have line 12 amended to delete the term "farm dwellings" from the exemption of the definition of building. In the urban area around Billings there are a number of people who purchase a few acres of land, put a small barn on the property along with a house and say they have a farm. Because of the growing number of such situations, the City would like to have building code enforcement on such "farm dwellings" at least within the 4½ mile municipal jurisdictional area.

+Page 3 Definition 6: By defining local government entity as any incorporated city OR town OR county, does this definition preclude a merger of cities and counties to operate one building code enforcement program?

Page 3 Definition 8: In regards to the concern the City of Billings raised above regarding farm dwellings, this concern could be met by amending this definition to state that farm dwellings in the municipal jurisdictional area are subject to the building code enforcement program.

Page 3 Definition 8: What happens to the municipal jurisdictional area of a municipality if an unincorporated area next to that city incorporates? Would there be overlapping jurisdiction or would some type of decision be made as to which city has jurisdiction where and if so, who would make this decision?

+Page 5 Section 3 Subsection 5: Is this section in conflict with existing state law which requires that handicapped provisions must be provided in all buildings accessible by the public?

Page 5 Section 4 Subsection 1: The uniform fire code is not mentioned as one of those nationally recognized codes which the Department may adopt. The City of Billings would like to have the uniform fire code included.

Page 7 Section 5 subsection a: This section prohibits local governments from changing any of the building code adopted by the State. The City of Billings would like to see this amended so local governments could adopt more stringent standards in some cases. As an example, in the Uniform Building Code there are maps designating such things as seismic zones and establishing guidelines for structures. The City of Billings is not in Seismic Zone 2 but is located very close to it. For this reason the City would like to have the flexibility to adopt the more stringent guidelines for structures in Zone 2 because of Billings' proximity to that zone. Also in this subsection, local governments must adopt the state code within 90 days. What happens if a local government fails to do this? Is there a fine or does the state then assume jurisdiction for enforcement of the code? Also, will local governments continue to operate under their present code enforcement program during that 90 period until they adopt the state code or would the two be in force at the same time even though the local government had not yet adopted the state code officially?

Page 8 Section 5 subsection 2: Does the exemption for state-owned buildings also include county owned buildings since counties are a division of the state? Also the City of Billings would like to see this exemption removed so that permits from the local government would be required for the construction of a state-owned building although no fee would be charged. Since local governments will be responsible for the enforcement of the building code and are responsible for the public safety in their jurisdictional area they should have input into the type of construction used in a state owned building.

Page 8 Section 6 lines 13 through 16: Are local governments empowered to inspect plans for state-owned buildings which were exempted under this previous section since this section says all plans will be inspected by the local government? Also is this section in conflict with Section 4 Parts 2 and 3 which states that the department is responsible for inspecting plans for state owned buildings and for schools. Again, the City of Billings feels that local governments should have input in the plan review process of all buildings being constructed in their jurisdictional area, including state-owned buildings and schools.

Page 9 Section 7: This section gives local governments the authority to inspect all electrical installations. Does this include installations in state owned buildings?

Page 10 Section 9. This section states that the Department is the final interpreter of the meaning and application of the state building code. The City of Billings is opposed to this and feels that local boards of appeals should be allowed to be established such is now the case under the Uniform Building Code.

THE ABOVE COMMENTS WERE SUPPLIED BY DAN HICKEY, DIRECTOR OF COMMUNITY DEVELOPMENT FOR THE CITY OF BILLINGS, MONTANA.

Mark Young

January 11, 1979

That Senate Bill No. 47, proposed by the Department of Administration, be amended as follows:

1. Page 8, line 4.

Amend line 4

Add: Provided that nothing herein infringes on the authority of the Department of Health & Environmental Sciences and the State Fire Marshall to enforce their statutes, rules and regulations within the municipal jurisdictional area and the county jurisdictional area.

