

HOUSE BILL NO. 747

INTRODUCED BY MARKS, RAMIREZ, BERTELSEN,
THOFT, DONALDSON, EUDAILY, LORY, SWIFT

IN THE HOUSE

February 12, 1983	Introduced and referred to Committee on Taxation.
March 14, 1983	Committee recommend bill do pass as amended. Report adopted.
March 15, 1983	Bill printed and placed on members' desks.
March 19, 1983	Second reading, do pass as amended. Statement of Intent attached.
March 21, 1983	Correctly engrossed.
March 22, 1983	Third reading, passed. Transmitted to Senate.

IN THE SENATE

March 23, 1983	Introduced and referred to Committee on Taxation.
March 30, 1983	Committee recommend bill be concurrent in as amended. Report adopted.
April 4, 1983	Second reading, pass consideration.
April 5, 1983	Second reading, concurred in as amended.
April 6, 1983	Third reading, concurred in. Ayes, 41; Noes, 9.

IN THE HOUSE

April 6, 1983	Returned to House with amendments.
April 8, 1983	Second reading, amendments concurred in.
April 9, 1983	Third reading, amendments concurred in.
	Sent to enrolling.
April 12, 1983	Correctly enrolled.
April 13, 1983	Signed by Speaker.
April 14, 1983	Signed by President.
April 15, 1983	Delivered to Governor.
April 19, 1983	Returned from Governor with recommended amendments.
April 20, 1983	Second reading, Governor's amendments concurred in.
	Third reading, Governor's amendments concurred in.

IN THE SENATE

April 21, 1983	Governor's amendments transmitted to Senate.
	Second reading, Governor's amendments concurred in.
	Third reading, Governor's amendments concurred in.

IN THE HOUSE

April 21, 1983	Returned to House. Sent to enrolling.
	Reported correctly enrolled.

1 *House* BILL NO. *747*
 2 INTRODUCED BY *Mark Ramsey, Antelien Swift*
 3 *Malison Anthony Long Swift*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING
 5 ADMINISTRATION AND REPORTING REQUIREMENTS RELATED TO THE
 6 PRIVILEGE TAX FOR POSSESSION OR BENEFICIAL USE BY A PRIVATE
 7 INDIVIDUAL, ASSOCIATION, OR CORPORATION OF PROPERTY WHICH
 8 FOR ANY REASON IS EXEMPT FROM TAXATION; AMENDING SECTION
 9 15-23-101, MCA; AND PROVIDING AN APPLICABILITY DATE."

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

12 NEW SECTION. Section 1. Reporting requirements --
 13 rules. (1) Each person who is a possessor or a beneficial
 14 user of tax-exempt property must, on or before March 1 each
 15 year, file with the department of revenue a statement of the
 16 possession or other beneficial use of tax-exempt property in
 17 the preceding calendar year and the value thereof. The
 18 statement must be in the form prescribed by the department
 19 and must be verified by the possessor or beneficial user or,
 20 in the case of an association or corporation, by an officer
 21 of the association or corporation. The statement must
 22 include:

23 (a) the name and address of the person, association,
 24 or corporation;

25 (b) the location of the tax-exempt property; and

1 (c) the gross value in dollars and cents of the
 2 tax-exempt property.

3 (2) The department may adopt any reasonable rules
 4 necessary to insure that the possessor or other beneficial
 5 user of tax-exempt property complies with the provisions of
 6 this part.

7 NEW SECTION. Section 2. Centrally assessed tax-exempt
 8 property. The possession or beneficial use of tax-exempt
 9 property that exists in more than one county or more than
 10 one state must be administered under the provisions of this
 11 chapter.

