

SENATE BILL NO. 97

Introduced: 01/11/83

Referred to Committee on Taxation: 02/11/83

Hearing: 2/4/83

Report: 02/19/83, Do Not Pass, as Amended. Report
Adopted.

On Motion, 2/21/83, That The bill Be Reconsidered and Placed
On 2nd Reading. Motion Failed.
Bill Killed.

1 *Senate* BILL NO. *97*
 2 INTRODUCED BY *Elbert H. Daniel Goodrich (Montana)*
 3 *Rush* BY REQUEST OF THE COAL TAX OVERSIGHT COMMITTEE

4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO ELIMINATE EARMARKING
 6 OF COAL SEVERANCE TAX REVENUES TO THE ALTERNATIVE ENERGY
 7 RESEARCH DEVELOPMENT AND DEMONSTRATION ACCOUNT AND TO THE
 8 COUNTY LAND PLANNING ACCOUNT BEGINNING JULY 1, 1985;
 9 AMENDING SECTIONS 15-35-108 AND 90-4-103, MCA."

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% ~~until July 1, 1985~~ to the earmarked revenue fund to
 8 the credit of the alternative energy research development
 9 and demonstration 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% ~~until July 1, 1985~~ to the earmarked revenue
 19 fund to the credit of 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 of sites and areas
5 described in 23-1-102 and the operation and maintenance of
6 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 Section 2. Section 90-4-103, MCA, is amended to read:

20 "90-4-103. Alternative energy research development and
21 demonstration account established. There is within the
22 earmarked revenue fund an alternative energy research
23 development and demonstration account. Moneys are paid into
24 this account under 15-35-108 until July 1, 1985, and
25 thereafter by direct legislative appropriation. The state

1 treasurer shall draw warrants payable from this account upon
2 order of the department."

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