TITLE 7

LOCAL GOVERNMENT

Ch

1. General Provisions.
2. Creation, Alteration, and Abolishment of Local Governments.
3. Alternative Forms of Local Government.
 1. Officers.
 5. General Operation and Conduct of Business.
 6. Financial Administration and Taxation.
 7. Debt Management.
 8. Acquisition, Transfer, and Management of Property and Buildings.
Chapters 9 and 10 reserved.
11. General Provisions Related to Services.
12. Improvement Districts.
13. Utility Services.
14. Transportation.
15. Housing and Construction.
16. Culture, Social Services, and Recreation.
Chapters 17 through 20 reserved.
21. Business, Agriculture, and Livestock Services and Regulation.
22. Weed and Pest Control.
23. Domestic Animal Control and Protection.
Chapters 24 through 30 reserved.
31. General Emergency and Protective Services.
32. Law Enforcement.
33. Fire Protection.
34. Medical Services and Boarding Homes for the Aged.
35. Cemetery Services.

CHAPTER 1

GENERAL PROVISIONS

Part 1 -- Nature of Self-Government Local Governments

- Section
- 7-1-101. Self-government power.
 - 7-1-102. Authorization for self-government services and functions.
 - 7-1-103. General power government limitations not applicable.
 - 7-1-104. Legislative power vested in legislative bodies.
 - 7-1-105. State law applicable until superseded.
 - 7-1-106. Construction of self-government powers.
Sections 7-1-107 through 7-1-110 reserved.
 - 7-1-111. Powers denied.
 - 7-1-112. Powers requiring delegation.
 - 7-1-113. Consistency with state regulation required.
 - 7-1-114. Mandatory provisions.

Parts 2 through 20 reserved

Part 21 -- Counties

- 7-1-101. Nature of county.

to certify to the county clerk, within 10 days after their election and qualification, the names of the mayor, city clerk, and city treasurer and the terms for which they are elected.

History: En. Sec. 4784, Pol. C. 1895; re-en. Sec. 3253, Rev. C. 1907; re-en. Sec. 5033, R.C.M. 1921; Cal. Pol. C. Sec. 4393; re-en. Sec. 5033, R.C.M. 1935; R.C.M. 1947, 11-805(part).

CHAPTER 6

FINANCIAL ADMINISTRATION AND TAXATION

Part 1 -- In-Lieu Payments for Taxes

Section

- 7-6-191. Definitions.
- 7-6-192. Authorization to request in-lieu payments for taxes from United States.
- 7-6-193. Computation of payment in lieu of taxes.
- 7-6-194. Procedure to file agreement and collect in-lieu payments.
- 7-6-195. Establishment and use of government project fund.
- 7-6-196. Political subdivisions to receive county warrants for share of in-lieu payments.
- 7-6-197. Procedure for subdivisions other than county to deal directly with United States.
- 7-6-198. Disposition of in-lieu payments by subdivision.
- 7-6-199. Requirement to provide services in absence of agreement.

Part 2 -- Deposit and Investment of Public Money

- 7-6-201. Deposit of public funds in financial institutions.
- 7-6-202. Investment of public money in direct obligations of the United States.
- 7-6-203. Interest rates on deposits of public money.
- 7-6-204. Crediting of interest.
- 7-6-205. Demand deposits.
- 7-6-206. Time deposits.
- 7-6-207. Deposit security.
- 7-6-208. Substitution of deposit security.
- 7-6-209. Director of department of community affairs to sign trustee and deposit receipts.
- 7-6-210. Supervisory role of department of community affairs.
- 7-6-211. Report by financial institution.
- 7-6-212. Limitation on liability of treasurer or town clerk.

Parts 3 through 20 reserved

Part 21 -- Office of County Treasurer

- 7-6-211. Provision if county treasurer dies in office.
- 7-6-212. Limitation on number of deputy county treasurers.
- 7-6-213. Suspension of county treasurer in case of misconduct.
- Sections 7-6-214 through 7-6-216 reserved.
- 7-6-217. Duties of county treasurer.
- 7-6-218. Treasurer's report to county commissioners.
- 7-6-219. Effect of failure to make treasurer's report.
- 7-6-220. Inspection of treasurer's books and records.
- 7-6-221. Manner of settling accounts.
- 7-6-222. Receipts to be made and to county treasurer.
- 7-6-223. Receipt of money from county attorney.
- 7-6-224. Receipt on money from proceeds of county treasurer.
- Sections 7-6-225 through 7-6-229 reserved.
- 7-6-230. Powers of county treasurer.

