SENATE BILL NO. 14

INTRODUCED BY BECK

IN THE SENATE

JANUARY 2, 1989 INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.

FIRST READING.

- JANUARY 16, 1989 COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
- JANUARY 17, 1989 PRINTING REPORT.
- JANUARY 18, 1989 ON MOTION, CONSIDERATION PASSED
- JANUARY 19, 1989 SECOND READING, DO PASS.
 - ENGROSSING REPORT.
 - THIRD READING, PASSED. AYES, 44; NOES, 0.
 - TRANSMITTED TO HOUSE.

ON LOCAL GOVERNMENT.

FIRST READING.

INTRODUCED AND REFERRED TO COMMITTEE

IN THE HOUSE

JANUARY 21, 1989

JANUARY 20, 1989

JANUARY 21, 1989

FEBRUARY 20, 1989

MARCH 1, 1989

MARCH 3, 1989

MARCH 4, 1989

THIRD READING, CONCURRED IN. AYES, 94; NOES, 0.

COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.

SECOND READING, CONCURRED IN.

RETURNED TO SENATE.

IN THE SENATE

MARCH 6, 1989

.

.

RECEIVED FROM HOUSE. SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

LC 0454/01

1	SENATE BILL NO. 14
2	INTRODUCED BY BECK
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING COUNTY
5	COMMISSIONERS TO FIX A TAX LEVY PRIOR TO THE SECOND MONDAY
6	IN AUGUST; AMENDING SECTION 7-6-2321, MCA; AND PROVIDING AN
7	EFFECTIVE DATE."
8	
9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10	Section 1. Section 7-6-2321, MCA, is amended to read:
11	*7-6-2321. Fixing of tax levy. (1) On <u>or before</u> the
12	second Monday in August and after the approval and adoption
13	of the final budget, the board of county commissioners shall
14	fix the tax levy for each fund at a rate which will raise
15	the amount set out in the budget as the amount necessary to
16	be raised by tax levy for the fund during the current fiscal
17	year. The taxable valuation of the county for the current
18	fiscal year shall be the basis for determining the amount of
19	the tax levy for each fund. Each tax levy shall be at a rate
20	no higher than is required on that basis, without including
21	any amount for anticipated tax delinquency, to produce the
22	amount set out in the budget, without including any amount
23	for anticipated tax delinguency, as being the amount to be
24	raised by tax levy.

25

(2) The tax levy shall be made in the manner provided



1 by 15-10-201."

2 Section 2. Effective date. [This act] is effective

3 July 1, 1989.

-End-

-2-

INTRODUCED BILL SB /ゲ

51st Legislature

SB 0014/02

APPROVED BY COMM. ON LOCAL GOVERNMENT

. 1	SENATE BILL NO. 14
2	INTRODUCED BY BECK
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING COUNTY
5	COMMESSENERS LOCAL GOVERNMENTS TO FIX A TAX LEVY PRIOR TO
6	THE SECOND MONDAY IN AUGUST; REVISING THE SCHEDULE FOR THE
7	ADOPTION OF A FINAL BUDGET BY A COUNTY COMMISSION OR CITY
8	COUNCIL; AMENDING SECTION SECTIONS 7-6-2316, 7-6-2317,
9	7-6-2321, <u>7-6-4227, 7-6-4228, AND 7-6-4232,</u> MCA; AND
10	PROVIDING AN EFFECTIVE DATE."
11	
12	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
13	SECTION 1. SECTION 7-6-2316, MCA, IS AMENDED TO READ:
14	"7-6-2316. Notice of hearing on county proposed
15	budget. (1) The board of county commissioners shall then
16	have a notice published stating that:
17	(a) the board has completed its county proposed budget
18	for the current fiscal year;
19	(b) the budget is open to inspection in the office of
20	the county clerk and recorder;
21	(c) the board will meet on-theWednesdaybeforethe
22	secondMondayinAugust to fix the final budget and make
23	appropriations, stating the <u>date,</u> time, and place of the
24	meeting; and
25	(d) any taxpayer or resident of the county may appear



1 and be heard for or against any part of the budget. 2 (2) The notice shall be published two times, once each 3 week, in a newspaper of general circulation in the county." 4 SECTION 2. SECTION 7-6-2317, MCA, IS AMENDED TO READ: 5 "7-6-2317. Hearing on county proposed budget. (1) On 6 the--Wednesday-before-the-second-Monday-in-August At least 3 days prior to the adoption of the final budget, the county 7 8 commissioners shall meet at the time and place designated in the notice provided for in 7-6-2316, at which time any 9 taxpayer or resident of the county may appear and be heard 10 11 for or against any part of the budget. 12 (2) The hearing shall be continued from day to day and

13 shall be concluded and the budget approved and adopted on or before the second Monday in August, before the fixing of the 14 15 tax levies by the board."

