

HOUSE BILL NO. 23

INTRODUCED BY REAM, YELLOWTAIL

BY REQUEST OF THE MONTANA COAL BOARD

IN THE HOUSE

June 18, 1986	Introduced and referred to Committee on Appropriations.
June 23, 1986	Committee recommend bill do pass. Report adopted.
	Bill printed and placed on members' desks.
	Second reading, do pass.
	Third reading, passed.
	Transmitted to Senate.

IN THE SENATE

June 24, 1986	Introduced and referred to Committee on Finance and Claims.
June 25, 1986	Committee recommend bill be concurring in. Report adopted.
June 26, 1986	Second reading, concurring in.
	Third reading, concurring in. Ayes, 48; Noes, 0.
	Returned to House.

IN THE HOUSE

June 26, 1986	Received from Senate.
	Sent to enrolling.
	Reported correctly enrolled.

department of highways established in 2-15-2501 to expedite the construction, repair, and maintenance of deficient sections of highway within the area designated in 90-6-210 if the deficiency is the direct result of increased traffic accompanying the development of coal resources; and

(c) provided that as used in this subsection (5), "revenue paid" does not include interest income from the account reinvested in the account in trust for the public schools and the university system. Grants and loans may be from current allocations only, and no part of the principal or income of the trust referred to in 90-6-211 may be used for this purpose. The money derived from loan repayments, including the interest thereon, must be deposited to the credit of the local impact fund referred to in 90-6-202.

(6) award a grant to a local government unit for the purpose of paying for part or all of the credit that the local government unit is obligated to give to a major new industrial facility that has prepaid property taxes under 15-16-201. The board must award the grant in accordance with 90-6-206.

90-6-205. (Effective July 1, 1987) Coal board -- general powers. The board may:

- (1) retain professional consultants and advisors;
- (2) adopt rules governing its proceedings;
- (3) consider applications for grants from the local

impact and education trust fund account;

(4) consider applications for loans from the local impact and education trust fund account for periods and interest rates to be determined by the board; and

(5) award grants and loans, subject to 90-6-207, not to exceed in any one year seven-elevenths and after June 30, 1979, seven-fifteenths of the revenue paid into the local impact and education trust fund account:

(a) to local governmental units, state agencies, and governing bodies of federally recognized Indian tribes to assist local governmental units and federally recognized Indian tribes in meeting the local impact of coal development by enabling them to adequately provide governmental services and facilities which are needed as a direct consequence of coal development; and

(b) notwithstanding the provisions of 90-6-207, to the department of highways established in 2-15-2501 to expedite the construction, repair, and maintenance of deficient sections of highway within the area designated in 90-6-210 if the deficiency is the direct result of increased traffic accompanying the development of coal resources; and

(c) provided that as used in this subsection (5), "revenue paid" does not include interest income from the account reinvested in the account in trust for the public schools and the university system. Grants and loans may be

1 from current allocations only, and no part of the principal
2 or income of the trust referred to in 90-6-211 may be used
3 for this purpose. The money derived from loan repayments,
4 including the interest thereon, must be deposited to the
5 credit of the local impact fund referred to in 90-6-202.

6 (6) award a grant to a local government unit for the
7 purpose of paying for part or all of the credit that the
8 local government unit is obligated to give to a major new
9 industrial facility that has prepaid property taxes under
10 15-16-201. The board must award the grant in accordance with
11 90-6-206."

12 NEW SECTION. Section 3. Effective date. This act is
13 effective on passage and approval, and if approved after
14 June 30, 1986, the appropriation in subsection (1)(a) of
15 section 1 applies retroactively within the meaning of
16 1-2-109.

-End-

APPROVED BY COMMITTEE
ON APPROPRIATIONS

1 House BILL NO. 23
2 INTRODUCED BY Bob Ream Yellowstone
3 BY REQUEST OF THE MONTANA COAL BOARD
4
5 A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING COAL
6 BOARD MONEY TO THE GENERAL FUND; AMENDING SECTION 90-6-205,
7 MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."
8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10 NEW SECTION. Section 1. Appropriation. (1) There is
11 appropriated to the state ~~general~~ fund from any money in the
12 local impact and education trust fund account established
13 under 90-6-202 and available to the Coal Board for grants
14 and loans under 90-6-206:
15 (a) \$680,000 for the fiscal year ending June 30, 1986;
16 and
17 (b) \$1,000,000 for ~~the~~ fiscal year ending June 30,
18 1987.
19 (2) Money appropriated in:
20 (a) subsection (1)(a) is for use in the fiscal year
21 beginning July 1, 1985, and is exempt from the provisions of
22 17-7-304; and
23 (b) subsection (1)(b) is for use in the fiscal year
24 beginning July 1, 1986, and is exempt from the provisions of
25 17-7-304.

