## HOUSE BILL NO. 382

- 1/23 Introduced
- 1/23 Referred to Local Government
- 2/05 Hearing Died in Committee

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HOUSE BILL NO. 382 1 2 3 4 A BILL FOR AN ACT ENTITLED: "AN ACT REOUIRING LOCAL GOVERNMENTS TO DISBURSE GASOLINE AND VEHICLE FUELS TAX FUNDS 5 ONLY BY CONTRACT; AMENDING SECTION 15-70-101, MCA." 6 7 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 Section 1. Section 15-70-101, MCA, is amended to read: "15-70-101. Disposition of funds. All taxes, interest, 10 11 and penalties collected under this chapter shall be turned 12 over promptly to the state treasurer who shall place the 13 same in the state special revenue fund to the credit of the department of highways. Those funds hereinbelow allocated 14 15 to cities, towns, and counties shall be paid by the

16 department of highways from the state special revenue fund 17 to such cities, towns, and counties.

18 (1) \$14,000,000 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) \$6,350,000 shall be divided among the variouscounties in the following manner:



1 (i) 40% in the ratio that the rural road mileage in 2 each county, exclusive of the federal-aid interstate system 3 and the federal-aid primary system, bears to the total rural 4 road mileage in the state, exclusive of the federal-aid 5 interstate system and the federal-aid primary system; б (ii) 40% in the ratio that the rural population in each 7 county outside incorporated cities and towns bears to the 8 total rural population in the state outside incorporated 9 cities and towns; 10 (iii) 20% in the ratio that the land area of each 11 county bears to the total land area of the state: 12 (b) \$7,650,000 shall be divided among the incorporated 13 cities and towns in the following manner: (i) 50% of the sum in the ratio that the population 14 15 within the corporate limits of the city or town bears to the 16 total population within corporate limits of all the cities 17 and towns in Montana; 18 (ii) 50% in the ratio that the city or town street and 19 alley mileage, exclusive of the federal-aid interstate system and the federal-aid primary system, within corporate 20 limits bears to the total street and alley 21 mileage, exclusive of the federal-aid interstate system and 22 federal-aid primary system, within the corporate limits of 23 24 all cities and towns in Montana. 25 (2) All funds hereby allocated to counties, cities.

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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.

8 (3) Upon receipt of the allocation provided herein,
9 the governing bodies of the recipient counties, cities, and
10 towns shall inform the department of highways of the
11 purposes for which the funds will be expended so that the
12 county commissioners, the governing body, and the department
13 of highways may coordinate the expenditure of public funds
14 for road improvements.

(4) All funds hereby allocated to counties, cities,
and towns shall be disbursed <u>only by contract</u>, and when the
<u>contract exceeds \$4,000 the contract may be let only</u> 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-\$47000.

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

section where 1 (6) For the purposes of this determination of mileage is necessary for distribution of 2 funds, it shall be the responsibility of the cities, towns, З and counties to furnish to the department of highways a Δ yearly certified statement indicating the total mileage 5 within their respective areas applicable to this chapter. 6 All mileage submitted shall be subject to review and 7 approval by the department of highways. 8

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

11 (8) Funds authorized by this section shall be used for

12 construction and maintenance programs only.\*

-End-

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