16 Section 3. Section 7-6-2321, MCA, is amended to read: 17 "7-6-2321. Fixing of tax levy. (1) On or before the second Monday in August and after the approval and adoption 18 of the final budget, the board of county commissioners shall 19 20 fix the tax levy for each fund at a rate which will raise 21 the amount set out in the budget as the amount necessary to 22 be raised by tax levy for the fund during the current fiscal 23 year. The taxable valuation of the county for the current fiscal year shall be the basis for determining the amount of 24 25 the tax levy for each fund. Each tax levy shall be at a rate

-2-

no higher than is required on that basis, without including
 any amount for anticipated tax delinquency, to produce the
 amount set out in the budget, without including any amount
 for anticipated tax delinquency, as being the amount to be
 raised by tax levy.

6 (2) The tax levy shall be made in the manner provided7 by 15-10-201."

8 SECTION 4. SECTION 7-6-4227, MCA, IS AMENDED TO READ:
9 "7-6-4227. Notice of hearing on preliminary budget.
10 (1) The council shall then cause a notice to be published
11 stating that:

12 (a) the council has completed its preliminary13 municipal budget for the current fiscal year;

(b) the budget has been placed on file and is open to
inspection in the office of the clerk of the municipality;
(c) the council will meet on-the-Wednesday-immediately
preceding-the-second-Monday-in-August for the purpose of
fixing the final budget and making appropriations,
designating the <u>date</u>, time, and place when and where such
meeting will be held; and

21 (d) any taxpayer or resident may appear at the meeting22 and be heard for or against any part of the budget.

23 (2) The notice shall be published at least one time in
24 the official newspaper of the municipality or, if there is
25 none, then in a newspaper of general circulation in the

1 county in which the municipality is situated."

SECTION 5. SECTION 7-6-4228, MCA, IS AMENDED TO READ: 2 3 "7-6-4228. Hearing on preliminary budget. (1) On--the 4 Wednesday--preceding--the-second-Monday-in-August At least 3 5 days prior to the adoption of the final budget, the council 6 shall meet at the time and place designated in the notice 7 provided in 7-6-4227, at which time any taxpayer or resident 8 may appear and be heard for or against any part of the 9 budget. The council may call in the official in charge of an 10 office, department, service, or institution, at the time the 11 estimates for their respective offices are under 12 consideration, for examination concerning the estimates. The 13 official shall be called in by the council, upon the request 14 of a taxpayer or resident, for guestioning upon the estimates either by the council, taxpayer, or resident. 15

16 (2) The hearing shall be continued from day to day and 17 shall be concluded and the budget finally approved and 18 adopted on <u>or before</u> the second Monday in August, prior to 19 the fixing of the tax levies by the council."

SECTION 6. SECTION 7-6-4232, MCA, IS AMENDED TO READ:

21 "7-6-4232. Fixing of tax levy. (1) On <u>or before</u> the 22 second Monday in August and after the approval and adoption 23 of the final budget, the council shall fix the tax levy for 24 each fund at a rate, not exceeding limits prescribed by law, 25 which will raise the amount set out in the budget as the

-3-

20

amount necessary to be raised by tax levy for that fund 1 2 during the current fiscal year. The taxable valuation of the 3 city for the current fiscal year shall be the basis for 4 determining the amount of the tax levy for each fund, and each tax levy shall be at a rate no higher than is required 5 6 on that basis, without including any amount for anticipated 7 tax delinguency, to raise the amount set out in the budget. 8 (2) If the council considers that a levy made for a 9 bond sinking or interest fund will not provide a sufficient 10 amount to pay all bond principal and interest becoming due 11 during the current fiscal year or within 6 months after the 12 current fiscal year because of anticipated tax delinquency, 13 the council may fix the levy at a rate it considers 14 necessary to raise the amount for making the payments of 15 principal and interest over and above the anticipated tax 16 delinguency.