12 Section 3. Section 15-23-101, MCA, is amended to read:
 13 "15-23-101. Properties centrally assessed. The
 14 department of revenue shall centrally assess each year:

15 (1) the franchise, roadway, roadbeds, rails, rolling
 16 stock, and all other operating property of railroads
 17 operating in more than one county in the state or more than
 18 one state;

19 (2) property owned by a corporation or other person
 20 operating a single and continuous property operated in more
 21 than one county or more than one state, including telegraph,
 22 telephone, microwave, electric power or transmission lines,
 23 natural gas or oil pipelines, canals, ditches, flumes, or
 24 like properties; and tax-exempt property subject to the
 25 provisions of Title 15, chapter 24, part 12;

INTRODUCED BILL

1 (3) all property of scheduled airlines;
2 (4) the net proceeds of mines and of oil and gas
3 wells; and
4 (5) the gross proceeds of coal mines."

5 **NEW_SECTION.** Section 4. Codification instruction. (1)
6 Section 1 is intended to be codified as an integral part of
7 Title 15, chapter 24, part 12, and the provisions of Title
8 15, chapter 24, part 12, apply to section 1.

9 (2) Section 2 is intended to be codified as an
10 integral part of Title 15, chapter 23, and the provisions of
11 Title 15, chapter 23, apply to section 2.

12 **NEW_SECTION.** Section 5. Applicability. This act is
13 applicable to taxable periods beginning after December 31,
14 1983.

-End-

STATE OF MONTANA

REQUEST NO. 424-83

FISCAL NOTE

Form BD-15

In compliance with a written request received February 16, 19 83, there is hereby submitted a Fiscal Note for House Bill 747 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

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:

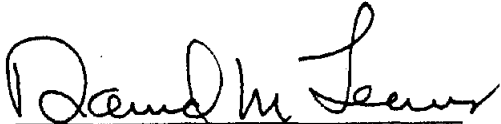
House Bill 747 clarifies the administration and reporting requirements related to the privilege tax for possession or beneficial use by a private individual, association, or corporation of property which for any reason is exempt from taxation; and provides an applicability date.

FISCAL IMPACT:

The affect of this proposal upon privilege tax revenues cannot be determined; however, it is believed that the proposed law would result in a significant increase in taxes paid for utility power lines on tax-exempt property.

The effect of the proposed law upon administrative costs would be insignificant, since the Department of Revenue already administers the privilege tax for possession or beneficial use of tax-exempt property where buildings are present, such as heavy industry or resorts.

FISCAL NOTE 13:FF/1



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-17-83

Approved by committee
on Taxation

HOUSE BILL NO. 747

INTRODUCED BY MARKS, RAMIREZ, BERTELSEN,
THOFT, DONALDSON, EUDAILY, LORY, SWIFT

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING
ADMINISTRATION AND REPORTING REQUIREMENTS RELATED TO THE
PRIVILEGE TAX FOR POSSESSION OR BENEFICIAL USE BY A PRIVATE
INDIVIDUAL, ASSOCIATION, OR CORPORATION OF PROPERTY WHICH
FOR ANY REASON IS EXEMPT FROM TAXATION; PROVIDING
EXEMPTIONS; AMENDING SECTION SECTIONS 15-23-101 AND
15-24-1203, MCA; AND PROVIDING AN APPLICABILITY DATE."

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

NEW SECTION. Section 1. Reporting requirements --
rules. (1) Each person who is a possessor or a beneficial
user of tax-exempt property must, on or before March 1 each
year, file with the department of revenue a statement of the
possession or other beneficial use of tax-exempt property in
the preceding calendar year and the value thereof. The
statement must be in the form prescribed by the department
and must be verified by the possessor or beneficial user or,
in the case of an association or corporation, by an officer
of the association or corporation. The statement must
include:

(a) the name and address of the person, association,

or corporation;

(b) the location of the tax-exempt property; and

(c) the gross MARKET value in dollars and cents of the
tax-exempt property.

(2) The department may adopt any reasonable rules
necessary to insure that the possessor or other beneficial
user of tax-exempt property complies with the provisions of
this part.

NEW SECTION. Section 2. Centrally assessed tax-exempt
property. The possession or beneficial use of tax-exempt
property that exists in more than one county or more than
one state must be administered under the provisions of this
chapter.

