

HOUSE BILL NO. 861

INTRODUCED BY QUILICI, BARDANOUE

BY REQUEST OF THE HOUSE APPROPRIATIONS COMMITTEE

IN THE HOUSE

February 15, 1983	Introduced and referred to Committee on Appropriations.
February 21, 1983	Committee recommend bill do pass. Report adopted.
February 22, 1983	Bill printed and placed on members' desks. Second reading, do pass.
February 23, 1983	Considered correctly engrossed. Third reading, passed. Transmitted to Senate.

IN THE SENATE

March 1, 1983	Introduced and referred to Committee on Finance and Claims.
March 9, 1983	Committee recommend bill be concurred in. Report adopted.
March 11, 1983	Second reading, concurred in.
March 14, 1983	Third reading, concurred in. Ayes, 49; Noes, 0.

IN THE HOUSE

March 14, 1983	Returned to House.
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March 15, 1983

Sent to enrolling.

Reported correctly
enrolled.

1 ~~House~~ BILL NO. 861
2 INTRODUCED BY Julian Bauman
3 BY REQUEST OF THE HOUSE APPROPRIATIONS COMMITTEE
4
5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT CERTAIN
6 PAYMENTS FROM THE GASOLINE AND VEHICLE FUELS TAX AND THE
7 PUBLIC TRANSPORTATION PROGRAM BE PAID BY THE DEPARTMENT OF
8 HIGHWAYS RATHER THAN THE STATE TREASURER; AMENDING SECTIONS
9 7-14-102 AND 15-70-101, MCA; AND PROVIDING AN IMMEDIATE
10 EFFECTIVE DATE."
11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
13 Section 1. Section 7-14-102, MCA, is amended to read:
14 "7-14-102. Allocation of state funds for public
15 transportation. (1) (a) The department of commerce shall
16 allocate each year one-half of the funds appropriated for
17 the purposes of this section among the cities and urban
18 transportation districts of the state which operate or
19 contract for the operation of general public transportation
20 systems.
21 (b) (1) A city or urban transportation district is
22 eligible for an allocation based upon the ratio of its local
23 financial support for public transportation to the total
24 local financial support for all general public
25 transportation systems in the state. Local financial support

1 shall be determined by dividing the city's or district's
2 expenditure of local revenues for public transportation
3 operations during the fiscal year by the mill value of the
4 city or urban transportation district. Each applicant city
5 and urban transportation district shall compute its
6 expenditure of local revenues for public transportation
7 operations for a fiscal year immediately following the end
8 of such year and shall apply allocations received against
9 that deficit.

10 (ii) A city or urban transportation district may not
11 receive more than 50% of any year's expenditure of local
12 revenues for public transportation operations as an
13 allocation under this section.

14 (2) One-half of the funds appropriated for the
15 purposes of this section shall be paid by the state
16 treasurer ~~department of highways~~ to the counties of the
17 state in the manner provided in 15-70-101(1)(a). Money
18 distributed to counties under this section shall be used by
19 the counties for highway or other transportation purposes.

20 (3) The department of commerce may make rules for the
21 keeping of accounts for and otherwise implementing this
22 section."

23 Section 2. Section 15-70-101, MCA, is amended to read:
24 "15-70-101. Disposition of funds. All taxes, interest,
25 and penalties collected under this chapter shall be turned

-2- INTRODUCED BILL
HB 861

1 over promptly to the state treasurer who shall place the
 2 same in the earmarked revenue fund to the credit of the
 3 department of highways---except---those---those funds
 4 hereinbelow allocated to cities, towns, and counties---which
 5 funds shall be paid by the state--treasurer--directly
 6 department of highways from the earmarked revenue fund to
 7 such cities, towns, and counties.