17 (3) Each levy shall be made in the manner provided by18 15-10-201."

19 <u>NEW SECTION.</u> Section 7. Effective date. [This act] is
20 effective July 1, 1989.

-End-

-5-

SENATE BILL NO. 14 1 1 INTRODUCED BY BECK 2 2 3 3 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING COUNTY 4 4 5 COMMISSIONERS LOCAL GOVERNMENTS TO FIX A TAX LEVY PRIOR TO 5 THE SECOND MONDAY IN AUGUST; REVISING THE SCHEDULE FOR THE 6 6 ADOPTION OF A FINAL BUDGET BY A COUNTY COMMISSION OR CITY 7 7 COUNCIL; AMENDING SECTIONS 7-6-2316, 7-6-2317, 8 8 7-6-2321, 7-6-4227, 7-6-4228, AND 7-6-4232, MCA; AND 9 9 10 PROVIDING AN EFFECTIVE DATE." 10 11 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 12 12 13 SECTION 1. SECTION 7-6-2316, MCA, IS AMENDED TO READ: 13 14 "7-6-2316. Notice of hearing on county proposed 14 budget. (1) The board of county commissioners shall then 15 15 16 have a notice published stating that: 16 (a) the board has completed its county proposed budget 17 17 18 for the current fiscal year; 18 (b) the budget is open to inspection in the office of 19 19 20 the county clerk and recorder; 20 (c) the board will meet on-the--Wednesday--before--the 21 21 second--Monday--in--August to fix the final budget and make 22 22 appropriations, stating the date, time, and place of the 23 23 24 meeting; and 24

25 (d) any taxpayer or resident of the county may appear

antana Legislative Council

and be heard for or against any part of the budget. (2) The notice shall be published two times, once each week, in a newspaper of general circulation in the county." SECTION 2. SECTION 7-6-2317, MCA, IS AMENDED TO READ: "7-6-2317. Hearing on county proposed budget. (1) On the--Wednesday-before-the-second-Monday-in-August At least 3 days prior to the adoption of the final budget, the county commissioners shall meet at the time and place designated in the notice provided for in 7-6-2316, at which time any taxpayer or resident of the county may appear and be heard for or against any part of the budget. (2) The hearing shall be continued from day to day and shall be concluded and the budget approved and adopted on or before the second Monday in August, before the fixing of the tax levies by the board." Section 3. Section 7-6-2321, MCA, is amended to read: "7-6-2321. Fixing of tax levy. (1) On or before the second Monday in August and after the approval and adoption of the final budget, the board of county commissioners shall fix the tax levy for each fund at a rate which will raise the amount set out in the budget as the amount necessary to be raised by tax levy for the fund during the current fiscal year. The taxable valuation of the county for the current fiscal year shall be the basis for determining the amount of

25 the tax levy for each fund. Each tax levy shall be at a rate

-2-

SB 14

THIRD READING

no higher than is required on that basis, without including
 any amount for anticipated tax delinquency, to produce the
 amount set out in the budget, without including any amount
 for anticipated tax delinquency, as being the amount to be
 raised by tax levy.

6 (2) The tax levy shall be made in the manner provided7 by 15-10-201."

8 SECTION 4. SECTION 7-6-4227, MCA, IS AMENDED TO READ:
9 "7-6-4227. Notice of hearing on preliminary budget.
10 (1) The council shall then cause a notice to be published
11 stating that:

12 (a) the council has completed its preliminary13 municipal budget for the current fiscal year;

(b) the budget has been placed on file and is open to
inspection in the office of the clerk of the municipality;
(c) the council will meet on-the-Wednesday-immediately
preceding-the-second-Monday-in-August for the purpose of
fixing the final budget and making appropriations,
designating the <u>date</u>, time, and place when and where such
meeting will be held; and

21 (d) any taxpayer or resident may appear at the meeting22 and be heard for or against any part of the budget.

(2) The notice shall be published at least one time in
the official newspaper of the municipality or, if there is
none, then in a newspaper of general circulation in the

SB 0014/02

1 county in which the municipality is situated."

