

Senate BILL NO. *178*
By request of
Department of Revenue
 INTRODUCED BY *Max Baucus* *Jerguson* *LYNCH* *Aber*
NELSON

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A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 84-1840, R.C.M. 1947, TO PROVIDE THAT FUNDS ALLOCATED THEREUNDER BE ON A MONTHLY BASIS."

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

Section 1. Section 84-1840, R.C.M. 1947, is amended to read as follows:

"84-1840. Disposition of funds. All taxes, interest and penalties collected under this act shall be turned over promptly to the state treasurer and the state treasurer shall place the same in the earmarked revenue fund to the credit of the department of highways except those funds hereinbelow allocated to cities, towns and counties, which funds shall be paid by the state treasurer directly to such cities, towns and counties.

(1) Three million dollars (\$3,000,000) of the funds collected under this act shall be allocated each fiscal year on a monthly basis to the counties and incorporated cities and towns in Montana for construction, reconstruction, maintenance and repair of rural roads, and city or town streets and alleys, as provided in subsections (a) and (b) hereof,

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(a) One million two hundred thousand dollars (\$1,200,000) shall be divided among the various counties in the following manner:

(i) Forty per centum (40%) in the ratio that the rural road mileage in each county, exclusive of the federal-aid interstate system and the federal-aid primary system, bears to the total rural road mileage in the state, exclusive of the federal-aid interstate system and the federal-aid primary system.

(ii) Forty per centum (40%) in the ratio that the rural population in each county outside incorporated cities and towns bears to the total rural population in the state outside incorporated cities and towns.

(iii) Twenty per centum (20%) in the ratio that the land area of each county bears to the total land area of the state.

(b) One million eight hundred thousand dollars (\$1,800,000) shall be divided among the incorporated cities and towns in the following manner:

(i) Fifty per cent (50%) of the sum shall be divided in the ratio that the population within the corporate limits of the city or town bears to the total population within corporate limits of all the cities and towns in Montana.

(ii) Fifty per cent (50%) shall be divided in the ratio that the city or town street and alley mileage, exclusive of

1 the federal-aid interstate system and the federal-aid
 2 primary system, within corporate limits bears to the total
 3 street and alley mileage, exclusive of the federal-aid
 4 interstate system and federal-aid primary system, within the
 5 corporate limits of all cities and towns in Montana.

6 (2) All funds hereby allocated to counties, cities and
 7 towns shall be used exclusively for the construction,
 8 reconstruction, maintenance and repair of rural roads, city
 9 or town streets and alleys, or for the share which such
 10 city, town or county might otherwise expend for
 11 proportionate matching of federal funds allocated for the
 12 construction of roads or streets which are part of the
 13 federal-aid primary or secondary highway system, or urban
 14 extensions thereto.

15 (3) Upon receipt of the allocation provided herein, the
 16 governing bodies of the recipient counties, cities and
 17 towns, shall inform the department of highways of the
 18 purposes for which the funds shall be expended so that the
 19 county commissioners, the governing body and the department
 20 of highways may co-ordinate the expenditure of public funds
 21 for road improvements.

22 (4) All funds hereby allocated to counties, cities and
 23 towns shall be disbursed to the lowest responsible bidder
 24 according to applicable bidding procedures followed in all
 25 cases where the contract for construction, reconstruction

1 and maintenance or repair is in excess of \$4,000.

2 (5) For the purposes of this act where distribution of
 3 funds is made on a basis related to population, the
 4 population shall be determined by the last preceding
 5 official federal census.

6 (6) For the purposes of this act where determination of
 7 mileage is necessary for distribution of funds it shall be
 8 the responsibility of the cities, towns and counties to
 9 furnish to the department of highways and state treasurer a
 10 yearly certified statement indicating the total mileage
 11 within their respective areas applicable to this act. All
 12 mileage submitted shall be subject to review and approval by
 13 the department of highways.

14 (7) None of the funds authorized by this section shall
 15 be used for the purchase of capital equipment."

-End-

Approved by Committee
on Highways & Transportation

SENATE BILL NO. 178

INTRODUCED BY CONOVER, JERGESON, LYNCH, ABER, NELSON

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 17 governing bodies of the recipient counties, cities and
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15 (7) None of the funds authorized by this section shall
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