

**MINUTES**

**MONTANA SENATE  
52nd LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON TAXATION**

**Call to Order:** By Senator Mike Halligan, on February 22, 1991,  
at 8:00 a.m.

**ROLL CALL**

**Members Present:**

Mike Halligan, Chairman (D)  
Dorothy Eck, Vice Chairman (D)  
Robert Brown (R)  
Steve Doherty (D)  
Delwyn Gage (R)  
John Harp (R)  
Francis Koehnke (D)  
Gene Thayer (R)  
Thomas Towe (D)  
Van Valkenburg (D)  
Bill Yellowtail (D)

**Members Excused:** None

**Staff Present:** Jeff Martin (Legislative Council).

**Please Note:** These are summary minutes. Testimony and  
discussion are paraphrased and condensed.

**Announcements/Discussion:** None

**HEARING ON SENATE BILL 359**

**Presentation and Opening Statement by Sponsor:**

Senator Nathe, District 10, said the bill creates a \$5000 a year credit on income taxes for physicians who practice in a rural area. The credit would apply for three successive years. He noted there are 18 counties in Montana without obstetric services.

**Proponents' Testimony:**

Bob Frazier, Project Consultant, Governor's Health Care Committee, submitted a portion of the report from the Health Care

Committee (Exhibit #1). He said states are rated in five categories in terms of health services. He reviewed Montana's standing in that rating:

1. 3rd in lifestyle
2. 12th in number of people with disabling conditions
3. 7th in disease
4. 16th in mortality
5. 41st in access to care

Jerry Loendorf, Montana Medical Association, said there are 18 counties without physicians in Montana and that number will continue to increase. He said even the areas like Kalispell, which have recreational and community access, cannot attract new doctors. He noted a new doctor, fresh from college, can make a great deal more in a larger area than do the three obstetricians who have been practicing in Kalispell for thirty years.

He said people in rural Montana have no access to emergency care at all and must travel substantial distances to access regular medical care. The associated costs (travel, food, lodging, days off work) of medical care then rise also. He said the bill extends an incentive to help rural communities attract doctors and also ends the incentive after three years.

Tom Cherry, Montana Hospital Association, Manpower Project Coordinator, said conventional inducements are not working. He supported the bill but asked that it be amended to extend the incentive for 10 years as they do in Oregon.

Jack Noble, Board of Regents, Deputy Commissioner for Management and Fiscal Affairs, expressed support for the bill. He noted the Regents will be sponsoring legislation offering a loan repayment program for physicians which will fit in nicely with this legislation.

#### Opponents' Testimony:

There were no opponents.

#### Questions From Committee Members:

Senator Gage suggested amending the bill to require the repayment of the \$15,000 if the doctor leaves the state the fourth year, \$10,000 if they leave the fifth year, and \$5,000 if they leave the sixth year. If they stay more than six years they keep the whole credit. This would create an incentive for longevity.

Senator Noble said that was fine with him.

Senator Van Valkenburg asked Mr. Noble about a proposed surtax on Wiche-Wami students.

Mr. Noble said considerable funding has been removed from the Wiche-Wami fund and there will be no slots open this year and only 3 open the following year. The Regents are proposing an 8% tuition surcharge on students entering the field of medicine in the year 1992. A certain percentage of that would be placed in a trust, the proceeds of which would be used to contract with physicians with outstanding educational loans to return to Montana and practice in a rural area. The loans would be repaid in an accelerating manner.

Senator Van Valkenburg asked if other medical professionals would demand a \$5000 incentive if one were offered only to the doctor.

Senator Nathe replied if the primary health provider is not in the community, the rest will not be employed anyway. He said the doctor is the primary provider and all nursing and support services depend on his presence in the community.

Closing by Sponsor:

Senator Nathe closed said this is part of a three-prong package of bills to improve provision of health care to rural Montana. Increasing the medicaid reimbursement rate for obstetrical and pediatric services is a necessary component and with the provisions of this bill in place Montana can begin to attract the services it needs for its rural communities.

HEARING ON SENATE BILL 428

Presentation and Opening Statement by Sponsor:

Senator Nathe, District 10, said the bill addresses the allocation of gasoline taxes back to Indian reservations in the state and the issue of sovereignty between the seven reservations and the state. He presented proposed amendments which would ensure that the state is not having its right to tax preempted (Exhibit #2). He said the bill is an attempt to avoid confrontation and litigation over the allocation of taxes. He said the distribution is based on population and miles of paved and gravel roads on the reservations that are maintained by the tribes or BIA.

**Proponents' Testimony:**

Raymond White Tail Feather, Tribal Councilman, Assiniboine and Sioux Tribes, presented his testimony in support of the bill (Exhibit #3).

**Opponents' Testimony:**

Jim Halverson, Roosevelt County, presented his testimony in opposition to the bill (Exhibit #4).

Bill Salsbury, Montana Highway Department, said there is a constitutional question as to the use of the funds for public roads. He said the highway trust fund is declining and bills of this sort just decrease it further. The fiscal impact is approximately \$500,000 which would match approximately \$2 million in federal aid.

**Questions From Committee Members:**

In response to a question from Senator Yellowtail, Mr. Chambers, Legal Counsel for the Assiniboine and Sioux Tribes, said he felt the tribes could sell gasoline within the borders of the reservation without the application of the state gas tax based on precedent. The problem with the formula in the bill is that instead of \$200,000 which the Fort Peck reservation members pay per year in gas sales tax, the tribe would get about \$15,000. The mileage base would vary from reservation to reservation. He said there may need to be varying formulas but that would have to be up to DOR to work out. He said if the central machinery case precedent were to apply, the gas station would have to be owned by the tribe, not an individual. The bill gives the tribe an incentive to impose a tribal tax that would be the same as the state tax.

Senator Eck asked if it would be wise to include in the bill the provision that tribes have to use gas tax money for road maintenance.

Mr. Chambers encouraged the committee to allow the tribes to negotiate that provision as some tribes just may not have to spend that much on road maintenance.

Senator Eck asked if there needed to be a 3/5 vote on this provision by the legislature.

Mr. Chambers said constitutional law is not his specialty but it sounds like it may have to meet the 3/5 vote.

Mr. Woodgerd, Legal Counsel, DOR, replied the state can enter into an agreement but the problem is diversion of funds. He said the amendments clarify that neither the state nor the

tribes are giving up any of their rights. He felt if the tax is a tribal tax and imposed by the tribe it would not be a constitutional formula allocation issue. If the tribe applies it, they spend it.

Closing by Sponsor:

Senator Nathe closed by saying this is a complex issue and it needs to be addressed in order to avoid extended litigation.

HEARING ON SENATE BILL 354

Presentation and Opening Statement by Sponsor:

Senator Gage, District 5, said the bill clarifies the net operating loss provision regarding a merger or consolidation would only apply to Montana corporations.

Proponents' Testimony:

Denis Adams, Director, DOR, said the bill is intended to bring state law into conformity with the Internal Revenue Code regarding mergers. The surviving corporations would be able to deduct some of their pre-merger net operating losses.

