## SENATE BILL NO. 10

## INTRODUCED BY TOWE, CRIPPEN

#### IN THE SENATE

DECEMBER 22, 1992

JANUARY 4, 1993

JANUARY 6, 1993

- JANUARY 15, 1993
- JANUARY 16, 1993

JANUARY 18, 1993

THIRD READING, PASSED. AYES, 48; NOES, 0.

ON LOCAL GOVERNMENT.

COMMITTEE RECOMMEND BILL

SECOND READING, DO PASS.

FIRST READING.

PRINTING REPORT.

ENGROSSING REPORT.

TRANSMITTED TO HOUSE.

IN THE HOUSE

JANUARY 19, 1993

INTRODUCED AND REFERRED TO COMMITTEE ON TAXATION.

INTRODUCED AND REFERRED TO COMMITTEE

ON MOTION, ADDITIONAL SPONSORS ADDED.

DO PASS AS AMENDED. REPORT ADOPTED.

FIRST READING.

JANUARY 28, 1993 COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.

JANUARY 30, 1993 SECOND READING, CONCURRED IN.

THIRD READING, CONCURRED IN. AYES, 91; NOES, 8.

FEBRUARY 4, 1993 RETURNED TO SENATE WITH AMENDMENTS.

IN THE SENATE

FEBRUARY 6, 1993

FEBRUARY 3, 1993

RECEIVED FROM HOUSE.

SECOND READING, AMENDMENTS

# FEBRUARY 8, 1993

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CONCURRED IN.

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THIRD READING, AMENDMENTS CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

SENATE BILL NO. 10

2 INTRODUCED BY TOWE
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A COUNTY TO
5 LEVY A SINGLE TAX TO FUND COUNTY FAIR ACTIVITIES, COUNTY
6 PARKS, AND CERTAIN CULTURAL, SOCIAL, AND RECREATIONAL
7 FACILITIES."

B

1

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

NEW SECTION. Section 1. Single tax for county fair 10 activities, county parks, and certain cultural, social, and 11 recreational facilities --- restriction. (1) Except as 12 provided in subsection (2), the county commissioners of a 13 county that levies taxes pursuant to both 7-16-2102 and 14 7-21-3410 may combine the two taxes into a single tax of 3 15 1/2 mills on each dollar of the taxable valuation for any 1 16 year for the purpose of maintaining, operating, and 17 18 equipping county fair activities, county parks, cultural facilities, and any county-owned civic center, youth center, 19 20 recreation center, recreational complex, or any combination thereof. The money collected may be distributed among the 21 activities and facilities as determined by the county 22 commissioners. 23

(2) (a) The board of county commissioners shall submit
 the question of imposing or continuing the imposition of the

Montana Legislative Counci

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single tax provided for in subsection (1) to the electors of the county at the next general election if a petition requesting a vote on the single tax, signed by at least 15% of the resident taxpayers of the county, is filed with the county clerk at least 90 days prior to the date of the general election.

7 (b) The question must be submitted substantially as 8 follows:

| 9  | FOR imposition (or continued imposition) of a              |
|----|--|
| 10 | property tax, not to exceed 3 1/2 mills, for county        |
| 11 | fair activities, county parks, and county-owned            |
| 12 | cultural, social, and recreational facilities.             |
| 13 | AGAINST imposition (or continued imposition) of a          |
| 14 | property tax, not to exceed 3 1/2 mills, for county        |
| 15 | fair activities, county parks, and county-owned            |
| 16 | cultural, social, and recreational facilities.             |
| 17 | (c) The board of county commissioners shall levy the       |
| 18 | tax for the 2 subsequent fiscal years if the imposition or |
| 19 | continued imposition of the single tax is approved by a    |

19 continued imposition of the single tax is approved by a 20 majority of the electors voting on the question.

NEW SECTION. Section 2. Codification instruction.
(Section 1) is intended to be codified as an integral part
of Title 7, chapter 16, part 21, and the provisions of Title
7, chapter 16, part 21, apply to [section 1].

-End-

-2- S& IO INTRODUCED BILL

APPROVED BY COMM.