1 Section 2. Section 90-6-205, MCA, is amended to read:
2 "90-6-205. (Temporary) Coal board -- general powers.
3 The board may:
4 (1) retain professional consultants and advisors;
5 (2) adopt rules governing its proceedings;
6 (3) consider applications for grants from the local
7 impact and education trust fund account;
8 (4) consider applications for loans from the local
9 impact and education trust fund account for periods and
10 interest rates to be determined by the board; and
11 (5) award grants and loans, subject to 90-6-207, not
12 to exceed in any one year seven-elevenths and after June 30,
13 1979, and before July 1, 1985, seven-fifteenths and after
14 June 30, 1985, 23.08% of the revenue paid into the local
15 impact and education trust fund account, less the
16 appropriation provided in section 1, Chapter 733, Laws of
17 1985, and less the appropriation provided in [section 1]:
18 (a) to local governmental units, state agencies, and
19 governing bodies of federally recognized Indian tribes to
20 assist local governmental units and federally recognized
21 Indian tribes in meeting the local impact of coal
22 development by enabling them to adequately provide
23 governmental services and facilities which are needed as a
24 direct consequence of coal development; and
25 (b) notwithstanding the provisions of 90-6-207, to the

1 department of highways established in 2-15-2501 to expedite
2 the construction, repair, and maintenance of deficient
3 sections of highway within the area designated in 90-6-210
4 if the deficiency is the direct result of increased traffic
5 accompanying the development of coal resources; and

6 (c) provided that as used in this subsection (5),
7 "revenue paid" does not include interest income from the
8 account reinvested in the account in trust for the public
9 schools and the university system. Grants and loans may be
10 from current allocations only, and no part of the principal
11 or income of the trust referred to in 90-6-211 may be used
12 for this purpose. The money derived from loan repayments,
13 including the interest thereon, must be deposited to the
14 credit of the local impact fund referred to in 90-6-202.

15 (6) award a grant to a local government unit for the
16 purpose of paying for part or all of the credit that the
17 local government unit is obligated to give to a major new
18 industrial facility that has prepaid property taxes under
19 15-16-201. The board must award the grant in accordance with
20 90-6-206.

21 90-6-205. (Effective July 1, 1987) Coal board --
22 general powers. The board may:

- 23 (1) retain professional consultants and advisors;
- 24 (2) adopt rules governing its proceedings;
- 25 (3) consider applications for grants from the local

1 impact and education trust fund account;

2 (4) consider applications for loans from the local
3 impact and education trust fund account for periods and
4 interest rates to be determined by the board; and

5 (5) award grants and loans, subject to 90-6-207, not
6 to exceed in any one year seven-elevenths and after June 30,
7 1979, seven-fifteenths of the revenue paid into the local
8 impact and education trust fund account:

9 (a) to local governmental units, state agencies, and
10 governing bodies of federally recognized Indian tribes to
11 assist local governmental units and federally recognized
12 Indian tribes in meeting the local impact of coal
13 development by enabling them to adequately provide
14 governmental services and facilities which are needed as a
15 direct consequence of coal development; and

16 (b) notwithstanding the provisions of 90-6-207, to the
17 department of highways established in 2-15-2501 to expedite
18 the construction, repair, and maintenance of deficient
19 sections of highway within the area designated in 90-6-210
20 if the deficiency is the direct result of increased traffic
21 accompanying the development of coal resources; and

22 (c) provided that as used in this subsection (5),
23 "revenue paid" does not include interest income from the
24 account reinvested in the account in trust for the public
25 schools and the university system. Grants and loans may be

1 from current allocations only, and no part of the principal
2 or income of the trust referred to in 90-6-211 may be used
3 for this purpose. The money derived from loan repayments,
4 including the interest thereon, must be deposited to the
5 credit of the local impact fund referred to in 90-6-202.

6 (6) award a grant to a local government unit for the
7 purpose of paying for part or all of the credit that the
8 local government unit is obligated to give to a major new
9 industrial facility that has prepaid property taxes under
10 15-16-201. The board must award the grant in accordance with
11 90-6-206."

12 NEW SECTION. Section 3. Effective date. This act is
13 effective on passage and approval, and if approved after
14 June 30, 1986, the appropriation in subsection (1)(a) of
15 section 1 applies retroactively within the meaning of
16 1-2-109.

-End-

1 House BILL NO. 23
2 INTRODUCED BY Bob Ream Yellowstone
3 BY REQUEST OF THE MONTANA COAL BOARD
4
5 A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING COAL
6 BOARD MONEY TO THE GENERAL FUND; AMENDING SECTION 90-6-205,
7 MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."
8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10 NEW SECTION. Section 1. Appropriation. (1) There is
11 appropriated to the state general fund from any money in the
12 local impact and education trust fund account established
13 under 90-6-202 and available to the Coal Board for grants
14 and loans under 90-6-206:
15 (a) \$680,000 for the fiscal year ending June 30, 1986;
16 and
17 (b) \$1,000,000 for the fiscal year ending June 30,
18 1987.
19 (2) Money appropriated in:
20 (a) subsection (1)(a) is for use in the fiscal year
21 beginning July 1, 1985, and is exempt from the provisions of
22 17-7-304; and
23 (b) subsection (1)(b) is for use in the fiscal year
24 beginning July 1, 1986, and is exempt from the provisions of
25 17-7-304.

