# HOUSE BILL NO. 1008

# INTRODUCED BY BARDANOUVE, THOFT, HARDING, CONNELLY, HOCKETT BY REQUEST OF THE LONG-RANGE BUILDING SUBCOMMITTEE

IN THE HOUSE

MARCH 23, 1991

INTRODUCED AND REFERRED TO COMMITTEE ON APPROPRIATIONS.

FIRST READING.

MARCH 27, 1991 COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.

MARCH 28, 1991 PRINTING REPORT.

SECOND READING, DO PASS.

ENGROSSING REPORT.

ON MOTION, RULES SUSPENDED. BILL PLACED ON THIRD READING THIS DAY.

THIRD READING, PASSED. AYES, 96; NOES, 4.

TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 28, 1991

APRIL 1, 1991

INTRODUCED AND REFERRED TO COMMITTEE ON TAXATION.

FIRST READING.

ON MOTION, REREFERRED TO COMMITTEE ON FINANCE & CLAIMS.

APRIL 12, 1991 COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.

APRIL 13, 1991 SECOND READING, CONCURRED IN.

APRIL 15, 1991 THIRD READING, CONCURRED IN. AYES, 45; NOES, 3.

RETURNED TO HOUSE WITH AMENDMENTS.

# IN THE HOUSE

APRIL 17, 1991

RECEIVED FROM SENATE.

SECOND READING, AMENDMENTS CONCURRED IN.

APRIL 18, 1991

THIRD READING, AMENDMENTS CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

LC 2063/01

BILL NO. 1,008 1 anove First Harding INTRODUCED BY 2 æ 4 BY REQUEST OF THE LONG-RANGE BUILDING SUBCOMMITTEE 5 6 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOCATING TO SEPARATE TRUST FUNDS THE COAL SEVERANCE TAX MONEY THAT WOULD BE 7 8 DEPOSITED IN A NONEXPENDABLE TRUST FUND FOR PARKS 9 ACOUISITION OR MANAGEMENT, PROTECTION OF WORKS OF ART IN THE 10 STATE CAPITOL, AND OTHER CULTURAL AND AESTHETIC PROJECTS; 11 ALLOWING THE EXPENDITURE OF COAL SEVERANCE TAX REVENUE FOR 12 PARKS FOR 2 YEARS; AMENDING SECTION 15-35-108, MCA; AND 13 PROVIDING EFFECTIVE DATES AND A TERMINATION DATE." 14 15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 16 Section 1. Section 15-35-108, MCA, is amended to read: 17 \*15-35-108. (Temporary) Disposal of severance taxes. 18 Severance taxes collected under this chapter must be 19 allocated according to the provisions in effect on the date 20 the tax is due under 15-35-104. Severance taxes collected 21 under the provisions of this chapter are allocated as 22 follows: 23 (1) To the trust fund created by Article IX, section 5, 24 of the Montana constitution, 50% of total coal severance tax 25 collections. The trust fund moneys shall be deposited in the

Montana Legislative Council

LC 2063/01

INTRODUCED BILL

fund established under 17-6-203(5) and invested by the board
of investments as provided by law.
(2) Starting July 1, 1987, and ending June 30, 1993,

4 12% of coal severance tax collections are allocated to the
5 highway reconstruction trust fund account in the state
6 special revenue fund.

7 (3) Coal severance tax collections remaining after the
8 allocations provided by subsections (1) and (2) are
9 allocated in the following percentages of the remaining
10 balance:

(a) 17.5% to the credit of the local impact account.
Unencumbered funds remaining in the local impact account at
the end of each biennium are allocated to the state special
revenue fund for state equalization aid to public schools of
the state.

(b) 30% to the state special revenue fund for stateequalization aid to public schools of the state;

18 (c) 1% to the state special revenue fund to the credit19 of the county land planning account;

20 (d) 1 1/4% to the credit of the renewable resource 21 development bond fund;

(e) 5% 0% to a nonexpendable trust fund for the purpose
 of parks acquisition or management7-protection-of-works-of
 art-in-the-state-capitol7-and-other-cultural--and--aesthetic
 projects. Income from this trust fund shall be appropriated

