

SENATE BILL NO. 77
INTRODUCED BY NATHE, BECK

IN THE SENATE

JANUARY 6, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.
	FIRST READING.
JANUARY 13, 1989	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
JANUARY 14, 1989	PRINTING REPORT.
JANUARY 17, 1989	SECOND READING, DO PASS.
JANUARY 18, 1989	ENGROSSING REPORT.
JANUARY 19, 1989	THIRD READING, PASSED. AYES, 38; NOES, 12.
	TRANSMITTED TO HOUSE.

IN THE HOUSE

JANUARY 19, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.
FEBRUARY 20, 1989	FIRST READING.
MARCH 3, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 4, 1989	SECOND READING, NOT CONCURRED IN. RETURNED TO SENATE.

IN THE SENATE

MARCH 7, 1989	ON MOTION, SENATE ACCEED TO HOUSE REQUEST FOR RETURN OF SB 77 FOR FURTHER CONSIDERATION.
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IN THE HOUSE

MARCH 9, 1989

SECOND READING, CONCURRED IN AS
AMENDED.

MARCH 13, 1989

THIRD READING, CONCURRED IN.
AYES, 60; NOES, 36.

RETURNED TO SENATE WITH AMENDMENTS.

IN THE SENATE

MARCH 15, 1989

RECEIVED FROM HOUSE.

MARCH 15, 1989

SECOND READING, AMENDMENTS NOT
CONCURRED IN.

MARCH 17, 1989

ON MOTION, CONFERENCE COMMITTEE
REQUESTED AND APPOINTED.

IN THE HOUSE

MARCH 18, 1989

ON MOTION, CONFERENCE COMMITTEE
REQUESTED AND APPOINTED.

IN THE SENATE

MARCH 23, 1989

CONFERENCE COMMITTEE REPORTED.

MARCH 30, 1989

SECOND READING, CONFERENCE COMMITTEE
REPORT ADOPTED.

IN THE HOUSE

MARCH 31, 1989

CONFERENCE COMMITTEE REPORT ADOPTED.

IN THE SENATE

APRIL 1, 1989

THIRD READING, CONFERENCE COMMITTEE
REPORT ADOPTED.

RECEIVED FROM HOUSE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *Senate* BILL NO. 77
2 INTRODUCED BY NATHAN BUSH
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO RAISE THE COUNTY
5 ROAD MILL LEVY IN FOURTH, FIFTH, SIXTH, AND SEVENTH CLASS
6 COUNTIES FROM 18 MILLS TO 27 MILLS AND IN ALL OTHER COUNTIES
7 FROM 15 MILLS TO 25 MILLS; AMENDING SECTION 7-14-2501, MCA;
8 AND PROVIDING AN EFFECTIVE DATE."
9

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

11 **Section 1.** Section 7-14-2501, MCA, is amended to read:

12 **"7-14-2501. General road tax authorized.** (1) To raise
13 revenue for the construction, maintenance, or improvement of
14 public highways, each board of county commissioners may levy
15 a general tax upon the taxable property in the county of not
16 more than ±5 25 mills, except in fourth, fifth, sixth, and
17 seventh class counties, which may levy not more than ±8 27
18 mills, payable to the county treasurer. The tax from
19 freeholders shall be collected the same as other taxes, and
20 from nonfreeholders, as the board may direct.

21 (2) This section shall not apply to incorporated
22 cities and towns which by ordinance provide for the levy of
23 a like tax for road, street, or alley purposes.

24 (3) All money collected under this section shall
25 belong to the county road fund."

1 NEW SECTION. **Section 2.** Effective date. [This act] is
2 effective July 1, 1989.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB077, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

SB077 would raise the maximum road fund mill levy from 15 to 25 mills in first through third class counties and from 18 to 27 mills in fourth through seventh class counties.

ASSUMPTIONS:

1. County-only mill levy values used in fiscal 1988-89 budgets are the same as those used in fiscal 1987-88 budgets.
2. Counties presently at their statutory maximum road fund levies would avail themselves of part or all of the additional authority contained in SB077. The per mill value of such additional authority would approximate the amount shown in column 3 of the chart below.