SECTION 3. SECTION 15-24-1203, MCA, IS AMENDED TO
READ:

"15-24-1203. Privilege tax on gainful use of
tax-exempt property -- exceptions. After March 17, 1969,
there is imposed and shall be collected a tax upon the
possession or other beneficial use enjoyed by any private
individual, association, or corporation of any property,
real or personal, which for any reason is exempt from
taxation. No tax may be imposed upon the possession or other
beneficial use of buildings owned by public entities and
located upon public airports. However, privately owned
buildings located on such airport property are subject to

1 tax. No tax shall be imposed upon the possession or other
 2 beneficial use of public lands occupied under the terms of
 3 mineral, timber, or grazing leases or permits issued by the
 4 United States or the state of Montana or upon any easement
 5 unless the lease, permit, or easement entitles the lessee or
 6 permittee to exclusive possession of the premises to which
 7 the lease, permit, or easement relates. ~~No tax shall be~~
 8 ~~imposed upon the possession or other beneficial use of an~~
 9 ~~electric transmission line and associated facilities of a~~
 10 ~~design capacity of less than 500 kilovolts."~~

11 Section 4. Section 15-23-101, MCA, is amended to read:
 12 "15-23-101. Properties centrally assessed. The
 13 department of revenue shall centrally assess each year:

14 (1) the franchise, roadway, roadbeds, rails, rolling
 15 stock, and all other operating property of railroads
 16 operating in more than one county in the state or more than
 17 one state;

18 (2) property owned by a corporation or other person
 19 operating a single and continuous property operated in more
 20 than one county or more than one state, including telegraph,
 21 telephone, microwave, electric power or transmission lines,
 22 natural gas or oil pipelines, canals, ditches, flumes, or
 23 like properties; ~~and tax-exempt property subject to the~~
 24 ~~provisions of Title 15, Chapter 24, part 12;~~

25 (3) all property of scheduled airlines;

1 (4) the net proceeds of mines and of oil and gas
 2 wells; and
 3 (5) the gross proceeds of coal mines; ~~AND~~
 4 ~~(6) TAX-EXEMPT ELECTRIC TRANSMISSION LINES AND~~
 5 ~~ASSOCIATED FACILITIES."~~
 6 ~~NEW SECTION.~~ Section 5. Codification instruction. (1)
 7 Section 1 is intended to be codified as an integral part of
 8 Title 15, chapter 24, part 12, and the provisions of Title
 9 15, chapter 24, part 12, apply to section 1.
 10 (2) Section 2 is intended to be codified as an
 11 integral part of Title 15, chapter 23, and the provisions of
 12 Title 15, chapter 23, apply to section 2.
 13 ~~NEW SECTION.~~ Section 6. Applicability. This act is
 14 applicable to taxable periods beginning after December 31,
 15 1983.

-End-

1 STATEMENT OF INTENT

2 HOUSE BILL 747

3
4 A statement of intent is required for this bill because
5 section 1 grants rulemaking authority to the Department of
6 Revenue.

7 It is the legislature's intent that the rules
8 promulgated by the Department of Revenue shall insure
9 compliance by all affected private parties with the
10 provisions of Title 15, chapter 24, part 12, MCA, including
11 producers of electrical energy who use tax-exempt high
12 voltage transmission lines to make bulk power transfers. The
13 rules enacted by the department shall provide a mechanism
14 whereby private users or possessors of tax-exempt property,
15 including producers of electrical energy who use tax-exempt
16 high voltage transmission lines for bulk power transfers,
17 are required to report the value of such tax-exempt property
18 in order that ad valorem taxes may be levied and collected.
19 The rules shall provide that if a private party fails to
20 report the value of tax-exempt property used or possessed by
21 it, the department shall determine the value of the
22 tax-exempt property and order the taxpayer to show cause why
23 such value should not be used in computing the tax and why
24 tax computed from that value should not be levied against
25 and collected from the taxpayer. It is the legislature's

1 intent that no rules other than those necessary to
2 effectuate the provisions of section 1 of this act as set
3 forth in this statement of intent shall be promulgated by
4 the Department of Revenue.