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#### as-follows+ 1 2 tit--1/3-for-protection-of-works-of--art--in--the--state 3 capitol-and-othe --cultural-and-mesthetic-projects-and 4 $\pm\pm\pm-2/3$ for the acquisition, development, operation, and maintenance of any sites and areas described in 5 23-1-102: 6 7 (f) 1% to the state special revenue fund to the credit of the state library commission for the purposes of 8 9 providing basic library services for the residents of all 10 counties through library federations and for payment of the 11 costs of participating in regional and national networking; (g) 1/2 of 1% to the state special revenue fund for 12 13 conservation districts: 14 (h) 1 1/4% to the debt service fund type to the credit 15 of the water development debt service fund; 16 (i) 2% to the state special revenue fund for the 17 Montana Growth Through Agriculture Acc; 18 (j) 1.66% to a nonexpendable trust fund for the purpose 19 of protection of works of art in the state capitol and for 20 other cultural and aesthetic projects. Income from this 21 trust fund shall be appropriated for protection of works of 22 art in the state capitol and for other cultural and 23 aesthetic projects. 24 (k) beginning July 1, 1991, and ending June 30, 1993,

25 3.34% to a special revenue account to be used by the

# department of fish, wildlife, and parks for parks;

2 (j)(1) all other revenues from severance taxes 3 collected under the provisions of this chapter to the credit 4 of the general fund of the state. (Terminates July 1, 5 1993--sec. 7, Ch. 541, L. 1983.)

6 15-35-108. (Effective July 1, 1993) Disposal of 7 severance taxes. Severance taxes collected under this 8 chapter must be allocated according to the provisions in 9 effect on the date the tax is due under 15-35-104. Severance 10 taxes collected under the provisions of this chapter are 11 allocated as follows:

12 (1) To the trust fund created by Article IX, section 5, 13 of the Montana constitution, 50% of total coal severance tax 14 collections. The trust fund moneys shall be deposited in the 15 fund established under 17-6-203(5) and invested by the board 16 of investments as provided by law.

17 (2) Coal severance tax collections remaining after 18 allocation to the trust fund under subsection (1) are 19 allocated in the following percentages of the remaining 20 balance:

(a) 17.5% to the credit of the local impact account.
Unencumbered funds remaining in the local impact account at
the end of each biennium are allocated to the state special
revenue fund for state equalization aid to public schools of
the state.

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(b) 30% to the state special revenue fund for state
 equalization aid to public schools of the state;

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3 (c) 1% to the state special revenue fund to the credit
4 of the county land planning account;

5 (d) 1 1/4% to the credit of the renewable resource 6 development bond fund;

7 (e) 5% <u>3.34%</u> to a nonexpendable trust fund for the 8 purpose of parks acquisition or management<sub>7</sub>--protection--of 9 works--of--art--in-the-state-capitol<sub>7</sub>-and-other-cultural-and 10 aesthetic-projects. Income from this trust fund shall be 11 appropriated as-follows:

12 (i)--1/3--for--protection--of--works-of-art-in-the-state 13 capitol-and-other-cultural-and-aesthetic-projects;-and

14 (ii)-2/3 for the acquisition, development, operation, 15 and maintenance of any sites and areas described in 16 23-1-102;

17 (f) 1% to the state special revenue fund to the credit 18 of the state library commission for the purposes of 19 providing basic library services for the residents of all 20 counties through library federations and for payment of the 21 costs of participating in regional and national networking; 22 (g) 1/2 of 1% to the state special revenue fund for 23 conservation districts;

(h) 1 1/4% to the debt service fund type to the creditof the water development debt service fund;

1 (i) 2% to the state special revenue fund for the 2 Montana Growth Through Agriculture Act; (i) 1.66% to a nonexpendable trust fund for the purpose 3 of protection of works of art in the state capitol and for 4 other cultural and aesthetic projects. Income from this 5 trust fund shall be appropriated for protection of works of 6 art in the state capitol and other cultural and aesthetic 7 8 projects. tit(k) all other revenues from severance taxes g. collected under the provisions of this chapter to the credit 10 11 of the general fund of the state." NEW SECTION. Section 2. Transfer of funds. The board 12 of investments shall transfer one-third of the balance as of 13 June 30, 1991, of the nonexpendable trust fund created in 14 15-35-108(3)(e) to the nonexpendable trust fund created in 15 16 15-35-108(3)(j) for protection of works of art in the 17 capitol and for other cultural and aesthetic projects. The remainder of the trust fund created in 15-35-108(3)(e) must 18 be used as provided in 15-35-108(3)(e). 19 20 NEW SECTION. Section 3. Effective date -- termination.