8 (1) \$6,500,000 of the funds collected under this
 9 chapter shall be allocated each fiscal year on a monthly
 10 basis to the counties and incorporated cities and towns in
 11 Montana for construction, reconstruction, maintenance, and
 12 repair of rural roads and city or town streets and alleys,
 13 as provided in subsections (a) and (b) hereof:

14 (a) \$2,950,000 shall be divided among the various
 15 counties in the following manner:

16 (i) 40% in the ratio that the rural road mileage in
 17 each county, exclusive of the federal-aid interstate system
 18 and the federal-aid primary system, bears to the total rural
 19 road mileage in the state, exclusive of the federal-aid
 20 interstate system and the federal-aid primary system;

21 (ii) 40% in the ratio that the rural population in each
 22 county outside incorporated cities and towns bears to the
 23 total rural population in the state outside incorporated
 24 cities and towns;

25 (iii) 20% in the ratio that the land area of each

1 county bears to the total land area of the state;

2 (b) \$3,550,000 shall be divided among the incorporated
 3 cities and towns in the following manner:

4 (i) 50% of the sum in the ratio that the population
 5 within the corporate limits of the city or town bears to the
 6 total population within corporate limits of all the cities
 7 and towns in Montana;

8 (ii) 50% in the ratio that the city or town street and
 9 alley mileage, exclusive of the federal-aid interstate
 10 system and the federal-aid primary system, within corporate
 11 limits bears to the total street and alley mileage,
 12 exclusive of the federal-aid interstate system and
 13 federal-aid primary system, within the corporate limits of
 14 all cities and towns in Montana.

15 (2) All funds hereby allocated to counties, cities,
 16 and towns shall be used exclusively for the construction,
 17 reconstruction, maintenance, and repair of rural roads, city
 18 or town streets and alleys or for the share which such city,
 19 town, or county might otherwise expend for proportionate
 20 matching of federal funds allocated for the construction of
 21 roads or streets which are part of the federal-aid primary
 22 or secondary highway system or urban extensions thereto.

23 (3) Upon receipt of the allocation provided herein,
 24 the governing bodies of the recipient counties, cities, and
 25 towns shall inform the department of highways of the

1 purposes for which the funds will be expended so that the
2 county commissioners, the governing body, and the department
3 of highways may coordinate the expenditure of public funds
4 for road improvements.

5 (4) All funds hereby allocated to counties, cities,
6 and towns shall be disbursed to the lowest responsible
7 bidder according to applicable bidding procedures followed
8 in all cases where the contract for construction,
9 reconstruction, maintenance, or repair is in excess of
10 \$4,000.

11 (5) For the purposes of this section where
12 distribution of funds is made on a basis related to
13 population, the population shall be determined by the last
14 preceding official federal census.

15 (6) For the purposes of this section where
16 determination of mileage is necessary for distribution of
17 funds, it shall be the responsibility of the cities, towns,
18 and counties to furnish to the department of highways and
19 state--treasurer a yearly certified statement indicating the
20 total mileage within their respective areas applicable to
21 this chapter. All mileage submitted shall be subject to
22 review and approval by the department of highways.

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

25 NEW SECTION. Section 3. Effective date. This act is

1 effective on passage and approval.

-End-

Approved by Comm.
on Appropriations

1 *House* BILL NO. *861*
2 INTRODUCED BY *Julian Baudouin*
3 BY REQUEST OF THE HOUSE APPROPRIATIONS COMMITTEE
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT CERTAIN
6 PAYMENTS FROM THE GASOLINE AND VEHICLE FUELS TAX AND THE
7 PUBLIC TRANSPORTATION PROGRAM BE PAID BY THE DEPARTMENT OF
8 HIGHWAYS RATHER THAN THE STATE TREASURER; AMENDING SECTIONS
9 7-14-102 AND 15-70-101, MCA; AND PROVIDING AN IMMEDIATE
10 EFFECTIVE DATE."
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12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 Section 1. Section 7-14-102, MCA, is amended to read:

14 "7-14-102. Allocation of state funds for public
15 transportation. (1) (a) The department of commerce shall
16 allocate each year one-half of the funds appropriated for
17 the purposes of this section among the cities and urban
18 transportation districts of the state which operate or
19 contract for the operation of general public transportation
20 systems.

21 (b) (1) A city or urban transportation district is
22 eligible for an allocation based upon the ratio of its local
23 financial support for public transportation to the total
24 local financial support for all general public
25 transportation systems in the state. Local financial support

1 shall be determined by dividing the city's or district's
2 expenditure of local revenues for public transportation
3 operations during the fiscal year by the mill value of the
4 city or urban transportation district. Each applicant city
5 and urban transportation district shall compute its
6 expenditure of local revenues for public transportation
7 operations for a fiscal year immediately following the end
8 of such year and shall apply allocations received against
9 that deficit.