1 HOUSE BILL NO. 747

2 INTRODUCED BY MARKS, RAMIREZ, BERTELSEN,

3 THOFT, DONALDSON, EUDAILY, LORY, SWIFT

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING
6 ADMINISTRATION AND REPORTING REQUIREMENTS RELATED TO THE
7 PRIVILEGE TAX FOR POSSESSION OR BENEFICIAL USE BY A PRIVATE
8 INDIVIDUAL, ASSOCIATION, OR CORPORATION OF PROPERTY WHICH
9 FOR ANY REASON IS EXEMPT FROM TAXATION; ~~PROVIDING~~
10 ~~EXEMPTIONS;~~ AMENDING ~~SECTION~~ ~~SECTIONS~~ 15-23-101 AND
11 15-24-1203, MCA; AND PROVIDING AN APPLICABILITY DATE."

12
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 NEW SECTION. Section 1. Reporting requirements --
15 rules. (1) Each person who is a possessor or a beneficial
16 user of tax-exempt property must, on or before March 1 each
17 year, file with the department of revenue a statement of the
18 possession or other beneficial use of tax-exempt property in
19 the preceding calendar year and the value thereof. The
20 statement must be in the form prescribed by the department
21 and must be verified by the possessor or beneficial user or,
22 in the case of an association or corporation, by an officer
23 of the association or corporation. The statement must
24 include:

25 (a) the name and address of the person, association,

1 or corporation;

2 (b) the location of the tax-exempt property; and

3 (c) the ~~gross~~ MARKET value in dollars and cents of the
4 tax-exempt property.5 (2) The department may adopt any reasonable rules
6 necessary to insure that the possessor or other beneficial
7 user of tax-exempt property complies with the provisions of
8 this part.9 NEW SECTION. Section 2. Centrally assessed tax-exempt
10 property. The possession or beneficial use of tax-exempt
11 property that exists in more than one county or more than
12 one state must be administered under the provisions of this
13 chapter.14 SECTION 3. SECTION 15-24-1203, MCA, IS AMENDED TO
15 READ:16 "15-24-1203. Privilege tax on gainful use of
17 tax-exempt property -- exceptions. After March 17, 1969,
18 there is imposed and shall be collected a tax upon the
19 possession or other beneficial use enjoyed by any private
20 individual, association, or corporation of any property,
21 real or personal, which for any reason is exempt from
22 taxation. No tax may be imposed upon the possession or other
23 beneficial use of buildings owned by public entities and
24 located upon public airports. However, privately owned
25 buildings located on such airport property are subject to

1 tax. No tax shall be imposed upon the possession or other
 2 beneficial use of public lands occupied under the terms of
 3 mineral, timber, or grazing leases or permits issued by the
 4 United States or the state of Montana or upon any easement
 5 unless the lease, permit, or easement entitles the lessee or
 6 permittee to exclusive possession of the premises to which
 7 the lease, permit, or easement relates. No tax shall be
 8 imposed upon the possession or other beneficial use of an
 9 electric transmission line and associated facilities of a
 10 design capacity of less than 500 kilovolts."

11 Section 4. Section 15-23-101, MCA, is amended to read:
 12 "15-23-101. Properties centrally assessed. The
 13 department of revenue shall centrally assess each year:

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 15 stock, and all other operating property of railroads
 16 operating in more than one county in the state or more than
 17 one state;

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 19 operating a single and continuous property operated in more
 20 than one county or more than one state, including telegraph,
 21 telephone, microwave, electric power or transmission lines,
 22 natural gas or oil pipelines, canals, ditches, flumes, or
 23 like properties; ~~and tax exempt property subject to the~~
 24 ~~provisions of Title 15, chapter 23, part 12;~~

25 (3) all property of scheduled airlines;

