HOUSE BILL NO. 58

INTRODUCED BY RYAN

IN THE HOUSE

January 3, 1983 Introduced and referred to Committee on Local Government. January 25, 1983 Committee recommend bill do pass as amended. Report adopted. January 26, 1983 Bill printed and placed on members' deska. January 27, 1983 Second reading, do pass. January 28, 1983 Considered correctly engrossed. January 29, 1983 Third reading, passed. Transmitted to Senate. IN THE SENATE Introduced and referred to January 31, 1983 Committee on Local Government. March 11, 1983 Committee recommend bill be concurred in. Report adopted. March 14, 1983 Second reading, concurred in. On motion, segregated from report of Committee of the Whole. Rereferred to Committee on Taxation. March 28, 1983 Committee recommend bill be concurred in as amended. Report adopted.

March 30, 1983

March 31, 1983

Second reading, concurred in.

Third reading, concurred in. Ayes, 47; Noes, 0.

IN THE HOUSE

March 31, 1983

Returned to House with amendments.

April 15, 1983

Second reading, amendments concurred in.

Third reading, amondments concurred in.

Sent to enrolling.

Reported correctly enrolled.

LC 0037/01

HOUSE BILL NO. 58 HOUSE BILL NO. 58 INTRODUCED BY RYAN A BILL FOR AN ACT ENTITLED: "AN ACT TO RESTRUCTURE THE MILL LEVIES FOR LOCAL GOVERNMENT MEDICAL FACILITIES; AMENDING SECTIONS 7-34-2133, 7-34-2134, T-34-2417, AND 53-2-321, MCA."

8

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 10 NEW SECTION. Section 1. Levy of county taxes. The 11 board of county commissioners must, annually at the time of levying county taxes, fix and levy a tax, not to exceed 10 12 13 mills on each dollar of taxable valuation of property, upon all property within the county for the erection, 14 15 maintenance, and operation of county-operated hospitals and 16 nursing homes. A higher levy may be made upon compliance with 7-6-2531 through 7-6-2537. 17

Section 2. Section 7-34-2133, MCA, is amended to read: "7-34-2133. Levy of district taxes -- limit on mill levy. (1) The board of county commissioners must, annually at the time of levying county taxes, fix and levy a tax (in mills) upon all property within said hospital district clearly sufficient to raise the amount certified by the board of hospital trustees under 7-34-2132.

25 (2) The tax so levied for all hospital district

purposes other than payment of bonded indebtedness shall not
 in any year exceed 3 10 mills on each dollar of taxable
 valuation of property within said district."

Section 3. Section 7-34-2134, MCA, is amended to read: 4 5 *7-34-2134. Special additional mill levy authorized. 6 If the maximum levy of 3 10 mills on each dollar of taxable 7 valuation of property within the hospital district is 8 inadequate to raise the amount of money certified as 9 necessary and proper by the board of hospital trustees as 10 provided in 7-34-2132, the board of county commissioners may 11 make an additional levy for 2 years upon the taxable property within said hospital district of-6-mills-or-less 12 13 sufficient to raise the amount certified by the board of 14 hospital trustees."

15 Section 4. Section 7-34-2417, MCA, is amended to read: 16 #7-34-2417. Special tax levy authorized. In the event the bonds become delinquent or cannot be paid from ordinary 17 revenues of the facility, a county which has issued bonds 18 19 under 7-34-2411 may levy taxes on all taxable property 20 within the county in the manner provided for public hospital districts under 7-34-2133, 7-34-2134, 7-34-2135(1), and 21 22 7-34-2136, nemety, up to a maximum of 3 mills not submitted 23 to a vote of the people and 3 additional mills approved by a 24 vote of the people."