10 (ii) A city or urban transportation district may not
11 receive more than 50% of any year's expenditure of local
12 revenues for public transportation operations as an
13 allocation under this section.

14 (2) One-half of the funds appropriated for the
15 purposes of this section shall be paid by the state
16 ~~treasurer department of highways~~ to the counties of the
17 state in the manner provided in 15-70-101(1)(a). Money
18 distributed to counties under this section shall be used by
19 the counties for highway or other transportation purposes.

20 (3) The department of commerce may make rules for the
21 keeping of accounts for and otherwise implementing this
22 section."

23 Section 2. Section 15-70-101, MCA, is amended to read:

24 "15-70-101. Disposition of funds. All taxes, interest,
25 and penalties collected under this chapter shall be turned

1 over promptly to the state treasurer who shall place the
 2 same in the earmarked revenue fund to the credit of the
 3 department of highways; ~~---except---those~~ Those funds
 4 hereinbelow allocated to cities, towns, and counties; ~~---which~~
 5 funds shall be paid by the state ~~---treasurer---directly~~
 6 ~~department of highways from the earmarked revenue fund~~ to
 7 such cities, towns, and counties.

8 (1) \$6,500,000 of the funds collected under this
 9 chapter shall be allocated each fiscal year on a monthly
 10 basis to the counties and incorporated cities and towns in
 11 Montana for construction, reconstruction, maintenance, and
 12 repair of rural roads and city or town streets and alleys,
 13 as provided in subsections (a) and (b) hereof:

14 (a) \$2,950,000 shall be divided among the various
 15 counties in the following manner:

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 17 each county, exclusive of the federal-aid interstate system
 18 and the federal-aid primary system, bears to the total rural
 19 road mileage in the state, exclusive of the federal-aid
 20 interstate system and the federal-aid primary system;

21 (ii) 40% in the ratio that the rural population in each
 22 county outside incorporated cities and towns bears to the
 23 total rural population in the state outside incorporated
 24 cities and towns;

25 (iii) 20% in the ratio that the land area of each

1 county bears to the total land area of the state;

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 3 cities and towns in the following manner:

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 5 within the corporate limits of the city or town bears to the
 6 total population within corporate limits of all the cities
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8 (ii) 50% in the ratio that the city or town street and
 9 alley mileage, exclusive of the federal-aid interstate
 10 system and the federal-aid primary system, within corporate
 11 limits bears to the total street and alley mileage,
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 16 and towns shall be used exclusively for the construction,
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 20 matching of federal funds allocated for the construction of
 21 roads or streets which are part of the federal-aid primary
 22 or secondary highway system or urban extensions thereto.

23 (3) Upon receipt of the allocation provided herein,
 24 the governing bodies of the recipient counties, cities, and
 25 towns shall inform the department of highways of the

purposes for which the funds will be expended so that the county commissioners, the governing body, and the department of highways may coordinate the expenditure of public funds for road improvements.

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

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

(6) For the purposes of this section where determination of mileage is necessary for distribution of funds, it shall be the responsibility of the cities, towns, and counties to furnish to the department of highways and state--treasurer a yearly certified statement indicating the total mileage within their respective areas applicable to this chapter. All mileage submitted shall be subject to review and approval by the department of highways.

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

NEW SECTION. Section 3. Effective date. This act is

1 effective on passage and approval.

-End-

1 ~~HOUSE~~ BILL NO. 861
2 INTRODUCED BY Gulian Boulanger
3 BY REQUEST OF THE HOUSE APPROPRIATIONS COMMITTEE
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT CERTAIN
6 PAYMENTS FROM THE GASOLINE AND VEHICLE FUELS TAX AND THE
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8 HIGHWAYS RATHER THAN THE STATE TREASURER; AMENDING SECTIONS
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19 contract for the operation of general public transportation
20 systems.

