

HOUSE BILL NO. 868

INTRODUCED BY SHONTZ, OBERG, HARRINGTON, REGAN, YARDLEY, MATSKO,  
HUFNNEKENS, P. RYAN, ECK, S. BROWN, HAFFEY, NILSON, CONOVER,  
BERG, GRAHAM, BOYLAN, JACOBSON, HALLIGAN, HEALY, PHILLIPS,  
HARP, WALLIN, KROPP, SCHULTZ, BRIGGS

BY REQUEST OF THE GOVERNOR'S OFFICE

IN THE HOUSE

April 6, 1981	Introduced and referred to Committee on Appropriations.
April 11, 1981	Committee recommend bill do pass as amended. Report adopted.
April 13, 1981	Bill printed and placed on members' desks.
	Second reading, pass consideration.
April 16, 1981	Second reading, do pass.  On motion rules suspended and bill placed on third reading this day.
	Third reading, passed. Ayes, 94; Noes, 2. Transmitted to Senate.

IN THE SENATE

April 17, 1981	By motion and consent bill allowed to be received and considered this session. Motion adopted.
	Introduced and referred to Committee on Finance and Claims.
April 22, 1981	Committee recommend bill be concurred in. Report adopted.

April 23, 1981

Second reading, concurred in.

On motion taken from third reading and referred to second reading. Motion adopted.

Second reading, concurred in as amended.

Third reading, concurred in as amended. Ayes, 30; Noes, 18.

On motion Senate reconsider its action taken on third reading this legislative day. Motion adopted.

On motion placed on second reading.

Second reading, concurred in as amended.

Third reading, concurred in as amended. Ayes, 49; Noes, 0.

#### IN THE HOUSE

April 23, 1981

Returned from Senate with amendments.

On motion rules suspended and bill placed on second reading this day.

Second reading, amendments not concurred in.

On motion to reconsider action on second reading. Motion adopted.

April 23, 1981

Second reading, amendments concurred in.

On motion rules suspended and bill placed on third reading this day.

Third reading, amendments concurred in. Ayes, 82; Noes, 4. Sent to enrolling.

Reported correctly enrolled.

1	HOUSE	BILL NO.	868
2	INTRODUCED BY	<i>W. H. Briggs, Jr., R. B. Johnson, W. H. Johnson, Jr.,</i>	
3	BY REQUEST OF THE GOVERNOR'S OFFICE		
4	<i>Steve Brown, Walter H. Johnson, Jr., Jacobson, Nealy, HARP,</i> <i>Nalley, Connor, Long, Bryant, Kelley, Phillips, Miller, H. H. Wright</i>		
5	BILL FOR AN ACT ENTITLED: "AN ACT TO APPROPRIATE MONEY		
6	FROM THE CONSTITUTIONAL TRUST FUND EARNINGS ACCOUNT TO THE		
7	HIGHWAY RECONSTRUCTION TRUST ACCOUNT." <i>Briggs</i>		

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

10 Section 1. Biennial appropriation. There is  
11 appropriated from the constitutional trust fund earnings  
12 account to the credit of the highway reconstruction trust  
13 account the following funds:

14	Fiscal Year 1982	-	\$12,000,000
15	Fiscal Year 1983	-	\$13,000,000

16           Section 2. Continuing appropriation. Beginning July 1,  
17       1983, and ending on June 30, 1993, there is appropriated to  
18       the credit of the highway reconstruction trust fund account  
19       77% of the earnings of the constitutional trust fund  
20       earnings account to be expended by the department of  
21       highways for the purposes stated in section 3.

22           Section 3. Expenditure of appropriated funds. (1) The  
23       funds appropriated to the highway reconstruction trust fund  
24       account shall be expended by the department of highways for  
25       the reconstruction of highways on the primary and secondary

- 1 systems.
- 2 (2) The department of highways shall expend these
- 3 funds on reconstruction projects to straighten, widen, or
- 4 make major improvements to the base of the highway or make
- 5 major improvements in grades or curves. The funds may not be
- 6 expended for routine repairs.
- 7 (3) The department of highways shall expend the funds
- 8 on projects throughout the state according to need and not
- 9 on the basis of 60-3-203.