1 (4) the net proceeds of mines and of oil and gas
 2 wells; and

3 (5) the gross proceeds of coal mines; AND

4 ~~(6) TAX-EXEMPT---ELECTRIC---TRANSMISSION---LINES---AND~~
 5 ~~ASSOCIATED-FACILITIES PROPERTY DESCRIBED IN SUBSECTIONS (1)~~
 6 ~~AND (2) AND WHICH IS SUBJECT TO THE PROVISIONS OF TITLE 15,~~
 7 ~~CHAPTER 24, PART 12."~~

8 NEW SECTION. Section 5. Codification instruction. (1)
 9 Section 1 is intended to be codified as an integral part of
 10 Title 15, chapter 24, part 12, and the provisions of Title
 11 15, chapter 24, part 12, apply to section 1.

12 (2) Section 2 is intended to be codified as an
 13 integral part of Title 15, chapter 23, and the provisions of
 14 Title 15, chapter 23, apply to section 2.

15 NEW SECTION. Section 6. Applicability. This act is
 16 applicable to taxable periods beginning after December 31,
 17 1983.

-End-

March 30, 1983

SENATE STANDING COMMITTEE REPORT
(Taxation)

That House Bill No. 747 be amended as follows:

1. Statement of Intent, page 1, line 19.

Following: line 18

Insert: "Any energy producer using a transmission line owned by the federal government and therefore not subject to state and local property taxes shall be subject to this tax. If the line is made available to private producers, the private producers who own power being transmitted over such lines shall be subject to the tax at the rates and in the manner prescribed in 15-24-1204. The allocation among several users shall be allocated according to the charge by the federal government for such use to the maximum extent possible."

2. Page 1, line 15.

Following: "Each"

Insert: "private"

3. Page 1, line 16.

Following: "property"

Insert: "subject to tax pursuant to 15-24-1203"

4. Page 3, line 7.

Following: "relates."

Strike: "No"

Insert: "The"

5. Page 3, line 9.

Following: "facilities"

Insert: "except that lines and facilities"

6. Page 3, line 10.

Following: "kilovolts"

Insert: "shall not be subject to the tax"

7. Page 4, line 17.

Following: "1983."

Insert: "From and after December 31, 1985, this act is applicable to electric transmission lines and associated facilities of a design capacity of more than 200 kilovolts."

NEW SECTION. Section 7. Codification instruction. The code commissioner is instructed to change the reference to 500 kilovolts in 15-24-1203 to 200 kilovolts when publishing the code after December 31, 1985."

COMMITTEE OF THE WHOLE AMENDMENT

54

MR. CHAIRMAN: I MOVE TO AMEND
follows:

House Bill No. 745, third reading copy, as

1. Title, line 7.

Following: "DISTRICTS"

Insert: "AND LIBERTY COUNTY"

2. Page 1, line 20.

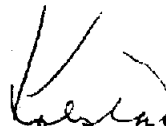
Following: "Districts"

Insert: "and Liberty County"

3. Page 1, line 22.

Following: "Dam."

Insert: "Any funds available under this section
shall be distributed between the Milk River
Irrigation Districts, and Liberty County on an
equal basis."



Senator Kolstad

GOVERNOR'S PROPOSED AMENDMENTS
TO HOUSE BILL NO. 747
REFERENCE BILL

1. Title, line 11
Following: "PROVIDING"
Insert: "A SEVERABILITY CLAUSE AND"
2. Page 4, line 16
Following: line 16
Insert: "NEW SECTION. Section 6. Severability.
If a part of this act is invalid, all valid parts that
are severable from the invalid part remain in effect.
If a part of this act is invalid in one or more of its
applications, the part remains in effect in all valid
applications."
applications."
3. Renumber subsequent section

4-19-83

1 STATEMENT OF INTENT

2 HOUSE BILL 747

3
4 A statement of intent is required for this bill because
5 section 1 grants rulemaking authority to the Department of
6 Revenue.

