

1                    HOUSE    BILL NO. 61  
2    INTRODUCED BY HOLMES

3  
4    A BILL FOR AN ACT ENTITLED:    "AN ACT TO PROVIDE FREE  
5    TRANSPORTATION ON MUNICIPAL BUS LINES TO PERSONS 65 YEARS OF  
6    AGE AND OLDER."

7  
8    BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9            Section 1. Free transportation on municipal bus lines  
10    for elderly. (1) Whenever a municipality operates a bus line  
11    or contracts for the operation of a bus line, each person 65  
12    years of age and older shall be permitted to ride free of  
13    charge on the buses.

14           (2) The public service commission shall establish  
15    rules for determining appropriate means of identifying those  
16    persons 65 years of age and older.

-End-

INTRODUCED BILL

STATE OF MONTANA

REQUEST NO. 443-77

FISCAL NOTE

Form BD-15

In compliance with a written request received February 8, 19 77, there is hereby submitted a Fiscal Note for House Bill 61 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

An act to provide free transportation on municipal bus lines to persons 65 years of age and older.

FISCAL IMPACT:

The rule making process required in this bill will not increase the revenues or expenditures of the Public Service Commission.

*Richard L. Drury for*  
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-17-77

Approved by Committee  
on Public Health, Welfare  
& Safety

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6 ~~AGE AND OLDER TO PROVIDE FREE OR LOW-COST TRANSPORTATION ON~~  
7 ~~MUNICIPAL OR TRANSPORTATION DISTRICT PUBLIC TRANSPORTATION~~  
8 ~~SYSTEMS TO PERSONS 62 YEARS OF AGE AND OLDER AND TO~~  
9 ~~PERMANENTLY DISABLED PERSONS."~~

10  
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Refer To Introduced Bill

13 (Strike everything after the enacting clause and insert:)

14 Section 1. Free or low-cost transportation on public  
15 transportation systems for elderly persons or permanently  
16 disabled persons. (1) Whenever a municipality or a  
17 transportation district operates or contracts for the  
18 operation of a public transportation system, including a bus  
19 line, a person 62 years of age or older or a disabled person  
20 possessing an identification card issued by the division of  
21 motor vehicles indicating that a permanent disability exists  
22 may be charged no more than 10 cents to ride on the  
23 transportation system. Such persons may be permitted to ride  
24 free of charge.

25 (2) Eligibility for free or low-cost fares under this

1 section may be verified by identification cards issued by  
2 the division of motor vehicles.

-End-

SECOND READING

Approved by Committee  
on Taxation

SENATE BILL NO. 61

INTRODUCED BY LOCKREM, LOWE, MURRAY, HAGER, THOMAS

A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE TAX ON GASOLINE AND TO PROVIDE FOR URBAN STREET DEVELOPMENT; AMENDING SECTIONS ~~84-1832~~ 84-1847 AND 84-1840, R.C.M. 1947."

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

Section 1. Short title. This act may be cited as "The Montana Urban Street Act of 1977".

~~Section 2. Section 84-1832, R.C.M. 1947, is amended to read as follows:~~

~~"84-1832. Tax to be collected on diesel fuel and liquid petroleum gas, when the state department of revenue shall, under the provisions of rules and regulations issued by the department, collect or cause to be collected from the owners or operators of motor vehicles a tax in an amount equal to nine and three quarters cents ( $\$09\text{-}3/4$ ) ~~11 cents~~ for each gallon of diesel fuel or other volatile liquid, except liquid petroleum gas, of less than forty six ~~46~~ degrees ( $46^{\circ}$ ) ~~A.P.I.~~ (American Petroleum Institute) gravity test when actually sold or used to produce motor power to propel motor vehicles upon the public highways or streets within the state of Montana or used in motor vehicles~~

~~motorized equipment and the internal combustion of any and all engines including stationary engines used in connection with any and all work performed under any and all contracts pertaining to the construction, reconstruction or improvement of any highway or street and their appurtenances awarded by any and all public agencies including federal, state, county, municipalities, or other political subdivisions."~~

SECTION 2. SECTION 84-1847, R.C.M. 1947, IS AMENDED TO READ AS FOLLOWS:

"84-1847. Gasoline license tax -- amount. Every distributor shall pay to the state department of revenue a license tax for the privilege of engaging in and carrying on business in this state in an amount equal to ~~one cent (1 cent)~~ 2 cents for each gallon of aviation gasoline, which shall be allocated to the aeronautics commission, as provided by section 1-501, R.C.M. 1947, as amended, and ~~seven and three quarters cents ( $\$07\text{-}3/4$ )~~ 2 cents for each gallon of all other gasoline distributed by him within the state and upon which the gasoline license tax has not been paid by any other distributor. Gasoline exported or sold for export out of the state of Montana shall not be included in the measure of the distributor's license tax."