21 (b) (i) A city or urban transportation district is
22 eligible for an allocation based upon the ratio of its local
23 financial support for public transportation to the total
24 local financial support for all general public
25 transportation systems in the state. Local financial support

1 shall be determined by dividing the city's or district's
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3 operations during the fiscal year by the mill value of the
4 city or urban transportation district. Each applicant city
5 and urban transportation district shall compute its
6 expenditure of local revenues for public transportation
7 operations for a fiscal year immediately following the end
8 of such year and shall apply allocations received against
9 that deficit.

10 (ii) A city or urban transportation district may not
11 receive more than 50% of any year's expenditure of local
12 revenues for public transportation operations as an
13 allocation under this section.

14 (2) One-half of the funds appropriated for the
15 purposes of this section shall be paid by the state
16 treasurer ~~department of highways~~ to the counties of the
17 state in the manner provided in 15-70-101(1)(a). Money
18 distributed to counties under this section shall be used by
19 the counties for highway or other transportation purposes.

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21 keeping of accounts for and otherwise implementing this
22 section."

23 Section 2. Section 15-70-101, MCA, is amended to read:

24 "15-70-101. Disposition of funds. All taxes, interest,
25 and penalties collected under this chapter shall be turned

over promptly to the state treasurer who shall place the same in the earmarked revenue fund to the credit of the department of highways---except---those ~~These~~ funds hereinbelow allocated to cities, towns, and counties---which funds shall be paid by the state--treasurer--directly ~~department of highways from the earmarked revenue fund~~ to such cities, towns, and counties.

(1) \$6,500,000 of the funds collected under this chapter shall be allocated each fiscal year on a monthly basis to the counties and incorporated cities and towns in Montana for construction, reconstruction, maintenance, and repair of rural roads and city or town streets and alleys, as provided in subsections (a) and (b) hereof:

(a) \$2,950,000 shall be divided among the various counties in the following manner:

(i) 40% in the ratio that the rural road mileage in each county, exclusive of the federal-aid interstate system and the federal-aid primary system, bears to the total rural road mileage in the state, exclusive of the federal-aid interstate system and the federal-aid primary system;

(ii) 40% in the ratio that the rural population in each county outside incorporated cities and towns bears to the total rural population in the state outside incorporated cities and towns;

(iii) 20% in the ratio that the land area of each

county bears to the total land area of the state;

(b) \$3,550,000 shall be divided among the incorporated cities and towns in the following manner:

(i) 50% of the sum in the ratio that the population within the corporate limits of the city or town bears to the total population within corporate limits of all the cities and towns in Montana;

(ii) 50% in the ratio that the city or town street and alley mileage, exclusive of the federal-aid interstate system and the federal-aid primary system, within corporate limits bears to the total street and alley mileage, exclusive of the federal-aid interstate system and federal-aid primary system, within the corporate limits of all cities and towns in Montana.

(2) All funds hereby allocated to counties, cities, and towns shall be used exclusively for the construction, reconstruction, maintenance, and repair of rural roads, city or town streets and alleys or for the share which such city, town, or county might otherwise expend for proportionate matching of federal funds allocated for the construction of roads or streets which are part of the federal-aid primary or secondary highway system or urban extensions thereto.

(3) Upon receipt of the allocation provided herein, the governing bodies of the recipient counties, cities, and towns shall inform the department of highways of the

purposes for which the funds will be expended so that the county commissioners, the governing body, and the department of highways may coordinate the expenditure of public funds for road improvements.

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

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

(6) For the purposes of this section where determination of mileage is necessary for distribution of funds, it shall be the responsibility of the cities, towns, and counties to furnish to the department of highways and state--treasurer a yearly certified statement indicating the total mileage within their respective areas applicable to this chapter. All mileage submitted shall be subject to review and approval by the department of highways.

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

NEW SECTION. Section 3. Effective date. This act is

1 effective on passage and approval.

-End-

HOUSE BILL NO. 861

INTRODUCED BY QUILICI, BARDANOUVE

BY REQUEST OF THE HOUSE APPROPRIATIONS COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT CERTAIN PAYMENTS FROM THE GASOLINE AND VEHICLE FUELS TAX AND THE PUBLIC TRANSPORTATION PROGRAM BE PAID BY THE DEPARTMENT OF HIGHWAYS RATHER THAN THE STATE TREASURER; AMENDING SECTIONS 7-14-102 AND 15-70-101, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 7-14-102, MCA, is amended to read:

"7-14-102. Allocation of state funds for public transportation. (1) (a) The department of commerce shall allocate each year one-half of the funds appropriated for the purposes of this section among the cities and urban transportation districts of the state which operate or contract for the operation of general public transportation systems.