John Cadby, Montana Bankers Association, said his group favors being able to carry forward loss deductions. He said he did not understand why financial institutions are singled out and denied the privilege. He urged the committee to include banks in the provisions of the bill.

Tucker Hill, Champion International, expressed support for the bill in that it clarifies how losses can be adjusted to the tax liability of the corporation.

Opponents' Testimony:

There were no opponents.

Questions From Committee Members:

Mr. Adams said, in response to a question from Senator Thayer, that the parent company would have to have the net operating loss, not the company they acquired. The intent is to let one of the net operating losses survive.

Senator Halligan wondered if the fiscal note could be reduced by dealing with specific areas.

Mr. Adams said DOR has not had enough time to research that question thoroughly, however, he felt it could be reduced somewhat.

Senator Thayer said he thought federal did not allow a net operating loss at all.

Mr. Adams said, under federal law, the surviving corporation can continue to carry its net operating loss forward. There are, however, real restrictions when the operating losses are acquired through the merged corporations.

Senator Towe expressed some concern with the ambiguity between a true merger and a surviving corporation.

#### Closing by Sponsor:

Senator Gage said he did not realize the extent of the fiscal impact. He said he would continue to work on the bill to clarify specifics and language.

### HEARING ON SENATE BILL 438

#### Presentation and Opening Statement by Sponsor:

Senator Brown, District 2, said the bill exempts railroad tracks and right-of-way owned by the federal government from the beneficial use tax.

#### Proponents' Testimony:

Dave Woodgerd said, in a recent Supreme Court argument, the utilities said the beneficial use tax is discriminatory because there is an exemption for state owned railroads but not for federally owned railroads. He pointed out there is no exemption because there are no federally owned railroads in Montana and therefore it was simply an oversight by the legislature.

#### Opponents' Testimony:

Gene Phillips, attorney for one of the Colstrip owners, said the bill really doesn't impact the litigation.

Questions From Committee Members:

Senator Towe asked if there are any state owned railroads.

Mr. Woodgerd said there are two railroads which the state had to take over and now lease to private companies.

Closing by Sponsor:

Senator Brown closed.

EXECUTIVE ACTION ON SENATE BILL 438

Recommendation and Vote:

Senator Gage moved SB 438 Do Pass.

The motion CARRIED with Senators Van Valkenburg, Yellowtail, and Harp absent.

EXECUTIVE ACTION ON SENATE BILL 354

Recommendation and Vote:

Senator Towe moved to Table SB 354.

The motion CARRIED unanimously with Senators Van Valkenburg and Harp absent.

EXECUTIVE ACTION ON SENATE BILL 272

Discussion:

Senator Thayer presented a statement regarding amendments to SB 272 to the committee (Exhibit #5).

Senator Halligan asked Mr. Klophoke for his opinion regarding the definition of infrastructure.

Mr. Klophoke said the only definition needed is "infrastructure means sewers, curbs, and gutters".

Senator Thayer said he agreed with Senator Towe that off-street parking facilities and parking lots should be left in the bill.

Amendments, Discussion, and Votes:

Senator Doherty moved to amend the bill as per Senator Thayer's proposed amendments (as reflected on the attached standing committee report).

The motion CARRIED unanimously with Senator Harp absent.

Senator Towe moved that the word "buildings" be inserted in the definition section.

The motion FAILED with Senators Thayer, Doherty and Towe voting "aye" and Senator Harp absent.

Senator Towe moved to retain the language

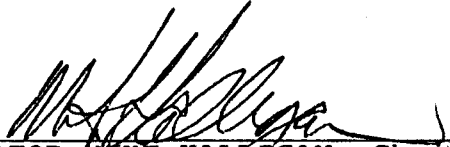
Recommendation and Vote:


Senator Doherty moved SB 272 Do Pass As Amended.

The motion CARRIED unanimously with Senator Harp absent.

ADJOURNMENT

Adjournment At: 10:00 a.m.

  
\_\_\_\_\_  
SENATOR MIKE HALLIGAN, Chairman

  
\_\_\_\_\_  
JILL D. ROHYANS, Secretary

MH/jdr





ROLL CALL

SENATE TAXATION COMMITTEE

DATE 2/22/91

52<sup>nd</sup> LEGISLATIVE SESSION

NAME	PRESENT	ABSENT	EXCUSED
SEN. HALLIGAN	X		
SEN. ECK	X		
SEN. BROWN	X		
SEN. DOHERTY	X		
SEN. GAGE	X		
SEN. HARP	X		
SEN. KOEHNKE	X		
SEN. THAYER	X		
SEN. TOWE	X		
SEN. VAN VALKENBURG	X		
SEN. YELLOWTAIL	X		

Each day attach to minutes.



AMENDMENT TO SENATE BILL 428  
first reading copy (white)

Department of Revenue

The purpose of the proposed amendments is to make it clear that the State of Montana is not preempted from applying it's taxes on motor fuels on Indian Reservations. It also makes it clear that the distributors subject to the tribal tax will only pay one tax at the exact same level as they pay on gasoline which is not subject to the tribal tax.

The purpose of the bill is to allow Montana and Indian tribes to apply their motor fuel tax in such a way that the citizens are not subject to dual taxation and to share the revenue collected. The result of both the tribal government and the state government applying their respective taxes will be the collection of the same level of tax on the reservation as off the reservation and the sharing of the revenues on an equitable basis relating to the services provided to citizens on the reservation.

The amendments also set up a special revenue account so that the Department can spend 5% of the money collected for administration of the tax and disperse the remaining taxes to the tribe.

1. Page 1, line 13

Following: "governments."

Insert: "(1) In order to prevent the possibility of dual taxation of motor fuels purchased by Montana citizens and businesses on Indian reservations, the Department of Revenue and an Indian Tribe may enter into a cooperative agreement. The agreement shall provide that under the conditions specified in this section, the tribe and the state will cooperate to collect only one tax which is at the same level as the tax outside the boundaries of the reservation and share the revenues as provided in this section. The agreement must provide that neither the state or the tribe is forfeiting any legal rights to apply their respective taxes by entering into an agreement except as specifically set forth in the agreement."

Renumber: subsequent subsections

2. Page 1, lines 19 and 20

Strike: lines 19 and 20 in their entirety

Insert: "is not required to pay both the state and the tribal tax but only one tax to the state which is equal to the tax paid on gasoline which is not subject to a tribal tax."

3. Page 2.

Following: line 15

Insert: "NEW SECTION. Section 2. Special revenue account. (1) There is created a special revenue account to be called the tribal motor fuel tax account.

(2) All taxes collected under [section 1] shall be deposited by the department into the tribal motor fuel tax account.

(3) The money in the tribal motor fuel tax account may be

expended by the department to administer the tax and to distribute the remaining amount to tribal government.

(4) The appropriation made in subsection (3) is a statutory appropriation as provided in 17-7-502.

