SENATE BILL NO. 6

INTRODUCED BY CHRISTIAENS

IN THE SENATE

March	24,	1986		Introduced and referred to Committee on Business and Industry.
March	25,	1986		Committee recommend bill do pass. Report adopted.
				Second reading, do pass.
				Third reading, passed. Ayes, 48; Noes, 1.
				Transmitted to House.
			IN T	HE HOUSE
March	26,	1986		Introduced and referred to Committee on State Administration.
				Committee recommend bill be concurred in. Report adopted.
				Second reading, concurred in.
				Third reading, concurred in. Ayes, 98; Noes, 0.
				Returned to Senate.
			IN T	HE SENATE
March	27,	1986		Received from House.
				Sent to enrolling.
				Reported correctly enrolled.

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are vested.

NATE__ BILL NO. __6___ INTRODUCED BY Chustian A BILL FOR AN ACT ENTITLED: "AN ACT TO INCLUDE CERTAIN HIGHER EDUCATION FACILITIES IN THE LIST OF PROJECTS FINANCED AY THE ISSUANCE OF INDUSTRIAL DEVELOPMENT REVENUE BONDS; AMENDING SECTIONS 90-5-101 AND 90-5-108, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE." BE IT ENACIED BY THE LEGISLATURE OF THE STATE OF MONTANA: Section 1. Section 90-5-101, MCA, is amended to read: #90-5-101. Definition of terms. As used in this part, unless the context otherwise requires, the following definitions apply: (1) "Agricultural enterprises" include but are not limited to producing, warehousing, storing, fattening, treating, handling, distributing, or selling farm products or livestock. (2) "Bonds" means bonds, refunding bonds, notes, or other obligations issued by a municipality or county under the authority of this part, including without limitation short-term bonds or notes issued in anticipation of the

23 issuance of long-term bonds or notes.

24 (3) "Governing body" means the board or body in which 25 the general legislative powers of the municipality or county

[4]___Higher_education_facilities"_means__any__real__pr personal_properties_required_or_useful_for_the_poeration_of an institution of higher_education. [5]__"Institution_pf__bigher_education"___means___any private poporofit_corporation_or _institution_within the state of Montana: (a)__authorized__to__provide__or__pperate___educational facilities:_and (b) providing a program of education beyond the high school_level_ (4)(6) "Mortgage" means a mortgage or deed of trust or other security device. (5)(7) "Municipality" means any incorporated city or town in the state. (6)(8) "Project" means any land; any building or other improvement; and any other real or personal properties deemed necessary in connection therewith, whether or not now in existence, which shall be suitable for use for commercial, manufacturing, agricultural, or industrial enterprises; recreation or tourist facilities: local.

state, and federal governmental facilities; multifamily

nousing, hospitals, long-term care facilities, or medical

facilities; <u>higher__education__facilities:</u> small-scale

hydroelectric production facilities with a capacity of 50 --- INTRODUCED BILL SBL

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1 megawatts or less; and any combination of these projects." 2 Section 2. Section 90-5-108, NCA, is amended to read: 3 #90-5-108. Use of proceeds of bond sales. (1) The proceeds from the sale of any bonds issued under authority 4 5 of this part shall be applied only for the purpose for which 6 the bonds were issued or to discharge any existing 7 indebtedness secured by a lien against a hospital or 8 long-term care facility or higher education facility leased 9 or owned by a nonprofit corporation. However, if the project is not a hospital or long-term care facility or 10 11 higher__education_facility leased or owned by a nonprofit corporation, the proceeds from the sale of bonds may not be 12 13 used to discharge indebtedness without an improvement to the 14 project.

15 (2) Any accrued interest and premium received in any 16 such sale shall be applied to the payment of the principal 17 of or the interest on the bonds sold. If for any reason any 18 portion of such proceeds shall not be needed for the purpose 19 for which the bonds were issued, then such unneeded portion 20 of said proceeds shall be applied to the payment of the 21 principal of or the interest on said bonds."

22NEW_SECIIONASection 3. Effective date. This act is23effective on passage and approval.

