

SENATE BILL NC. 271

INTRODUCED BY MANNING, WALKER, NATHE, VAUGHN,
THOMAS, GAGE, ANDERSON, SPAETH, SCHYE, GOULD, CLARK

IN THE SENATE

JANUARY 27, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.
	FIRST READING.
FEBRUARY 10, 1989	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
FEBRUARY 11, 1989	PRINTING REPORT.
FEBRUARY 14, 1989	SECOND READING, DO PASS.
FEBRUARY 15, 1989	ENGROSSING REPORT.
FEBRUARY 16, 1989	THIRD READING, PASSED. AYES, 48; NOES, 0.
	TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 16, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.
FEBRUARY 20, 1989	FIRST READING.
MARCH 8, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 11, 1989	SECOND READING, CONCURRED IN.
MARCH 13, 1989	THIRD READING, CONCURRED IN. AYES, 97; NOES, 2.
	RETURNED TO SENATE.

IN THE SENATE

MARCH 14, 1989

RECEIVED FROM HOUSE.

SENT TO ENROLLING.

MARCH 16, 1989

REPORTED CORRECTLY ENROLLED.

SIGNED BY PRESIDENT.

IN THE HOUSE

MARCH 17, 1989

SIGNED BY SPEAKER.

IN THE SENATE

MARCH 17, 1989

DELIVERED TO GOVERNOR.

MARCH 23, 1989

RETURNED FROM GOVERNOR WITH
RECOMMENDED AMENDMENTS.

MARCH 30, 1989

SECOND READING, GOVERNOR'S RECOM-
MENDED AMENDMENTS CONCURRED IN.

APRIL 1, 1989

THIRD READING, GOVERNOR'S RECOM-
MENDED AMENDMENTS CONCURRED IN.

IN THE HOUSE

APRIL 4, 1989

PASSED CONSIDERATION FOR THE DAY.

APRIL 5, 1989

SECOND READING, GOVERNOR'S RECOM-
MENDED AMENDMENTS CONCURRED IN.

APRIL 6, 1989

THIRD READING, GOVERNOR'S RECOM-
MENDED AMENDMENTS CONCURRED IN.

IN THE SENATE.

APRIL 7, 1989

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *Senate* BILL NO. *371*
 2 INTRODUCED BY *Richard F. Manning* *John NATHAN*
 3 *Thomas D. H. Anderson* *Robert Selge*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A CITY OR
 5 TOWN TO LEVY A SPECIAL TAX FOR A FIRE DEPARTMENT RELIEF
 6 ASSOCIATION DISABILITY AND PENSION FUND WHEN THE FUND
 7 CONTAINS AN AMOUNT THAT IS LESS THAN 5 PERCENT, RATHER THAN
 8 3 PERCENT, OF THE CITY'S OR TOWN'S TAXABLE VALUATION; AND
 9 AMENDING SECTIONS 19-11-503 AND 19-11-504, MCA."

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

12 **Section 1.** Section 19-11-503, MCA, is amended to read:

13 "19-11-503. Special tax levy for fund required. (1)

14 The purpose of this section is to provide a means by which
 15 each disability and pension fund may be maintained at a
 16 level equal to 3% 5% of the taxable valuation of all taxable
 17 property within the limits of the city or town.

18 (2) Whenever the fund contains less than 3% 5% of the
 19 taxable valuation of all taxable property within the limits
 20 of the city or town, the governing body of the city or town
 21 shall, at the time of the levy of the annual tax, levy a
 22 special tax as provided in 19-11-504. The special tax ~~shall~~
 23 must be collected as other taxes are collected and, when so
 24 collected, ~~shall~~ must be paid into the disability and
 25 pension fund.

1 (3) If a special tax for the disability and pension
 2 fund is levied by a third-class city or town using the
 3 all-purpose mill levy, the special tax levy must be made in
 4 addition to the all-purpose levy."