25 Section 5. Section 53-2-321, MCA, is amended to read: INTRODUCED BILL

LC 0037/01

1 *53-2-321. County authorized to care for indigent and 2 levy taxes therefor. The board of county commissioners has jurisdiction and power under such limitations and 3 4 restrictions as are prescribed by law to provide for the care and maintenance of the indigent sick, except as 5 otherwise provided in other parts of this title, or the 6 otherwise dependent poor of the county; erect-and-maintain 7 8 hespitals-therefor-or-otherwise-provide-for--the--samet and 9 for said purposes to levy and collect annually a tax on 10 property not exceeding 13 1/2 mills+ which levy shall be 11 made at the time other tax levies are made on property, as provided by law." 12

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STATE OF MONTANA

REQUEST NO. __048-83

FISCAL NOTE

Form BD-15

In compliance with a written request received <u>January 6</u>, 19 <u>83</u>, there is hereby submitted a Fiscal Note for <u>House Bill 58</u> pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA). 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 OF PROPOSED LEGISLATION:

House Bill 58 would restructure the mill levies for local government medical facilities by removing the current medical facility authorization from the county poor fund and establishing a new medical facility mill levy authorization.

ASSUMPTIONS:

- 1) Assumes the state is not presently subsidizing county medical facilities through poor fund grants-in-aid.
- 2) Assumes that county poor funds would continue to pay for medical services for the indigent sick.

FISCAL IMPACT:

There is no known impact on state revenue or expenditures. Any impact on county revenue or expenditures would be at the option of individual counties. The potential exists to raise local property taxes in those counties with county medical facilities or those counties who build one.

FISCAL NOTE2:FF/1

BUDGET DIRECTOR Office of Budget and Program Planning Date:

48th Legislature

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Approved by Comm. on Local Government

1 HOUSE BILL NO. 58			
2 INTRODUCED BY RYAN			
3			
4 A BILL FOR AN ACT ENTITLED; "AN ACT TO RESTRUCTURE THE I	4TLL		
5 LEVIES FOR LOCAL GOVERNMENT MEDICAL FACILITIES; AMEN)ING		
6 SECTIONS 7-34-2133, 7-34-2134, 7-34-2417, AND 53-2-321,	AND		
7 53-2-322: MCA: AND PROVIDING AN EFFECTIVE DATE."	53-2-322: MCAL AND PROVIDING AN EFFECTIVE DATE."		
8			
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA	t		
10 <u>NEW_SECIION</u> Section 1. Levy of county taxes.	The		
11 board of county commissioners must MAY, annually at the t	:ime		
12 of levying county taxes, fix and levy a tax, not to exe	:eeđ		
13 10 mills on each dollar of taxable valuation of prope	r ty ,		
14 upon all property within the county for the erection	ion+		
15 maintenance, and operation of <u>COUNTY-OWNED</u>	QR		
16 county-operated hospitals and nursing homes <u>. OR 0</u>]	(HER		
17 HOSPITALEACILITIESCREATEDUNDER7-8-2102+7-34-22	<u>01+</u>		
18 7-34-2301+AND7-34-2502+_MUOSPITAL_EACILITIES= AS_USED	<u>) IN</u>		
19 IHIS_SECTION_MEANS_A_HQSPITAL_OR_HOSPITAL=RELATED_FACIL	<u>[]</u>		
20 INCLUDING_OUT-PATIENT_FACILITIES+_PUBLIC_HEALTH_CENT	1851		
21 REHABILITATION_EACTLITIES.LONG-TERM_CARE_EACTLITIES.	AND		
22 INFIRMARIES. A higher levy may be made upon compliance was a second secon	rith		
23 7-6-2531 through 7-6-2537.			
24 Section 2. Section 7-34-2133, MCA+ is amended to re	ead :		
25 "7-34-2133. Levy of district taxes limit on a	ni 1 1		

1 levy. [1] The board of county commissioners musty annually 2 at the time of levying county taxes, fix and levy a tax (in 3 mills) upon all property within said hospital district 4 clearly sufficient to raise the amount certified by the 5 board of hospital trustees under 7-34-2132. 6 (2) The tax so levied for all hospital district 7 purposes other than payment of bonded indebtedness shall not 8 in any year exceed 3 10 mills on each dollar of taxable 9 valuation of property within said district." 10 Section 3. Section 7-34-2134, MCA, is amended to read: 11 "7-34-2134. Special additional mill levy authorized. 12 If the maximum levy of 3 10 mills on each dollar of taxable 13 valuation of property within the hospital district is inadequate to raise the amount of money certified as 14 15 necessary and proper by the board of nospital trustees as 16 provided in 7-34-2132, the board of county commissioners may 17 make an additional levy for 2 years upon the taxable 18 property within said hospital district of-6-wills-or-less 19 sufficient to raise the amount certified by the board of 20 hospital trustees." 21 Section 4. Section 7-34-2417, MCA, is amended to read: 22 *7-34-2417. Special tax levy authorized. In the event