-End-

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49th Legislature Special Session 3/86

LC 0024/01 App. by comm. on Business and Industry Yellow printing dispensed

SENATE _ BILL NO. __6___ 1 INTRUDUCED BY Chustians 2 3

A BILL FOR AN ACT ENTITLED: "AN ACT TO INCLUDE CERTAIN 4 HIGHER EDUCATION FACILITIES IN THE LIST OF PROJECTS FINANCED 5 BY THE ISSUANCE OF INDUSTRIAL DEVELOPMENT REVENUE BONDS: 6 AMENDING SECTIONS 90-5-101 AND 90-5-108. MCA; AND PROVIDING 7 AN IMMEDIATE EFFECTIVE DATE." A

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

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14 definitions apply:

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19 (2) "Bonds" means bonds, refunding bonds, notes, or 20 other obligations issued by a municipality or county under 21 the authority of this part, including without limitation 22 short-term bonds or notes issued in anticipation of the issuance of long-term bonds or notes. 23

24 (3) "Governing body" means the board or body in which 25 the general legislative powers of the municipality or county

141_"Higher_education_facilities"_means__aov__real__or personal__properties_required_or_useful_for_the_operation_of an institution of higher education. 15) "Institution of higher education" means any

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(a) authorized to provide or operate educational 8 9 facilities:_and

10 (b) providing a program of education beyond the high 11 school_levela

(4)(6) "Mortgage" means a mortgage or deed of trust or 12 13 other security device.

(5)(1) "Municipality" means any incorporated city or 14 15 town in the state.

(6)(6) "Project" means any land; any building or other 16 improvement; and any other real or personal properties 11 18 deemed necessary in connection therewith, whether or not now in existence, which shall be suitable for use for 19 20 commercial, manufacturing, agricultural, or industrial recreation or tourist facilities; local, 21 enterprises; state, and federal governmental facilities; multifamily 22 nousing, hospitals, long- a care facilities, or medical 23 facilities; <u>nigher____edur</u>___ion___<u>facilities;</u> small-scale 24 hydroelectric production facilities with a capacity of \$0 25

> THIRD READING -2-586

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22 NEW_SECTIONA Section 3. Effective date. This act is
23 effective on passage and approval.

~End-

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SB 0006/02

49th Legislature Special Session 3/86

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1 are vested. SENATE BILL NO. 6 2 (4) "Higher education facilities" means any real or INTRODUCED BY CHRISTIAENS personal properties required or useful for the operation of 3 an institution of higher education. 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCLUDE CERTAIN 5 (5) "Institution of higher education" means HIGHER EDUCATION FACILITIES IN THE LIST OF PROJECTS FINANCED 6 private nonprofit corporation or institution within the BY THE ISSUANCE OF INDUSTRIAL DEVELOPMENT REVENUE BONDS; state of Montana: 7 AMENDING SECTIONS 90-5-101 AND 90-5-108, MCA; AND PROVIDING 8 (a) authorized to provide or operate educational AN IMMEDIATE EFFECTIVE DATE." 9 facilities; and (b) providing a program of education beyond the high 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: school level. 11 Section 1. Section 90-5-101, MCA, is amended to read: 12 +4+(6) "Mortgage" means a mortgage or deed of trust or "90-5-101. Definition of terms. As used in this part, 13 other security device. unless the context otherwise requires, the following (5)(7) "Municipality" means any incorporated city or 14 definitions apply: town in the state. 15 (1) "Agricultural enterprises" include but are not (6)(8) "Project" means any land; any building or other 16 limited to producing, warehousing, storing, fattening, 17 improvement; and any other real or personal properties treating, handling, distributing, or selling farm products deemed necessary in connection therewith, whether or not now 18 or livestock. 19 in existence, which shall be suitable for use for (2) "Bonds" means bonds, refunding bonds, notes, or commercial, manufacturing, agricultural, or industrial 20 other obligations issued by a municipality or county under recreation or tourist facilities; local, 21 enterprises; the authority of this part, including without limitation state, and federal *overnmental* facilities; multifamily 22 short-term bonds or notes issued in anticipation of the housing, hospitals, long-term care facilities, or medical 23 issuance of long-term bonds or notes. facilities; higher education facilities; small-scale 24 (3) "Governing body" means the board or body in which hydroelectric production facilities with a capacity of 50 25 the general legislative powers of the municipality or county REFERENCE BILL -2-

Montana Legislative Council

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SB 6

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22 <u>NEW SECTION.</u> Section 3. Effective date. This act is
23 effective on passage and approval.

-End-