SENATE BILL NO. 274

INTRODUCED BY TVEIT, R. DEBRUYCKER, WEEDING, GROSFIELD, BENGTSON, HOCKETT, WILLIAMS, BRUSKI, NATHE, DEVLIN, KNOX, SCHYE, BACHINI

IN THE SENATE

	IN THE SENATE
FEBRUARY 5, 1991	INTRODUCED AND REFERRED TO COMMITTEE ON FINANCE & CLAIMS.
	FIRST READING.
MARCH 13, 1991	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
MARCH 14, 1991	PRINTING REPORT.
	SECOND READING, DO PASS AS AMENDED.
MARCH 15, 1991	ENGROSSING REPORT.
	THIRD READING, PASSED. AYES, 43; NOES, 5.
	IN THE HOUSE
MARCH 15, 1991	INTRODUCED AND REFERRED TO COMMITTEE ON APPROPRIATIONS.
MARCH 16, 1991	FIRST READING.
APRIL 4, 1991	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
APRIL 6, 1991	SECOND READING, CONCURRED IN.
	ON MOTION, RULES SUSPENDED. BILL PLACED ON THIRD READING THIS DAY.
	THIRD READING, CONCURRED IN. AYES, 95; NOES, 2.
	RETURNED TO SENATE.

IN THE SENATE

RECEIVED FROM HOUSE.

SENT TO ENROLLING.

APRIL 9, 1991

REPORTED CORRECTLY ENROLLED.

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INTRODUCED BY

Denote BILL NO. 374

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOCATING REVENUE FROM PROVIDING AN IMPROVEMENT OF THOSE RAILROADS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY PROVISION."
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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEV SECTION. Section 1. Special railroad facilities

account. There is a special railroad facilities account in
the state special revenue fund.

NEW SECTION. Section 2. Disposition of revenue from state-owned railroads -- use of money. (1) Unless otherwise required by law, revenue from the lease of, the sale of assets of, or other activities of a railroad owned by the state of Montana must be deposited in the special railroad facilities account created in [section 1].

(2) The legislature shall appropriate the money in the account to the department of commerce to be used for improvement of railroad tracks and associated facilities of any state-owned railroad in Montana.

23 NH & SECTION. Section 3. Colification instruction.
24 [Sections 1 and 2] are intended to be codified as an
25 integral part of Title 60, chapter 11, and the provisions of

Title 60, chapter 11, apply to [sections 1 and 2].

2 NEW SECTION. Section 4. Effective date -3 applicability. [This act] is effective on passage and
4 approval and applies to all money received from railroads
5 owned by the state of Montana:

- (1) after [the effective date of this act]; or
- 7 (2) retroactively, within the meaning of 1-2-109, to 8 money previously received that is unobligated on [the effective date of this act].

-End-

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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 SB0274, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

SB0274 would allocate revenue from railroads owned by the State of Montana for the improvement of those railroads and provide an immediate effective date and applicability provision.

ASSUMPTIONS:

- 1. In FY91 \$175,000 was deposited into the general fund from the sale of Rarus Railroad. Income from Rarus Railroad leas remains unobligated.
- 2. Section 4 of the proposed legislation will allow the appropriation of \$175,000 from the general fund to the special railroad facilities account in the state special revenue fund.
- 3. Funds will be granted to state-owned railroads and associated facilities to be used to improve those facilities. The entire amount deposited into the general fund in FY91 will be granted to eligible railroads in FY92.
- 4. Revenues to this account for FY92 and 93 are unknown at this time.
- 5. FY85-90 revenues were \$68,546 from lease income.
- 6. The effective date of this legislation is "on passage and approval" therefore the fund change would take place in FY91 as noted in the fiscal impact narrative below.