7 It is the legislature's intent that the rules
8 promulgated by the Department of Revenue shall insure
9 compliance by all affected private parties with the
10 provisions of Title 15, chapter 24, part 12, MCA, including
11 producers of electrical energy who use tax-exempt high
12 voltage transmission lines to make bulk power transfers. The
13 rules enacted by the department shall provide a mechanism
14 whereby private users or possessors of tax-exempt property,
15 including producers of electrical energy who use tax-exempt
16 high voltage transmission lines for bulk power transfers,
17 are required to report the value of such tax-exempt property
18 in order that ad valorem taxes may be levied and collected.

19 ANY ENERGY PRODUCER USING A TRANSMISSION LINE OWNED BY THE
20 FEDERAL GOVERNMENT AND THEREFORE NOT SUBJECT TO STATE AND
21 LOCAL PROPERTY TAXES SHALL BE SUBJECT TO THIS TAX. IF THE
22 LINE IS MADE AVAILABLE TO PRIVATE PRODUCERS, THE PRIVATE
23 PRODUCERS WHO OWN POWER BEING TRANSMITTED OVER SUCH LINES
24 SHALL BE SUBJECT TO THE TAX AT THE RATES AND IN THE MANNER
25 PRESCRIBED IN 15-24-1204. THE ALLOCATION AMONG SEVERAL USERS

1 SHALL BE ALLOCATED ACCORDING TO THE CHARGE BY THE FEDERAL
2 GOVERNMENT FOR SUCH USE TO THE MAXIMUM EXTENT POSSIBLE. The
3 rules shall provide that if a private party fails to report
4 the value of tax-exempt property used or possessed by it,
5 the department shall determine the value of the tax-exempt
6 property and order the taxpayer to show cause why such value
7 should not be used in computing the tax and why tax computed
8 from that value should not be levied against and collected
9 from the taxpayer. It is the legislature's intent that no
10 rules other than those necessary to effectuate the
11 provisions of section 1 of this act as set forth in this
12 statement of intent shall be promulgated by the Department
13 of Revenue.

HOUSE BILL NO. 747

INTRODUCED BY MARKS, RAMIREZ, BERTELSEN,

THOFT, DONALDSON, EUDAILY, LORY, SWIFT

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING ADMINISTRATION AND REPORTING REQUIREMENTS RELATED TO THE PRIVILEGE TAX FOR POSSESSION OR BENEFICIAL USE BY A PRIVATE INDIVIDUAL, ASSOCIATION, OR CORPORATION OF PROPERTY WHICH FOR ANY REASON IS EXEMPT FROM TAXATION; PROVIDING EXEMPTIONS; AMENDING SECTION SECTIONS 15-23-101 AND 15-24-1203, MCA; AND PROVIDING A SEVERABILITY CLAUSE AND AN APPLICABILITY DATE."

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

NEW SECTION. Section 1. Reporting requirements -- rules. (1) Each PRIVATE person who is a possessor or a beneficial user of tax-exempt property SUBJECT TO TAX PURSUANT TO 15-24-1203 must, on or before March 1 each year, file with the department of revenue a statement of the possession or other beneficial use of tax-exempt property in the preceding calendar year and the value thereof. The statement must be in the form prescribed by the department and must be verified by the possessor or beneficial user or, in the case of an association or corporation, by an officer of the association or corporation. The statement must

include:

- (a) the name and address of the person, association, or corporation;
- (b) the location of the tax-exempt property; and
- (c) the gross MARKET value in dollars and cents of the tax-exempt property.

(2) The department may adopt any reasonable rules necessary to insure that the possessor or other beneficial user of tax-exempt property complies with the provisions of this part.

NEW SECTION. Section 2. Centrally assessed tax-exempt property. The possession or beneficial use of tax-exempt property that exists in more than one county or more than one state must be administered under the provisions of this chapter.