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21 (1) [Sections 1 and 3] are effective July 1, 1991, and

22 [section 1] terminates June 30, 1993.

23 (2) [Section 2] is effective July 1, 1993.

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# STATE OF MONTANA - FISCAL NOTE Form BD-15 In compliance with a written request, there is hereby submitted a Fiscal Note for <u>HB1008</u>, <u>as introduced</u>.

## DESCRIPTION OF PROPOSED LEGISLATION:

An act allocating to separate trust funds the coal severance tax money that would be deposited in a nonexpendable trust fund for parks acquisition or management, protection of works of art in the state capitol and other cultural and aesthetic projects; allowing the expenditure of coal severance tax revenue for parks for two years; and providing effective dates and a termination date.

# ASSUMPTIONS:

1. Total Receipts for the coal severance tax will be \$38,595,000 in FY92 and \$37,109,000 in FY93 (OBPP).

# FISCAL IMPACT:

The proposal will not affect revenues, but will reallocate coal severance tax receipts (see FUND INFORMATION on page 2).

DATE

ROD SUNDSTED, BUDGET DIRECTOR Office of Budget and Program Planning

FRANCIS BARDANOUVE, PRIMARY SPONSOR

Fiscal Note for <u>HB1008</u>, as introduced

HB 1008

# Fiscal Note Request, <u>HB1008, as introduced</u> Form BD-15 Page 2

FUND INFORMATION: Coal Severance Tax

	FY '92			FY '93		
	Current Law	Proposed Law	Difference	<u>Current_Law</u>	Proposed Law	Difference
Art/Aesthetic Projects	\$0	\$243,457	\$243,457	\$0	\$234,084	\$234,084
Parks Account	0	489,848	489,848	0	470,987	470,987
General Fund	5,939,771	5,939,771	0	5,711,075	5,711,075	0
Conservation Districts	73,331	73,331	0	70,507	70,507	0
County Land Planning	146,661	146,661	0	141,014	141,014	0
Local Impact	2,566,568	2,566,568	0	2,467,749	2,467,749	0
Agricultural Growth	293,322	293,322	0	282,028	282,028	0
Public Schools	4,399,830	4,399,830	0	4,230,426	4,230,426	0
State Library	146,661	146,661	0	141,014	141,014	0
Renewable Resource	183,326	183,326	0	176,268	176,268	0
Parks Trust	733,305	0	(733,305)	705,071	0	(705,071)
Permanent Trust	<b>19</b> ,297,500	19,297,500	0	18,554,500	18,554,500	0
Water Development	183,326	183,326	0	176,268	176,268	0
Highway Trust	4,631,400	4,631,400	0	4,453,080	4,453,080	0
TOTAL	\$38,595,000	\$38,595,000	\$0	\$37,109,000	\$37,109,000	\$0

# LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

The proposal would, after the FY92-93 biennium, allocate the monies currently allocated to the parks acquisition trust (1.9% of coal severance tax receipts, under current law) to two separate nonexpendable trusts. The new trust for parks acquisition or management would receive, in the FY94-95 biennium and beyond, 1.2692% of the coal tax receipts. The trust for the protection of art and other aesthetic projects would receive 0.6308% of coal severance tax receipts.

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### 52nd Legislature

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## APPROVED BY COMMITTEE ON APPROPRIATIONS

1	HOUSE BILL NO. 1008
2	INTRODUCED BY BARDANOUVE, THOFT, HARDING,
3	CONNELLY, HOCKETT
4	BY REQUEST OF THE LONG-RANGE BUILDING SUBCOMMITTEE
5	
6	A BILL FOR AN ACT ENTITLED: "AN ACT ALLOCATING TO SEPARATE
7	TRUST FUNDS THE COAL SEVERANCE TAX MONEY THAT WOULD BE
8	DEPOSITED IN A NONEXPENDABLE TRUST FUND FOR PARKS
9	ACQUISITION OR MANAGEMENT, PROTECTION OF WORKS OF ART IN THE
10	STATE CAPITOL, AND OTHER CULTURAL AND AESTHETIC PROJECTS;
11	ALLOWING THE EXPENDITURE OF COAL SEVERANCE TAX REVENUE FOR
12	PARKS FOR 2 YEARS; AMENDING SECTION 15-35-108, MCA; AND
13	PROVIDING EFFECTIVE DATES AND A TERMINATION DATE."
14	
15	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
16	Section 1. Section 15-35-108, MCA, is amended to read:
17	"15-35-108. (Temporary) Disposal of severance taxes.
18	Severance taxes collected under this chapter must be
19	allocated according to the provisions in effect on the date
20	the tax is due under 15-35-104. Severance taxes collected
21	under the provisions of this chapter are allocated as
22	follows:
23	(1) To the trust fund created by Article IX, section 5,
24	
2.4	of the Montana constitution, 50% of total coal severance tax