22 "7-34-2417, Special tax levy authorized. In the event 23 the bonds become delinquent or cannot be paid from ordinary 24 revenues of the facility, a county which has issued bonds 25 under 7-34-2411 may levy taxes on all taxable property

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HB 58 SFCOND READING within the county in the manner provided for public hospital districts under 7-34-2133, 7-34-2134, 7-34-2135(1), and 7-34-2136, mamelyy up to a maximum of 3 mills not submitted to a vote of the people and 3 additional mills approved by a vote of the people."

6 Section 5. Section 53-2-321, NCA, is amended to read: 7 *53-2-321. County authorized to care for indigent and levy taxes therefor. The board of county commissioners has 8 9 jurisdiction and power under such limitations and 10 restrictions as are prescribed by law to provide for the 11 care and maintenance of the indigent sick, except as otherwise provided in other parts of this title, or the 12 13 otherwise dependent poor of the county; erect--and--maintain 14 hospitgls--therefor--of--otherwise-provide-for-the-samet and 15 for said purposes to levy and collect annually a tax on 16 property not exceeding 13 1/2 mills, which levy shall be 17 made at the time other tax levies are made on property, as 18 provided by law."

19 SECIION 6. SECIION 53-2-322. MCA: IS AMENDED TO READ: 20 *53-2-322. County to levy taxes, budget, and make 21 expenditures for public assistance activities. (1) The board 22 of county commissioners in each county shall levy 13.5 mills 23 for the county poor fund as provided by law or so much 24 thereof as may be necessary. The board shall budget and 25 expend so much of the funds in the county poor fund for

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1 public assistance purposes as will enable the county welfare department to pay the general relief activities of the 2 3 county and to reimburse the department of social and 4 rehabilitation services for the county's proportionate share 5 of the administrative costs of the county welfare department 6 and of all public assistance and its proportionate share of 7 any other public assistance activity that may be carried on 8 jointly by the state and the county.

9 (2) The amounts set up in the budget for the 10 reimbursements to the department of social and 11 rehabilitation services shall be sufficient to make all of 12 these reimbursements in full. The budget shall make separate provision for each one of these public assistance 13 14 activities, and proper accounts shall be established for the 15 funds for all such activities.

16 (3) As soon as the preliminary budget provided for in 17 7-6-2315 has been agreed upon, a copy thereof shall without 18 delay be mailed to the department of social and 19 rehabilitation services, and at any time before the final 20 adoption of the budget, the department shall make such 21 recommendations with regard to changes in any part of the 22 budget relating to the county poor fund as considered 23 necessary in order to enable the county to discharge its 24 obligations under the public assistance laws.

(4) The department of social and rehabilitation

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services shall promptly examine the preliminary budget in order to ascertain if the amounts provided for reimbursements to the department are likely to be sufficient and shall notify the county clerk of its findings. The board shall make such changes in the amounts provided for reimbursements, if any are required, in order that the county will be able to make the reimbursements in full.

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8 (5) The board of county commissioners may not make any 9 transfer from the amounts budgeted for reimbursing the 10 department of social and rehabilitation services without 11 having first obtained a statement in writing from the 12 department to the effect that the amount to be transferred 13 will not be required during the fiscal year for the purposes 14 for which the amounts were provided in the budget.

(6) No part of the county poor fund, irrespective of 15 the source of any part thereof, may be used directly or 16 17 indirectly for the erection or improvement of any county building so long as the fund is needed for general relief 18 expenditures by the county or is needed for paying the 19 county's proportionate share of public assistance or its 20 proportionate share of any other public assistance activity 21 22 that may be carried on jointly by the state and the county. 23 Expenditures for improvement of any county buildings used 24 directly for care of the poor, except a county hospital or 25 county nursing home, may be made out of any moneys in the 1 county poor fund, whether such moneys are produced by the 2 13.5-mill levy provided for in subsection (1) of this 3 section or from any additional levy authorized or to be 4 authorized by law. Such expenditure shall be authorized only 5 when any county building used for the care of the poor must 6 be improved in order to meet legal standards required for 7 such buildings by the department of health and environmental 8 sciences and when such expenditure has been approved by the 9 department of social and rehabilitation services."