FISCAL IMPACT ON COUNTY REVENUE OR EXPENDITURES:

COUNTY	CLASS	1988 COUNTY ONLY MILL LEVY	MAX. ROAD FUND LEVY (CURRENT LAW)	1988-89 ROAD FUND LEVY	MAXIMUM MILL LEVY FROM SB77
BEAVERHEAD	5th	11,317	18	13.00	27
BIG HORN	1st	110,565	15	9.08	25
BLAINE	2nd	31,335	15	15.00*	25
BROADWATER	5th	9,870	18	5.38	27
CARBON	3rd	20,021	15	11.95	25
CARTER	6th	5,078	18	18.00*	27
CASCADE	1st	36,239	15	15.00*	25
CHOUTEAU	3rd	25,492	15	15.00*	25
CUSTER	4th	8,726	18	20.72**	27
DANIELS	6th	6,242	18	18.00*	27
DAWSON	3rd	15,924	15	15.00*	25
ANACONDA-					
DEERLODGE	5th	8,883	18		27
FALLON	1st	62,514	15	5.84	25

Ray Shackleford 11/13/87
 RAY SHACKLEFORD, BUDGET DIRECTOR DATE
 OFFICE OF BUDGET AND PROGRAM PLANNING

Dennis G. Nathe
 DENNIS G. NATHE, PRIMARY SPONSOR DATE

Fiscal Note for SB077, as introduced

SB 77

Fiscal Note Request, SB077, as introduced

Form BD-15

Page 2

COUNTY	CLASS	1988 COUNTY ONLY MILL LEVY	MAX. ROAD FUND LEVY (CURRENT LAW)	1988-89 ROAD FUND LEVY	MAXIMUM MILL LEVY FROM SB77
FERGUS	3rd	15,152	15	15.00*	25
FLATHEAD	1st	61,324	15	14.50	25
GALLATIN	1st	36,762	15	13.51	25
GARFIELD	6th	6,694	18	18.00*	27
GLACIER	2nd	27,453	15	15.00*	25
GOLDEN					
VALLEY	6th	4,984	18	18.00*	27
GRANITE	6th	6,769	18	18.00*	27
HILL	2nd	33,884	15	15.00*	25
JEFFERSON	4th	18,448	18	12.69	27
JUDITH BASIN	6th	8,513	18	22.23**	27
LAKE	2nd	26,140	15	15.00*	25
LEWIS AND					
CLARK	1st	29,067	15	14.39	25
LIBERTY	4th	13,819	18	14.36	27
LINCOLN	2nd	35,561	15		25
MADISON	4th	11,143	18	10.51	27
McCONE	5th	8,124	18	18.00*	27
MEAGHER	6th	7,399	18	17.89	27
MINERAL	6th	5,624	18		27
MISSOULA	1st	69,239	15	13.83	25
MUSSELSHELL	3rd	12,231	15	9.51	25
PARK	3rd	12,111	15	11.64	25
PETROLEUM	6th	2,299	18	3.00	27
PHILLIPS	3rd	29,837	15	15.00*	25
PONDERA	3rd	14,864	15	15.00*	25
POWDER RIVER	2nd	15,848	15	5.84	25
POWELL	5th	10,326	18	15.00	27
PRAIRIE	6th	4,300	18	14.00	27
RAVALLI	3rd	22,777	15	12.58	25
RICHLAND	1st	54,015	15	15.00*	25
ROOSEVELT	1st	40,995	15	15.00*	25
ROSEBUD	1st	222,269	15	3.29	25
SANDERS	2nd	30,116	15	15.60**	25

SB 77

COUNTY	CLASS	1988 COUNTY ONLY MILL LEVY	MAX. ROAD FUND LEVY (CURRENT LAW)	1988-89 ROAD FUND LEVY	MAXIMUM MILL LEVY FROM SB77
SHERIDAN	1st	35,124	15	12.00	25
BUTTE-					
SILVER BOW	2nd	36,025	15	9.30	25
STILLWATER	4th	15,430	18	18.00*	27
SWEET GRASS	6th	5,578	18	18.00*	27
TETON	4th	14,630	18	18.43**	27
TOOLE	2nd	28,465	15	9.00	25
TREASURE	6th	4,877	18	22.07**	27
VALLEY	2nd	28,249	15	15.00*	25
WHEATLAND	6th	6,628	18	18.00*	27
WIBAUX	3rd	13,670	15	14.00	25
YELLOWSTONE	1st	91,204	15	15.00*	25

Total 1988 County Only Mill Levy - 1,530,173

* Twenty-three counties currently imposing maximum road fund levy.

