

SENATE BILL NO. 341

Introduced: 02/02/83

Referred to Committee on Finance & Claims: 02/02/83

Rereferred to Committee on State Administration: 02/03/83

Hearing: 2/17/83

Report: 02/18/83, Do Not Pass. Report Adopted.

Bill Killed.

1 *Senate* BILL NO. *341*  
2 INTRODUCED BY *Ed Donahoe*  
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR STATE  
5 PAYMENTS TO LOCAL GOVERNMENTS THAT PROVIDE FIRE PROTECTION  
6 AND LAW ENFORCEMENT SERVICES RESULTING IN MAJOR EXPENSES  
7 DIRECTLY ATTRIBUTABLE TO STATE-OWNED PROPERTY."  
8

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

10 Section 1. State payments to local governments for  
11 fire protection and law enforcement services for state-owned  
12 property. A local government that provides fire protection  
13 or law enforcement services for state-owned property  
14 resulting in major expenditures for the local government  
15 that are directly attributable to the state-owned property  
16 is eligible to receive payment for such services from the  
17 state of Montana.

18 Section 2. Definitions. As used in [this act], unless  
19 the context requires otherwise, the following definitions  
20 apply:

21 (1) "Department" means the department of  
22 administration provided for in 2-15-1001.

23 (2) "Local government" means a county, city, town, or  
24 fire district incorporated or created under the laws of  
25 Montana.

1 Section 3. State payments program. There is a state  
2 payments program in the department of administration to  
3 provide funds for compensating local governments for  
4 providing fire protection and law enforcement services for  
5 state-owned property resulting in major expenditures for the  
6 local government that are directly attributable to the  
7 state-owned property.

8 Section 4. Powers and duties of department. The  
9 department shall:

10 (1) adopt rules governing the administration of the  
11 state payments program provided for in [section 3],  
12 including but not limited to rules governing the criteria  
13 for payments, the content of any application form, and any  
14 application deadline;

15 (2) adopt rules to establish criteria for determining  
16 major expenditures based upon the funds appropriated to the  
17 department for [this act], the services rendered by a local  
18 government, and the benefit received by the state for such  
19 expenditure;

20 (3) determine equitably the amount that is due each  
21 local government which applies for a state payment, based on  
22 the rules adopted under subsection (1) and the availability  
23 of funds; and

24 (4) ensure that the total state payment to local  
25 governments in any fiscal year does not exceed the fiscal

LC 2349/01

1 year appropriation for that purpose.

2 Section 5. State payment received by local government.

3 Any state payment to a local government for fire protection

4 or law enforcement services for state-owned property must be

5 applied by the local government to offset the costs of

6 providing fire protection or law enforcement services.

-End-

## STATE OF MONTANA

REQUEST NO. 315-83

## FISCAL NOTE

Form BD-15

In compliance with a written request received February 3, 19 83, there is hereby submitted a Fiscal Note for Senate Bill 341 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 OF PROPOSED LEGISLATION:

Senate Bill 341 is an act to provide for payments by the state of Montana to local governments that furnish fire and police services to state owned buildings.

ASSUMPTIONS:

- 1) The equivalent to market value of state buildings is equal to the current depreciated value as indicated on the "schedule of state properties as of July 1, 1980, as developed by the D of A Insurance & Legal Services Division".
- 2) Equivalent of taxable value is equal to 8.55% of the market value in 1 above.
- 3) This taxable value includes only buildings and improvements, it does NOT include the value of the land upon which these improvements sit nor does it include state owned recreational and unimproved lands.
- 4) Assume a mill levy of 57 mills (.057) provides local governments with police and fire protection.
- 5) The payments to the local governments would be funded by the general fund.

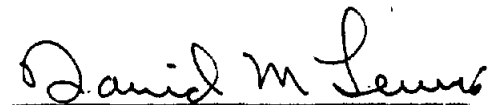
FISCAL IMPACT:

Increase in Expenditures Under Proposed Law	84 <u>\$2,301,293</u>	85 <u>\$4,602,586</u>	Total for Biennium <u>\$4,602,586</u>
General Fund	<u>\$2,301,293</u>	<u>\$2,301,293</u>	<u>\$4,602,586</u>

COMMENTS:

Section 2-17-112 MCA also relates to fire protection for state owned buildings.

FISCAL NOTE 11/U/1



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-8-83