

THE MINUTES OF THE MEETING OF THE TAXATION COMMITTEE
November 23, 1981

The meeting was called to order by Chairman Nordtvedt at 12:00 noon, Monday, November 23, 1981 in room 437 of the Capitol Building, Helena, Montana.

ROLL CALL was taken. All members were present with the exception of REPRESENTATIVE BURNETT and REPRESENTATIVE DOZIER.

THE MEETING WAS CALLED INTO EXECUTIVE SESSION.

HOUSE BILL 16, EXHIBIT 1, was presented for action. REPRESENTATIVE NORDTVEDT MOVED that House Bill 16 DO NOT PASS.

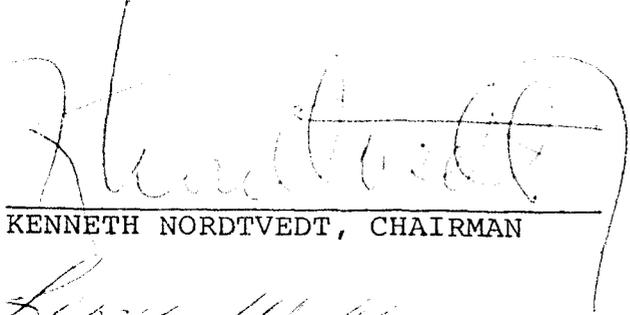
DISCUSSION was held. It was questioned that if it goes before the voters how will they know the cost and whether it was up to the committee to decide on the wording. The statement was made that the full title of the bill would have to be presented on the ballot.

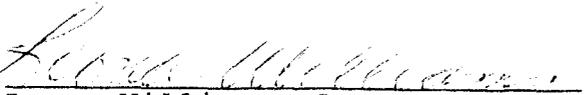
BOB PYFER, Legal Council, stated that the title, as well as the whole referendum would have to be presented. If it were going to be presented as descriptive, the whole bill would have to be put on the ballot.

QUESTION WAS CALLED: ROLL CALL VOTE WAS TAKEN: (See EXHIBIT 2)

MOTION PASSED.

MOTION was made to adjourn at 12:15 p.m.


KENNETH NORDTVEDT, CHAIRMAN


Leona Williams, Secretary

HOUSE BILL NO. 16 Special Session

Bohannon

1 INTRODUCTION BY

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

NEW SECTION. Section 2. Duties of the department. The department shall administer the highway reconstruction program to initiate, plan, design, construct, and reconstruct projects on the primary and secondary highway systems. The department shall select such projects from throughout the state according to need, and the funds expended for these projects are not subject to the provisions of 60-3-203.

NEW SECTION. Section 3. Highway reconstruction program -- funding. (1) For the purpose of funding the highway reconstruction program created in [section 1], 6 cents per gallon of the special fuel tax collected under 15-70-321 and 5 cents per gallon of the gasoline license tax collected under 15-70-204 are allocated to the highway reconstruction program.

(2) In addition, all funds in the highway earmarked revenue account not needed by the department for general operations, maintenance, or matching federal aid may be used by the department in the reconstruction program.

NEW SECTION. Section 4. Use of funds allocated to highway reconstruction program. The funds allocated to the highway reconstruction program under [section 3] may only be used to initiate, plan, design, construct, and reconstruct projects on the primary and secondary highway systems.

Section 5. Section 15-70-204, MCA, is amended to read:

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

INTRODUCED BY

A BILL FOR AN ACT ENTITLED: "AN ACT TO CREATE A PERMANENT HIGHWAY RECONSTRUCTION PROGRAM; TO INCREASE THE GASOLINE LICENSE TAX BY 5 CENTS PER GALLON AND TO INCREASE THE TAX ON DIESEL FUEL AND OTHER VOLATILE LIQUIDS BY 6 CENTS PER GALLON TO FUND THE RECONSTRUCTION PROGRAM; TO MAKE PERMANENT THE TEMPORARY 1 CENT PER GALLON FUEL TAX INCREASES PROVIDED BY CHAPTER 632, LAWS OF 1979; REPEALING SECTIONS 2 AND 3 OF CHAPTER 632, LAWS OF 1979; AMENDING SECTIONS 15-70-204, 15-70-321, AND 60-3-203, MCA; AND PROVIDING THAT THE PROPOSED ACT BE SUBMITTED TO THE ELECTORS OF THE STATE OF MONTANA."

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

NEW SECTION. Section 1. Highway reconstruction program -- creation -- purpose. There is a permanent highway reconstruction program. This program is created in recognition that the highways located on the primary and secondary systems of Montana are deteriorating at such a rate that existing programs will be unable to construct and reconstruct them to safe and acceptable standards and that the prospects of increased federal assistance to solve this problem are unlikely.

