

SENATE BILL 236

IN THE SENATE

January 24, 1979	Introduced and referred to Committee on Taxation.
January 29, 1979	Fiscal note requested.
February 2, 1979	Fiscal note returned.
April 20, 1979	Died in Committee.

1 *Senate* BILL NO. *236*
 2 INTRODUCED BY *Mr. Ballman*

3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE GOVERNING
 5 BODY OF A CONSOLIDATED CITY-COUNTY LOCAL GOVERNMENT TO
 6 EXCEED EXISTING MILL LEVY LIMITS IF A MAJORITY VOTING ON THE
 7 QUESTION ARE IN FAVOR OF THE ADDITIONAL LEVY OR LEVIES."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Consolidated local government may exceed
 11 maximum mill levy - election required. The governing body of
 12 a consolidated city-county local government may raise money
 13 by taxation for the support of municipal government
 14 services, facilities, or other capital projects in excess of
 15 the levy or levies allowed by law under the following
 16 conditions:

17 (1) The governing body must pass a resolution
 18 indicating its intent to exceed the current statutory mill
 19 levy upon the approval of a majority of the qualified
 20 electors voting in an election under subsection (2). The
 21 resolution must include:

- 22 (a) the specific purpose for which the additional
- 23 money will be used;
- 24 (b) the specific amount to be raised; and
- 25 (c) the approximate number of mills required.

1 (2) The governing body must submit the question of the
 2 additional mill levy to the qualified electors of the
 3 jurisdiction at a regular election or a special election
 4 called for that purpose by the governing body. If the
 5 majority voting on the question are in favor of the
 6 additional levy or levies, the governing body is authorized
 7 to exceed the statutory mill levy limit in the amount
 8 specified in the resolution.

9 Section 2. Purpose of additional mill levy to be
 10 stated. The submission of the question shall expressly state
 11 the purpose for which the additional levy is to be made.

12 Section 3. Notice of election on question of
 13 additional mill levy. Whenever the question of making an
 14 additional mill levy is submitted to the qualified electors,
 15 notice shall be given by publication for at least 30 days
 16 prior to the election in a newspaper of general circulation
 17 in the county and by posting notice for the same period in a
 18 public place in each county commissioner district within the
 19 county.

20 Section 4. Form of ballot. (1) If at any time it is
 21 desired to submit the question of additional levies for more
 22 than one purpose, such propositions shall be submitted on
 23 separate ballots.

24 (2) Each of the ballots shall be in substantially the
 25 following form:

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SB 236
 INTRODUCED BILL

1 Shall the city-county governing body be authorized to
2 make a levy of (here insert the number) mills taxes in
3 addition to the regular levy now authorized by law for the
4 purpose of (here insert the purpose for which the additional
5 levy is to be made)?

6 FOR additional levy

7 AGAINST additional levy

8 Section 5. Conduct of election. (1) The electors
9 shall mark the ballot or ballots in the same manner as other
10 ballots are marked under the election laws of this state.

11 (2) The election shall be held and the votes canvassed
12 and returned as in other local government elections provided
13 for in Title 13.

14 Section 6. Use of proceeds from additional mill levy.

15 (1) Except as provided in subsection (2), if authorized,
16 the money raised by the additional levy shall be used only
17 for that specific purpose provided for in [section 2].

18 (2) If any balance remains on hand after the purpose
19 for which the levy was made has been accomplished, the
20 balance may by vote of the governing body be transferred to
21 any other fund of the consolidated city-county local
22 government.

-End-

STATE OF MONTANA

REQUEST NO. 158-79

FISCAL NOTE

Form BD-15

In compliance with a written request received January 29, 19 79, there is hereby submitted a Fiscal Note for SB.236 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

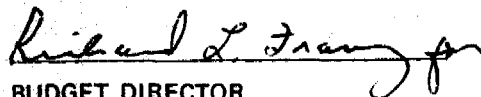
DESCRIPTION:

SB 236 allows the governing body of a consolidated city-county local government to exceed existing mill levy limits if a majority votes in favor.

LOCAL IMPACT:

None.

The two present city-county consolidated governments have home rule powers and may presently exceed mill levy limits without an election under current law (section 7-1-114(g)).



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1/2/79