

SENATE BILL NO. 127

1/18 Introduced  
1/18 Referred to Local Government  
1/31 Hearing  
2/08 Adverse Committee Report  
2/08 Bill Killed

1 *Connelly* *Senate* BILL NO. *127* *Petersen*  
 2 INTRODUCED BY *Bob Brown - Hines, Volpina, Sak*  
 3 *Wm. Lee, Tom Mace, Miles, Hyer, Karko, Nelson*  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A FORMULA *Smith*  
 5 FOR ALLOCATING PART OF THE FOREST RESERVE MONEY TO CITIES *Norman*  
 6 AND TOWNS FOR LOCAL ROAD PURPOSES; AMENDING SECTIONS  
 7 17-3-211 AND 17-3-213, MCA; AND PROVIDING AN EFFECTIVE  
 8 DATE."

9  
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 17-3-211, MCA, is amended to read:

12 "17-3-211. Forest reserve money. The state treasurer,  
 13 for the purpose of carrying out the provisions of an act of  
 14 congress of May 23, 1908, 35 United States Statutes at  
 15 Large, p. 260, and all acts subsequent thereto, shall divide  
 16 and distribute all forest reserve moneys received by the  
 17 state thereunder to and among the several counties entitled  
 18 thereto and pay the same to the several county treasurers of  
 19 such counties within 30 days after receiving same, as  
 20 directed by the state auditor. The county treasurers shall  
 21 distribute a portion of the money, as provided in 17-3-213,  
 22 to each incorporated city or town for use on local roads  
 23 under the direction of the governing body of the city or  
 24 town."

25 Section 2. Section 17-3-213, MCA, is amended to read:

1 "17-3-213. Allocation to county general road fund,  
 2 incorporated cities and towns, and countywide school levies.

3 (1) The forest reserve funds so apportioned to each county  
 4 shall be apportioned by the county treasurer in each county  
 5 between the several funds as follows:

6 (a) to--the-general-road-fund for distribution for use  
 7 on local roads as provided in subsection (2), 66 2/3% of the  
 8 total amount received;

9 (b) to the following countywide school levies, 33 1/3%  
 10 of the total sum received:

11 (i) the annual basic tax levy for elementary schools  
 12 provided for in 20-9-331;

13 (ii) the annual special tax for high schools provided  
 14 for in 20-9-333;

15 (iii) the high school transportation fund provided for  
 16 in 20-10-143;

17 (iv) the elementary teacher retirement and social  
 18 security fund provided for in 20-9-501;

19 (v) the high school teacher retirement and social  
 20 security fund provided for in 20-9-501.

21 (2) The money allocated under subsection (1)(a) shall  
 22 be apportioned by the county treasurer to the county general  
 23 road fund and to each incorporated city or town in the  
 24 county for use on local roads, including city or town  
 25 streets, in the same proportion that the total mileage of

1 county roads in the county and the total mileage of city or  
2 town streets in each incorporated city or town in the county  
3 bears to the total of county roads and city or town streets  
4 in the county.

5       ~~(2)~~(3) The apportionment of money to the funds  
6 provided for under subsection (1)(b) shall be made by the  
7 county superintendent based on the proportion that the mill  
8 levy of each fund bears to the total number of mills for all  
9 the funds. Whenever the total amount of money available for  
10 apportionment under this section is greater than the total  
11 requirements of a levy, the excess money and any interest  
12 income must be retained in a separate reserve fund, to be  
13 reapportioned in the ensuing school fiscal year to the  
14 levies designated in subsection (1)(b).

15       ~~(3)~~(4) In counties wherein special road districts have  
16 been created according to law, the board of county  
17 commissioners shall distribute a proportionate share of the  
18 ~~66-2/3% of the total amount received for the general road~~  
19 fund provided for in subsection (1)(a) to such special road  
20 district or districts within the county based upon the  
21 percentage that the total area of such road district bears  
22 to the total area of the entire county."

23       NEW SECTION. Section 3. Effective date. This act is  
24 effective July 1, 1985.

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