collections. The trust fund moneys shall be deposited in the

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fund established under 17-6-203(5) and invested by the board
 of investments as provided by law.

3 (2) Starting July 1, 1987, and ending June 30, 1993,
4 12% of coal severance tax collections are allocated to the
5 highway reconstruction trust fund account in the state
6 special revenue fund.

7 (3) Coal severance tax collections remaining after the
8 allocations provided by subsections (1) and (2) are
9 allocated in the following percentages of the remaining
10 balance:

11 (a) 17.5% to the credit of the local impact account.
12 Unencumbered funds remaining in the local impact account at
13 the end of each biennium are allocated to the state special
14 revenue fund for state equalization aid to public schools of
15 the state.

16 (b) 30% to the state special revenue fund for state17 equalization aid to public schools of the state;

18 (c) 1% to the state special revenue fund to the credit19 of the county land planning account;

20 (d) 1 1/4% to the credit of the renewable resource 21 development bond fund;

(e) 5% 0% to a nonexpendable trust fund for the purpose
 of parks acquisition or management;-protection-of-works-of
 art-in-the-state-capitol;-and-other-cultural--and--aesthetic
 projects. Income from this trust fund shall be appropriated

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### HB 1008/02

#### 1 as-follows; 2 ti)--1/3-for-protection-of-works-of--art--in--the--state 3 capitol-and-other-cultural-and-aesthetic-projects-and 4 (ii)-2/3 for the acquisition, development, operation, 5 and maintenance of any sites and areas described in 6 23-1-102: 7 (f) 1% to the state special revenue fund to the credit 8 of the state library commission for the purposes of 9 providing basic library services for the residents of all 10 counties through library federations and for payment of the costs of participating in regional and national networking; 11 12 (g) 1/2 of 1% to the state special revenue fund for 13 conservation districts: 14 (h) 1 1/4% to the debt service fund type to the credit 15 of the water development debt service fund; 16 (i) 2% to the state special revenue fund for the 17 Montana Growth Through Agriculture Act; 18 (j) 1.667% to a nonexpendable trust fund for the 19 purpose of protection of works of art in the state capitol 20 and for other cultural and aesthetic projects. Income from 21 this trust fund shall be appropriated for protection of 22 works of art in the state capitol and for other cultural and 23 aesthetic projects. 24 (k) beginning July 1, 1991, and ending June 30, 1993, 25 3-34% 3.333% to a special revenue account to be used by the -3-HB 1008

#### 1 department of fish, wildlife, and parks for parks;

2  $(\frac{1}{2})$  all other revenues from severance taxes 3 collected under the provisions of this chapter to the credit 4 of the general fund of the state. (Terminates July 1, 5 1993--sec. 7, Ch. 541, L. 1983.)

6 15-35-108. (Effective July 1, 1993) Disposal of 7 severance taxes. Severance taxes collected under this chapter must be allocated according to the provisions in я 9 effect on the date the tax is due under 15-35-104. Severance 10 taxes collected under the provisions of this chapter are 11 allocated as follows:

12 (1) To the trust fund created by Article IX, section 5, 13 of the Montana constitution, 50% of total coal severance tax collections. The trust fund moneys shall be deposited in the 14 15 fund established under 17-6-203(5) and invested by the board 16 of investments as provided by law.

17 (2) Coal severance tax collections remaining after 18 allocation to the trust fund under subsection (1) are 19 allocated in the following percentages of the remaining 20 balance:

21 (a) 17.5% to the credit of the local impact account. 22 Unencumbered funds remaining in the local impact account at 23 the end of each biennium are allocated to the state special 24 revenue fund for state equalization aid to public schools of 25 the state.

