

1 *House* BILL NO. *635*
 2 INTRODUCED BY *FARR* *Manuel* *Levenson*
 3 BY REQUEST OF THE
 4 DEPARTMENT OF FISH AND GAME

6 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE AMOUNT
 7 OF MONEY DEPOSITED TO THE STATE PARK ACCOUNT IN THE
 8 EARMARKED REVENUE FUND FROM THE GASOLINE DEALERS' LICENSE
 9 TAX; AMENDING SECTION 32-2601, R.C.M. 1947."

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 12 Section 1. Section 32-2601, R.C.M. 1947, is amended to
 13 read as follows:

14 "32-2601. Distribution and use of proceeds of gasoline
 15 dealers' license tax. (1) All money received in payment of
 16 license taxes under the Distributor's Gasoline License Tax
 17 Act, except those amounts paid out of the department of
 18 revenue's suspense account for gasoline tax refund, shall be
 19 used and expended as provided in this section. So much of
 20 that money on hand at any time as may be needed to pay
 21 highway bonds and interest thereon when due and to
 22 accumulate and maintain a reserve therefor, as provided in
 23 laws and in resolutions of the state board of examiners
 24 authorizing such bonds, shall be deposited in the highway
 25 bond account in the sinking fund established by section

1 79-410. Subject to that provision, ~~six-tenths-of-one-per~~
 2 ~~cent-(+6%)~~ *9/10 of 1%* of all money shall be deposited in the
 3 state park account in the earmarked revenue fund. All of the
 4 remainder of the money shall be used and expended by the
 5 department of highways on the federal-aid highways in this
 6 state selected and designated under the Federal-Aid Act,
 7 approved July 11, 1916, and the Federal Highway Act,
 8 approved November 9, 1921, and all amendments thereto, and
 9 on highways leading from each county seat in the state to
 10 the federal highway system of federal-aid roads where the
 11 county seat is not on the system, and on the other roads
 12 which have been or may be authorized by the laws of Montana,
 13 and for collection of the license taxes and the enforcement
 14 of the Montana highway code, under Article VIII, section 6
 15 of the constitution of this state. The department shall, in
 16 expending this money, carry forward construction from year
 17 to year, using the money expended through the matching up of
 18 federal-aid allotments to Montana upon the federal highway
 19 system in the various parts of the state in accordance with
 20 sections 32-2605 through 32-2607; nothing in this act
 21 conflicts with those federal-aid highway acts and the rules
 22 by which they are administered. The department may enter
 23 into cooperative agreements with the national park service
 24 and the federal highway administration for the purpose of
 25 maintaining national park approach roads in Montana.

INTRODUCED BILL

HB 635

1 (2) Money credited to the state park account in the
2 earmarked revenue fund shall be used only for the creation,
3 improvement, and maintenance of state parks where motor
4 boating is allowed, except for the payment of refunds under
5 section 84-1855. The legislature hereby finds as a fact that
6 of all the fuel sold in the state for consumption in
7 internal combustion engines, not less than ~~six-tenths-of-one~~
8 ~~per-cent-(~~1/5~~)~~ 9/10 of 1% is used for propelling boats on
9 waterways of this state."

-End-

STATE OF MONTANA

REQUEST NO. 426-77

FISCAL NOTE

Form BD-15

In compliance with a written request received February 9, 19 77, there is hereby submitted a Fiscal Note for House Bill 635 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

This bill increases the amount of money deposited to the state park account in the earmarked revenue fund from the gasoline dealers' license tax.

ASSUMPTIONS

1. Gasoline consumption will increase between 2% and 3% for each fiscal year 77, 78, and 79. Thus there will be taxable gallons of gasoline amounting to: 489.490M-499.135M in FY 78; 499.280M-514.109M in FY 79.
2. 2% of the first 6¢ tax collected will be deducted (evaporation allowance).
3. Administrative costs will remain unchanged.
4. Refunds for off-road use will be \$2.7M both FY 78-79.
5. The allocation to parks will be the maximum 9/10%.

FISCAL IMPACT

	<u>FY 78</u>	<u>FY 79</u>
Estimated Revenue from Park Fund under current law.	\$.208M-\$.212M	\$.212M-\$.219M
Estimated Revenue from Park Fund under proposed law.	<u>\$.312M-\$.318M</u>	<u>\$.319M-\$.329M</u>
ESTIMATED INCREASE	<u><u>\$.104M-\$.106M</u></u>	<u><u>\$.107M-\$.110M</u></u>

LONG-RANGE EFFECTS

The long-range effect of this bill is to increase the allocation of the gasoline tax to the state parks account by 50% over current collections each fiscal year this act is in effect.