- 10 NEW_SECTION. SECTION 7. EFFECTIVE DATE. THIS ACT IS
- 11 EFFECTIVE_JULY_1+_1983+

-End-

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ł	HOUSE BILL NO. 58	1	levy. (1) The board of county commissioners must, annually
2	INTRODUCED BY RYAN	2	at the time of levying county taxes, fix and levy a tax (in
3		3	mills) upon all property within said hospital district
4	A BILL FOR AN ACT ENTITLED: "AN ACT TO RESTRUCTURE THE MILL	4	clearly sufficient to raise the amount cortified by the
5	LEVIES FOR LOCAL GOVERNMENT MEDICAL FACILITIES; AMENDING	5	board of hospital trustmes under 7-34-2132.
6	SECTIONS 7-34-2133, 7-34-2134, 7-34-2417, AND 53-2-321, <u>AND</u>	6	(2) The tax so levied for all hospital district
7	53-2-322: MCAL AND PROVIDING AN EFFECTIVE DATE."	7	purposes other than payment of bonded indebtedness shall not
8		B	in any year exceed 3 10 mills on each dollar of taxable
9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	9	valuation of property within said district."
10	<u>NEW SECTION.</u> Section 1. Levy of county taxes. The	10	Section 3. Section 7-34-2134, NCA, is amended to read:
11	board of county commissioners must <u>MAY</u> , annually at the time	11	#7-34-2134. Special additional mill levy authorized.
12	of levying county taxes, fix and levy a tax, not to exceed	12	If the maximum levy of 3 10 mills on each dollar of taxable
13	10 mills on each dollar of taxable valuation of property,	13	valuation of property within the hospital district is
14	upon all property within the county for the erection;	14	inadequate to raise the amount of money certified as
15	maintenance, and operation of <u>COUNTY-OWNED OR</u>	15	necessary and proper by the board of hospital trustees as
16	county-operated hospitals and nursing homes <u>ORDIHER</u>	16	provided in 7-34-2132, the board of county commissioners may
17	HOSPITAL_EACILITIES_CREATED_UNDER_7-8-2102+7-34-2201+	17	make an additional levy for 2 years upon the taxable
18	7 <u>-34-2301. AND 7-34-2502. "HOSPITAL EAGILITIES" AS USED IN</u>	18	property within said hospital district of 6-mills-or-less
19	INIS_SECTION_BEANS_A_HOSPITAL_DB_HOSPITAL-RELATEDEACILITY.	19	sufficient to raise the amount certified by the board of
20	INCLUDING_OUT=PATIENT_EACILITIES+PUBLICHEALTH_CENTERS+	20	hospital trustees."
21	REHABILITATION_EACILITIES+_LONG-TERMCABEFACILITIES+AND	21	Section 4. Section 7-34-2417, NCA, is amended to read:
22	INFIRMARIES. A higher levy may be made upon compliance with	22	*7-34-2417. Special tax levy authorized. In the event
23	7-6-2531 through 7-6-2537.	23	the bonds become delinquent or cannot be paid from ordinary
24	Section 2. Section 7-34-2133, MCA, is amended to read:	24	revenues of the facility, a county which has issued bonds
25	<pre>#7-34-2133. Levy of district taxes limit on mill</pre>	25	under 7-34-2411 may levy taxes on all taxable property THIRD READING

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within the county in the manner provided for public hospital districts under 7-34-2133, 7+34-2134, 7-34-2135(1), and 7-34-2136, namelyy up_to_a_maximum_of 3 mills not submitted to a vote of the people and 3 additional mills approved by a vote of the people."

