SENATE BILL NO. 272

Introduced: 01/24/83

Referred to Committee on Local Government: 01/24/83
    Hearing: 2/3/83
    Died in Committee.

1 ~~Senate~~ BILL NO. _272_

2 INTRODUCED BY _____

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT RAISING THE MAXIMUM

5 MILL LEVY AUTHORIZED FOR A MUNICIPAL OR COUNTY PUBLIC

6 LIBRARY; AND AUTHORIZING A GOVERNING BODY TO EXCEED THE

7 MAXIMUM MILL LEVY FOR LIBRARY SERVICE UPON APPROVAL BY THE

8 VOTERS; AMENDING SECTION 22-1-304, MCA."

9

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

11   Section 1. Section 22-1-304, MCA, is amended to read:

12 "22-1-304. Tax levy -- special library fund — bonds.

13 (1) The governing body of any city or county which has

14 established a public library may levy in the same manner and

15 at the same time as other taxes are levied a special tax in

16 the amount necessary to maintain adequate public library

17 service, not to exceed 3 5 mills on the dollar, upon all

18 property in such county which may be levied by the governing

19 body of such county and not to exceed 4-1/2 7 mills on the

20 dollar upon all property in such city which may be levied by

21 the governing body of such city.

22   (2) (a) The governing body of any city or county may

23 by resolution submit the question of exceeding the maximum

24 tax levy provided in subsection (1) to a vote of the

25 qualified electors thereof at the next general election.

1 Such resolution must be adopted at least 60 days prior to

2 the general election at which the question will be voted on.

3   (b) Upon petition being filed with the governing body

4 and signed by not less than 5% of the resident taxpayers of

5 any city or county requesting an election for the purpose of

6 exceeding the maximum mill levy, the governing body shall

7 submit to a vote of the qualified electors thereof at the

8 next general election the question of exceeding the maximum

9 mill levy. Such petition must be delivered to the governing

10 body at least 90 days prior to the general election at which

11 the question will be voted on.

12   (c) The question shall be submitted by ballots upon

13 which the words "FOR exceeding the ..... mill maximum levy

14 and authorizing an additional ..... mill(s) for the .....

15 library" and "AGAINST exceeding the ..... mill maximum

16 library levy" shall appear, with a square before each

17 proposition and a direction to insert an "X" mark in the

18 square before one or the other of the propositions.

19   (d) The votes cast for the adoption or rejection of

20 the question must be canvassed and:

21   (i) if a majority of the voters voting on the question

22 vote to exceed the maximum mill levy, the governing body

23 shall levy the additional tax for the year in which the vote

24 was taken; or

25   (ii) if a majority of the voters voting on the question

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1 vote to not exceed the maximum mill levy, the maximum mill

2 levy may not be exceeded.

3 ~(2)~(3) The proceeds of such tax shall constitute a

4 separate fund called the public library fund and shall not

5 be used for any purpose except those of the public library.

6 ~(3)~(4) No money shall be paid out of the public

7 library fund by the treasurer of the city or county except

8 by order or warrant of the board of library trustees.

9 ~(4)~(5) Bonds may be issued by the governing body in

10 the manner prescribed by law for the erection and equipment

11 of public library buildings and the purchase of land

12 therefor."

-End-