SECTION 3. SECTION 15-24-1203, MCA, IS AMENDED TO READ:

"15-24-1203. Privilege tax on gainful use of tax-exempt property -- exceptions. After March 17, 1969, there is imposed and shall be collected a tax upon the possession or other beneficial use enjoyed by any private individual, association, or corporation of any property, real or personal, which for any reason is exempt from taxation. No tax may be imposed upon the possession or other beneficial use of buildings owned by public entities and

1 located upon public airports. However, privately owned
 2 buildings located on such airport property are subject to
 3 tax. No tax shall be imposed upon the possession or other
 4 beneficial use of public lands occupied under the terms of
 5 mineral, timber, or grazing leases or permits issued by the
 6 United States or the state of Montana or upon any easement
 7 unless the lease, permit, or easement entitles the lessee or
 8 permittee to exclusive possession of the premises to which
 9 the lease, permit, or easement relates. No THE tax shall be
 10 imposed upon the possession or other beneficial use of an
 11 electric transmission line and associated facilities, EXCEPT
 12 THAT LINES AND FACILITIES of a design capacity of less than
 13 500 kilovolts SHALL NOT BE SUBJECT TO THE TAX."

14 Section 4. Section 15-23-101, MCA, is amended to read:
 15 "15-23-101. Properties centrally assessed. The
 16 department of revenue shall centrally assess each year:

17 (1) the franchise, roadway, roadbeds, rails, rolling
 18 stock, and all other operating property of railroads
 19 operating in more than one county in the state or more than
 20 one state;

21 (2) property owned by a corporation or other person
 22 operating a single and continuous property operated in more
 23 than one county or more than one state, including telegraph,
 24 telephone, microwave, electric power or transmission lines,
 25 natural gas or oil pipelines, canals, ditches, flumes, or

1 like properties; ~~and tax-exempt property subject to the~~
 2 ~~provisions of Title 15, chapter 24, part 12;~~

3 (3) all property of scheduled airlines;

4 (4) the net proceeds of mines and of oil and gas
 5 wells; and

6 (5) the gross proceeds of coal mines; AND

7 ~~(6) TAX-EXEMPT---ELECTRIC---TRANSMISSION---LINES---AND~~
 8 ~~ASSOCIATED FACILITIES~~ PROPERTY DESCRIBED IN SUBSECTIONS (1)
 9 AND (2) AND WHICH IS SUBJECT TO THE PROVISIONS OF TITLE 15,
 10 CHAPTER 24, PART 12."

11 NEW SECTION. Section 5. Codification instruction. (1)
 12 Section 1 is intended to be codified as an integral part of
 13 Title 15, chapter 24, part 12, and the provisions of Title
 14 15, chapter 24, part 12, apply to section 1.

15 (2) Section 2 is intended to be codified as an
 16 integral part of Title 15, chapter 23, and the provisions of
 17 Title 15, chapter 23, apply to section 2.

18 SECTION 6. SEVERABILITY. IF A PART OF THIS ACT IS
 19 INVALID, ALL VALID PARTS THAT ARE SEVERABLE FROM THE INVALID
 20 PART REMAIN IN EFFECT. IF A PART OF THIS ACT IS INVALID IN
 21 ONE OR MORE OF ITS APPLICATIONS, THE PART REMAINS IN EFFECT
 22 IN ALL VALID APPLICATIONS THAT ARE SEVERABLE FROM THE
 23 INVALID APPLICATIONS.

24 NEW SECTION. Section 7. Applicability. This act is
 25 applicable to taxable periods beginning after December 31,

1 1983. ~~FROM AND AFTER DECEMBER 31, 1985, THIS ACT IS~~
2 ~~APPLICABLE TO ELECTRIC TRANSMISSION LINES AND ASSOCIATED~~
3 ~~FACILITIES OF A DESIGN CAPACITY OF MORE THAN 200 KILOVOLTS.~~
4 ~~SECTION 9, CODIFICATION INSTRUCTION, THE CODE~~
5 ~~COMMISSIONER IS INSTRUCTED TO CHANGE THE REFERENCE TO 500~~
6 ~~KILOVOLTS IN IS 24-1203 TO 200 KILOVOLTS WHEN PUBLISHING THE~~
7 ~~CODE AFTER DECEMBER 31, 1985.~~

-End-