PREPARED BY DEPARTMENT OF REVENUE

Richard L. Young
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-11-77

Approved by Committee
on Taxation

1 House BILL NO. 635
2 INTRODUCED BY FAGG Manuel Farnham
3 BY REQUEST OF THE
4 DEPARTMENT OF FISH AND GAME

5
6 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE AMOUNT
7 OF MONEY DEPOSITED TO THE STATE PARK ACCOUNT IN THE
8 EARMARKED REVENUE FUND FROM THE GASOLINE DEALERS' LICENSE
9 TAX; AMENDING SECTION 32-2601, R.C.M. 1947."

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

12 Section 1. Section 32-2601, R.C.M. 1947, is amended to
13 read as follows:

14 "32-2601. Distribution and use of proceeds of gasoline
15 dealers' license tax. (1) All money received in payment of
16 license taxes under the Distributor's Gasoline License Tax
17 Act, except those amounts paid out of the department of
18 revenue's suspense account for gasoline tax refund, shall be
19 used and expended as provided in this section. So much of
20 that money on hand at any time as may be needed to pay
21 highway bonds and interest thereon when due and to
22 accumulate and maintain a reserve therefor, as provided in
23 laws and in resolutions of the state board of examiners
24 authorizing such bonds, shall be deposited in the highway
25 bond account in the sinking fund established by section

1 79-410. Subject to that provision, ~~six-tenths-of-one-per~~
2 ~~cent-(16%)~~ 9/10 of 1% of all money shall be deposited in the
3 state park account in the earmarked revenue fund. All of the
4 remainder of the money shall be used and expended by the
5 department of highways on the federal-aid highways in this
6 state selected and designated under the Federal-Aid Act,
7 approved July 11, 1916, and the Federal Highway Act,
8 approved November 9, 1921, and all amendments thereto, and
9 on highways leading from each county seat in the state to
10 the federal highway system of federal-aid roads where the
11 county seat is not on the system, and on the other roads
12 which have been or may be authorized by the laws of Montana,
13 and for collection of the license taxes and the enforcement
14 of the Montana highway code, under Article VIII, section 6
15 of the constitution of this state. The department shall, in
16 expending this money, carry forward construction from year
17 to year, using the money expended through the matching up of
18 federal-aid allotments to Montana upon the federal highway
19 system in the various parts of the state in accordance with
20 sections 32-2605 through 32-2607; nothing in this act
21 conflicts with those federal-aid highway acts and the rules
22 by which they are administered. The department may enter
23 into cooperative agreements with the national park service
24 and the federal highway administration for the purpose of
25 maintaining national park approach roads in Montana.

LC 1580/01

1 (2) Money credited to the state park account in the
2 earmarked revenue fund shall be used only for the creation,
3 improvement, and maintenance of state parks where motor
4 boating is allowed, except for the payment of refunds under
5 section 84-1855. The legislature hereby finds as a fact that
6 of all the fuel sold in the state for consumption in
7 internal combustion engines, not less than ~~six-tenths-of-one~~
8 ~~per-cent-(~~6~~%)~~ 9/10 of 1% is used for propelling boats on
9 waterways of this state."

-End-

1 *House* BILL NO. *635*
 2 INTRODUCED BY *FAGS Manuel Johnson*
 3 BY REQUEST OF THE
 4 DEPARTMENT OF FISH AND GAME

6 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE AMOUNT
 7 OF MONEY DEPOSITED TO THE STATE PARK ACCOUNT IN THE
 8 EARMARKED REVENUE FUND FROM THE GASOLINE DEALERS' LICENSE
 9 TAX; AMENDING SECTION 32-2601, R.C.M. 1947."

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 12 Section 1. Section 32-2601, R.C.M. 1947, is amended to
 13 read as follows:

14 "32-2601. Distribution and use of proceeds of gasoline
 15 dealers' license tax. (1) All money received in payment of
 16 license taxes under the Distributor's Gasoline License Tax
 17 Act, except those amounts paid out of the department of
 18 revenue's suspense account for gasoline tax refund, shall be
 19 used and expended as provided in this section. So much of
 20 that money on hand at any time as may be needed to pay
 21 highway bonds and interest thereon when due and to
 22 accumulate and maintain a reserve therefor, as provided in
 23 laws and in resolutions of the state board of examiners
 24 authorizing such bonds, shall be deposited in the highway
 25 bond account in the sinking fund established by section