Section 3. Section 17-7-502, MCA, is amended to read:

'17-7-502. Statutory appropriations - definition - requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorities spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing appropriations: 2-9-202; 2-17-105, 2-18-812; 10-3-203; 10-3-312; 10-3-314; 10-4-301; 13-37-304; 15-1-111; 15-25-123; 15-31-702; 15-36-112; 15-37-117; 15-70-101; 16-1-404; 16-1-410; 16-1-411; 17-3-212; 17-5-404; 17-5-424; 17-5-804; 19-8-504; 19-9-702; 19-9-1007; 19-10-205; 19-10-506; 19-11-512; 19-11-513; 19-11-606; 19-12-301; 19-13-604; 20-6-406; 20-8-111; 20-9-361; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-1016; 23-5-1027; 27-12-206; 37-51-501; 39-71-2504; 53-6-150; 53-24-206; 61-2-406; 61-5-121; 67-3-205; 75-1-1101; 75-5-1108; 75-11-313; 76-12-123; 80-2-103; 82-11-136; 82-11-161; 90-3-301; 90-4-215; 90-4-613; 90-6-331; 90-9-306; and section 13, House Bill No. 861, Laws of 1985; and [section 2].

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for such payments.'" Renumber: subsequent sections.

Testimony of  
Raymond White Tail Feather  
Tribal Councilman  
Assiniboine and Sioux Tribes  
of the Fort Peck Reservation

on

S.B. 428

Senate Committee on Taxation

February 22, 1991

Chairperson and members of the Committee, I am Raymond White Tail Feather, a member of the Fort Peck Tribal Executive Board. I am pleased to appear here today on behalf of the Assiniboine and Sioux Tribes of the Fort Peck Reservation to discuss S.B. 428, proposed legislation authorizing the State of Montana to share gasoline tax revenues with Indian tribes in the State.

The Assiniboine and Sioux Tribes very much appreciate the opportunity to testify on this important reform, which we believe is both necessary to comply with federal law, and desirable in forging cooperative and productive relationships between tribal governments and the State of Montana. While the Tribes support the concept of tax sharing, we are unable to support the bill as currently drafted.

Montana has two fuel taxes: (i) a gasoline license tax, M.C.A. 15-70-201, et seq., and (ii) a special fuels use tax M.C.A. 15-70-301, et seq. The gasoline license tax is imposed on the distributor and passed on through the retailer to the customer. The special fuels tax, which falls mainly on diesel fuel, is a straight sales tax, falling on the customer. We are unclear whether S.B. 428 covers the special fuels tax. If it does not, we believe it should be amended to do so.

As matters now stand, both these taxes are imposed on Indians when they buy motor fuel on reservations. The United States Supreme Court has held many times that state taxes cannot be imposed on Indians purchasing goods

on a reservation. E.g., Confederated Colville Tribes v. Washington, 477 U.S. 134 (1980); Confederated Salish and Kootenai Tribes v. Moe, 425 U.S. 463 (1976). Indians pay over \$200,000 a year in taxes on the Fort Peck Reservation that we consider are not legally owed under controlling federal law. We understand that the State has a different view of federal law. The credit mechanism in the proposed bill resolves this legal difference and reaches the result we both generally support.

The Assiniboine and Sioux Tribes would agree to enact a tribal gasoline tax and special fuels tax substantially similar to the corresponding state taxes. The Tribes envision that the Department of Revenue would collect the tribal taxes as well as the state taxes, and remit the tribal tax payments to the Tribes, as provided in the proposed bill. We are also agreeable to a deduction for the State's costs of administration. We question whether 5% is justified. Tax agreements with tribes in South Dakota have specified a 1% administrative fee.

Our major difficulty with the proposed bill lies in its calculation of how the Tribes and the State would split the taxes collected. We strongly believe that the Assiniboine and Sioux Tribes' share of the total tax revenues should be based solely on the percentage of Indians residing on the Reservation (in relation to total reservation population). Under this concept, every purchaser of motor fuel will pay the same tax -- as at present -- but the Tribes will receive a portion of the tax revenues that corresponds to the Indians buying motor fuel on the reservation. But since we believe these Indians are exempt from state taxes on reservations under federal law,



we submit that the State should not retain any revenues collected from them.

The difference between our concept and the draft bill is that the draft bill would multiply the percentage of enrolled Indians residing on a reservation by the percent of Indian or BIA maintained highway miles (in relation to total highway miles) on a Reservation. The basis for the proposed concept, as we understand it, is that the Indians use the state highways and should therefore be taxed to "pay" for that use. The trouble with this concept is that Indians "use" many state services -- schools, parks, general assistance, to name a few -- but -- the courts have held since the earliest days of the Republic that states cannot tax Indians to pay for services they are legally obligated to provide to them.

This is fair from a number of perspectives. Historically, because Indian tribes surrendered the lands that now form Montana, for a pittance in relation to their true value. Economically, because the State receives large amounts of federal impact aid and other monies because of the federal trust obligation to tribes. Politically, because tribes -- not the State -- are the key governmental units that exercise political authority over Indians on reservations.

I have stressed the legal framework in my testimony, but there is a larger value at stake -- which is forging a successful intergovernmental relationship between the State and the tribal governmental entities within it. Our Tribes have taken the leadership in this endeavor. We are the only tribes, for example, to conclude a water compact with Montana. We recently

established minimum instream flows for all rivers and creeks within our Reservation, which will protect fish and wildlife resources for Indians and non-Indians alike. We devoted our reserved water rights to this purpose, without considering that non-Indians should "pay" us for the benefits they will get from it. Our water compact also establishes a Board to settle any disputes concerning water used by Indians -- which is recognized as within tribal jurisdiction -- and that used by non-Indians under state law and jurisdiction. The Board has one member appointed by the Tribes, one by the State, and one neutral member.

I am discussing this compact because it represents a government-to-government relationship grounded in equality between governments, and in mutual respect for the legal rights and jurisdiction of each government, it recognizes that the Tribes regulate Indians on the reservation, while the State regulates non-Indians. With all respect, the proposed tax sharing bill does not do this as now drafted. Instead, it seeks to assert state authority over Indians on our reservation.

We would therefore not be able to conclude a tax sharing agreement with the State on the basis proposed in the bill. One alternative to the state statute and agreement concept we have proposed above, of course, is for the Tribes to sue that State to enjoin its collection of motor fuel taxes from Indians. Another alternative would be for the Tribes to open and operate gasoline retail outlets on the Reservation.

If the Tribes take the first course, we believe we would succeed

in court. If we take the second course, the State's gasoline license tax could not lawfully be imposed on any sales by distributors to those outlets (whether to Indians or non-Indians), so long as the tribal outlets resell the gasoline on the Reservation. This is because the United States Supreme Court of the United States has held that a non-Indian seller outside the reservation who delivers goods purchased by a tribal enterprise for use on the reservation is not liable for state taxes with respect to the on-reservation sales.

Central Machinery Co. v. Arizona State Tax Commission, 448 U.S. 160 (1980).

The Tribes would very much like to work out a satisfactory resolution of this problem with Montana. We do not stand just on the law, although our legal rights must be a starting point and cannot be surrendered. We stand on our record of working cooperatively and fairly with the State, on the basis of mutual respect.