LOCAL GOVERNMENT

Part 22 — General Provisions Related to Counties

- 7-6-2201. Fiscal year for counties.
- 7-6-2202. Duties of county clerk related to finance.
- 7-6-2203. Annual financial statement.
- 7-6-2204. Cash verification by county clerk.
Sections 7-6-2205 through 7-6-2210 reserved.
- 7-6-2211. Authorization to conduct county business on a cash basis.
- 7-6-2212. Authorization to maintain petty cash fund.
- 7-6-2213. Report of fees received and money disbursed.
- 7-6-2214. Examination of report.
- 7-6-2215. Report to state auditor.
- 7-6-2216. Report by state auditor.
- 7-6-2217. Administration of relief received from federal agencies.
- 7-6-2218. Appropriation of state and federal money by county.
- 7-6-2219. Authorization to establish capital improvement fund.
- 7-6-2220. Levy for capital improvement fund.
- 7-6-2221. Limitation on amount of capital improvement fund.

Part 23 — County Budget Law

- 7-6-2301. Construction of part.
- 7-6-2302. Role of department of community affairs.
- 7-6-2303. Violations.
Sections 7-6-2304 through 7-6-2310 reserved.
- 7-6-2311. Filing of estimate of revenues and expenses with county clerk.
- 7-6-2312. Penalty for noncompliance with filing requirements.
- 7-6-2313. Preparation of expenditure program and information on sources of revenue.
- 7-6-2314. Classification of estimates, appropriations, and expenditures.
- 7-6-2315. Consideration of tabulation by county commissioners — preparation of preliminary budget.
- 7-6-2316. Notice of hearing on preliminary budget.
- 7-6-2317. Hearing on preliminary budget.
- 7-6-2318. Determination of projected fund cash flow following hearing.
- 7-6-2319. Determination of fund requirements to be met by tax levy.
- 7-6-2320. Final budget — approval and adoption.
- 7-6-2321. Fixing of tax levy.
- 7-6-2322. Budget and tax levies to be supplied to department of community affairs.
- 7-6-2323. Effect of exceeding budget appropriations — personal liability.
- 7-6-2324. Limitations on appropriations after budget adopted.
- 7-6-2325. Transfer of appropriations within and among expenditure classes.
- 7-6-2326. Transfer of cash balance in fund at close of fiscal year.
- 7-6-2327. Use of bond proceeds and borrowed money.
- 7-6-2328. Restriction on tax-financed expenditures if voter approval of tax levy required.
- 7-6-2329. Procedure when unpaid and outstanding warrants exist at end of fiscal year.
- 7-6-2330. Lapse of appropriation.
- 7-6-2331. Clerk's report concerning expenditures, liabilities, and appropriations — auditor's report.
Sections 7-6-2332 through 7-6-2340 reserved.
- 7-6-2341. Procedure to make expenditures and incur liabilities in case of serious emergencies.
- 7-6-2342. Procedure to make expenditures and incur liabilities in case of other emergencies.
- 7-6-2343. Appeal of order for certain emergency expenditures.
- 7-6-2344. Limitation on amount of emergency expenditures and liabilities — election.
- 7-6-2345. Use of emergency warrants.

Part 24 — County Auditor and Claims Against County

- 7-6-2401. Creation of office of county auditor.
- 7-6-2402. Optional election for county auditor.
- 7-6-2403. Qualifications of county auditor.
- 7-6-2404. Oath of office.
- 7-6-2405. Location of office.

FINANCIAL ADMINISTRATION AND TAXATION

- 7-6-2406. Compensation of auditor.
- 7-6-2407. Auditing and investigation of claims.
- 7-6-2408. Auditor's powers related to investigations.
- 7-6-2409. Examination of county books and accounts.
- 7-6-2410. Maintenance of records.
- 7-6-2411. List of claims allowed or rejected.
- 7-6-2412. Other duties of auditor.
- 7-6-2413. Limitation on number of deputy county auditors.
Sections 7-6-2414 through 7-6-2420 reserved.
- 7-6-2421. Presentation of claims against county.
- 7-6-2422. Opposition to claims.
- 7-6-2423. Procedure for claims by county commissioners.
- 7-6-2424. Appeal of decision concerning claim.
- 7-6-2425. Auditing of county charges.
- 7-6-2426. Enumeration of county charges.
- 7-6-2427. Special provisions for certain charges related to criminal prosecutions.
- 7-6-2428. Procedure to collect charges when criminal case is removed.
- 7-6-2429. Examination and allowance of officers' accounts.
- 7-6-2430. Accounts to be examined, settled, and allowed.

