

SENATE BILL NO. 141  
INTRODUCED BY BENGTON

IN THE SENATE

JANUARY 19, 1987                   INTRODUCED AND REFERRED TO COMMITTEE  
ON LOCAL GOVERNMENT.

JANUARY 29, 1987                   COMMITTEE RECOMMEND BILL  
DO PASS. REPORT ADOPTED.

JANUARY 30, 1987                   PRINTING REPORT.

FEBRUARY 2, 1987                   ON MOTION, CONSIDERATION PASSED  
FOR THE DAY.

FEBRUARY 3, 1987                   SECOND READING, DO PASS AS AMENDED.

FEBRUARY 4, 1987                   ENGROSSING REPORT.

FEBRUARY 5, 1987                   THIRD READING, PASSED.  
AYES, 29; NOES, 21.

TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 11, 1987                   INTRODUCED AND REFERRED TO COMMITTEE  
ON LOCAL GOVERNMENT.

MARCH 11, 1987                   COMMITTEE RECOMMEND BILL BE  
CONCURRED IN AS AMENDED. REPORT  
ADOPTED.

MARCH 14, 1987                   SECOND READING, CONCURRED IN AS  
AMENDED.

MARCH 17, 1987                   THIRD READING, CONCURRED IN.  
AYES, 72; NOES, 24.

RETURNED TO SENATE WITH AMENDMENTS.

IN THE SENATE

MARCH 20, 1987

RECEIVED FROM HOUSE.

SECOND READING, AMENDMENTS  
CONCURRED IN.

MARCH 21, 1987

THIRD READING, AMENDMENTS  
CONCURRED IN.

SENT TO ENROLLING.

1 *Senate* BILL NO. 141  
2 INTRODUCED BY Bengton  
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING COUNTIES THE  
5 OPTION OF USING A 55-MILL ALL-PURPOSE LEVY; DESIGNATING  
6 CERTAIN LEVIES TO BE REPLACED BY THE ALL-PURPOSE LEVY;  
7 ESTABLISHING PERMISSIBLE USES OF THE REVENUE DERIVED FROM  
8 THE ALL-PURPOSE LEVY; AND PROVIDING AN IMMEDIATE EFFECTIVE  
9 DATE."

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

12 Section 1. All-purpose levy authorized for counties.  
13 A county may at its option levy an all-purpose levy as  
14 provided in [sections 1 through 6].

15 Section 2. All-purpose levy -- maximum. (1) The  
16 all-purpose levy is an annual levy upon the taxable value of  
17 all property in the county subject to taxation for county  
18 purposes in lieu of the levies specified in [section 3]. The  
19 all-purpose levy may not exceed 55 mills on the dollar.

20 (2) If the county governing body determines that the  
21 interests of the county would be served by an all-purpose  
22 levy, it shall specify its intent to impose the all-purpose  
23 levy in the resolution approving and adopting the annual  
24 budget.

25 Section 3. Special service levies replaced by

1 all-purpose levy. A county using the all-purpose levy may  
2 not impose any of the following levies:

- 3 (1) general fund levy, as provided in 7-6-2501;
- 4 (2) bridge levy, as provided in 7-14-2502;
- 5 (3) recreation levy, as provided in 7-16-101;
- 6 (4) museum levy, as provided in 7-16-2205;
- 7 (5) county fair levy, as provided in 7-21-3410;
- 8 (6) weed levy, as provided in 7-22-2142;
- 9 (7) insect pest levy, as provided in 7-22-2306;
- 10 (8) poor fund levy, as provided in 53-2-321; or
- 11 (9) developmental disabilities facility levy, as  
12 provided in 53-20-208.

13 Section 4. Changes from all-purpose levy. A county  
14 adopting the all-purpose levy provided for in [sections 1  
15 through 6] is bound by that adoption during the ensuing  
16 fiscal year, but may abandon the method in succeeding fiscal  
17 years.

18 Section 5. Distribution of all-purpose levy. (1) The  
19 money received from the all-purpose levy must be accounted  
20 for in a common fund known as the all-purpose fund.

21 (2) The all-purpose fund may be used only for purposes  
22 that are authorized for revenue derived from the individual  
23 levies set forth in [section 3], but the county governing  
24 body may allocate the revenue from the fund, in accordance  
25 with county budget law, to fund any enumerated purpose that



1 it considers appropriate.

2 Section 6. Future levies. Any statutory mill levy  
3 authorized for county governments that is not specifically  
4 included in levies replaced by the all-purpose levy, as  
5 specified in [section 3], is in addition to the all-purpose  
6 levy.

7 Section 7. Severability. If a part of this act is  
8 invalid, all valid parts that are severable from the invalid  
9 part remain in effect. If a part of this act is invalid in  
10 one or more of its applications, the part remains in effect  
11 in all valid applications that are severable from the  
12 invalid applications.

13 Section 8. Effective date. This act is effective on  
14 passage and approval.

-End-

APPROVED BY COMM.  
ON LOCAL GOVERNMENT

1 *Senate* BILL NO. 141  
2 INTRODUCED BY *Bengtson*  
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING COUNTIES THE  
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- 11 (9) developmental disabilities facility levy, as  
12 provided in 53-20-208.

13 Section 4. Changes from all-purpose levy. A county  
14 adopting the all-purpose levy provided for in [sections 1  
15 through 6] is bound by that adoption during the ensuing  
16 fiscal year, but may abandon the method in succeeding fiscal  
17 years.