We are not insisting that our approach is the only acceptable one. There are seven tribes in Montana. The factual circumstances of each reservation differ. It may be that no single formula should be imposed. Perhaps the bill could leave the State Department of Revenue with discretion to work out an agreement with each tribe, so long as the tribal share did not exceed the percentage the Indian resident population on a reservation bears to all reservation residents. We are open, of course, to constructive dialogue on this matter and to negotiating a fair agreement with the State. We cannot, however, accept a result that leaves our members paying state taxes they do not owe, or that surrenders jurisdiction to the State we believe it does not legally have.

Thank you very much for the opportunity to appear before you. I should be delighted to answer any questions you may have, and to work with the committee in bringing this concept to life.

SENATE TAXATION  
EXHIBIT NO. 4  
DATE 2/22/91  
BILL NO. S/B 428

58428

SENATE TAXATION

As I stand in support of this bill, at no time do I support that Tribal members be exempt from the costs associated with services they are entitled to and receive. Tribal members living on reservations are exempt from State and Local Government taxation with no reimbursement or payment in lieu of taxes to cities and Counties. Schools receive what is known as 874 funds to assist in education, but most other costs are paid for by local taxpayers. Problems such as this and others were created by the Congress Of This United States and until such time as they have the guts to address these issues, the double standards, conflicts and misunderstanding will continue. This bill attempts to settle one of these conflicts without their help or interference.

One important thing we must remember here today is that this is not a racial issue, but an economic and governmental issue.

Through this legislation, the State never before having recognized tribal exemption from state taxes, will now be stating that tribal members purchasing gas on their reservations, will be exempt from state gasoline taxes in the form of a refund to their tribal government.

This legislation attempts to refund to the tribes of Montana, in a fair and equitable manner, State tax rate paid by tribal members on gasoline purchased on their reservation.

This legislation will avert costly and lengthy legal action as the courts have historically and continuously supported State and local tax exempt status for tribes and Tribal members on their reservations.

Much thought - debate and consideration has been put into a fair and equitable system to refund in proportion to what has been collected.

This bill basically uses the same formula used in distribution to cities and Counties.

Enclosed will find instructional letter, distribution figures and report forms used by Cities and Counties.

Counties and Cities are required to used these funds for the maintenance and repair of Public roads - streets - alleys.

Though it may vary slightly in other County-Reservation areas, Roosevelt County maintains virtually all public roads except for approximately 150 miles of B.I.A. system maintained by the Federal Bureau of Indian Affairs. Some private roads and accesses are maintained by the Tribe for Tribal members.

I ask that this committee reject any attempt to create an unfair or inequitable refund system or formula.

Refunds made because of tax exempt status, must be made at the amount equal to the amount collected no less and certainly no more.

JAMES HALVERSON  
ROOSEVELT COUNTY COMMISSIONER

24-485  
AK  
A  
L  
DEPARTMENT OF HIGHWAYS

RECEIVED MAY 21 1990



STAN STEPHENS, GOVERNOR

2701 PROSPECT AVE.

STATE OF MONTANA

HELENA, MONTANA 59620

May 18, 1990

Board of County Commissioners  
Roosevelt County Courthouse  
Wolf Point, MT 59201

Subject: Allocation of Gas Tax Revenue for Fiscal Year (FY) 1991

The attached table reflects the allocation of gas tax funds for the fiscal year beginning July 1, 1990 and ending June 30, 1991.

If your FY 91 allocation varies from last year, it is a result of adjustments in the length of street, alley or rural road mileage.

Also attached is a form to be used in reporting your anticipated Fiscal Year 1991 gas tax expenditures. The form will make it easier for you to comply with state law and will enable the Department of Highways to coordinate expenditures for public road improvements.

The Legislature made it clear that cities and counties must report anticipated expenditures of their gas tax allocation to the Department of Highways [MCA 15-70-101(3)]:

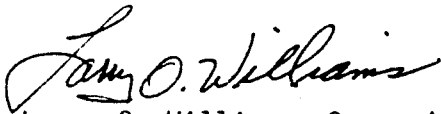
"Upon receipt of the allocation provided herein, the governing bodies of the recipient counties, cities, and towns shall inform the department of highways of the purposes for which the funds will be expended so that the county commissioners, the governing body, and the department of highways may coordinate the expenditure of public funds for road improvements."

Simply fill in the form in the general item blanks that are applicable to your county or city. If you have any questions, please call Larry Williams at 444-6110.

May 18, 1990  
Page 2

Please return the completed form prior to December 15, 1990. Mail to:

Larry O. Williams  
Montana Department of Highways  
2701 Prospect Avenue  
Helena, MT 59620



Larry O. Williams, Supervisor  
Secondary Roads Section

LOW:by:2t

Attachments

File 303



**ANTICIPATED FY 91 EXPENDITURES  
OF STATE GAS TAX APPORTIONMENT**

**WORK BY COUNTY/CITY FORCES**

<u>Type of work</u>	<u>Location</u>	<u>Amount</u>
Grading	_____	_____
Gravel Surfacing	_____	_____
Gravel Crush & Stockpile	_____	_____
Bituminous Surfacing	_____	_____
Bridge Construction	_____	_____
Other Work by County, City (Specify - drainage, signing, striping, etc.)	_____	_____
	_____	_____

**WORK BY CONTRACT**

<u>Type of work</u>	<u>Location</u>	<u>Amount</u>
Grading	_____	_____
Gravel Surfacing	_____	_____
Gravel Crush & Stockpile	Roosevelt County	113,967
Bituminous Surfacing	_____	_____
Bridge Construction	_____	_____
Other Work by Contract (Specify - drainage, signing, striping, etc.)	_____	_____
	_____	_____