ON LOCAL GOVERNMENT

| 1  | SENATE BILL NO. 10   |
|----|--|
| 2  | INTRODUCED BY TOWE, CRIPPEN                                  |
| 3  |  |
| 4  | A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A COUNTY TO     |
| 5  | LEVY A SINGLE TAX TO FUND COUNTY FAIR ACTIVITIES, COUNTY     |
| 6  | PARKS, AND CERTAIN CULTURAL, SOCIAL, AND RECREATIONAL        |
| 7  | FACILITIES; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."      |
| 8  |  |
| 9  | BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:    |
| 10 | NEW SECTION. Section 1. Single tax for county fair           |
| 11 | activities, county parks, and certain cultural, social, and  |
| 12 | recreational facilities restriction. (1) Except as           |
| 13 | provided in subsection (2), the county commissioners of a    |
| 14 | county that levies taxes pursuant to both 7-16-2102 and      |
| 15 | 7-21-3410 may combine the two taxes into a single tax of 3   |
| 16 | 1/2 mills on each dollar of the taxable valuation for any 1  |
| 17 | year for the purpose of maintaining, operating, and          |
| 18 | equipping county fair activities, county parks, cultural     |
| 19 | facilities, and any county-owned civic center, youth center, |
| 20 | recreation center, recreational complex, or any combination  |
| 21 | thereof. The money collected may be distributed among the    |
| 22 | activities and facilities as determined by the county        |
| 23 | commissioners.   |

24 (2) (a) The board of county commissioners shall submit25 the question of imposing or continuing the imposition of the



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single tax provided for in subsection (1) to the electors of the county at the next general election if a petition requesting a vote on the single tax, signed by at least 15% of the resident taxpayers of the county, is filed with the county clerk at least 90 days prior to the date of the general election.

7 (b) The question must be submitted substantially as8 follows:

9 FOR imposition (or continued imposition) of a 10 property tax, not to exceed 3 1/2 mills, for county 11 fair activities, county parks, and county-owned 12 cultural, social, and recreational facilities.

AGAINST imposition (or continued imposition) of a
property tax, not to exceed 3 1/2 mills, for county
fair activities, county parks, and county-owned
cultural, social, and recreational facilities.

17 (c) The board of county commissioners shall levy the 18 tax for the 2 subsequent fiscal years if the imposition or 19 continued imposition of the single tax is approved by a 20 majority of the electors voting on the question.

NEW SECTION. Section 2. Codification instruction.
[Section 1] is intended to be codified as an integral part
of Title 7, chapter 16, part 21, and the provisions of Title
7, chapter 16, part 21, apply to [section 1].

25 NEW SECTION. SECTION 3. EFFECTIVE DATE. [THIS ACT] IS

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## 1 EFFECTIVE ON PASSAGE AND APPROVAL.

-End-

1 SENATE BILL NO. 10 1 INTRODUCED BY TOWE, CRIPPEN 2 2 3 3 4 4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A COUNTY TO 5 LEVY A SINGLE TAX TO FUND COUNTY FAIR ACTIVITIES, COUNTY 5 PARKS, AND CERTAIN CULTURAL, SOCIAL, AND 6 general election. RECREATIONAL 6 7 7 FACILITIES: AND PROVIDING AN IMMEDIATE EFFECTIVE DATE." 8 follows: 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 FOR 9 10 NEW SECTION. Section 1. Single tax for county fair 10 11 activities, county parks, and certain cultural, social, and 11 12 12 recreational facilities -- restriction. (1) Except as 13 provided in subsection (2), the county commissioners of a 13 14 county that levies taxes pursuant to both 7-16-2102 and 14 15 15 7-21-3410 may combine the two taxes into a single tax of 3 16 16 1/2 mills on each dollar of the taxable valuation for any 1 17 17 year for the purpose of maintaining, operating, and 18 18 equipping county fair activities, county parks, cultural 19 19 facilities, and any county-owned civic center, youth center, 20 20 recreation center, recreational complex, or any combination 21 21 thereof. The money collected may be distributed among the 22 22 activities and facilities as determined by the county 23 23 commissioners. 24 24 (2) (a) The board of county commissioners shall submit 25 the question of imposing or continuing the imposition of the

single tax provided for in subsection (1) to the electors of the county at the next general election if a petition requesting a vote on the single tax, signed by at least 15% of the resident taxpayers of the county, is filed with the county clerk at least 90 days prior to the date of the

(b) The question must be submitted substantially as

imposition (or continued imposition) of a property tax, not to exceed 3 1/2 mills, for county fair activities, county parks, and county-owned cultural, social, and recreational facilities.