**Five counties currently imposing levies in excess of the statutory maximum, as is allowed by Section 15-7-122, MCA, for counties experiencing decreasing taxable valuations.

TECHNICAL OR MECHANICAL DEFECTS OF CONFLICTS WITH EXISTING LEGISLATION:

Sections 15-10-402, MCA, and temporary Section 15-10-412, MCA, (Terminates December 31, 1989) freeze county mill levies at their 1986 levels unless county taxable valuation decreases by 5% or more from the previous tax year. Counties experiencing static or only slightly decreasing taxable valuations would therefore have to reduce other county levies in order to take advantage of the provisions of SB77.

SB 77

APPROVED BY COMM.
ON LOCAL GOVERNMENT

1 *Senate* BILL NO. 77
2 INTRODUCED BY NATHAN B...
3

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8 AND PROVIDING AN EFFECTIVE DATE."
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10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 **Section 1.** Section 7-14-2501, MCA, is amended to read:

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13 revenue for the construction, maintenance, or improvement of
14 public highways, each board of county commissioners may levy
15 a general tax upon the taxable property in the county of not
16 more than ~~15~~ 25 mills, except in fourth, fifth, sixth, and
17 seventh class counties, which may levy not more than ~~18~~ 27
18 mills, payable to the county treasurer. The tax from
19 freeholders shall be collected the same as other taxes, and
20 from nonfreeholders, as the board may direct.

21 (2) This section shall not apply to incorporated
22 cities and towns which by ordinance provide for the levy of
23 a like tax for road, street, or alley purposes.

24 (3) All money collected under this section shall
25 belong to the county road fund."

1 NEW SECTION. **Section 2.** Effective date. [This act] is
2 effective July 1, 1989.

-End-

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2 INTRODUCED BY NATHAN Bush
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2 effective July 1, 1989.

-End-

COMMITTEE OF THE WHOLE AMENDMENT
SENATE BILL 77
Representative Darko

March 4, 1989 12:51 pm
Page 1 of 1

Mr. Chairman: I move to amend SENATE BILL 77 (third reading copy -- blue).

Signed: Paula Darko
Representative Darko

And, that such amendments to SENATE BILL 77 read as follows:

1. Page 1, line 16.
Following: "45"
Strike: "25"
Insert: "20"

2. Page 1, line 17.
Following: "18"
Strike: "27"
Insert: "23"

COMMITTEE OF THE WHOLE AMENDMENT
SENATE BILL 77
Representative Boharski

March 7, 1989 1:35 pm
Page 1 of 1

Mr. Chairman: I move to amend SENATE BILL 77 (third reading copy -- blue).

Signed: Wm E Boharski
Representative Boharski

And, that such amendments to SENATE BILL 77 read as follows:

1. Title, line 4.
Following: "AN ACT"
Insert: "TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS"

2. Title, lines 5 through 7.
Strike: "IN" on line 5 through "25" on line 7
Insert: "BY UP TO 10"

3. Title, line 7.
Following: "MILLS"
Insert: "IF APPROVED BY THE ELECTORATE"

4. Page 1, line 12.
Following: "(1)"
Insert: "(a)"

5. Page 1, line 16.
Strike: "25"
Insert: "15"

6. Page 1, line 17.
Strike: "27"
Insert: "18"

7. Page 1.
Following: line 20
Insert: "(b) The board of county commissioners may levy not more than 10 mills in addition to the appropriate number of mills authorized in subsection (1)(a) if the electorate of the county subject to the tax approves the imposition of the additional levy at a general or special election."

ADOPT

REJECT

ADOPT

REJECT

HOUSE
SB 77

SENATE BILL NO. 77

INTRODUCED BY NATHE, BECK

A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS TO RAISE THE COUNTY ROAD MILL LEVY IN FOURTH, FIFTH, SIXTH, AND SEVENTH CLASS COUNTIES FROM 10 MILLS TO 27 MILLS AND IN ALL OTHER COUNTIES FROM 15 MILLS TO 25 BY UP TO 10 MILLS IF APPROVED BY THE ELECTORATE; AMENDING SECTION 7-14-2501, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 7-14-2501, MCA, is amended to read:

"7-14-2501. General road tax authorized. (1) (A) To raise revenue for the construction, maintenance, or improvement of public highways, each board of county commissioners may levy a general tax upon the taxable property in the county of not more than 15 ~~25~~ ~~20~~ 15 mills, except in fourth, fifth, sixth, and seventh class counties, which may levy not more than 10 ~~27~~ ~~23~~ 18 mills, payable to the county treasurer. The tax from freeholders shall be collected the same as other taxes, and from nonfreeholders, as the board may direct.