Roosevelt County  
\_\_\_\_\_  
City/County

*Robert W. Schlederer*  
\_\_\_\_\_  
Signature

7/5/90  
\_\_\_\_\_  
Date

ALLOCATION OF GASOLINE TAX REVENUE TO COUNTIES  
SECTION 15-70-101, M.C.A.  
FOR FISCAL YEAR BEGINNING JULY 1, 1950

COUNTY	RURAL ROAD MILEAGE			RURAL POPULATION			LANE AREA			COMBINED ALLOCATION		
	MILEAGE	1945		FUNDS	1946		FUNDS	1947		FUNDS	PERCENT	FUNDS
		PERCENT	PERCENT		PERCENT	PERCENT						
BEAVERHEAD	1,549.348	2.2624	57,221	3,936	1.0641	26,913	5,521	3.8217	46,229	2.05454	132,463	
BIGHORN	1,567.771	2.2893	57,901	7,025	1.8983	48,012	4,252	3.4582	4,732	2.36668	149,645	
BLAINE	2,060.673	3.0091	76,106	4,316	1.1663	29,458	4,275	2.9432	31,220	2.82566	142,824	
BROCKWATER	818.020	1.1545	30,211	4,369	0.4540	11,483	1,153	0.8213	16,386	0.82366	52,080	
CARBON	868.926	1.2688	32,030	4,369	1.1806	29,860	2,066	1.4224	1,588	1.26424	79,938	
CARTER	839.659	1.2261	31,011	1,175	0.3186	8,058	3,313	2.2809	28,644	1.07406	67,913	
CASCADE	1,582.260	2.3105	58,437	22,282	6.0210	152,283	2,661	1.8320	23,167	3.65655	233,887	
CASCADE	2,800.578	4.0895	103,432	3,255	0.8806	22,272	3,927	2.7036	34,190	2.52817	159,894	
CHOUTEAU	933.667	1.3634	34,483	3,476	0.5393	23,757	3,754	2.5855	32,701	1.43154	90,941	
CUSTER	976.759	1.4263	36,074	1,311	0.3543	8,961	1,443	0.9535	12,564	0.51654	57,595	
DANIELS	1,396.952	2.0399	51,593	5,410	1.4619	36,974	2,370	1.6317	20,624	1.12764	109,201	
DEER LODGE	312.821	0.4568	11,553	4,703	1.2708	32,141	740	0.5695	6,443	0.79252	50,137	
FALLON	822.245	1.2007	30,368	1,218	0.3291	8,324	1,623	1.1243	14,218	0.63675	52,910	
FERGUS	1,660.010	2.4240	61,308	5,093	1.3762	34,807	4,242	2.9205	36,933	2.10415	133,048	
FLATHEAD	2,069.351	3.0218	76,427	34,503	9.3233	235,805	5,137	3.5366	44,724	5.64526	356,956	
GALLATIN	1,406.968	2.0545	51,962	15,914	4.3002	108,761	2,517	1.7329	21,514	2.88865	182,637	
GARFIELD	1,196.777	1.7476	44,200	1,171	0.3164	8,002	4,455	3.0671	38,787	1.43502	90,989	
GLACIER	996.618	1.4553	36,807	5,714	1.5440	39,051	2,944	2.0406	25,805	1.60782	101,663	
GOLDEN VALLEY	645.124	0.9420	23,825	589	0.1592	4,026	1,116	0.8096	16,236	0.60235	39,089	
GRANITE	655.350	0.9570	24,204	1,148	0.3102	7,846	1,733	1.1531	15,088	0.74550	47,138	
HILL	3,230.435	4.7172	119,307	6,908	1.8667	47,213	2,927	2.0151	23,482	3.02656	192,003	
JEFFERSON	844.540	1.2332	31,190	4,558	1.2317	31,152	1,652	1.1373	14,382	1.21341	76,724	
JUDITH BASIN	1,121.454	1.6376	41,418	1,790	0.4837	12,234	1,850	1.2943	16,366	1.10735	70,020	
LAKE	1,142.231	1.6679	42,185	13,851	3.7428	94,663	1,454	1.0286	13,008	2.37001	145,856	
LEWIS AND CLARK	1,332.413	1.9456	49,208	17,454	4.7164	119,287	3,476	2.3931	20,263	3.14341	198,758	
LIBERTY	1,327.353	1.9383	49,023	1,366	0.3691	9,335	1,439	0.9907	15,529	1.12166	70,486	
LINCOLN	1,789.071	2.6125	66,075	12,667	3.4228	86,569	3,646	2.5101	31,743	2.91413	184,387	
MADISON	1,188.745	1.7358	43,902	3,513	0.9493	24,010	3,528	2.4289	30,716	1.55962	98,628	
MCCONE	1,558.303	2.2755	57,552	1,771	0.4796	12,105	2,677	1.7948	22,006	1.46600	92,354	
MEAGER	739.284	1.0795	27,303	852	0.2302	5,822	2,354	1.6206	26,494	0.84800	53,461	
MINERAL	895.343	1.3074	33,067	2,253	0.6088	15,358	1,222	0.8413	16,635	0.53475	59,104	
MISSOULA	1,482.425	2.1647	54,750	42,628	11.5188	291,333	2,622	1.7583	27,741	5.83355	368,824	
MUSSELSHELL	691.846	1.0103	25,553	2,071	0.5596	14,153	1,887	1.2591	16,428	0.88777	56,134	
PARK	876.324	1.2796	32,364	5,658	1.5289	38,669	2,626	1.8075	22,663	1.48495	93,896	
PETROLEUM	654.408	0.9556	24,169	448	0.1211	3,063	1,655	1.1394	14,409	0.65856	41,641	
PHILLIPS	1,854.230	2.7078	68,406	2,550	0.6555	17,702	5,213	3.5890	45,386	2.08058	131,574	
PENDERA	1,221.773	1.7841	45,123	3,017	0.8152	20,618	1,125	1.1225	14,322	1.26622	80,063	
PENDER RIVER	841.553	1.2289	31,081	1,808	0.4886	12,358	3,268	2.2637	26,627	1.13574	72,066	
POHILL	967.683	1.4130	35,738	2,935	0.7931	20,059	2,336	1.6083	26,335	1.20411	76,136	
PRAIRIE	798.748	1.1664	29,501	907	0.2451	6,199	1,730	1.1910	15,061	0.80280	50,761	
RAVALLI	1,312.025	1.9159	48,457	18,044	4.8758	123,319	2,362	1.6395	26,738	3.04466	192,514	
RICHLAND	1,259.552	1.8392	46,517	5,151	1.3919	35,204	2,319	1.4313	16,100	1.57870	99,821	
ROOSEVELT	1,678.101	2.4504	61,976	4,565	1.2346	31,226	2,385	1.6620	29,765	1.80242	113,967	
ROOSEVELT	1,384.730	2.0220	51,140	7,346	1.8850	50,205	5,037	3.4678	43,854	2.29650	145,159	
SANDERS	1,483.324	2.1660	54,782	5,480	1.4808	37,452	2,778	1.9126	24,187	1.84123	116,421	
SHERIDAN	1,445.744	2.1111	53,994	2,117	0.5721	14,470	1,654	1.1663	14,749	1.30655	82,613	
SILVER BOW	473.106	0.6508	17,472	16,003	4.3243	109,370	715	0.4523	6,226	2.10451	133,068	
STILLWATER	981.023	1.4325	36,231	4,155	1.1238	28,423	1,744	1.2351	15,615	1.26554	80,273	
SWEET GRASS	607.320	0.8668	22,429	1,526	0.4124	10,430	1,840	1.2668	16,020	0.77303	48,175	
TETON	1,558.853	2.2763	57,572	3,684	0.9955	25,178	2,254	1.5793	15,572	1.22458	102,722	
TOOLE	1,226.626	1.7512	45,303	1,733	0.4683	11,844	1,950	1.3425	16,577	1.17225	74,124	
TREASURE	371.411	0.5423	13,716	532	0.1438	3,637	965	0.6781	6,575	0.41006	25,928	
VALLEY	2,122.076	3.0587	76,372	5,090	1.3754	34,787	4,574	3.4244	43,305	2.47026	156,464	
WHEATLAND	555.057	0.8106	20,502	965	0.2608	6,596	1,420	0.9776	12,363	0.62465	39,461	
WYPAUK	590.974	0.8630	21,827	694	0.1875	4,742	850	0.6127	7,748	0.54273	34,317	
YELLOWSTONE	1,714.014	2.45028	63,302	35,636	9.6292	243,541	2,642	1.8187	23,000	5.21658	329,843	
TOTALS	68,482.339	100.0000	2,529,200	376,072	100.0000	2,529,200	145,251	100.0000	1,264,600	100.0000	6,323,000	

# DEPARTMENT OF HIGHWAYS



STAN STEPHENS, GOVERNOR

2701 PROSPECT AVE.

STATE OF MONTANA

HELENA, MONTANA 59620

May 18, 1990

City Clerk  
City of Wolf Point  
Wolf Point, MT 59201

Subject: Allocation of Gas Tax Revenue for Fiscal Year (FY) 1991

The attached table reflects the allocation of gas tax funds for the fiscal year beginning July 1, 1990 and ending June 30, 1991.