Section 5. Section 53-2-321, NCA, is amended to read: 6 7 *53-2-321. County authorized to care for indicent and levy taxes therefor. The board of county commissioners has 8 9 jurisdiction and power under such limitations and 10 restrictions as are prescribed by law to provide for the 11 care and maintenance of the indigent sick, except as 12 otherwise provided in other parts of this title, or the 13 otherwise dependent poor of the county; erect--and--maintain 14 hospitals--therefor--er--etherwise-provide-for-the-senet and 15 for said purposes to levy and collect annually a tax on 16 property not exceeding 13 1/2 mills, which levy shall be 17 made at the time other tax levies are made on property, as 18 provided by law."

19 <u>SECTION 6. SECTION 53-2-322. MCA: IS AMENDED TO READ:</u> 20 "53-2-322. County to levy taxes, budget, and make 21 expenditures for public assistance activities. (1) The board 22 of county commissioners in each county shall levy 13.5 mills 23 for the county poor fund as provided by law or so much 24 thereof as may be necessary. The board shall budget and 25 expend so much of the funds in the county poor fund for 1 public assistance purposes as will enable the county welfare department to pay the general relief activities of the 2 3 county and to reimburse the department of social and rehabilitation services for the county's proportionate share 4 5 of the administrative costs of the county welfare department 6 and of all public assistance and its proportionate share of 7 any other public assistance activity that may be carried on 8 jointly by the state and the county.

9 (2) The amounts set up in the budget for the 10 reimbursements to the department of social and rehabilitation services shall be sufficient to make all of 11 these reimbursements in full. The budget shall make separate 12 provision for each one of these public assistance 13 14 activities, and proper accounts shall be established for the 15 funds for all such activities.

16 (3) As soon as the preliminary budget provided for in 7-6-2315 has been agreed upon, a copy thereof shall without 17 18 delay be mailed to the department of social and rehabilitation services, and at any time before the final 19 adoption of the budget, the department shall make such 20 21 recommendations with regard to changes in any part of the budget relating to the county poor fund as considered 22 necessary in order to enable the county to discharge its 23 obligations under the public assistance laws. 24

25 (4) The department of social and rehabilitation

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services shall promptly examine the preliminary budget in order to ascertain if the amounts provided for reimbursements to the department are likely to be sufficient and shall notify the county clerk of its findings. The board shall make such changes in the amounts provided for reimbursements, if any are required, in order that the county will be able to make the reimbursements in full.

8 (5) The board of county commissioners may not make any 9 transfer from the amounts budgeted for reimbursing the 10 department of social and rehabilitation services without 11 having first obtained a statement in writing from the 12 department to the effect that the amount to be transferred 13 will not be required during the fiscal year for the purposes 14 for which the amounts were provided in the budget.

(6) No part of the county poor fund, irrespective of 15 the source of any part thereof, may be used directly or 16 17 indirectly for the erection or improvement of any county building so long as the fund is needed for general relief 18 expenditures by the county or is needed for paying the 19 20 county's proportionate share of public assistance or its proportionate share of any other public assistance activity 21 that may be carried on jointly by the state and the county. 22 23 Expanditures for improvement of any county buildings used 24 directly for care of the poor<u>except a county_bospital_or</u> county nursing home, may be made out of any moneys in the 25

1 county poor fund, whether such moneys are produced by the 2 13.5-mill levy provided for in subsection (1) of this section or from any additional levy authorized or to be 3 authorized by law. Such expenditure shall be authorized only 4 when any county building used for the care of the poor must 5 be improved in order to meet legal standards required for 6 7 such buildings by the department of health and environmental 8 sciences and when such expenditure has been approved by the 9 department of social and rehabilitation services."

NEW_SECTION.__SECTION_T.__EEEECTIVE_DATE.__THIS_ACT__IS

11 EFFECTIVE JULY 1. 1983.

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SENATE STANDING COMMITTEE REPORT (Taxation)

That House Bill No. 58 be amended as follows:

1. Title, line 6.
Following: "SECTIONS"
Strike: "7-34-2133"

2. Page 1, line 22. Following: "INFIRMARIES." Insert: "The combined total number of mills levied under this section and for the county poor fund, under 53-2-321, may not exceed 18 mills."

3. Page 1, line 23. Following: "7-6-2537." Insert: "If a hospital district is created under Title 7, chapter 34, part 21, the mill levy authorized by this section may not be imposed on property within that hospital district."