(B) THE BOARD OF COUNTY COMMISSIONERS MAY LEVY NOT MORE THAN 10 MILLS IN ADDITION TO THE APPROPRIATE NUMBER OF MILLS AUTHORIZED IN SUBSECTION (1)(A) IF THE ELECTORATE OF

THE COUNTY SUBJECT TO THE TAX APPROVES THE IMPOSITION OF THE ADDITIONAL LEVY AT A GENERAL OR SPECIAL ELECTION.

(2) This section shall not apply to incorporated cities and towns which by ordinance provide for the levy of a like tax for road, street, or alley purposes.

(3) All money collected under this section shall belong to the county road fund."

NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 1989.

-End-



Conference Committee Report
on SB 77
Report No. 1, March 22, 1989

CONFERENCE COMMITTEE ON SB 77
March 22, 1989
page 2 of 2

Mr President and Mr. Speaker:

We, your Conference Committee on SB 77 met and considered:

1. The House Committee of Whole amendments to SB 77 (third reading copy -- blue) offered by Rep. Darko and dated March 4, 1989.
2. The House Committee of the Whole amendments to SB 77 (third reading copy -- blue) offered by Rep. Boharski and dated March 7, 1989.


We recommend that SB 77 (reference copy -- salmon) be amended as follows:

1. Title, lines 4 and 5.
Strike: "TO" on line 4 through "COMMISSIONERS" on line 5
2. Title, line 8.
Following: "25"
Strike: "BY UP TO 10"
Insert: "IN FOURTH, FIFTH, SIXTH, AND SEVENTH CLASS COUNTIES FROM 18 MILLS TO 23 MILLS AND IN ALL OTHER COUNTIES FROM 15 MILLS TO 20"
Following: "MILLS"
Strike: "IF APPROVED BY THE ELECTORATE"
3. Page 1, line 13.
Strike: "(A)"
4. Page 1, line 17.
Following: "20"
Strike: "15"
Insert: "20"
5. Page 1, line 19.
Following: "22"
Strike: "18"
Insert: "23"
6. Page 1, line 23 through page 2, line 2.
Strike: subsection (B) in its entirety

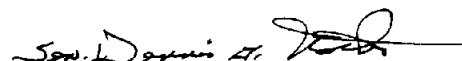
continued

And that this Conference Committee Report be adopted.

FOR THE SENATE


Sen. Beck, Chairman



Sen. Vaughn


Sen. Mathe

FOR THE HOUSE


Rep. Darko


Rep. Johnson


Rep. Guthrie

ADOPT

REJECT

SENATE BILL NO. 77

INTRODUCED BY NATHE, BECK

A BILL FOR AN ACT ENTITLED: "AN ACT ~~TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS~~ TO RAISE THE COUNTY ROAD MILL LEVY IN FOURTH, FIFTH, SIXTH, AND SEVENTH CLASS COUNTIES FROM 18 MILLS TO 27 MILLS AND IN ALL OTHER COUNTIES FROM 15 MILLS TO 25 BY--BP--TO 10 IN FOURTH, FIFTH, SIXTH, AND SEVENTH CLASS COUNTIES FROM 18 MILLS TO 23 MILLS AND IN ALL OTHER COUNTIES FROM 15 MILLS TO 20 MILLS IF--APPROVED--BY--THE--ELECTORATE; AMENDING SECTION 7-14-2501, MCA; AND PROVIDING AN EFFECTIVE DATE."

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~~(B) THE BOARD OF COUNTY COMMISSIONERS MAY LEVY NOT MORE THAN 10 MILLS IN ADDITION TO THE APPROPRIATE NUMBER OF MILLS AUTHORIZED IN SUBSECTION (1) IF THE ELECTORATE OF THE COUNTY SUBJECT TO THE TAX APPROVES THE IMPOSITION OF THE ADDITIONAL LEVY AT A GENERAL OR SPECIAL ELECTION.~~

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-End-