2 SECTION 5. SECTION 7-6-4228, MCA, IS AMENDED TO READ: 3 "7-6-4228. Hearing on preliminary budget. (1) On--the 4 Wednesday--preceding--the-second-Monday-in-August At least 3 5 days prior to the adoption of the final budget, the council 6 shall meet at the time and place designated in the notice 7 provided in 7-6-4227, at which time any taxpayer or resident 8 may appear and be heard for or against any part of the 9 budget. The council may call in the official in charge of an 10 office, department, service, or institution, at the time the 11 estimates for their respective offices are under 12 consideration, for examination concerning the estimates. The 13 official shall be called in by the council, upon the request 14 of a taxpayer or resident, for questioning upon the 15 estimates either by the council, taxpayer, or resident. 16

16 (2) The hearing shall be continued from day to day and 17 shall be concluded and the budget finally approved and 18 adopted on <u>or before</u> the second Monday in August, prior to 19 the fixing of the tax levies by the council."

SECTION 6. SECTION 7-6-4232, MCA, IS AMENDED TO READ:

21 "7-6-4232. Pixing of tax levy. (1) On <u>or before</u> the 22 second Monday in August and after the approval and adoption 23 of the final budget, the council shall fix the tax levy for 24 each fund at a rate, not exceeding limits prescribed by law, 25 which will raise the amount set out in the budget as the

-3-

SB 14

20

-- 4 --

1 amount necessary to be raised by tax levy for that fund during the current fiscal year. The taxable valuation of the 2 3 city for the current fiscal year shall be the basis for 4 determining the amount of the tax levy for each fund, and 5 each tax levy shall be at a rate no higher than is required 6 on that basis, without including any amount for anticipated tax delinquency, to raise the amount set out in the budget. 7 (2) If the council considers that a levy made for a 8 9 bond sinking or interest fund will not provide a sufficient 10 amount to pay all bond principal and interest becoming due 11 during the current fiscal year or within 6 months after the 12 current fiscal year because of anticipated tax delinquency, the council may fix the levy at a rate it considers 13 14 necessary to raise the amount for making the payments of 15 principal and interest over and above the anticipated tax 16 delinguency.

17 (3) Each levy shall be made in the manner provided by 18 15-10-201."

19 <u>NEW SECTION.</u> Section 7. Effective date. [This act] is
20 effective July 1, 1989.

-End-

-5-

SENATE BILL NO. 14

3 A BILL FOR AN ACT ENTITLED: 4 "AN ACT ALLOWING COUNTY COMMISSIONERS LOCAL GOVERNMENTS TO FIX A TAX LEVY PRIOR TO 5 6 THE SECOND MONDAY IN AUGUST; REVISING THE SCHEDULE FOR THE ADOPTION OF A FINAL BUDGET BY A COUNTY COMMISSION OR CITY 7 B COUNCIL; AMENDING SECTIONS 7-6-2316, 7-6-2317, 9 7-6-2321. 7-6-4227, 7-6-4228, AND 7-6-4232, MCA; AND 10 PROVIDING AN EFFECTIVE DATE."

INTRODUCED BY BECK

11

25

1

2

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

SECTION 1. SECTION 7-6-2316, MCA, IS AMENDED TO READ:
 "7-6-2316. Notice of hearing on county proposed
 budget. (1) The board of county commissioners shall then
 have a notice published stating that:

17 (a) the board has completed its county proposed budget18 for the current fiscal year;

19 (b) the budget is open to inspection in the office of20 the county clerk and recorder;

(c) the board will meet on-the--Wednesday--before--the
 second--Monday--in--August to fix the final budget and make
 appropriations, stating the <u>date</u>, time, and place of the
 meeting; and

(d) any taxpayer or resident of the county may appear

SB 0014/02

and be heard for or against any part of the budget. 1 2 (2) The notice shall be published two times, once each 3 week, in a newspaper of general circulation in the county." SECTION 2. SECTION 7-6-2317, MCA, IS AMENDED TO READ; 4 5 *7-6-2317. Bearing on county proposed budget. (1) On 6 the--Wednesday-before-the-second-Monday-in-August At least 3 7 days prior to the adoption of the final budget, the county commissioners shall meet at the time and place designated in 8 9 the notice provided for in 7-6-2316, at which time any taxpayer or resident of the county may appear and be heard 10 for or against any part of the budget. 11 12 (2) The hearing shall be continued from day to day and 13 shall be concluded and the budget approved and adopted on or 14 before the second Monday in August, before the fixing of the 15 tax levies by the board." 16 Section 3. Section 7-6-2321, MCA, is amended to read: 17 *7-6-2321. Fixing of tax levy. (1) On or before the 18 second Monday in August and after the approval and adoption 19 of the final budget, the board of county commissioners shall 20 fix the tax levy for each fund at a rate which will raise 21 the amount set out in the budget as the amount necessary to 22 be raised by tax levy for the fund during the current fiscal 23 year. The taxable valuation of the county for the current 24 fiscal year shall be the basis for determining the amount of the tax levy for each fund. Each tax levy shall be at a rate 25