5 **Section 2.** Section 19-11-504, MCA, is amended to read:

6 "19-11-504. Amount of special tax levy. Whenever the
 7 fund contains an amount which is less than 3% 5% of the
 8 taxable valuation of all taxable property in the city or
 9 town, the city council shall levy an annual special tax of
 10 not less than 1 mill and not more than 4 mills on each
 11 dollar of taxable valuation of all taxable property within
 12 the city or town."

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB271, as introduced.

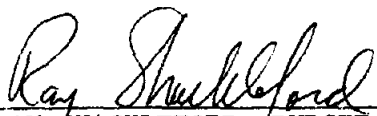
DESCRIPTION OF PROPOSED LEGISLATION:


An Act requiring a city or town to levy a special tax for a fire department relief association disability and pension fund when the fund contains an amount that is less than 5 percent, rather than 3 percent, of the city's or town's taxable valuation.

FISCAL IMPACT: There is no fiscal impact at the state level.

EFFECT ON LOCAL REVENUE:

There are no data available to estimate the impact. The intent of the proposal is to require cities and towns to impose this special tax levy when the balance of the fund contains an amount that is less than 5 percent, rather than 3 percent, of the jurisdiction's taxable valuation. The proposal could cause increased use of this special levy.


RAY SHACKLEFORD, BUDGET DIRECTOR 2/3/89
OFFICE OF BUDGET AND PROGRAM PLANNING DATE


RICHARD E. MANNING, PRIMARY SPONSOR 2/3/89
Fiscal Note for SB271, as introduced DATE
SB 271

APPROVED BY COMM.
ON LOCAL GOVERNMENT

1 *Senate* BILL NO. *271*
2 INTRODUCED BY *Richard Manning* *Ed Walker* NATH. *Walker*
3 *Thomas* *Walker* *Anderson* *Spicer* *Sege*
4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A CITY OR
5 TOWN TO LEVY A SPECIAL TAX FOR A FIRE DEPARTMENT RELIEF
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16 level equal to ~~3%~~ 5% of the taxable valuation of all taxable
17 property within the limits of the city or town.

18 (2) Whenever the fund contains less than ~~3%~~ 5% of the
19 taxable valuation of all taxable property within the limits
20 of the city or town, the governing body of the city or town
21 shall, at the time of the levy of the annual tax, levy a
22 special tax as provided in 19-11-504. The special tax ~~shall~~
23 must be collected as other taxes are collected and, when so
24 collected, ~~shall~~ must be paid into the disability and
25 pension fund.

1 (3) If a special tax for the disability and pension
2 fund is levied by a third-class city or town using the
3 all-purpose mill levy, the special tax levy must be made in
4 addition to the all-purpose levy."

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7 fund contains an amount which is less than ~~3%~~ 5% of the
8 taxable valuation of all taxable property in the city or
9 town, the city council shall levy an annual special tax of
10 not less than 1 mill and not more than 4 mills on each
11 dollar of taxable valuation of all taxable property within
12 the city or town."

-End-

1 *Senate* BILL NO. *271*
 2 INTRODUCED BY *Richard E. Manning* *Edwin NATHAN*
 3 *Don Thomas* *W.P. Anderson* *Spencer Selge*
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pension fund.

(3) If a special tax for the disability and pension fund is levied by a third-class city or town using the all-purpose mill levy, the special tax levy must be made in addition to the all-purpose levy."

Section 2. Section 19-11-504, MCA, is amended to read:

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-End-

GOVERNOR'S AMENDMENT TO
SENATE BILL 271
MARCH 22, 1989
(REFERENCE COPY)

1. Page 1, Title, Line 8.

Strike: "5 PERCENT"

Insert: "4 PERCENT"

2: Page 1, line 17.

Strike: "5%"

Insert: "4%"

3. Page 1, line 19.

Strike: "5%"

Insert: "4%"

4. Page 2, line 8.

Strike: "5%"

Insert: "4%"

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(2) Whenever the fund contains less than 3% 5 4% of the taxable valuation of all taxable property within the limits of the city or town, the governing body of the city or town shall, at the time of the levy of the annual tax, levy a special tax as provided in 19-11-504. The special tax ~~shall~~ must be collected as other taxes are collected and, when so collected, ~~shall~~ must be paid into the disability

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-End-