4. Page 1, line 24 through page 2, line 9. Strike: section 2 in its entirety Renumber: subsequent sections

5. Page 2, line 12. Following: "3" Strike: "10" Insert: "3" -

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1	HOUSE BILL NO. 58	ì	DISTRICT_IS_CREATED_UNDER_TITLE_7. CHAPTER_34. PART_21. THE
2	INTRODUCED BY RYAN	2	HILL_LEYY_AUTHORIZED_RY_THIS_SECTION_NAY_NOI_BE_IMPOSED_ON
3		3	PROPERTY_WITHIN_THAT_HOSPITAL_DISTRICI.
4	A BILL FOR AN ACT ENTITLED: "AN ACT TO RESTRUCTURE THE MILL	4	Section-2wSection-7-34-2133y-MGAy-is-amended-to-read+
5	LEVIES FOR LOCAL GOVERNMENT MEDICAL FACILITIES; AMENDING	5	■7-34-2233#Levy-of-dtstrict-toxeslinitonmill
6	SECTIONS 7-34-2133+ 7-34-2134+ 7-34-2417+ +ND 53-2-321+ AND	6	łevys{l}-The-board-of-county-commissioners-musty-annually
7	53-2-322: MCALANO_PROVIDING_AN_EEEECIIVE_QAIE."	7	at-the-time-of-levying-county-toxesy-fix-and-levy-a-taxtin
8		8	mills;uponallpropertywithinsaidhospital-district
9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	9	clearly-sufficient-to-raisetheamountcertifiedbythe
10	<u>NEW_SECTION.</u> Section 1. Levy of county taxes. The	10	board-of-hospital-trustees-under-7-34-2132*
11	board of county commissioners must <u>MAY</u> , annually at the time	11	{2}Thetaxsoteviedforallhospitaldistrict
12	of levying county taxes, fix and levy a tax, not to exceed	12	purposes-other-thon-payment-of-bonded-indebtedness-shall-not
13	10 mills on each dollar of taxable valuation of property,	13	in-any-year-exceed 3 10 millsoneachdollaroftaxable
14	upon all property within the county for the erection.	14	valuation-of-property-within-said-districts#
15	maintenance, and operation of <u>COUNIY-OWNED</u> OB	15	Section 2. Section 7-34-2134, MCA, is amended to read:
15	county-operated hospitals and nursing homes <u>. OROIHER</u>	16	"7-34-2134。 Special additional mill levy authorized。
17	HOSPIIALEACILITIES_ <u>CREATED_UNDER_7-8-21027-34-2201.</u>	17	If the maximum levy of 3 <u>10</u> 3 mills on each dollar of
18	7=34=2301AND7=34=2502MHDSPITAL_FACILITIESM_AS_USED_IN	18	taxable valuation of property within the hospital district
19	IHIS_SECTION_MEANS_A_HOSPITAL_OR_HOSPITAL_RELATEDEACTLITY.	19	is inadequate to raise the amount of money certified as
20	INCLUDINGOUT-PATIENIEACILITIESPUBLICHEALTH_CENIERS.	20	necessary and proper by the board of hospital trustees as
21	REMANILITATION_EACTLITIES:_LONG=TERMCAREEACTLITIES:AND	21	provided in 7-34-2132, the board of county commissioners may
22	INEIRMARIES. IHE_COMBINED_IOTAL_NUMBER_DE_MILLS_LEVIED_UNDER	22	make an additional levy for 2 years upon the taxable
23	IHIS_SECTION_AND_EDB_IHE_COUNTY_2003_EUND:_UNDER_53-2-321:	23	property within said hospital district of-6-mills-or-less
24	MAY_NDI_EXCEED_IB_BILLS_ A higher levy may be made upon	24	sufficient to raise the amount certified by the board of
25	compliance with 7-6-2531 through 7-6-2537. IE_A_HOSPIIAL	25	hospital trustees."