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(b) 30% to the state special revenue fund for state
 equalization aid to public schools of the state;

4

3 (c) 1% to the state special revenue fund to the credit
4 of the county land planning account;

5 (d) 1 1/4% to the credit of the renewable resource
6 development bond fund;

7 (e) 5% 3-34% 3.33% to a nonexpendable trust fund for
8 the purpose of parks acquisition or management,-protection
9 of-works-of-art-in-the-state-capitol,-and-other-cultural-and
10 aesthetic-projects. Income from this trust fund shall be
11 appropriated as-follows-

12 (i)--1/3--for--protection--of--works-of-art-in-the-state
13 capitol-and-other-cultural-and-aesthetic-projects;-and

14 (iii)-2/3 for the acquisition, development, operation, 15 and maintenance of any sites and areas described in 16 23-1-102;

17 (f) 1% to the state special revenue fund to the credit 18 of the state library commission for the purposes of 19 providing basic library services for the residents of all 20 counties through library federations and for payment of the 21 costs of participating in regional and national networking; 22 (g) 1/2 of 1% to the state special revenue fund for 23 conservation districts;

24 (h) 1 1/4% to the debt service fund type to the credit25 of the water development debt service fund;

1	(i) 2% to the state special revenue fund for the
2	Montana Growth Through Agriculture Act;
3	(j) 1-66% 1.667% to a nonexpendable trust fund for the
4	purpose of protection of works of art in the state capitol
5	and for other cultural and aesthetic projects. Income from
6	this trust fund shall be appropriated for protection of
7	works of art in the state capitol and other cultural and
8	aesthetic projects.
9	<del>(j)<u>(k)</u> all other revenues from severance taxes</del>
10	collected under the provisions of this chapter to the credit
11	of the general fund of the state."
12	NEW SECTION. Section 2. Transfer of funds. The board
13	of investments shall transfer one-third of the balance as of
14	June 30, 1991, of the nonexpendable trust fund created in
15	15-35-108(3)(e) to the nonexpendable trust fund created in
16	15-35-108(3)(j) for protection of works of art in the
17	capitol and for other cultural and aesthetic projects. The
18	remainder of the trust fund created in 15-35-108(3)(e) must
19	be used as provided in 15-35-108(3)(e).
20	NEW SECTION. Section 3. Effective date termination.
21	<ol> <li>(1) [Sections 1 and 3] are effective July 1, 1991, and</li> </ol>
22	[section 1] terminates June 30, 1993.
23	(2) [Section 2] is effective July 1, 1993.

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1	HOUSE BILL NO. 1008	1	fund established
2	INTRODUCED BY BARDANOUVE, THOFT, HARDING,	2	of investments a
3	CONNELLY, HOCKETT	3	(2) Startin
4	BY REQUEST OF THE LONG-RANGE BUILDING SUBCOMMITTEE	4	12% of coal seve
5		5	highway reconst
6	A BILL FOR AN ACT ENTITLED: "AN ACT ALLOCATING TO SEPARATE	6	special revenue
7	TRUST FUNDS THE COAL SEVERANCE TAX MONEY THAT WOULD BE	7	(3) Coal se
8	DEPOSITED IN A NONEXPENDABLE TRUST FUND FOR PARKS	8	allocations pr
9	ACQUISITION OR MANAGEMENT, PROTECTION OF WORKS OF ART IN THE	9	allocated in the
10	STATE CAPITOL, AND OTHER CULTURAL AND AESTHETIC PROJECTS;	10	balance:
11	ALLOWING THE EXPENDITURE OF COAL SEVERANCE TAX REVENUE FOR	11	(a) 17.5%
12	PARKS FOR 2 YEARS; AMENDING SECTION 15-35-108, MCA; AND	12	Unencumbered fur
13	PROVIDING EFFECTIVE DATES AND A TERMINATION DATE."	13	the end of each
14		14	revenue fund for
15	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	15	the state.
16	Section 1. Section 15-35-108, MCA, is amended to read:	16	(b) 30% to
17	"15-35-108. (Temporary) Disposal of severance taxes.	17	equalization aid
18	Severance taxes collected under this chapter must be	18	(c) 1% to
19	allocated according to the provisions in effect on the date	19	of the county la
20	the tax is due under 15-35-104. Severance taxes collected	20	(d) 1 1/4%
21	under the provisions of this chapter are allocated as	21	development bond
22	follows:	22	(e) <del>58</del> 08 t
23	(1) To the trust fund created by Article IX, section 5,	23	of parks acqui
24	of the Montana constitution, 50% of total coal severance tax	24	art-in-the-state
25	collections. The trust fund moneys shall be deposited in the	25	projects. Incom

