

REPORTED CORRECTLY ENROLLED.

1 *Senate* BILL NO. *274*
 2 INTRODUCED BY *Trent* *Albright* *Wendling*
 3 *General Session* *from* *Senate* *Bill* *274*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOCATING REVENUE FROM
 5 RAILROADS OWNED BY THE STATE OF MONTANA FOR THE IMPROVEMENT
 6 OF THOSE RAILROADS; AND PROVIDING AN IMMEDIATE EFFECTIVE
 7 DATE AND AN APPLICABILITY PROVISION."
 8

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

10 NEW SECTION. **Section 1.** Special railroad facilities
 11 account. There is a special railroad facilities account in
 12 the state special revenue fund.

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

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

23 NEW SECTION. **Section 3.** Codification 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

1 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:
 6 (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
 9 effective date of this act].

-End-

INTRODUCED BILL
SB 274



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 lease 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		
	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>
<u>Expenditures:</u>						
Local Assistance	0	175,000	175,000	0	0	0
<u>Funding:</u>						
General Fund	0	(175,000)	(175,000)	0	0	0
State Special	0	175,000	175,000	0	0	0
Total	0	0	0	0	0	0
<u>Revenue:</u>						
General Fund	175,000	(175,000)	(175,000)	0	0	0
State Special	0	175,000	175,000	0	0	0
Total	0	0	0	0	0	0


 ROD SUNDSTED, BUDGET DIRECTOR DATE 2-9-91
 Office of Budget and Program Planning


 LARRY J. TVEIT, PRIMARY SPONSOR DATE 2/11/91

Fiscal Note for SB0274, as introduced.

SB 274

APPROVED BY COMM. ON
FINANCE AND CLAIMS

SENATE BILL NO. 274

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

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

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

NEW SECTION. SECTION 1. LEGISLATIVE FINDINGS. THE
LEGISLATURE FINDS THAT IT IS IN THE INTERESTS OF THE STATE
OF MONTANA TO PRESERVE AND ENCOURAGE, WHENEVER POSSIBLE,
MONTANA'S RAILROAD TRANSPORTATION INFRASTRUCTURE, ESPECIALLY
THOSE RAILROADS CLASSIFIED AS CLASS III CARRIERS UNDER 49
CFR, CHAPTER 10, THAT OPERATE MAINLY WITHIN THE STATE.

NEW SECTION. Section 2. Special railroad facilities
account. There is a special railroad facilities account in
the state special revenue fund.

NEW SECTION. Section 3. Disposition of revenue from
state-owned railroads -- use of money. (1) Unless otherwise
required by law, revenue from the lease of ~~7~~-the OR sale of
assets of ~~7~~ or other-activities REVENUE PAID TO THE STATE OF
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].

(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.

NEW SECTION. Section 4. Codification instruction.
[Sections 1 ~~and-2~~ THROUGH 3] are intended to be codified as
an integral part of Title 60, chapter 11, and the provisions
of Title 60, chapter 11, apply to [sections 1 ~~and-2~~ THROUGH
3].

NEW SECTION. Section 5. Effective date --
applicability. [This act] is effective on passage and
approval and applies to all money received ~~from--railroads~~
~~owned-by-the-state-of-Montana~~ PURSUANT TO [SECTION 3(1)]:

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

-End-



SENATE BILL NO. 274

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

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

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

NEW SECTION. SECTION 1. LEGISLATIVE FINDINGS. THE LEGISLATURE FINDS THAT IT IS IN THE INTERESTS OF THE STATE OF MONTANA TO PRESERVE AND ENCOURAGE, WHENEVER POSSIBLE, MONTANA'S RAILROAD TRANSPORTATION INFRASTRUCTURE, ESPECIALLY THOSE RAILROADS CLASSIFIED AS CLASS III CARRIERS UNDER 49 CFR, CHAPTER 10, THAT OPERATE MAINLY WITHIN THE STATE.

NEW SECTION. Section 2. Special railroad facilities account. There is a special railroad facilities account in the state special revenue fund.

NEW SECTION. Section 3. Disposition of revenue from state-owned railroads -- use of money. (1) Unless otherwise required by law, revenue from the lease of, ~~the~~ OR sale of assets of, or ~~other-activities~~ REVENUE PAID TO THE STATE OF 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 ± 2].

(2) ~~The legislature shall appropriate the money in the account to the~~ department of commerce ~~to be used~~ IS AUTHORIZED TO ADMINISTER, AS PROVIDED IN [SECTIONS 1 THROUGH 3], THE SPECIAL RAILROAD FACILITIES ACCOUNT CREATED IN [SECTION 2] TO PROVIDE for improvement of railroad tracks and associated facilities of any state-owned railroad in Montana.

NEW SECTION. Section 4. Codification instruction. [Sections 1 ~~and 2~~ THROUGH 3] are intended to be codified as an integral part of Title 60, chapter 11, and the provisions of Title 60, chapter 11, apply to [sections 1 ~~and 2~~ THROUGH 3].

NEW SECTION. Section 5. Effective date -- applicability. [This act] is effective on passage and approval and applies to all money received from ~~railroads owned by the state of Montana~~ PURSUANT TO [SECTION 3(1)] ~~after [the effective date of this act], or~~ (2) ~~retroactively, within the meaning of 1-2-189, to~~ money ~~previously received that is unobligated on the effective date of this act.~~

-End-



SENATE BILL NO. 274

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

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

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

NEW SECTION. SECTION 1. LEGISLATIVE FINDINGS. THE LEGISLATURE FINDS THAT IT IS IN THE INTERESTS OF THE STATE OF MONTANA TO PRESERVE AND ENCOURAGE, WHENEVER POSSIBLE, MONTANA'S RAILROAD TRANSPORTATION INFRASTRUCTURE, ESPECIALLY THOSE RAILROADS CLASSIFIED AS CLASS III CARRIERS UNDER 49 CFR, CHAPTER 10, THAT OPERATE MAINLY WITHIN THE STATE.

NEW SECTION. Section 2. Special railroad facilities account. There is a special railroad facilities account in the state special revenue fund.

NEW SECTION. Section 3. Disposition of revenue from state-owned railroads -- use of money. (1) Unless otherwise required by law, revenue from the lease of, the OR sale of assets of, or other-activities REVENUE PAID TO THE STATE OF 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].

(2) ~~The legislature shall appropriate the money in the account to the~~ department of commerce ~~to be used~~ IS AUTHORIZED TO ADMINISTER, AS PROVIDED IN [SECTIONS 1 THROUGH 3], THE SPECIAL RAILROAD FACILITIES ACCOUNT CREATED IN [SECTION 2] TO PROVIDE for improvement of railroad tracks and associated facilities of any state-owned railroad in Montana.

NEW SECTION. Section 4. Codification instruction. [Sections 1 ~~and 2~~ THROUGH 3] are intended to be codified as an integral part of Title 60, chapter 11, and the provisions of Title 60, chapter 11, apply to [sections 1 ~~and 2~~ THROUGH 3].

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

-End-