If your FY 91 allocation varies from last year, it is a result of adjustments in the length of street, alley or rural road mileage.

Also attached is a form to be used in reporting your anticipated Fiscal Year 1991 gas tax expenditures. The form will make it easier for you to comply with state law and will enable the Department of Highways to coordinate expenditures for public road improvements.

The Legislature made it clear that cities and counties must report anticipated expenditures of their gas tax allocation to the Department of Highways [MCA 15-70-101(3)]:

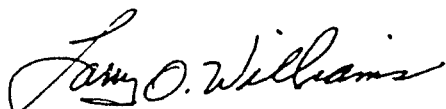
"Upon receipt of the allocation provided herein, the governing bodies of the recipient counties, cities, and towns shall inform the department of highways of the purposes for which the funds will be expended so that the county commissioners, the governing body, and the department of highways may coordinate the expenditure of public funds for road improvements."

Simply fill in the form in the general item blanks that are applicable to your county or city. If you have any questions, please call Larry Williams at 444-6110.

May 18, 1990  
Page 2

Please return the completed form prior to December 15, 1990. Mail to:

Larry O. Williams  
Montana Department of Highways  
2701 Prospect Avenue  
Helena, MT 59620



Larry O. Williams, Supervisor  
Secondary Roads Section

LOW:by:2t

Attachments

File 303

ALLOCATION OF GASLINE TAX REVENUE TO CITIES  
SECTION 15-70-101, M-C-A.  
FOR FISCAL YEAR BEGINNING JULY 1, 1950

CITY	1950 MUNICIPAL POPULATION			STREETS AND ALLEYS			COMBINED ALLOCATION		
	NUMBER	PERCENT	FUNDS	MILEAGE	PERCENT	FUNDS	PERCENT	FUNDS	
ALBERTON	368	0.0882	3,362	4.690	0.1309	4,989	0.10955	8,351	
ANACONDA	7,815	1.8727	71,378	40.252	1.1234	42,818	1.49805	114,196	
BAINVILLE	245	0.0587	2,237	7.805	0.2178	8,301	0.13824	10,538	
BAKER	2,354	0.5641	21,501	26.221	0.7318	27,893	0.64796	49,394	
BEARGREEK	61	0.0146	556	1.603	0.0447	1,704	0.02965	2,260	
BELGRADE	2,336	0.5598	21,337	27.569	0.7694	29,326	0.66461	50,663	
BELT	825	0.1977	7,535	6.803	0.1899	7,238	0.19380	14,773	
BIG SANDY	835	0.2001	7,627	12.932	0.3609	13,756	0.28051	21,383	
RIG TIMBER	1,690	0.4050	15,437	23.130	0.6455	24,603	0.52525	40,040	
BILLINGS	66,798	16.0068	610,099	528.140	14.7359	561,811	15.37334	1,171,910	
BOULDER	1,441	0.3453	13,161	15.160	0.4231	16,126	0.38419	29,287	
BOZEMAN	21,645	5.1868	197,695	110.550	3.0853	117,596	4.13605	315,291	
BRIDGER	724	0.1735	6,613	9.080	0.2534	9,658	0.21345	16,271	
BROCAUS	712	0.1706	6,502	8.936	0.2494	9,506	0.21000	16,608	
BROADVIEW	120	0.0288	1,098	3.320	0.0927	3,533	0.06075	4,631	
BROCKTON	374	0.0896	3,415	3.651	0.1019	3,884	0.09575	7,299	
BROWNING	1,226	0.2938	11,198	9.890	0.2760	10,520	0.28490	21,718	
BUTTE	21,202	5.0806	193,647	140.994	3.9350	149,583	4.50781	343,630	
CASCADE	773	0.1852	7,059	9.462	0.2641	10,066	0.22465	17,125	
CHESTER	963	0.2308	8,797	14.118	0.3940	15,017	0.31240	23,814	
CHINOOK	1,660	0.3978	15,162	18.883	0.5270	20,087	0.46240	35,249	
CHOTEAU	1,798	0.4309	16,424	25.755	0.7188	27,397	0.57485	43,821	
CIRCLE	931	0.2231	8,503	12.034	0.3359	12,803	0.27950	21,306	
CLYDE PARK	283	0.0678	2,584	5.299	0.1479	5,637	0.10784	6,221	
COLUMBIA FALLS	3,112	0.7457	28,422	30.254	0.8444	32,184	0.79504	60,606	
COLUMBUS	1,439	0.3448	13,142	22.458	0.6268	23,890	0.48579	37,032	
CONRAD	3,074	0.7366	28,076	28.668	0.8001	30,496	0.76836	58,572	
CULBERTSON	887	0.2126	8,103	10.954	0.3057	11,652	0.25915	19,755	
CUT BANK	3,688	0.8838	33,686	28.350	0.7912	30,157	0.83750	63,643	
DARBY	581	0.1392	5,306	5.820	0.1624	6,190	0.15081	11,496	
DEER LODGE	4,023	0.9640	36,743	36.690	1.0240	39,030	0.99400	75,773	
DENTON	356	0.0853	3,251	6.771	0.1890	7,204	0.13715	10,455	
DILLON	3,976	0.9528	36,316	33.535	0.9359	35,672	0.94435	71,588	
DOODSON	158	0.0379	1,445	3.753	0.1047	3,591	0.07131	5,436	
DRUMMOND	414	0.0992	3,781	3.336	0.0931	3,549	0.09616	7,330	
DUTTON	359	0.0860	3,278	7.346	0.2050	7,814	0.14551	11,092	
EAST HELENA	1,647	0.3947	15,044	16.860	0.4705	17,933	0.43260	32,977	
EKALAKA	620	0.1486	5,664	9.050	0.2526	9,628	0.20060	15,292	
ENNIS	660	0.1582	6,030	8.930	0.2492	9,498	0.20370	15,528	
EUREKA	1,119	0.2681	10,219	12.660	0.3533	13,466	0.31070	23,685	
FAIRFIELD	650	0.1558	5,938	9.774	0.2728	10,398	0.21430	16,336	
FAIRVIEW	1,366	0.3273	12,475	15.219	0.4247	16,187	0.37599	26,662	
FLAXVILLE	142	0.0340	1,296	2.981	0.0832	3,171	0.05860	4,467	
FORSYTH	2,553	0.6118	23,319	28.438	0.7937	30,252	0.70275	53,571	
FORT BENTON	1,693	0.4057	15,463	25.341	0.7072	26,955	0.55645	42,418	
FORT PECK	222	0.0532	2,028	10.046	0.2804	10,687	0.16680	12,715	