(b) (i) A city or urban transportation district is eligible for an allocation based upon the ratio of its local financial support for public transportation to the total local financial support for all general public transportation systems in the state. Local financial support

shall be determined by dividing the city's or district's expenditure of local revenues for public transportation operations during the fiscal year by the mill value of the city or urban transportation district. Each applicant city and urban transportation district shall compute its expenditure of local revenues for public transportation operations for a fiscal year immediately following the end of such year and shall apply allocations received against that deficit.

(ii) A city or urban transportation district may not receive more than 50% of any year's expenditure of local revenues for public transportation operations as an allocation under this section.

(2) One-half of the funds appropriated for the purposes of this section shall be paid by the state treasurer ~~department of highways~~ to the counties of the state in the manner provided in 15-70-101(1)(a). Money distributed to counties under this section shall be used by the counties for highway or other transportation purposes.

(3) The department of commerce may make rules for the keeping of accounts for and otherwise implementing this section."

Section 2. Section 15-70-101, MCA, is amended to read:

"15-70-101. Disposition of funds. All taxes, interest, and penalties collected under this chapter shall be turned

over promptly to the state treasurer who shall place the same in the earmarked revenue fund to the credit of the department of highways--except--these--These funds hereinbelow allocated to cities, towns, and counties--which funds shall be paid by the state--treasurer--directly department of highways from the earmarked revenue fund to such cities, towns, and counties.

(1) \$6,500,000 of the funds collected under this chapter shall be allocated each fiscal year on a monthly basis to the counties and incorporated cities and towns in Montana for construction, reconstruction, maintenance, and repair of rural roads and city or town streets and alleys, as provided in subsections (a) and (b) hereof:

(a) \$2,950,000 shall be divided among the various counties in the following manner:

(i) 40% in the ratio that the rural road mileage in each county, exclusive of the federal-aid interstate system and the federal-aid primary system, bears to the total rural road mileage in the state, exclusive of the federal-aid interstate system and the federal-aid primary system;

(ii) 40% in the ratio that the rural population in each county outside incorporated cities and towns bears to the total rural population in the state outside incorporated cities and towns;

(iii) 20% in the ratio that the land area of each

county bears to the total land area of the state;

(b) \$3,550,000 shall be divided among the incorporated cities and towns in the following manner:

(i) 50% of the sum in the ratio that the population within the corporate limits of the city or town bears to the total population within corporate limits of all the cities and towns in Montana;

(ii) 50% in the ratio that the city or town street and alley mileage, exclusive of the federal-aid interstate system and the federal-aid primary system, within corporate limits bears to the total street and alley mileage, exclusive of the federal-aid interstate system and federal-aid primary system, within the corporate limits of all cities and towns in Montana.

(2) All funds hereby allocated to counties, cities, and towns shall be used exclusively for the construction, reconstruction, maintenance, and repair of rural roads, city or town streets and alleys or for the share which such city, town, or county might otherwise expend for proportionate matching of federal funds allocated for the construction of roads or streets which are part of the federal-aid primary or secondary highway system or urban extensions thereto.

(3) Upon receipt of the allocation provided herein, the governing bodies of the recipient counties, cities, and towns shall inform the department of highways of the

1 purposes for which the funds will be expended so that the
2 county commissioners, the governing body, and the department
3 of highways may coordinate the expenditure of public funds
4 for road improvements.

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7 bidder according to applicable bidding procedures followed
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12 distribution of funds is made on a basis related to
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14 preceding official federal census.

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18 and counties to furnish to the department of highways and
19 state--treasurer a yearly certified statement indicating the
20 total mileage within their respective areas applicable to
21 this chapter. All mileage submitted shall be subject to
22 review and approval by the department of highways.

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

25 NEW SECTION. Section 3. Effective date. This act is

1 effective on passage and approval.

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