1 79-410. Subject to that provision, ~~six-tenths-of-one-per~~
 2 ~~cent-(+6%)~~ *9/10 of 1%* of all money shall be deposited in the
 3 state park account in the earmarked revenue fund. All of the
 4 remainder of the money shall be used and expended by the
 5 department of highways on the federal-aid highways in this
 6 state selected and designated under the Federal-Aid Act,
 7 approved July 11, 1916, and the Federal Highway Act,
 8 approved November 9, 1921, and all amendments thereto, and
 9 on highways leading from each county seat in the state to
 10 the federal highway system of federal-aid roads where the
 11 county seat is not on the system, and on the other roads
 12 which have been or may be authorized by the laws of Montana,
 13 and for collection of the license taxes and the enforcement
 14 of the Montana highway code, under Article VIII, section 6
 15 of the constitution of this state. The department shall, in
 16 expending this money, carry forward construction from year
 17 to year, using the money expended through the matching up of
 18 federal-aid allotments to Montana upon the federal highway
 19 system in the various parts of the state in accordance with
 20 sections 32-2605 through 32-2607; nothing in this act
 21 conflicts with those federal-aid highway acts and the rules
 22 by which they are administered. The department may enter
 23 into cooperative agreements with the national park service
 24 and the federal highway administration for the purpose of
 25 maintaining national park approach roads in Montana.

LC 1580/01

1 (2) Money credited to the state park account in the
2 earmarked revenue fund shall be used only for the creation,
3 improvement, and maintenance of state parks where motor
4 boating is allowed, except for the payment of refunds under
5 section 84-1855. The legislature hereby finds as a fact that
6 of all the fuel sold in the state for consumption in
7 internal combustion engines, not less than ~~six-tenths-of-one~~
8 ~~per-cent-(+6%)~~ 9/10 of 1% is used for propelling boats on
9 waterways of this state."

-End-

1 HOUSE BILL NO. 635

2 INTRODUCED BY FAGG, MANUEL, ESTENSON

3 BY REQUEST OF THE

4 DEPARTMENT OF FISH AND GAME

5
6 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE AMOUNT
7 OF MONEY DEPOSITED TO THE STATE PARK ACCOUNT IN THE
8 EARMARKED REVENUE FUND FROM THE GASOLINE DEALERS' LICENSE
9 TAX; AMENDING SECTION 32-2601, R.C.M. 1947."

10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:12 Section 1. Section 32-2601, R.C.M. 1947, is amended to
13 read as follows:

14 *32-2601. Distribution and use of proceeds of gasoline
15 dealers' license tax. (1) All money received in payment of
16 license taxes under the Distributor's Gasoline License Tax
17 Act, except those amounts paid out of the department of
18 revenue's suspense account for gasoline tax refund, shall be
19 used and expended as provided in this section. So much of
20 that money on hand at any time as may be needed to pay
21 highway bonds and interest thereon when due and to
22 accumulate and maintain a reserve therefor, as provided in
23 laws and in resolutions of the state board of examiners
24 authorizing such bonds, shall be deposited in the highway
25 bond account in the sinking fund established by section

1 79-410. Subject to that provision, ~~six-tenths-of-one-per~~
2 ~~cent-(+6%)~~ 2/10 of 1% of all money shall be deposited in the
3 state park account in the earmarked revenue fund. All of the
4 remainder of the money shall be used and expended by the
5 department of highways on the federal-aid highways in this
6 state selected and designated under the Federal-Aid Act,
7 approved July 11, 1916, and the Federal Highway Act,
8 approved November 9, 1921, and all amendments thereto, and
9 on highways leading from each county seat in the state to
10 the federal highway system of federal-aid roads where the
11 county seat is not on the system, and on the other roads
12 which have been or may be authorized by the laws of Montana,
13 and for collection of the license taxes and the enforcement
14 of the Montana highway code, under Article VIII, section 6
15 of the constitution of this state. The department shall, in
16 expending this money, carry forward construction from year
17 to year, using the money expended through the matching up of
18 federal-aid allotments to Montana upon the federal highway
19 system in the various parts of the state in accordance with
20 sections 32-2605 through 32-2607; nothing in this act
21 conflicts with those federal-aid highway acts and the rules
22 by which they are administered. The department may enter
23 into cooperative agreements with the national park service
24 and the federal highway administration for the purpose of
25 maintaining national park approach roads in Montana.

REFERENCE BILL

1 (2) Money credited to the state park account in the
2 earmarked revenue fund shall be used only for the creation,
3 improvement, and maintenance of state parks where motor
4 boating is allowed, except for the payment of refunds under
5 section 84-1855. The legislature hereby finds as a fact that
6 of all the fuel sold in the state for consumption in
7 internal combustion engines, not less than ~~six-tenths-of-one~~
8 ~~per-cent-(+6%)~~ 9/10 of 1% is used for propelling boats on
9 waterways of this state."

-End-