- End -

INTRODUCED BILL  
HB 868

Approved by Comm.  
on Appropriations

BY REQUEST OF THE GOVERNOR'S OFFICE

8 A BILL FOR AN ACT ENTITLED: "AN ACT TO APPROPRIATE MONEY  
9 FROM THE CONSTITUTIONAL--TRUST--FUND--EARNINGS HIGHWAY  
10 EARMARKED ACCOUNT TO THE HIGHWAY RECONSTRUCTION TRUST  
11 ACCOUNT."

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

14           Section 1. Biennial appropriation. There is  
15 appropriated from the constitutional--trust--fund--earnings  
16 HIGHWAY\_EARMARKED account to the credit of the highway  
17 reconstruction trust account the following funds:

18                   Fiscal Year 1982           -           \$12,000,000 \$4,000,000

20 Section-2\*--Continuing-appropriations---Beginning--July  
21 1983--and--ending--on--June--30--1993--there--is--appropriated  
22 to--the--credit--of--the--highway--reconstruction--trust--fund  
23 account--77%--of--the--earnings--of--the--constitutional--trust--fund  
24 earnings--account--to--be--expended--by--the--department--of  
25 highways--for--the--purposes--stated--in--section--3\*

1           Section 2. Expenditure of appropriated funds. (1) The  
2        funds appropriated to the highway reconstruction trust fund  
3        account shall be expended by the department of highways for  
4        the reconstruction of highways on the primary and secondary  
5        systems.

6                   (2) The department of highways shall expend these  
7 funds on reconstruction projects to straighten, widen, or  
8 make major improvements to the base of the highway or make  
9 major improvements in grades or curves. The funds may not be  
10 expended for routine repairs.

11           (3) The department of highways shall expend the funds  
12 on projects throughout the state according to need and not  
13 on the basis of 60-3-203.

-End-

HOUSE BILL NO. 868

2 INTRODUCED BY SHONTZ, OBERG, HARRINGTON, REGAN, YARDLEY,  
3 MATSKO, HUENNEKENS, P. RYAN, ECK, S. BROWN, HAFFEY, NILSON,  
4 CONOVER, BERG, GRAHAM, BOYLAN, JACOBSON, HALLIGAN,  
5 HEALY, CHAMBERS, HARR, WALLIN, FORD, SCOTT, BRIGGS

BY REQUEST OF THE GOVERNOR'S OFFICE

8 A BILL FOR AN ACT ENTITLED: "AN ACT TO APPROPRIATE MONEY  
9 FROM THE CONSTITUTIONAL--TRUST--FUND--EARNINGS HIGHWAY  
10 EMARKED ACCOUNT TO THE HIGHWAY RECONSTRUCTION TRUST  
11 ACCOUNT--"

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

14 Section 1. Biennial appropriation. There is  
15 appropriated from the constitutional trust fund earnings  
16 HIGHWAY EARMARKED account to the credit of the highway  
17 reconstruction trust account the following funds:

20 Section 2--Continuing appropriation--Beginning--duty  
21 to--1983--and--ending--on--June--30--1993--there--is--appropriated  
22 to--the--credit--of--the--highway--reconstruction--trust--fund  
23 account--77%--of--the--earnings--of--the--constitutional--trust--fund  
24 earnings--account--to--be--expended--by--the--department--of  
25 highways--for--the--purposes--stated--in--section--3.

1           Section 2. Expenditure of appropriated funds. (1) The  
2        funds appropriated to the highway reconstruction trust fund  
3        account shall be expended by the department of highways for  
4        the reconstruction of highways on the primary and secondary  
5        systems.

6           (2) The department of highways shall expend these  
7       funds on reconstruction projects to straighten, widen, or  
8       make major improvements to the base of the highway or make  
9       major improvements in grades or curves. The funds may not be  
10      expended for routine repairs.

