

HOUSE BILL NO. 101

Introduced: 01/06/83

Referred to Committee on Fish & Game: 01/06/83

Hearing: 1/18/83

Report: 01/27/83, Do Not Pass

Bill Killed: 01/28/83

1 House BILL NO. 101  
2 INTRODUCED BY ROUSH Winston Elliott  
3 BY REQUEST OF THE COAL TAX OVERSIGHT SUBCOMMITTEE  
4  
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO CHANGE THE  
6 PERMISSIBLE USES OF INTEREST EARNINGS FROM THE PARKS AND  
7 CULTURAL TRUST FUND; AMENDING SECTION 15-35-108, MCA;  
8 REPEALING SECTION 23-1-108, MCA; AND PROVIDING A DELAYED  
9 EFFECTIVE DATE."  
10  
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
12 Section 1. Section 15-35-108, MCA, is amended to read:  
13 "15-35-108. (Effective July 1, 1983) Disposal of  
14 severance taxes. Severance taxes collected under the  
15 provisions of this chapter are allocated as follows:  
16 (1) To the trust fund created by Article IX, section  
17 5, of the Montana constitution, 25% of total collections a  
18 year. After December 31, 1979, 50% of coal severance tax  
19 collections are allocated to this trust fund. The trust fund  
20 moneys shall be deposited in the fund established under  
21 17-6-203(5) and invested by the board of investments as  
22 provided by law.  
23 (2) Coal severance tax collections remaining after  
24 allocation to the trust fund under subsection (1) are  
25 allocated in the following percentages of the remaining

1 balance:  
2 (a) to the county in which coal is mined, 2% of the  
3 severance tax paid on the coal mined in that county until  
4 January 1, 1980, for such purposes as the governing body of  
5 the county may determine;  
6 (b) 2 1/2% until December 31, 1979, and thereafter  
7 4 1/2% to the earmarked revenue fund to the credit of the  
8 alternative energy research development and demonstration  
9 account;  
10 (c) 26 1/2% until July 1, 1979, and thereafter 37 1/2%  
11 to the earmarked revenue fund to the credit of the local  
12 impact and education trust fund account;  
13 (d) for each of the 2 fiscal years following June 30,  
14 1977, 13% to the earmarked revenue fund to the credit of the  
15 coal area highway improvement account;  
16 (e) 10% to the earmarked revenue fund for state  
17 equalization aid to public schools of the state;  
18 (f) 1% to the earmarked revenue fund to the credit of  
19 the county land planning account;  
20 (g) 1 1/4% to the sinking fund to the credit of the  
21 renewable resource development bond account;  
22 (h) 5% to the earmarked revenue fund to the credit of  
23 a trust fund for the purpose of parks acquisition or  
24 management, protection of works of art in the state capitol,  
25 and other cultural and aesthetic projects. Income from this

1 trust fund shall be appropriated as follows:

2 (i) 1/3 for protection of works of art in the state  
3 capitol and other cultural and aesthetic projects; and

4 (ii) 2/3 for the ~~acquisition operation and maintenance~~  
5 of sites and areas described in 23-1-102 ~~and the operation~~  
6 ~~and maintenance of sites so acquired~~;

7 (i) 1% to the earmarked revenue fund to the credit of  
8 the state library commission for the purposes of providing  
9 basic library services for the residents of all counties  
10 through library federations and for payment of the costs of  
11 participating in regional and national networking;

12 (j) 1/2 of 1% to the earmarked revenue fund for  
13 conservation districts;

14 (k) 1 1/4% to the sinking fund to the credit of the  
15 water development sinking account;

16 (l) all other revenues from severance taxes collected  
17 under the provisions of this chapter to the credit of the  
18 general fund of the state."

19 NEW SECTION. Section 2. Repealer. Section 23-1-108,  
20 MCA, is repealed.

21 NEW SECTION. Section 3. Effective date. This act is  
22 effective July 1, 1985.

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