

SENATE BILL NO. 204
INTRODUCED BY MAZUREK

IN THE SENATE

January 24, 1985	Introduced and referred to Committee on Local Government.
February 15, 1985	Committee recommend bill do pass as amended. Report adopted.
February 16, 1985	Bill printed and placed on members' desks.
February 18, 1985	Second reading, do pass.
February 19, 1985	Considered correctly engrossed.
February 20, 1985	Third reading, passed. Ayes, 41; Noes, 8.
	Transmitted to House.

IN THE HOUSE

February 27, 1985	Introduced and referred to Committee on Local Government.
March 27, 1985	Committee recommend bill be not concurrred in as amended.
March 28, 1985	Objection to adverse committee report.
April 3, 1985	Second reading, concurrred in as amended.
April 5, 1985	Third reading, concurrred in. Returned to Senate with amendments.

IN THE SENATE

April 13, 1985	On motion, rules suspended to accept. Motion adopted.
April 15, 1985	Received from House.
April 17, 1985	Second reading, amendments concurred in.
April 18, 1985	Third reading, amendments concurred in. Ayes, 49; Noes, 0. Sent to enrolling. Reported correctly enrolled.

1 Senate BILL NO. 204
 2 INTRODUCED BY [Signature]
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT INCLUDING COUNTY PARK
 5 AND RECREATIONAL COMPLEX FUNDING WITH FUNDING FOR CERTAIN
 6 COUNTY CULTURAL, SOCIAL, AND RECREATIONAL FACILITIES;
 7 PROVIDING THAT THE 2-MILL PROPERTY TAX FUNDING FOR SUCH
 8 PARKS AND FACILITIES MUST BE INITIATED BY PETITION AND
 9 APPROVED BY THE ELECTORATE; PROVIDING AN EXCEPTION FOR
 10 CURRENTLY LEVIED TAXES; AMENDING SECTIONS 7-16-2102 AND
 11 7-16-2103, MCA."

12
 13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 Section 1. Section 7-16-2102, MCA, is amended to read:
 15 "7-16-2102. Authorization for tax levy for parks and
 16 certain cultural, social, and recreational facilities. (1)
 17 ~~The~~ After approval by the voters as provided in subsection
 18 (2), the board of county commissioners, ~~after a county-owned~~
 19 ~~civic--center,--youth--center,--recreation--center,--or--any~~
 20 ~~combination-of-two-or-more-thereof-has-been-established,~~ may
 21 annually levy on the taxable property of the county, in the
 22 same manner and at the same time as other county taxes are
 23 levied, a special tax, not to exceed 2 mills on each dollar
 24 of the taxable valuation for any one year, for the purpose
 25 of maintaining, operating, and equipping such parks and any

1 county-owned civic center, youth center, recreation center,
 2 recreational complex, or any combination of two or more
 3 thereof.

4 (2) (a) The board of county commissioners must submit
 5 the question of imposing the property tax mill levy provided
 6 in subsection (1) to the electors of the county at the next
 7 general election if a petition requesting such an election,
 8 signed by at least 5% of the resident taxpayers of the
 9 county, is filed with the county clerk. The petition must be
 10 filed with the county clerk at least 90 days prior to the
 11 date of the general election.

12 (b) The question will be submitted substantially as
 13 follows:

- 14 FOR the imposition of a property tax, not to exceed
 15 2 mills, for county parks and for county-owned
 16 cultural, social, and recreational facilities.
- 17 AGAINST the imposition of a property tax for county
 18 parks and for county-owned cultural, social, and
 19 recreational facilities.

20 (c) The board of county commissioners may levy such a
 21 tax if the question is approved by a majority of the
 22 electors voting on the question.

23 ~~(2)~~(3) All laws applicable to the collection of county
 24 taxes shall apply to the collection of the tax provided
 25 herein."

INTRODUCED BILL
 SB 204



1 Section 2. Section 7-16-2103, MCA, is amended to read:

2 "7-16-2103. Establishment of ~~civic-youth-recreation~~
3 center fund. (1) All funds derived from the tax authorized
4 by 7-16-2102, ~~together-with-all-revenue-and-income-from-such~~
5 ~~civic-center, youth-center, recreation-center, or any~~
6 ~~combination-of-two-or-more-thereof:~~

7 ~~(a) shall~~ constitute a separate fund ~~called the~~
8 ~~civic-youth-recreation-center-fund;~~

9 ~~(b) shall be~~ deposited with the county treasurer, and

10 ~~(c) The fund~~ shall not be used for any purposes except
11 ~~those-of-such~~ for county parks and any civic center, youth
12 center, recreation center, recreational complex, or any
13 combination ~~of-two-or-more~~ thereof.