18 Section 5. Distribution of all-purpose levy. (1) The  
19 money received from the all-purpose levy must be accounted  
20 for in a common fund known as the all-purpose fund.

21 (2) The all-purpose fund may be used only for purposes  
22 that are authorized for revenue derived from the individual  
23 levies set forth in [section 3], but the county governing  
24 body may allocate the revenue from the fund, in accordance  
25 with county budget law, to fund any enumerated purpose that

1 it considers appropriate.

2 Section 6. Future levies. Any statutory mill levy  
3 authorized for county governments that is not specifically  
4 included in levies replaced by the all-purpose levy, as  
5 specified in [section 3], is in addition to the all-purpose  
6 levy.

7 Section 7. Severability. If a part of this act is  
8 invalid, all valid parts that are severable from the invalid  
9 part remain in effect. If a part of this act is invalid in  
10 one or more of its applications, the part remains in effect  
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13 Section 8. Effective date. This act is effective on  
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 11   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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 16   all-purpose levy is an annual levy upon the taxable value of  
 17   all property in the county subject to taxation for county  
 18   purposes in lieu of the levies specified in [section 3]. The  
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20       (2) If the county governing body determines that the  
 21   interests of the county would be served by an all-purpose  
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 23   levy in the resolution approving and adopting the annual  
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- 6       ~~(4) museum levy, as provided in 7-16-2205;~~
- 7       +5+(4) county fair levy, as provided in 7-21-3410;
- 8       +6+(5) weed levy, as provided in 7-22-2142;
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- 10      +8+(7) poor fund levy, as provided in 53-2-321; or
- 11      +9+(8) developmental disabilities facility levy, as  
 12      provided in 53-20-208.

13       Section 4. Changes from all-purpose levy. A county  
 14   adopting the all-purpose levy provided for in [sections 1  
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13 Section 8. Effective date. This act is effective on  
14 ~~passage-and-approval~~ JULY 1, 1987.

-End-



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 16 all-purpose levy is an annual levy upon the taxable value of  
 17 all property in the county subject to taxation for county  
 18 purposes in lieu of the levies specified in [section 3]. The  
 19 all-purpose levy may not exceed THE LESSER OF:  
 20 (A) 55 mills on the dollar; OR  
 21 (B) ~~105%--OF--THE--NUMBER--OF--MILLS--LEVIED--UNDER--THE~~  
 22 ~~ALL-PURPOSE-LEVY--OR--OF--THE--TOTAL--NUMBER--OF--MILLS--LEVIED~~  
 23 ~~PURSUANT--TO--THE--LEVIES--SET--FORTH--IN--(SECTION-2)--IN--THE~~  
 24 ~~PREVIOUS-YEAR; THE TOTAL NUMBER OF MILLS LEVIED IN THE PRIOR~~  
 25 ~~YEAR PURSUANT TO THE LEVIES SET FORTH IN [SECTION 3] AS~~

1 CERTIFIED BY THE DEPARTMENT OF REVENUE UNDER 15-10-202.  
 2 (2) If the county governing body determines that the  
 3 interests of the county would be served by an all-purpose  
 4 levy, it shall specify its intent to impose the all-purpose  
 5 levy in the resolution approving and adopting the annual  
 6 budget.  
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 13 ~~(4)--museum-levy, as provided in 7-16-2205;~~  
 14 ~~(5)(4)~~ county fair levy, as provided in 7-21-3410;  
 15 ~~(6)(5)~~ weed levy, as provided in 7-22-2142;  
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19 invalid applications.

20 Section 8. Effective date. This act is effective on  
21 ~~passage-and-approval~~ JULY 1, 1987.

-End-

# STANDING COMMITTEE REPORT

**HOUSE**

March 11 19 87

Mr. Speaker: We, the committee on LOCAL GOVERNMENT

report SB 141

do pass  
 do not pass

be concurred in  
 be not concurred in

as amended  
 statement of intent attached

  
Rep. Norm Wallin

Chairman

1. Page 1, line 19.  
Following: "exceed"  
Insert: "the lesser of: (a)"  
Following: "dollar"  
Insert: ";or"

(b) 105% of the number of mills levied under the all-purpose levy or of the total number of mills levied pursuant to the levies set forth in [section 2] in the previous year"

*MS*  
*9/11*  
(Rep. Hoffman)

THIRD reading copy ( BLUE )  
color

COMMITTEE OF THE WHOLE AMENDMENT

3-14-87

HOUSE

DATE

12:25

TIME

MR. CHAIRMAN: I MOVE TO AMEND SB 141

3rd reading copy ( blue ) as follows:  
Color

AMENDING THE HOUSE LOCAL GOVERNMENT STANDING COMMITTEE REPORT dated March 11, 1987----Amending SB 141

1) Amending instruction No. 1.

Following: "or (b)"

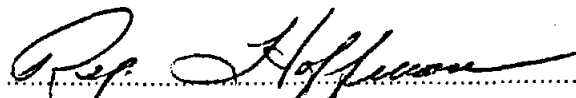
Strike: "105%" through "year." (all of subsection (b) )

Insert: "the total number of mills levied in the prior year pursuant to the levies set forth in [section 3] as certified by the department of revenue under 15-10-202."

ADOPT

REJECT

3141225T.CW



Rep. Hoffman