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1	fund established under 17-6-203(5) and invested by the board
2	of investments as provided by law.
3	(2) Starting July 1, 1987, and ending June 30, 1993,
4	12% of coal severance tax collections are allocated to the
5	highway reconstruction trust fund account in the state
6	special revenue fund.
7	(3) Coal severance tax collections remaining after the
8	allocations provided by subsections (1) and (2) are
9	allocated in the following percentages of the remaining
10	balance:
11	(a) 17.5% to the credit of the local impact account.
12	Unencumbered funds remaining in the local impact account at
13	the end of each biennium are allocated to the state special
14	revenue fund for state equalization aid to public schools of
15	the state.
16	(b) 30% to the state special revenue fund for state
17	equalization aid to public schools of the state;
18	(c) 1% to the state special revenue fund to the credit
19	of the county land planning account;
20	(d) 1 1/4% to the credit of the renewable resource
21	development bond fund;
22	(e) 5% 0% to a nonexpendable trust fund for the purpose
23	of parks acquisition or management <sub>7</sub> -protection-of-works-of
24	art-in-the-state-capitoly-and-other-culturalandsesthetic
25	projects. Income from this trust fund shall be appropriated

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1	as-foliows:	1	department of fish, wildlife, and parks for parks;
2	<del>{i}}1/3-for-protection-of-works-ofartinthestate</del>	2	$\frac{1}{1}$ all other revenues from severance taxes
3	capitol-and-other-cultural-and-aesthetic-projects;-and	3	collected under the provisions of this chapter to the credit
4	$\frac{1}{1}$	4	of the general fund of the state. (Terminates July 1,
5	and maintenance of any sites and areas described in	5	1993sec. 7, Ch. 541, L. 1983.)
6	23-1-102;	6	15-35-108. (Effective July 1, 1993) Disposal of
7	(f) 1% to the state special revenue fund to the credit	7	severance taxes. Severance taxes collected under this
8	of the state library commission for the purposes of	8	chapter must be allocated according to the provisions in
9	providing basic library services for the residents of all	9	effect on the date the tax is due under 15-35-104. Severance
10	counties through library federations and for payment of the	10	taxes collected under the provisions of this chapter are
11	costs of participating in regional and national networking;	11	allocated as follows:
12	(g) $1/2$ of 1% to the state special revenue fund for	12	(1) To the trust fund created by Article IX, section 5,
13	conservation districts;	13	of the Montana constitution, 50% of total coal severance tax
14	(h) 1 1/4% to the debt service fund type to the credit	14	collections. The trust fund moneys shall be deposited in the
15	of the water development debt service fund;	15	fund established under 17-6-203(5) and invested by the board
16	(i) 2% to the state special revenue fund for the	16	of investments as provided by law.
17	Nontana Growth Through Agriculture Act;	17	(2) Coal severance tax collections remaining after
18	(j) $\frac{1}{2}$ $\frac{1}{669}$ 1.667% to a nonexpendable trust fund for the	18	allocation to the trust fund under subsection (1) are
19	purpose of protection of works of art in the state capitol	19	allocated in the following percentages of the remaining
20	and for other cultural and aesthetic projects. Income from	20	balance:
21	this trust fund shall be appropriated for protection of	21	(a) 17.5% to the credit of the local impact account.
22	works of art in the state capitol and for other cultural and	22	Unencumbered funds remaining in the local impact account at
23	aesthetic projects.	23	the end of each biennium are allocated to the state special
24	(k) beginning July 1, 1991, and ending June 30, 1993,	24	revenue fund for state equalization aid to public schools of
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 equalization aid to public schools of the state;

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6 development bond fund;

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17 (f) 1% to the state special revenue fund to the credit 18 of the state library commission for the purposes of 19 providing basic library services for the residents of all 20 counties through library federations and for payment of the 21 costs of participating in regional and national networking; 22 (g) 1/2 of 1% to the state special revenue fund for 23 conservation districts;

24 (h) 1 1/4% to the debt service fund type to the credit25 of the water development debt service fund;