FISCAL IMPACT:

Dept. of Commerce:		FY 91			FY_92		
Expenditures: Local Assistance Funding:	<u>Current Law</u> 0	Proposed Law 175,000	Difference 175,000	Current Law 0	Proposed Law 0	<u>Difference</u> C	
General Fund State Special Total	0 0 0	(175,000) 175,000 0	(175,000) 175,000 0	0 0 0	0 0 0	0 0	
Revenue: General Fund State Special Total	175,000 0 0	(175,000) 175,000 0	(175,000) 175,000 0	0 0 0	0 0 0	C	

ROD SUNDSTED, BUDGET DIRECTOR

DATE

Office of Budget and Program Planning

LARRY J. TVEIT. PRIMARY SPONSOR

DA

Fiscal Note for SB0274, as introduced.

SB 274

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7	RAILROADS OWNED BY THE STATE OF MONTANA FOR THE IMPROVEMENT
8	OF THOSE RAILROADS; AND PROVIDING AN IMMEDIATE EFFECTIVE
9	DATE AND AN APPLICABILITY PROVISION."
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11	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12	NEW SECTION. SECTION 1. LEGISLATIVE FINDINGS. THE
13	LEGISLATURE FINDS THAT IT IS IN THE INTERESTS OF THE STATE
14	OF MONTANA TO PRESERVE AND ENCOURAGE, WHENEVER POSSIBLE,
15	MONTANA'S RAILROAD TRANSPORTATION INFRASTRUCTURE, ESPECIALLY
16	THOSE RAILROADS CLASSIFIED AS CLASS III CARRIERS UNDER 49
17	CFR, CHAPTER 10, THAT OPERATE MAINLY WITHIN THE STATE.
18	NEW SECTION. Section 2. Special railroad facilities
19	account. There is a special railroad facilities account in
20	the state special revenue fund.
21	NEW SECTION. Section 3. Disposition of revenue from
22	state-owned railroads use of money. (1) Unless otherwise
23	required by law, revenue from the lease $\frac{\partial F_7}{\partial R}$ sale of
24	assets of, or other-activities REVENUE PAID TO THE STATE OF
25	MONTANA BY AN OPERATOR of a railroad owned by the state of



- Montana must be deposited in the special railroad facilities account created in [section 1 2].
- 3 (2) The legislature shall appropriate the money in the 4 account to the department of commerce to be used for 5 improvement of railroad tracks and associated facilities of 6 any state-owned railroad in Montana.
- 7 <u>NEW SECTION.</u> **Section 4.** Codification instruction.
- 8 [Sections 1 and-2 THROUGH 3] are intended to be codified as
 9 an integral part of Title 60, chapter 11, and the provisions
- of Title 60, chapter 11, apply to [sections 1 and-2 THROUGH
- 11 3].

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- NEW SECTION. Section 5. Effective date --applicability. [This act] is effective on passage and
- 14 approval and applies to all money received from--railroads
- owned-by-the-state-of-Montana PURSUANT TO [SECTION 3(1)]:
- 16 (1) after [the effective date of this act]; or
- 17 (2) retroactively, within the meaning of 1-2-109, to
- 18 money previously received that is unobligated on {the
- effective date of this act].

-End-

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4	accounttothe department of commerce tobewaed IS
5	AUTHORIZED TO ADMINISTER, AS PROVIDED IN [SECTIONS 1 THROUGH
6	3], THE SPECIAL RAILROAD FACILITIES ACCOUNT CREATED IN
7	[SECTION 2] TO PROVIDE for improvement of railroad tracks
8	and associated facilities of any state-owned railroad in
9	Montana.
10	NEW SECTION. Section 4. Codification instruction.
11	[Sections 1 and-2 THROUGH 3] are intended to be codified as
12	an integral part of Title 60, chapter 11, and the provisions
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19	(1) after [the effective date of this act];-or
20	(2)retroactively;-within-the-meaningofi-2-189;to
21	moneypreviouslyreceivedthatisunobligatedon{the
22	effective-date-of-this-act}.

Montana must be deposited in the special railroad facilities

-End-

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