

SENATE BILL NO. 18

Introduced: 1/3/83

Referred to Committee on Local Government: 1/3/83

Hearing: 1/18/83

Report: 01/19/83, Do Not Pass. Report Adopted.

Bill Killed.

1                    SENATE    BILL NO.   18  
2    INTRODUCED BY LYNCH

3  
4    A BILL FOR AN ACT ENTITLED:    "AN ACT ALLOWING COUNTIES,  
5    CITIES, AND TOWNS TO USE REVENUE FROM GASOLINE AND MOTOR  
6    FUELS TAXES TO PURCHASE OR REPAIR CAPITAL EQUIPMENT  
7    NECESSARY FOR ROAD CONSTRUCTION OR MAINTENANCE; AMENDING  
8    SECTION 15-70-101, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE  
9    DATE."

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

12            Section 1. Section 15-70-101, MCA, is amended to read:  
13            "15-70-101. Disposition of funds. All taxes, interest,  
14    and penalties collected under this chapter shall be turned  
15    over promptly to the state treasurer who shall place the  
16    same in the earmarked revenue fund to the credit of the  
17    department of highways, except those funds hereinbelow  
18    allocated to cities, towns, and counties, which funds shall  
19    be paid by the state treasurer directly to such cities,  
20    towns, and counties.

21            (1) \$6,500,000 of the funds collected under this  
22    chapter shall be allocated each fiscal year on a monthly  
23    basis to the counties and incorporated cities and towns in  
24    Montana for construction, reconstruction, maintenance, and  
25    repair of rural roads and city or town streets and alleys or

1    for the purchase or repair of capital equipment necessary  
2    for those purposes, as provided in subsections (a) and (b)  
3    hereof:

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

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

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

15            (iii) 20% in the ratio that the land area of each  
16    county bears to the total land area of the state;

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

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

23            (ii) 50% in the ratio that the city or town street and  
24    alley mileage, exclusive of the federal-aid interstate  
25    system and the federal-aid primary system, within corporate

1 limits bears to the total street and alley mileage,  
2 exclusive of the federal-aid interstate system and  
3 federal-aid primary system, within the corporate limits of  
4 all cities and towns in Montana.

5 (2) All funds hereby allocated to counties, cities,  
6 and towns shall be used exclusively for the construction,  
7 reconstruction, maintenance, and repair of rural roads, city  
8 or town streets and alleys; for the purchase or repair of  
9 capital equipment necessary for those purposes; or for the  
10 share which such city, town, or county might otherwise  
11 expend for proportionate matching of federal funds allocated  
12 for the construction of roads or streets which are part of  
13 the federal-aid primary or secondary highway system or urban  
14 extensions thereto.

15 (3) Upon receipt of the allocation provided herein,  
16 the governing bodies of the recipient counties, cities, and  
17 towns shall inform the department of highways of the  
18 purposes for which the funds will be expended so that the  
19 county commissioners, the governing body, and the department  
20 of highways may coordinate the expenditure of public funds  
21 for road improvements.

22 (4) All funds hereby allocated to counties, cities,  
23 and towns shall be disbursed to the lowest responsible  
24 bidder according to applicable bidding procedures followed  
25 in all cases where the contract for construction,

1 reconstruction, maintenance, or repair is in excess of  
2 \$4,000.

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

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

15 ~~{7}--None-of-the-funds-authorized-by-this-section-shall~~  
16 ~~be-used-for-the-purchase-of-capital-equipment."~~

17 NEW SECTION. Section 2. Effective date. This act is  
18 effective on passage and approval.

-End-