Part 25 -- County Taxation

- 7-6-2501. Authorization for county mill levy.
- 7-6-2502. Responsibility of county commissioners to fix tax rate and levy tax.
- 7-6-2503. Duties of county treasurer related to taxation.
- 7-6-2504. Duties of county clerk related to taxation.

Part 26 -- County Warrants

- 7-6-2601. Details related to county warrants.
- 7-6-2602. Payment of warrants.
- 7-6-2603. Registration of warrants.
- 7-6-2604. Interest on unpaid warrants.
- 7-6-2605. Call for payment of warrants drawing interest.
- 7-6-2606. Order of redemption of warrants.
- 7-6-2607. Examination and processing of warrants.

Part 27 -- Investment of County Money

- 7-6-2701. Investment of certain money in county warrants.
- 7-6-2702. Investment of money held in capital improvement fund.

Part 28 -- Management of School Money

- 7-6-2801. Management of school funds.
- 7-6-2802. Investment of proceeds arising from sale of county high school construction bonds.

Parts 29 through 40 reserved

Part 41 -- General Provisions Related to Municipalities

- 7-6-4101. Fiscal year for municipalities.
- 7-6-4102. Appropriation of money and payment of debts and expenses.
- 7-6-4103. Annual appropriation.
- 7-6-4104. Duties of city treasurer relating to finances.
- 7-6-4105. Financial reports and records to be maintained by city treasurer.
- 7-6-4106. Publication or posting of annual statement of city receipts and expenditures.
- 7-6-4107. Duties of the city clerk related to finance.
- 7-6-4108. Duties of town clerk related to finance.
- 7-6-4109. Financial reports and records to be maintained by town clerk.
- 7-6-4110. Publication or posting of annual statement of town receipts and expenditures.
- 7-6-4111. Annual financial statement.

LOCAL GOVERNMENT

- 7-6-4112. Funds to be balanced.
- 7-6-4113. Filing of annual financial statement.
Sections 7-6-4114 through 7-6-4120 reserved.
- 7-6-4121. Authorization to conduct municipal business on a cash basis.
- 7-6-4122. Manner of making payment for judgments against municipalities.
- 7-6-4123. Procedure to transfer municipal funds.
- 7-6-4124. Procedure to close inactive accounts.
Sections 7-6-4125 through 7-6-4130 reserved.
- 7-6-4131. Allocation and appropriation of all-purpose levy.
- 7-6-4132. Distribution of all purpose levy.
- 7-6-4133. Deposit of revenues from certain sources in all purpose fund.
- 7-6-4134. Capital improvement program fund.
- 7-6-4135. Investment of money in capital improvement program fund.

Part 42 -- Municipal Budget Law

- 7-6-4201. Short title.
- 7-6-4202. Definitions.
- 7-6-4203. Scope of part.
- 7-6-4204. Construction of part.
- 7-6-4205. Role of department of community affairs.
- 7-6-4206. Violations.
Sections 7-6-4207 through 7-6-4220 reserved.
- 7-6-4221. Filing of estimate of revenues and expenses with clerk.
- 7-6-4222. Exclusion of certain items from estimate and budget.
- 7-6-4223. Penalty for non-compliance with filing requirements.
- 7-6-4224. Preparation of expenditure program and information on source of revenue.
- 7-6-4225. Classification of estimates, appropriations, and expenditures.
- 7-6-4226. Consideration of tabulation by council -- preparation of preliminary budget.
- 7-6-4227. Notice of hearing on preliminary budget.
- 7-6-4228. Hearing on preliminary budget.
- 7-6-4229. Determination of projected final cash flow following hearing.
- 7-6-4230. Determination of fund requirements to be met by tax levy.
- 7-6-4231. Final budget -- approval and adoption.
- 7-6-4232. Fixing of tax levy.
- 7-6-4233. Budget and tax levies to be supplied to department of community affairs.
- 7-6-4234. Effect of exceeding budget appropriations -- personal liability.
- 7-6-4235. Limitations on appropriations after budget adopted.
- 7-6-4236. Transfer of appropriations within and among expenditure classes.
- 7-6-4237. Use of bond proceeds and borrowed money.
- 7-6-4238. Restriction on tax financed expenditures if voter approval of tax levy required.
- 7-6-4239. Procedure when there exist unpaid and outstanding warrants at end of fiscal year.
- 7-6-4240. Lapse of appropriation.
- 7-6-4241. Clerk's report concerning expenditures, liabilities, and appropriations.
Sections 7-6-4242 through 7-6-4250 reserved.
- 7-6-4251. Procedure to make expenditures and incur liabilities in case of serious emergencies.
- 7-6-4252. Procedure to make expenditures and incur liabilities in case of other emergencies.
- 7-6-4253. Appeal of order for certain emergency expenditures.
- 7-6-4254. Limitation on amount of emergency budgets and appropriations.
- 7-6-4255. Use of emergency warrants.