1 (i) 2% to the state special revenue fund for the 2 Montana Growth Through Agriculture Act; 3 (j) 1-66 1.667% to a nonexpendable trust fund for the purpose of protection of works of art in the state capitol 4 5 and for other cultural and aesthetic projects. Income from б this trust fund shall be appropriated for protection of 7 works of art in the state capitol and other cultural and 8 aesthetic projects. 9 tj)(k) all other revenues from severance taxes 10 collected under the provisions of this chapter to the credit 11 of the general fund of the state." NEW SECTION. Section 2. Transfer of funds. The board 12 13 of investments shall transfer one-third of the balance as of 14 June 30, 1991, of the nonexpendable trust fund created in 15-35-108(3)(e) to the nonexpendable trust fund created in 15 16 15-35-108(3)(j) for protection of works of art in the 17 capitol and for other cultural and aesthetic projects. The

18 remainder of the trust fund created in 15-35-108(3)(e) must
19 be used as provided in 15-35-108(3)(e).

20 NEW SECTION. Section 3. Effective date -- termination.

- 21 (1) [Sections 1 and 3] are effective July 1, 1991, and
- 22 [section 1] terminates June 30, 1993.
- 23 (2) [Section 2] is effective July 1, 1993.

-End-

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# SENATE STANDING COMMITTEE REPORT

Page 1 of 1 April 12, 1991

MR. PRESIDENT:

We, your committee on Finance and Claims having had under consideration House Bill No. 1008 (third reading copy -- blue), respectfully report that House Bill No. 1008 be amended and as so amended be concurred in:

1. Title, line 9. Strike: "ACQUISITION OR" 2. Title, line 13. Following: "PROVIDING" Insert: "AN" Following: "EFFECTIVE" Strike: "DATES" Insert: "DATE" 3. Page 2, line 23. Following: "parks" Strike: "acquisition or" 4. Page 3, line 4. Following: "the" Strike: "acquisition," 5. Page 4, line 1. Following: "parks for" Strike: "parks" Insert: "the development, operation, and maintenance of state parks and the stabilization and preservation of historic sites within the state park system"

6. Page 6, line 21.
Strike: "(1)"
Following: "["
Strike: "Sections 1 and 3"
Insert: "This act"
Following: "]"
Strike: "are"
Insert: "is"

7. Page 6, line 22.
Following: line 21
Insert: "the temporary version of"

8. Page 6, line 23. Strike: subsection (2) in its entirety

Y H. Jagobsop, Chairman

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HB 1008/03

HOUSE BILL NO. 1008 1 fund established under 17-6-203(5) and invested by the board INTRODUCED BY BARDANOUVE, THOFT, HARDING, 2 of investments as provided by law. CONNELLY, HOCKETT 3 (2) Starting July 1, 1987, and ending June 30, 1993, BY REQUEST OF THE LONG-RANGE BUILDING SUBCOMMITTEE 4 12% of coal severance tax collections are allocated to the 5 highway reconstruction trust fund account in the state A BILL FOR AN ACT ENTITLED: "AN ACT ALLOCATING TO SEPARATE 6 special revenue fund. TRUST FUNDS THE COAL SEVERANCE TAX MONEY THAT WOULD BE 7 (3) Coal severance tax collections remaining after the DEPOSITED IN A NONEXPENDABLE TRUST FUND FOR PARKS 8 provided by subsections (1) and (2) are allocations ACCHISITION-OR MANAGEMENT, PROTECTION OF WORKS OF ART IN THE 9 allocated in the following percentages of the remaining STATE CAPITOL, AND OTHER CULTURAL AND AESTHETIC PROJECTS; 10 balance: ALLOWING THE EXPENDITURE OF COAL SEVERANCE TAX REVENUE FOR 11 (a) 17.5% to the credit of the local impact account. PARKS FOR 2 YEARS; AMENDING SECTION 15-35-108, MCA; AND 12 Unencumbered funds remaining in the local impact account at PROVIDING AN EFFECTIVE DATES DATE AND A TERMINATION DATE." 13 the end of each biennium are allocated to the state special 14 revenue fund for state equalization aid to public schools of BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 15 the state. Section 1. Section 15-35-108, MCA, is amended to read: 16 (b) 30% to the state special revenue fund for state 17 equalization aid to public schools of the state; "15-35-108. (Temporary) Disposal of severance taxes. 18 (c) 1% to the state special revenue fund to the credit Severance taxes collected under this chapter must be 19 of the county land planning account; allocated according to the provisions in effect on the date 20 (d) 1 1/4% to the credit of the renewable resource the tax is due under 15-35-104. Severance taxes collected 21 development bond fund; under the provisions of this chapter are allocated as 22 (e) 5% 0% to a nonexpendable trust fund for the purpose follows: 23 of parks acquisition-or management;-protection-of-works-of (1) To the trust fund created by Article IX, section 5, 24 art-in-the-state-capitoly-and-other-cultural--and--aesthetic of the Montana constitution, 50% of total coal severance tax 25 projects. Income from this trust fund shall be appropriated collections. The trust fund moneys shall be deposited in the