1 District 3. Phillips, Valley, Daniels, Sheridan, Sheridan,
 2 Roosevelt;
 3 District 4. McCone, Richland, Dawson, Prairie,
 4 Kibaux;
 5 District 5. Fergus, Garfield, Petroleum;
 6 District 6. Pondera, Teton, Chouteau, Cascade, Judith
 7 Basin;
 8 District 7. Lewis and Clark, Jefferson, Broadwater;
 9 District 8. Sanders, Mineral, Missoula, Ravalli,
 10 Granite, Powell;
 11 District 9. Beaverhead, Deer Lodge, Silver Bow,
 12 Madison;
 13 District 10. Park, Gallatin, Sweet Grass, Meagher,
 14 Wheatland;
 15 District 11. Golden Valley, Musselshell, Stillwater,
 16 Yellowstone, Carbon, Big Horn, Treasure;
 17 District 12. Rosebud, Custer, Fallon, Powder River,
 18 Carter.*
 19 Section 8. Codification instruction. Sections 1
 20 through 4 are intended to be codified as an integral part of
 21 Title 60, Chapter 3, part 2 and the provisions of Title 60
 22 apply to sections 1 through 4.
 23 Section 9. Repealer. Sections 2 and 3, Chapter 632,
 24 Laws of 1979, are repealed.
 25 Section 10. Effective date. Sections 1 through 9 are

1 effective January 1, 1983.
 2 Section 11. Submission to electorate. The question of
 3 whether this act becomes effective shall be submitted to the
 4 electors of the state of Montana at the general election to
 5 be held in November, 1982, by printing on the ballot the
 6 full title of this act and the following:
 7 FOR raising the gasoline license tax and the tax on
 8 diesel fuel and volatile liquids.
 9 AGAINST raising the gasoline license tax and the tax
 10 on diesel fuel and volatile liquids.

-End-

	MOTION DO NOT PASS		Date: No:	Date: No:	Date: No:	Date: No:
	Date: No:	Date: No:				
NORDTVEDT, KENNETH-Chm.	YES					
SIVERTSEN, Robert	NO					
ASAY, Tom	NO					
BERTELSEN, Verner L.	YES					
BURNETT, James H.	---					
DEVLIN, Gerry	YES					
HARP, John G.	YES					
ROTH, Audrey G.	YES					
SWITZER, L. Dean	YES					
UNDERDAL, Melvin	YES					
VINGER, Orren C.	YES					
BRAND, Joe	YES					
DOZIER, Robert	NO					
HARRINGTON, Dan W.	NO					
NEUMAN, Ted	NO					
OBERG, Danny	YES					
WILLIAMS, Melvin	YES					
ZABROCKI, Carl J.	YES					

HART, Marjorie

NO

STANDING COMMITTEE REPORT

November 23 19 81

MR. SPEAKER

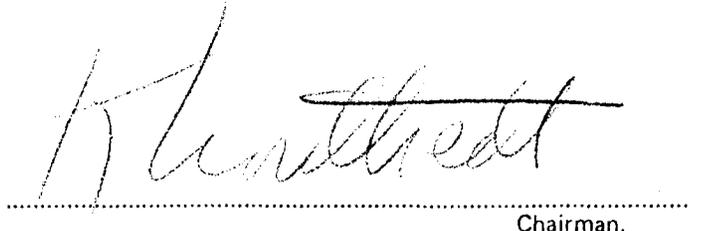
We, your committee on TAXATION

having had under consideration HOUSE Bill No. 16

A BILL FOR AN ACT ENTITLED: "AN ACT TO CREATE A PERMANENT HIGHWAY RECONSTRUCTION PROGRAM; TO INCREASE THE GASOLINE LICENSE TAX BY 5 CENTS PER GALLON AND TO INCREASE THE TAX ON DIESEL FUEL AND OTHER VOLATILE LIQUIDS BY 6 CENTS PER GALLON TO FUND THE RECONSTRUCTION PROGRAM; TO MAKE PERMANENT THE TEMPORARY 1 CENT PER GALLON FUEL TAX INCREASES PROVIDED BY CHAPTER 632, LAWS OF 1979; REPEALING SECTIONS 2 AND 3 OF CHAPTER 632, LAWS OF 1979; AMENDING SECTIONS 15-70-204, 15-70-321, AND 60-3-203, MCA; AND PROVIDING THAT THE PROPOSED ACT BE SUBMITTED TO THE ELECTORS OF THE STATE OF MONTANA."

Respectfully report as follows: That HOUSE Bill No. 16

~~DO NOT PASS~~ DO NOT PASS


.....
Chairman.