Section 3. Section 84-1840, R.C.M. 1947, is amended to read as follows:

SECOND READING

SECOND PRINTING

1       "84-1840. Disposition of funds. All taxes, interest  
2 and penalties collected under this act shall be turned over  
3 promptly to the state treasurer and the state treasurer  
4 shall place the same in the earmarked revenue fund to the  
5 credit of the department of highways except those funds  
6 hereinbelow allocated to cities, towns and counties, which  
7 funds shall be paid by the state treasurer directly to such  
8 cities, towns and counties.

9       (1) ~~Six--million--five--hundred--thousand--dollars~~  
10 ~~(\$6,500,000)~~ \$12,300,000 of the funds collected under this  
11 act shall be allocated each fiscal year on a monthly basis  
12 to the counties and incorporated cities and towns in Montana  
13 for construction, reconstruction, maintenance and repair of  
14 rural roads, and city or town streets and alleys, as  
15 provided in subsections (a) and (b) hereof,

16       (a) ~~Two--million--nine--hundred--fifty--thousand--dollars~~  
17 ~~(\$2,950,000)~~ \$4,050,000 \$6,150,000 shall be divided among  
18 the various counties in the following manner:

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

25       (ii) ~~Forty--per--centum--(40%)~~ in the ratio that the rural

1 population in each county outside incorporated cities and  
2 towns bears to the total rural population in the state  
3 outside incorporated cities and towns.

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

7       (b) ~~Three--million--five--hundred--fifty--thousand--dollars~~  
8 ~~(\$3,550,000)~~ \$8,250,000 \$6,150,000 shall be divided among  
9 the incorporated cities and towns in the following manner:

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

14       (ii) ~~Fifty--per--cent--(50%)~~ shall be divided in the ratio  
15 that the city or town street and alley mileage, exclusive of  
16 the federal-aid interstate system and the federal-aid  
17 primary system, within corporate limits bears to the total  
18 street and alley mileage, exclusive of the federal-aid  
19 interstate system and federal-aid primary system, within the  
20 corporate limits of all cities and towns in Montana.

21       (2) All funds hereby allocated to counties, cities and  
22 towns shall be used exclusively for the construction,  
23 reconstruction, maintenance and repair of rural roads, city  
24 or town streets and alleys, or for the share which such  
25 city, town or county might otherwise expend for

1 proportionate matching of federal funds allocated for the  
 2 construction of roads or streets which are part of the  
 3 federal-aid primary or secondary highway system, or urban  
 4 extensions thereto.

5 (3) Upon receipt of the allocation provided herein,  
 6 the governing bodies of the recipient counties, cities and  
 7 towns, shall inform the department of highways of the  
 8 purposes for which the funds shall be expended so that the  
 9 county commissioners, the governing body and the department  
 10 of highways may co-ordinate the expenditure of public funds  
 11 for road improvements.

12 (4) All funds hereby allocated to counties, cities and  
 13 towns shall be disbursed to the lowest responsible bidder  
 14 according to applicable bidding procedures followed in all  
 15 cases where the contract for construction, reconstruction  
 16 and maintenance or repair is in excess of \$4,000.

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

21 (6) For the purposes of this act where determination  
 22 of mileage is necessary for distribution of funds it shall  
 23 be the responsibility of the cities, towns and counties to  
 24 furnish to the department of highways and state treasurer a  
 25 yearly certified statement indicating the total mileage

1 within their respective areas applicable to this act. All  
 2 mileage submitted shall be subject to review and approval by  
 3 the department of highways.

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

-End-

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1 section may be verified by identification cards issued by  
2 the division of motor vehicles.

-End-

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