-End-

8 A BILL FOR AN ACT ENTITLED: "AN ACT TO APPROPRIATE MONEY  
9 FROM THE CONSTITUTIONAL--TRUST--FUND--EARNINGS HIGHWAY  
10 EMARKED ACCOUNT GENERAL FUND TO THE HIGHWAY RECONSTRUCTION  
11 TRUST ACCOUNT AND TO THE HIGHWAY EARMARKED ACCOUNT."

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

14       Section 1. Biennial appropriation. There is  
15       appropriated from the--constitutional--trust-fund-earnings  
16       HIGHWAY-EARMARKED account THAT PORTION OF THE GENERAL FUND  
17       RECEIVED FROM THE INTEREST ON THE COAL TAX CONSTITUTIONAL  
18       TRUST FUND to the credit of the highway reconstruction trust  
19       account the following funds:

22 Section 2--Continuing-appropriations---Beginning--July  
23 to 1983, and ending on June 30, 1993, there is appropriated  
24 to the credit--of--the--highway--reconstruction--trust--fund  
25 account 77% of the earnings of the constitutional trust fund

1   earnings--account--to--be--expended--by--the--department--of  
2   highways-for-the-purposes-stated-in-section-3.  
3           Section 2. Expenditure of appropriated funds. (1) The  
4   funds appropriated to the highway reconstruction trust fund  
5   account shall be expended by the department of highways for  
6   the reconstruction of highways on the primary and secondary  
7   systems.

8           (2) The department of highways shall expend these  
9 funds on reconstruction projects to straighten, widen, or  
10 make major improvements to the base of the highway or make  
11 major improvements in grades or curves. The funds may not be  
12 expended for routine repairs.

16 SECTION 3. GENERAL OPERATIONS. THERE IS APPROPRIATED  
17 TO THE HIGHWAY EARMARKED ACCOUNT FOR THE BIENNIAL ENDING  
18 JUNE 30, 1983, \$28,000,000 \$17,150,000 FROM THAT PORTION OF  
19 THE GENERAL FUND RECEIVED FROM THE OIL SEVERANCE TAX AND THE  
20 INTEREST ON THE COAL TAX CONSTITUTIONAL TRUST FUND. IN THE  
21 EVENT THE APPROPRIATION UNDER [HB 869] OF \$2,850,000 IS NOT  
22 EFFECTIVE BY THE END OF THE FEDERAL FISCAL YEAR 1982, THE  
23 SUM OF \$17,150,000 IN THE PRECEEDING SENTENCE SHALL BE  
24 INCREASED BY THE AMOUNT OF THE APPROPRIATION IN [HB 869] NOT  
25 USED.

-2-

April 23, 1981

SENATE COMMITTEE OF THE WHOLE

Proposed amendments to House Bill 868, third reading copy, as follows:

1. Title, lines 9 and 10.

Following: "EARNINGS"

Strike: "HIGHWAY EARMARKED ACCOUNT"

Insert: "GENERAL FUND"

2. Title, line 11.

Following: "ACCOUNT"

Insert: "AND TO THE HIGHWAY EARMARKED ACCOUNT"

3. Page 1, line 16.

Following: line 15.

Strike: "HIGHWAY EARMARKED account"

Insert: "that portion of the general fund received from the interest on the coal tax constitutional trust fund"

4. Page 1, line 18.

Strike: "\$4,000,000"

Insert: "\$2,000,000"

5. Page 1, line 19.

Strike: "\$4,000,000"

Insert: "\$2,000,000"

6. Page 2.

Following: line 13.

Insert: "Section 3. General operations.

There is appropriated to the highway earmarked account for the biennium ending June 30, 1983, \$17,150,000 from that portion of the general fund received from the oil severance tax and the interest on the coal tax constitutional trust fund.

In the event the appropriation under [HB 869] of \$2,850,000 is not effective by the end of the federal fiscal year 1982, the sum of \$17,150,000 in the preceding sentence shall be increased by the amount of the appropriation in [HB 869] not used."