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1 Section 3. Section 7-34-2417, HCA, is amended to read: 2 "7-34-2417. Special tax levy authorized. In the event the bonds become delinguent or cannot be paid from ordinary 3 4 revenues of the facility, a county which has issued bonds 5 under 7-34-2411 may levy taxes on all taxable property 6 within the county in the manner provided for public hospital 7 districts under 7-34-2133, 7-34-2134, 7-34-2135(1), and 8 7-34-2136, namełyy Un_to_a_maximum_of 3 mills not submitted 9 to a vote of the people and 3 additional mills approved by a 10 vote of the people."

11 Section 4. Section 53-2-321, MCA, is amended to read: 12 "53-2-321. County authorized to care for indigent and 13 levy taxes therefor. The board of county commissioners has 14 jurisdiction and power under such limitations and 15 restrictions as are prescribed by law to provide for the 16 care and maintenance of the indigent sick, except as 17 otherwise provided in other parts of this title, or the 18 otherwise dependent poor of the county; erect--and--maintain 19 hospitals--therefor--or--otherwise-provide-for-the-samet and 20 for said purposes to levy and collect annually a tax on 21 property not exceeding 13 1/2 mills, which levy shall be 2Z made at the time other tax levies are made on property, as 23 provided by law."

24 SECIION_5*_SECIION_53-2-322*_MCA*_IS_AMENDED_ID_READ:
25 #53-2-322. County to levy taxes, budget, and make

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expenditures for public assistance activities. (1) The board 1 2 of county commissioners in each county shall levy 13.5 mills for the county poor fund as provided by law or so much 3 4 thereof as may be necessary. The board shall budget and expend so much of the funds in the county poor fund for 5 public assistance purposes as will enable the county welfare ь 7 department to pay the general relief activities of the ß county and to reimburse the department of social and rehapilitation services for the county's proportionate share 9 of the administrative costs of the county welfare department 10 and of all public assistance and its proportionate share of 11 12 any other public assistance activity that may be carried on jointly by the state and the county. 13

14 (2) The amounts set up in the budget for the 15 reimbursements to the department of social and rehabilitation services shall be sufficient to make all of 16 these reimbursements in full. The budget shall make separate 17 provision for each one of these public assistance 18 activities, and proper accounts shall be established for the 19 funds for all such activities. 20

(3) As soon as the preliminary budget provided for in
7-6-2315 has been agreed upon, a copy thereof shall without
delay be mailed to the department of social and
rehabilitation services, and at any time before the final
adoption of the budget, the department shall make such

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recommendations with regard to changes in any part of the
 budget relating to the county poor fund as considered
 necessary in order to enable the county to discharge its
 obligations under the public assistance laws.

5 (4) The department of social and rehabilitation services shall promptly examine the preliminary budget in 6 order to ascertain if the amounts provided for 7 reimpursements to the department are likely to be sufficient 8 9 and shall notify the county clerk of its findings. The board shall make such changes in the amounts provided for 10 11 reimbursements, if any are required, in order that the 12 county will be able to make the reimbursements in full.

13 (5) The board of county commissioners may not make any 14 transfer from the amounts budgeted for reimbursing the 15 department of social and rehabilitation services without 16 having first obtained a statement in writing from the 17 department to the effect that the amount to be transferred 18 will not be required during the fiscal year for the purposes 19 for which the amounts were provided in the budget.

20 (5) No part of the county poor fund, irrespective of
21 the source of any part thereof, may be used directly or
22 indirectly for the erection or improvement of any county
23 building so long as the fund is needed for general relief
24 expenditures by the county or is needed for paying the
25 county's proportionate share of public assistance or its

proportionate share of any other public assistance activity 1 2 that way be carried on jointly by the state and the county. 3 Expenditures for improvement of any county buildings used directly for care of the poors except a county hospital or 4 county_oursing_bomes may be made out of any moneys in the 5 county poor fund, whether such moneys are produced by the 6 13.5-mill levy provided for in subsection (1) of this 7 section or from any additional levy authorized or to be 8 authorized by law. Such expenditure shall be authorized only 9 10 when any county building used for the care of the poor must 11 be improved in order to meet legal standards required for 12 such buildings by the department of health and environmental 13 sciences and when such expenditure has been approved by the department of social and rehabilitation services." 14 15 NEW SECTION. SECTION 6. EFFECTIVE DATE. THIS ACT IS 16 EFECTIVE_JULY_1=_1983+

-End-

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