

HOUSE BILL NO. 462

INTRODUCED BY SEIFERT, MOORE

IN THE HOUSE

January 24, 1981	Introduced and referred to Committee on State Administration.
February 2, 1981	Committee recommend bill do pass and be placed on consent calendar. Report adopted.
February 3, 1981	Considered correctly engrossed.
February 4, 1981	Consent calendar, do pass. Transmitted to Senate.

IN THE SENATE

February 5, 1981	Introduced and referred to Committee on Taxation.
March 17, 1981	Committee recommend bill be concurring in. Report adopted.
March 19, 1981	Second reading, concurring in. Report adopted.
March 21, 1981	Third reading, concurring in. Ayes, 48; Noes, 0.

IN THE HOUSE

March 23, 1981	Returned from Senate. Con- curring in. Sent to enrolling Reported correctly enrolled.
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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE LAWS
5 RELATING TO DISASTER AND EMERGENCY SERVICES EXPENDITURES AND
6 THE LOCAL EMERGENCY LEVY; AMENDING SECTIONS 10-3-311 AND
7 10-3-405, MCA."

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

10 Section 1. Section 10-3-311, MCA, is amended to read:

11 "10-3-311. Emergency or disaster expenditures. (1) The
12 governor may authorize the incurring of liabilities and
13 expenses to be paid as other claims against the state from
14 the general fund, in the amount necessary, when an emergency
15 or disaster justifies the expenditure and is declared by the
16 governor, to meet contingencies and emergencies arising from
17 hostile attacks, riots or insurrections, epidemics of
18 disease, plagues of insects, fires, floods, or other acts of
19 God resulting in damage or disaster to the works, buildings
20 or property of the state or any political subdivision
21 thereof or which menace the health, welfare, safety, lives,
22 or property of any considerable number of persons in any
23 county or community of the state, upon demonstration by the
24 political jurisdiction that:

25 (a) such political jurisdiction has exhausted all

1 available emergency levies;

2 (b) the emergency is beyond the financial capability
3 of the political jurisdiction to respond and for which no
4 appropriation in the affected fund is available in
5 sufficient amount to meet the emergency or disaster; or

6 (c) federal funds available for such emergency or
7 disaster require either matching state funds or specific
8 expenditures prior to eligibility for assistance under
9 federal laws.

10 (2) The governor shall be charged with the
11 implementation of the program.

12 (3) The administration and development of rules for
13 implementation of this section will be promulgated by the
14 department of administration."

15 Section 2. Section 10-3-405, MCA, is amended to read:

16 "10-3-405. Levying emergency tax -- disposition of
17 surplus. (1) The governing body of the city council and or
18 town or the board of governing body of the county,
19 commissioners or both, shall estimate expenditures and levy
20 an emergency millage to cover the expenditures. The millage
21 levied by the council governing body of the city or town
22 shall not exceed 2 mills on the municipality's taxable
23 valuation. The millage levied by the board governing body of
24 the county shall not exceed 2 mills on the taxable valuation
25 of the county outside the municipalities.

LC 1165/01

1 (2) No expenditure of revenue received from the
2 millage shall be made without approval of the appropriate
3 levying body.

4 (3) An additional levy or levies may be made by the
5 appropriate levying body, providing that the sum of the
6 levies for emergencies as set forth in this section shall
7 not exceed 2 mills in any one year.

8 (4) All levies under this section may be passed only
9 by a unanimous vote of the appropriate body.

10 (5) Funds levied for an emergency and remaining when
11 no further expenditures are necessary shall remain in a
12 separate emergency fund and shall be used only for
13 expenditures arising from future emergencies."

-End-

SECOND READING BILL
WAS NOT PRINTED.

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