ALLOCATION OF GASOLINE TAX REVENUE TO CITIES  
SECTION 15-70-101, M.C.A.  
FOR FISCAL YEAR BEGINNING JULY 1, 1950

CITY	1980 MUNICIPAL POPULATION			STREETS AND ALLEYS			COMBINED ALLOCATION		
	NUMBER	PERCENT	FUNDS	MILEAGE	PERCENT	FUNDS	PERCENT	FUNDS	
FROID	323	0.0774	2,950	7.261	0.2026	7,722	0.14000	10,672	
FROMBERG	469	0.1124	4,284	5.420	0.1513	5,767	0.13185	10,051	
GERALDINE	305	0.0731	2,786	7.012	0.1957	7,459	0.13440	10,245	
GLASGOW	4,455	1.0675	40,688	32.017	0.8936	34,060	0.98056	74,748	
GLENDIVE	5,978	1.4325	54,600	44.864	1.2521	47,724	1.34231	102,324	
GRASSRANGE	139	0.0333	1,269	3.635	0.1014	3,865	0.06735	5,134	
GREAT FALLS	56,725	13.5930	518,097	333.365	9.3039	354,618	11.44845	872,715	
HAMILTON	2,661	0.6377	24,306	28.813	0.8041	30,648	0.72090	54,954	
HARDIN	3,300	0.7908	30,141	30.641	0.8552	32,596	0.82300	62,737	
HARLEM	1,023	0.2451	9,342	10.622	0.2965	11,301	0.27080	20,643	
HARLOWTON	1,181	0.2830	10,787	16.360	0.4566	17,403	0.36980	28,190	
HAVRE	10,891	2.6098	99,473	62.207	1.7361	66,171	2.17295	165,644	
HELENA	23,938	5.7362	218,635	195.216	5.4483	207,662	5.59225	426,297	
HINGHAM	186	0.0446	1,700	4.930	0.1376	5,245	0.05111	6,545	
HOBSON	261	0.0625	2,382	6.499	0.1814	6,914	0.12195	9,296	
HOT SPRINGS	601	0.1440	5,489	10.570	0.2950	11,244	0.21951	16,733	
HYSHAM	445	0.1076	4,101	7.205	0.2011	7,665	0.15435	11,766	
ISMAY	31	0.0074	282	3.597	0.1004	3,827	0.05390	4,109	
JOLIET	580	0.1390	5,298	4.840	0.1351	5,149	0.13705	10,447	
JORDAN	485	0.1162	4,429	7.967	0.2224	8,477	0.16930	12,506	
JUDITH GAP	213	0.0510	1,944	3.828	0.1068	4,071	0.07891	6,015	
KALISPELL	10,648	2.5516	97,254	90.062	2.5135	95,802	2.53255	193,056	
KEVNI	208	0.0498	1,898	6.178	0.1724	6,571	0.11110	8,469	
LAUREL	5,481	1.3134	50,060	51.148	1.4275	54,409	1.37044	104,469	
LAVINA	164	0.0393	1,498	4.797	0.1339	5,104	0.08661	6,602	
LEWISTOWN	7,104	1.7023	64,883	56.019	1.5634	59,589	1.63285	124,472	
LIBBY	2,748	0.6585	25,099	29.860	0.8334	31,765	0.74595	56,864	
LIMA	272	0.0652	2,485	6.300	0.1758	6,701	0.12050	9,186	
LIVINGSTON	6,994	1.6760	63,881	51.457	1.4361	54,737	1.55605	118,618	
LODGE GRASS	771	0.1848	7,044	6.490	0.1811	6,903	0.18294	13,547	
MALTA	2,367	0.5672	21,619	23.455	0.6546	24,950	0.61090	46,569	
MANHATTAN	588	0.2368	9,026	13.430	0.3748	14,286	0.30581	23,312	
MEDICINE LAKE	408	0.0978	3,728	7.838	0.2188	8,340	0.15831	12,068	
MELSTONE	238	0.0570	2,173	4.693	0.1310	4,993	0.09400	7,166	
MILES CITY	5,602	2.3009	87,699	83.548	2.3317	88,873	2.50341	176,572	
MISSOULA	33,388	8.0007	304,547	251.034	7.0061	267,038	7.50341	571,985	
MOORE	229	0.0549	2,093	7.640	0.2132	8,126	0.13405	10,219	
MUHAMMAD	495	0.1186	4,520	7.526	0.2100	8,004	0.16429	12,524	
NETHART	91	0.0218	831	3.770	0.1052	4,010	0.06351	4,841	
OPHEIM	210	0.0503	1,917	4.911	0.1371	5,226	0.09370	7,143	
OUTLOCK	122	0.0292	1,113	6.448	0.1800	6,861	0.10460	7,574	
PHILIPSBURG	1,138	0.2727	10,394	15.800	0.4410	16,809	0.35685	27,203	
PINESDALE	471	0.1129	4,303	8.200	0.2289	8,725	0.17090	13,028	
PLAINS	1,116	0.2674	10,192	10.582	0.2953	11,255	0.28135	21,447	
PLENTYWOOD	2,476	0.5933	22,614	23.168	0.6466	24,645	0.61995	47,259	
PLEVNA	191	0.0458	1,746	4.191	0.1170	4,459	0.08140	6,205	