-2-

REFERENCE BILL

an tan media traditional and the stand of t

no higher than is required on that basis, without including
 any amount for anticipated tax delinquency, to produce the
 amount set out in the budget, without including any amount
 for anticipated tax delinquency, as being the amount to be
 raised by tax levy.

6 (2) The tax levy shall be made in the manner provided
7 by 15-10-201."

8 SECTION 4. SECTION 7-6-4227, MCA, IS AMENDED TO READ:
 9 "7-6-4227. Notice of hearing on preliminary budget.
 10 (1) The council shall then cause a notice to be published
 11 stating that:

12 (a) the council has completed its preliminary13 municipal budget for the current fiscal year;

(b) the budget has been placed on file and is open to
inspection in the office of the clerk of the municipality;
(c) the council will meet on-the-Wednesday-immediately
preceding-the-second-Monday-in-August for the purpose of
fixing the final budget and making appropriations,
designating the <u>date</u>, time, and place when and where such
meeting will be held; and

21 (d) any taxpayer or resident may appear at the meeting22 and be heard for or against any part of the budget.

23 (2) The notice shall be published at least one time in
24 the official newspaper of the municipality or, if there is
25 none, then in a newspaper of general circulation in the

SB 0014/02

1 county in which the municipality is situated."

2 SECTION 5. SECTION 7-6-4228, MCA, 15 AMENDED TO READ: 3 "7-6-4228. Bearing on preliminary budget. (1) On -- the 4 Wednesday--preceding--the-second-Monday-in-August At least 3 5 days prior to the adoption of the final budget, the council б shall meet at the time and place designated in the notice 7 provided in 7-6-4227, at which time any taxpayer or resident 8 may appear and be heard for or against any part of the 9 budget. The council may call in the official in charge of an office, department, service, or institution, at the time the 10 11 estimates for their respective offices are under 12 consideration, for examination concerning the estimates. The 13 official shall be called in by the council, upon the request 14 of a taxpayer or resident, for questioning upon the 15 estimates either by the council, taxpayer, or resident.

16 (2) The hearing shall be continued from day to day and 17 shall be concluded and the budget finally approved and 18 adopted on <u>or before</u> the second Monday in August, prior to 19 the fixing of the tax levies by the council."

20 SECTION 6. SECTION 7-6-4232, MCA, IS AMENDED TO READ: 21 "7-6-4232. Fixing of tax levy. (1) On or before the 22 second Monday in August and after the approval and adoption 23 of the final budget, the council shall fix the tax levy for 24 each fund at a rate, not exceeding limits prescribed by law, 25 which will raise the amount set out in the budget as the

-3-

ین اور در این ایرون این این اور فوت افغا فارد و در این این این این ا

SB 14

- 4 -

amount necessary to be raised by tax levy for that fund
 during the current fiscal year. The taxable valuation of the
 city for the current fiscal year shall be the basis for
 determining the amount of the tax levy for each fund, and
 each tax levy shall be at a rate no higher than is required
 on that basis, without including any amount for anticipated
 tax delinquency, to raise the amount set out in the budget.

(2) If the council considers that a levy made for a 8 bond sinking or interest fund will not provide a sufficient 9 10 amount to pay all bond principal and interest becoming due 11 during the current fiscal year or within 6 months after the 12 current fiscal year because of anticipated tax delinquency, the council may fix the levy at a rate it considers 13 14 necessary to raise the amount for making the payments of principal and interest over and above the anticipated tax 15 16 delinguency.

17 (3) Each levy shall be made in the manner provided by18 15-10-201."

NEW SECTION. Section 7. Effective date. [This act] is
 effective July 1, 1989.

-End-

-5-