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REFERENCE BILL

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#### HB 1008/03

	1	department of fish, wildlife, and parks for parks THE
-state	2	DEVELOPMENT, OPERATION, AND MAINTENANCE OF STATE PARKS AND
	3	THE STABILIZATION AND PRESERVATION OF HISTORIC SITES WITHIN
ation,	4	THE STATE PARK SYSTEM;
d in	5	$(\frac{1}{2})$ all other revenues from severance taxes
	6	collected under the provisions of this chapter to the credit
credit	7	of the general fund of the state. (Terminates July 1,
s of	8	1993sec. 7, Ch. 541, L. 1983.)
of all	9	15-35-108. (Effective July 1, 1993) Disposal of
of the	10	severance taxes. Severance taxes collected under this
king;	11	chapter must be allocated according to the provisions in
and for	12	effect on the date the tax is due under 15-35-104. Severance
	13	taxes collected under the provisions of this chapter are
credit	14	allocated as follows:
	15	(1) To the trust fund created by Article IX, section 5,
or the	16	of the Montana constitution, 50% of total coal severance tax
	17	collections. The trust fund moneys shall be deposited in the
or the	18	fund established under 17-6-203(5) and invested by the board
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e from	20	(2) Coal severance tax collections remaining after
ion of	21	allocation to the trust fund under subsection (1) are
al and	22	allocated in the following percentages of the remaining
	23	balance:
1993,	24	(a) 17.5% to the credit of the local impact account.
by the	25	Unencumbered funds remaining in the local impact account at
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1 as-follows-

2 (i)--1/3-for-protection-of-works-of--art--in--the--state
3 capitol-and-other-cultural-and-aesthetic-projects;-and

4 (ii;)-2/3 for the acquisition; development, operation,
5 and maintenance of any sites and areas described in
6 23-1-102;

7 (f) 1% to the state special revenue fund to the credit
8 of the state library commission for the purposes of
9 providing basic library services for the residents of all
10 counties through library federations and for payment of the
11 costs of participating in regional and national networking;

12 (g) 1/2 of 1% to the state special revenue fund for13 conservation districts;

14 (h) 1 1/4% to the debt service fund type to the credit15 of the water development debt service fund;

16 (i) 2% to the state special revenue fund for the17 Montana Growth Through Agriculture Act;

18 (j) ±r66% 1.667% to a nonexpendable trust fund for the purpose of protection of works of art in the state capitol and for other cultural and aesthetic projects. Income from this trust fund shall be appropriated for protection of works of art in the state capitol and for other cultural and aesthetic projects.

24 (k) beginning July 1, 1991, and ending June 30, 1993,
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the end of each biennium are allocated to the state special 1 revenue fund for state equalization aid to public schools of 2 the state. 3 (b) 30% to the state special revenue fund for state 4 equalization aid to public schools of the state; 5 (c) 1% to the state special revenue fund to the credit 6 7 of the county land planning account; (d) 1 1/4% to the credit of the renewable resource 8 9 development bond fund; 10 the purpose of parks acquisition or management7--protection 11 of-works-of-art-in-the-state-capitoly-and-other-cultural-and 12 aesthetic--projects. Income from this trust fund shall be 13 appropriated as-follows: 14 ti)--1/3-for-protection-of-works-of--art--in--the--state 15 capitol-and-other-cultural-and-aesthetic-projects;-and 16 tity-2/3 for the acquisition, development, operation, 17 and maintenance of any sites and areas described in 18 23-1-102: 19 (f) 1% to the state special revenue fund to the credit 20 of the state library commission for the purposes of 21 providing basic library services for the residents of all 22 counties through library federations and for payment of the 23 costs of participating in regional and national networking; 24

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25 (g) 1/2 of 1% to the state special revenue fund for

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25 1991, and THE TEMPORARY VERSION OF [section 1] terminates

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