Part 43 -- Claims Against Municipalities

- 7-6-4301. Presentation of claims against municipalities.
- 7-6-4302. Payment of claim by warrant.

Part 44 -- Municipal Taxation

- 7-6-4401. General taxing power of municipalities.
- 7-6-4402. Tax related duties of city treasurer.
- 7-6-4403. Tax related duties of city clerk.
- 7-6-4404. Tax related duties of town clerk.

- 7-6-4405. Limitation on tax levy for general municipal or administrative purposes.
- 7-6-4406. Authority to levy special taxes and assessments.
- 7-6-4407. Resolution to fix annual tax levy.
- 7-6-4408. Distribution of tax money.
- 7-6-4409. Determination of assessments.
- 7-6-4410. Assessment book to be furnished to certain municipalities.
- 7-6-4411. Equalization of assessments.
- 7-6-4412. Preparation of municipal assessment book.
- 7-6-4413. Collection of taxes.
- 7-6-4414. Sales for delinquent taxes when county collects municipal tax.
Sections 7-6-4415 through 7-6-4420 reserved.
- 7-6-4421. Authorization for tax levy and collection by municipality.
- 7-6-4422. Authorization for collection of delinquent taxes by municipalities.
- 7-6-4423. Sales for delinquent taxes when municipality collects municipal tax.
Sections 7-6-4424 through 7-6-4430 reserved.
- 7-6-4431. Authorization to exceed maximum mill levy — election required.
- 7-6-4432. Purpose of additional mill levy to be stated.
- 7-6-4433. Registration of electors — qualifications to vote.
- 7-6-4434. Notice of election on question of additional mill levy.
- 7-6-4435. Form of ballot.
- 7-6-4436. Conduct of election.
- 7-6-4437. Use of proceeds from additional mill levy.
- 7-6-4438. Tax levy and expenditures for municipal and administrative purposes when limits
on municipal indebtedness exceeded.
Sections 7-6-4439 through 7-6-4450 reserved.
- 7-6-4451. All-purpose mill levy authorized.
- 7-6-4452. Maximum all-purpose mill levy.
- 7-6-4453. Certain special mill levies also available.
- 7-6-4454. Certification of all-purpose levy to county officers.
- 7-6-4455. Changes from all-purpose levy method.

Part 45 — Municipal Warrants

- 7-6-4501. Interest on unpaid warrants.
- 7-6-4502. Call for payment of warrants drawing interest.
- 7-6-4503. Registration of warrants.
- 7-6-4504. Order of redemption of warrants.

Part 46 — Deposit and Investment of Municipal Money

- 7-6-4601. Deposit of public money.
- 7-6-4602. Interest rate on deposited public money.
- 7-6-4603. Investment of municipal money in city or town warrants.

Part 1

In-Lieu Payments for Taxes

7-6-101. **Definitions.** The following definitions shall be applied to the terms used in this part:

- (1) "Agreement" shall mean contract and shall include renewals and alterations of a contract.
- (2) "Board" shall mean the board of county commissioners of any county in this state.
- (3) "Fund" shall mean, unless otherwise expressed, the government project fund to be established pursuant to 7-6-105.
- (4) "Governing body" shall mean the commission, board, body, or persons in which the powers of a subdivision as a body corporate or otherwise are vested.

NAME: Dennis Lapach DATE: 1/11/79

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REPRESENTING WHOM? Montana Power

APPEARING ON WHICH PROPOSAL: 51347

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: exclude man-lifts or elevators
when access to public denied. This
type of lift is fully regulated
(eg OSHA).