ALLOCATION OF GASOLINE TAX REVENUE TO CITIES  
SECTION 15-70-101, M.C.A.  
FOR FISCAL YEAR BEGINNING JULY 1, 1950

CITY	1980 MUNICIPAL POPULATION			STREETS AND ALLEYS			COMBINED ALLOCATION		
	NUMBER	PERCENT	FUNDS	MILEAGE	PERCENT	FUNDS	PERCENT	FUNDS	
POLSON	2,198	C-6705	25,556	35-276	0-9845	37,524	0-82750	63,080	
POPLAR	595	C-2384	9,087	9-096	0-2539	9,677	0-24615	18,764	
RED LODGE	1,896	C-4543	17,316	21-089	0-5886	22,434	0-52145	39,750	
REXFORD	130	C-0312	1,189	1-360	0-0385	1,467	0-03484	2,656	
RICHEY	417	C-0999	3,808	5-844	0-1631	6,217	0-13151	10,025	
RONAN	1,530	C-3666	13,973	20-278	0-5659	21,569	0-46625	35,542	
RCUNDUP	2,119	C-5078	19,355	27-705	0-7732	29,471	0-64051	48,826	
RYEGATE	273	C-0654	2,493	6-479	0-1808	6,891	0-12310	9,384	
SACO	252	C-0604	2,302	5-822	0-1625	6,194	0-11145	8,496	
SCOBEEY	1,382	C-3312	12,624	18-154	0-5067	19,313	0-41896	31,937	
SHELBY	3,142	C-7529	28,697	31-040	0-8663	33,019	0-80960	61,716	
SHERIDAN	646	C-1548	5,900	6-390	0-1783	6,796	0-16655	12,696	
SIDNEY	5,726	C-3721	52,298	46-866	1-3080	45,854	1-34005	102,152	
ST. IGNATIUS	877	C-2102	8,012	9-372	0-2616	9,971	0-23590	17,583	
STANFORD	595	C-1426	5,435	9-214	0-2572	9,803	0-19990	15,238	
STEVENSVILLE	1,207	C-2892	11,023	11-809	0-3296	12,563	0-30941	23,586	
SUNBURST	476	C-1141	4,349	12-275	0-3426	13,058	0-22835	17,407	
SUPERIOR	1,054	C-2526	9,628	12-056	0-3365	12,826	0-25456	22,454	
TERRY	929	C-3542	8,484	20-255	0-5653	21,546	0-39394	30,030	
THOMPSON FALLS	1,478	C-2988	13,500	20-800	0-5805	22,126	0-46735	35,626	
THREE FORKS	1,247	C-3803	11,389	20-860	0-5822	22,191	0-44051	32,409	
TOWNSEND	1,587	C-2607	14,495	16-840	0-4700	17,914	0-42515	32,580	
TROY	1,688	C-1047	9,537	9-140	0-2551	9,723	0-25790	19,660	
TWIN BRIDGES	437	C-1534	3,991	6-810	0-1901	7,246	0-14741	11,237	
VALIER	640	C-0460	5,847	17-393	0-4854	18,501	0-31940	24,248	
VIRGINIA CITY	192	C-2126	1,753	7-100	0-1982	7,554	0-12209	5,307	
WALKERVILLE	687	C-1761	8,103	13-930	0-3888	14,819	0-30070	22,522	
WEST YELLOWSTONE	735	C-1697	6,712	12-930	0-3609	13,756	0-26850	20,468	
WESTBY	291	C-3120	2,657	5-610	0-1566	5,969	0-11316	8,626	
WHITE SULPHUR SPRINGS	1,302	C-8873	11,892	19-089	0-5328	20,308	0-42241	32,700	
WHITEFISH	3,703	C-2468	33,819	30-000	0-8373	31,914	0-86230	65,733	
WHITEHALL	1,030	C-1874	9,407	11-340	0-3165	12,063	0-28165	21,470	
WIBAUX	782	C-0371	7,143	12-339	0-3444	13,127	0-26591	20,270	
WINIFRED	155	C-0496	1,414	5-673	0-1583	6,034	0-09770	7,448	
WINNETT	207	C-7366	1,891	8-859	0-2472	9,422	0-14841	11,313	
WOLF POINT	3,074		28,069	25-024	0-6984	26,615	0-71730	54,684	
TOTALS	417,311	100-0000	3,811,500	3,583,062	100-0000	3,811,500	100-00000	7,623,000	

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EXHIBIT NO. 5DATE 2/22/91BILL NO. SB 272  
P.O. Box 2568 • Great Falls, MT 59403-2568 • 406-454-1034

5

HIGH PLAINS  
DEVELOPMENT  
AUTHORITY, INC.

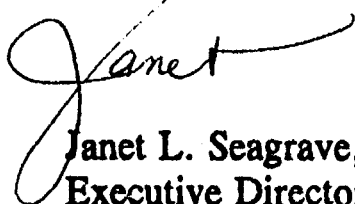
February 20, 1991

Senators Thayer and Doherty  
Montana State Senate  
Capital Station  
Helena, Montana 59620

Dear Senators Thayer and Doherty:

Enclosed are my comments pertaining to Senate Bill 272 and the proposed amendment. Should you have any questions, please do not hesitate to contact my office. I understand Farrell's desire for a definition. I have a major concern over the latest amendment. I don't have a problem over expanded use if justified and well defined, which the amendment you sent to me is not. Butte has told me that now there is a movement to table Farrell's bill and just let it die in committee. Well, whatever, that leaves the decisions of use to the local municipality. Great Falls will be restrictive/Cascade County will not be -- but what is the best interest to the state?

Cordially,



Janet L. Seagrave, C.I.D.  
Executive Director

jls



Page 3

include these items with a more defined purpose, such as personal assets that become a permanent fixture to the physical plant - such as structural components or building improvements.

***This program is being used in Montana, to offer grants and to write down interest rates for companies locating in their community. It is considered by many a way in which we can make up for our high business personal property taxes. Maybe we should back up, clean up the act --- make it strickly infrastructure in this amendment and develop a tax-exemption of machinery and equipment bill for development in tax increment financing industrial districts. This is creating Enterprise Zones - something that is done in 31 states. This needs careful consideration. I believe full hearings should be conducted with comments taken by economic developers, municipalities and private industries. Butte would like to see Farrell's bill killed, I think not.***

**Page 4**

***Amended Version of SB 272***

(1) "Industrial infrastructure" and "infrastructure" mean:

(a) public infrastructure, which includes streets, roads, curbs, alleys, gutters, sidewalks, parking lots, offstreet parking facilities, water ways, waterlines, water treatment facilities, sewers, sewer lines, sewage treatment facilities, storm sewers, ~~natural gas lines or facilities, electrical lines or facilities, telecommunication lines or facilities, bridges, rail lines, rail spurs, rail facilities including transloading facilities, buildings~~ **structural components or building improvements** ~~or other improvements~~ owned operated and provided by a municipality; or

(b) private infrastructure, which includes streets, roads, curbs, alleys, gutters, sidewalks, parking lots, offstreet parking facilities, water ways, waterlines, water treatment facilities, sewers, sewer lines, sewage treatment facilities, storm sewers, ~~natural gas lines or facilities, electrical lines or facilities, telecommunication lines or facilities, bridges, rail lines, rail spurs, rail facilities, including transloading facilities, buildings, personal property or other improvements~~ **and such personal assets that become a permanent fixture to the physical plant - such as structural components or building improvements** owned or operated by a private industrial entity which contributes to the creation of jobs within the tax increment financing industrial district.

SENATE STANDING COMMITTEE REPORT

Page 1 of 2  
February 22, 1991

MR. PRESIDENT:

We, your committee on Taxation having had under consideration Senate Bill No. 272 (first reading copy -- white), respectfully report that Senate Bill No. 272 be amended and as so amended, do pass:

1. Page 1, line 9.

Strike: "this"

2. Page 1, line 10.

Strike: "part"

Insert: "7-15-4298 and 7-15-4299"

Strike: "the following"

3. Page 1, line 11.

Strike: "definitions apply"

4. Page 1, line 12.

Strike: "(1) "Industrial"

Insert: ""industrial"

Following: "infrastructure"

Insert: "and "infrastructure"

Strike: "meang"

Insert: "mean"

Following: "roads"

Insert: "curbs, alleys, gutters,"

5. Page 1, line 13.

Following: "sidewalks,"

Insert: "parking lots, offstreet parking facilities, waterways,"

Strike: "and water facilities"

Following: "sewers"

Insert: "and sewer lines"



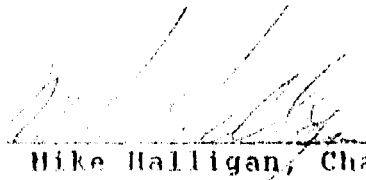
SENATE STANDING COMMITTEE REPORT

Page 1 of 1  
February 22, 1991

MR. PRESIDENT:

We, your committee on Taxation having had under consideration Senate Bill No. 438 (first reading copy -- white), respectfully report that Senate Bill No. 438 do pass.

Signed: \_\_\_\_\_

  
Mike Halligan, Chairman

2-22-91  
Amd. Coord.

SR 222 3:30  
Sec. of Senate