14 (2) All claims against such separate fund shall be
15 presented and acted upon in the same manner as are all other
16 claims against the county."

17 NEW SECTION. Section 3. Exception for levy currently
18 authorized. Any property tax levied under the provisions of
19 7-16-2102(1) before [the effective date of this act]
20 continues to be authorized, and the amendments to 7-16-2102
21 enacted in section 1 of this act do not apply to such
22 levies.

-End-

APPROVED BY COMM.
ON LOCAL GOVERNMENT

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18 ~~(2), the THE~~ board of county commissioners ~~after a~~
19 ~~county-owned civic center, youth center, recreation center,~~
20 ~~or any combination of two or more thereof has been~~
21 ~~established,~~ may annually levy on the taxable property of
22 the county, in the same manner and at the same time as other
23 county taxes are levied, a special tax, not to exceed 2
24 mills on each dollar of the taxable valuation for any one
25 year, for the purpose of maintaining, operating, and

1 equipping such parks, CULTURAL FACILITIES, and any
2 county-owned civic center, youth center, recreation center,
3 recreational complex, or any combination of two or more
4 thereof.

5 (2) (a) The board of county commissioners must submit
6 the question of imposing the property tax mill levy provided
7 in subsection (1) to the electors of the county at the next
8 general election if a petition requesting such an election,
9 signed by at least 5% of the resident taxpayers of the
10 county, is filed with the county clerk. The petition must be
11 filed with the county clerk at least 90 days prior to the
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20 recreational facilities.

21 (c) The board of county commissioners may SHALL levy
22 such a tax FOR THE 2 SUBSEQUENT FISCAL YEARS, if the
23 question is approved by a majority of the electors voting on
24 the question.

25 (2)(3) All laws applicable to the collection of county

SECOND READING

SB 204

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6 by 7-16-2102~~7-together-with-all-revenue-and-income-from-such~~
7 ~~civic--center7--youth--center7--recreation--center7--or--any~~
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11 ~~(b)--shall-be~~ deposited with the county treasurer~~7, and~~

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19 county-owned--civic-center, youth-center, recreation-center,
20 or--any--combination--of--two--or--more--thereof--has---been
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-End-

-3-

STANDING COMMITTEE REPORT

Page 1 of 2

SB 204

Page 2 of 2

HOUSE

March 26, 1985

March 26, 1985

MAR 17 1985

Time 7:55 PM

MR. SPEAKER:

LOCAL GOVERNMENT

We, your committee on

SENATE

Bill No. 204

having had under consideration

THIRD reading copy (BLUE color)

COUNTY PARKS - FUNDING WITH OTHER COUNTY RECREATIONAL FACILITIES.

5. Page 2, line 23.
Following: "question"
Insert: "for the imposition of the tax"

Respectfully report as follows: That SENATE Bill No. 204

BE AMENDED AS FOLLOWS:

Title, line 8.
Following: "BE"
Insert: "IMPOSED OR REJECTED IF"

2. Page 2, line 6.
Following: "imposing"
Insert: "or the continued imposition of"

3. Page 2, line 9.
Strike: "59"
Insert: "159"

4. Page 2, line 15.
Following: "imposition"
Insert: "(or continued imposition)"

1988 SY 3/27

AND, AS SO AMENDED,
BE NOT CONCURRED IN

OBJECTION FILED

CONTINUED

Chairman.

Paula Darko
PAULA DARKO, Chairman.

COMMITTEE OF THE WHOLE AMENDMENT

HOUSE

3-30-85

DATE

9:45 AM

TIME

MR. CHAIRMAN: I MOVE TO AMEND _____ SENATE BILL No. 204

third reading copy (blue) as follows:
Color

1. Page 2, line 18.
Following: "imposition"
Insert: "(or continued imposition)"

SS

ADOPT

REJECT

Paula Parks

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INTRODUCED BY MAZUREK

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