AGAINST imposition (or continued imposition) of a property tax, not to exceed 3 1/2 mills, for county fair activities, county parks, and county-owned cultural, social, and recreational facilities.

(c) The board of county commissioners shall levy the tax for the 2 subsequent fiscal years if the imposition or continued imposition of the single tax is approved by a majority of the electors voting on the guestion.

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 7, chapter 16, part 21, and the provisions of Title 7, chapter 16, part 21, apply to [section 1].

25 NEW SECTION. SECTION 3. EFFECTIVE DATE. (THIS ACT) IS

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## THIRD READING

## 1 EFFECTIVE ON PASSAGE AND APPROVAL.

-End-

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## HOUSE STANDING COMMITTEE REPORT

January 27, 1993 Page 1 of 1

Mr. Speaker: We, the committee on Taxation report that Senate Bill 10 (third reading copy -- blue) be concurred in as amended

Signed:

Chair Gilbert, Bob

# And, that such amendments read:

Carried by: Rep. Bohlinger

1. Title, line 4. Following: "COUNTY" Insert: ", UNDER CERTAIN CIRUMSTANCES,"

2. Page 1, line 14. Strike: "that levies" Insert: "who have levied"

3. Page 1, line 15. Following: "7-21-3410" Insert: "before January 1, 1993," Strike: "of" Insert: "that may not exceed"

> HOUSE 58 10

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Committee Vote: \_ *1*1 

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1 SENATE BILL NO. 10 INTRODUCED BY TOWE, CRIPPEN 2 З A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A COUNTY, ۵ 5 UNDER CERTAIN CIRCUMSTANCES, TO LEVY A SINGLE TAX TO FUND COUNTY FAIR ACTIVITIES, COUNTY PARKS, AND CERTAIN CULTURAL, 6 SOCIAL, AND RECREATIONAL FACILITIES; AND PROVIDING AN 7 IMMEDIATE EFFECTIVE DATE." 8 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 10 11 NEW SECTION. Section 1. Single tax for county fair activities, county parks, and certain cultural, social, and 12 recreational facilities -- restriction. (1) Except as 13 14 provided in subsection (2), the county commissioners of a county that -- tevies WHO HAVE LEVIED taxes pursuant to both 15 16 7-16-2102 and 7-21-3410 BEFORE JANUARY 1, 1993, may combine 17 the two taxes into a single tax of THAT MAY NOT EXCEED 3 1/2 18 mills on each dollar of the taxable valuation for any 1 year for the purpose of maintaining, operating, and equipping 19 county fair activities, county parks, cultural facilities, 20 and any county-owned civic center, youth center, recreation 21 center, recreational complex, or any combination thereof. 22 The money collected may be distributed among the activities 23 24 and facilities as determined by the county commissioners.

25 (2) (a) The board of county commissioners shall submit



the question of imposing or continuing the imposition of the single tax provided for in subsection (1) to the electors of the county at the next general election if a petition requesting a vote on the single tax, signed by at least 15% of the resident taxpayers of the county, is filed with the county clerk at least 90 days prior to the date of the general election.

8 (b) The question must be submitted substantially as9 follows:

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AGAINST imposition (or continued imposition) of a
 property tax, not to exceed 3 1/2 mills, for county
 fair activities, county parks, and county-owned
 cultural, social, and recreational facilities.

(c) The board of county commissioners shall levy the
tax for the 2 subsequent fiscal years if the imposition or
continued imposition of the single tax is approved by a
majority of the electors voting on the question.

22 <u>NEW SECTION.</u> Section 2. Codification instruction. 23 [Section 1] is intended to be codified as an integral part 24 of Title 7, chapter 16, part 21, and the provisions of Title 25 7, chapter 16, part 21, apply to [section 1].

-2-

SB 10 REFERENCE BILL AS AMENDED

# 1 NEW SECTION. SECTION 3. EFFECTIVE DATE. [THIS ACT] IS

## 2 EFFECTIVE ON PASSAGE AND APPROVAL.

-End-