

SENATE BILL NO. 301
INTRODUCED BY L. MOSS

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT THE PRESERVATION OF HISTORIC PROPERTY IS A PERMISSIBLE PURPOSE FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS BY A COUNTY OR MUNICIPALITY; AND AMENDING SECTIONS 7-7-2201 AND 7-7-4203, MCA."

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

Section 1. Section 7-7-2201, MCA, is amended to read:

"7-7-2201. Purposes for which general obligation bonds of county may be issued. The board of county commissioners of a county may issue, negotiate, and sell coupon bonds on the credit of the county, as more specifically provided in this part, for any of the following purposes:

(1) acquiring land for sites and grounds for a public building or buildings of any kind within the county and under its control, which the county has lawful authority to acquire or erect, control, and maintain, except that if the bonds are sold to fund a multicounty jail facility, funds may be used in the county in which the multicounty jail facility is located;

(2) acquiring land for any other public use or activity within the county, under its control and authorized by law;

(3) (a) constructing, erecting, or acquiring by purchase necessary public buildings within the county, under its control and authorized by law;

(b) making additions to and repairing buildings; and

(c) furnishing and equipping the buildings, except that if the bonds are sold to fund a multicounty jail facility, funds may be used in the county in which the multicounty jail facility is located;

(4) building, purchasing, constructing, and maintaining devices intended to protect the safety of the public from open ditches carrying irrigation or other water;

(5) enabling a county to liquidate its indebtedness to another county incident to the creation of a new county or the changing of any county boundary line;

(6) funding, paying, and retiring outstanding county warrants lawfully issued against the county general fund, road fund, or bridge fund when:

(a) there is not sufficient money in the fund against which the warrants are drawn to pay and retire the

warrants; and

(b) the levying of taxes sufficient to pay and retire the warrants within a period of 3 years would, in the judgment of the board, work a hardship and be an undue burden upon the taxpayers of the county;

(7) preservation of historic property as described in 15-24-1601 and 22-3-603."

Section 2. Section 7-7-4203, MCA, is amended to read:

"7-7-4203. What constitutes a single purpose -- public use. (1) The following ~~shall~~ must be deemed ~~considered~~ a single purpose:

~~(1)(a)~~ (a) acquiring land for a site for a public building or for any other public use and constructing, erecting, or acquiring by purchase any building ~~thereon~~ on the site and furnishing and equipping the ~~same~~ building;

~~(2)(b)~~ (b) acquiring of rights-of-way for street or other purposes, making improvements ~~thereon~~ on rights-of-way, or constructing sewers or water pipelines;

~~(3)(c)~~ (c) procuring of a water supply and constructing or acquiring of a water system and improving the ~~same~~ system if necessary.

(2) As used in this section, "public use" includes preservation of historic property as described in 15-24-1601 and 22-3-603."

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