1 Section 2. Section 90-6-205, MCA, is amended to read:
2 "90-6-205. (Temporary) Coal board -- general powers.
3 The board may:
4 (1) retain professional consultants and advisors;
5 (2) adopt rules governing its proceedings;
6 (3) consider applications for grants from the local
7 impact and education trust fund account;
8 (4) consider applications for loans from the local
9 impact and education trust fund account for periods and
10 interest rates to be determined by the board; and
11 (5) award grants and loans, subject to 90-6-207, not
12 to exceed in any one year seven-elevenths and after June 30,
13 1979, and before July 1, 1985, seven-fifteenths and after
14 June 30, 1985, 23.08% of the revenue paid into the local
15 impact and education trust fund account, less the
16 appropriation provided in section 1, Chapter 733, Laws of
17 1985, and less the appropriation provided in [section 1]:
18 (a) to local governmental units, state agencies, and
19 governing bodies of federally recognized Indian tribes to
20 assist local governmental units and federally recognized
21 Indian tribes in meeting the local impact of coal
22 development by enabling them to adequately provide
23 governmental services and facilities which are needed as a
24 direct consequence of coal development; and
25 (b) notwithstanding the provisions of 90-6-207, to the

department of highways established in 2-15-2501 to expedite the construction, repair, and maintenance of deficient sections of highway within the area designated in 90-6-210 if the deficiency is the direct result of increased traffic accompanying the development of coal resources; and

(c) provided that as used in this subsection (5), "revenue paid" does not include interest income from the account reinvested in the account in trust for the public schools and the university system. Grants and loans may be from current allocations only, and no part of the principal or income of the trust referred to in 90-6-211 may be used for this purpose. The money derived from loan repayments, including the interest thereon, must be deposited to the credit of the local impact fund referred to in 90-6-202.

(6) award a grant to a local government unit for the purpose of paying for part or all of the credit that the local government unit is obligated to give to a major new industrial facility that has prepaid property taxes under 15-16-201. The board must award the grant in accordance with 90-6-206.

90-6-205. (Effective July 1, 1987) Coal board -- general powers. The board may:

- (1) retain professional consultants and advisors;
- (2) adopt rules governing its proceedings;
- (3) consider applications for grants from the local

impact and education trust fund account;

(4) consider applications for loans from the local impact and education trust fund account for periods and interest rates to be determined by the board; and

(5) award grants and loans, subject to 90-6-207, not to exceed in any one year seven-elevenths and after June 30, 1979, seven-fifteenths of the revenue paid into the local impact and education trust fund account:

(a) to local governmental units, state agencies, and governing bodies of federally recognized Indian tribes to assist local governmental units and federally recognized Indian tribes in meeting the local impact of coal development by enabling them to adequately provide governmental services and facilities which are needed as a direct consequence of coal development; and

(b) notwithstanding the provisions of 90-6-207, to the department of highways established in 2-15-2501 to expedite the construction, repair, and maintenance of deficient sections of highway within the area designated in 90-6-210 if the deficiency is the direct result of increased traffic accompanying the development of coal resources; and

(c) provided that as used in this subsection (5), "revenue paid" does not include interest income from the account reinvested in the account in trust for the public schools and the university system. Grants and loans may be

1 from current allocations only, and no part of the principal
2 or income of the trust referred to in 90-6-211 may be used
3 for this purpose. The money derived from loan repayments,
4 including the interest thereon, must be deposited to the
5 credit of the local impact fund referred to in 90-6-202.

6 (6) award a grant to a local government unit for the
7 purpose of paying for part or all of the credit that the
8 local government unit is obligated to give to a major new
9 industrial facility that has prepaid property taxes under
10 15-16-201. The board must award the grant in accordance with
11 90-6-206."

12 NEW SECTION. Section 3. Effective date. This act is
13 effective on passage and approval, and if approved after
14 June 30, 1986, the appropriation in subsection (1)(a) of
15 section 1 applies retroactively within the meaning of
16 1-2-109.

-End-

HOUSE BILL NO. 23
INTRODUCED BY REAM, YELLOWTAIL
BY REQUEST OF THE MONTANA COAL BOARD

A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING COAL BOARD MONEY TO THE GENERAL FUND; AMENDING SECTION 90-6-205, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

NEW SECTION. Section 1. Appropriation. (1) There is appropriated to the state general fund from any money in the local impact and education trust fund account established under 90-6-202 and available to the Coal Board for grants and loans under 90-6-206:

(a) \$680,000 for the fiscal year ending June 30, 1986; and

(b) \$1,000,000 for the fiscal year ending June 30, 1987.

(2) Money appropriated in:

(a) subsection (1)(a) is for use in the fiscal year beginning July 1, 1985, and is exempt from the provisions of 17-7-304; and

(b) subsection (1)(b) is for use in the fiscal year beginning July 1, 1986, and is exempt from the provisions of 17-7-304.

Section 2. Section 90-6-205, MCA, is amended to read:
"90-6-205. (Temporary) Coal board -- general powers.

The board may:

(1) retain professional consultants and advisors;

(2) adopt rules governing its proceedings;

(3) consider applications for grants from the local impact and education trust fund account;

(4) consider applications for loans from the local impact and education trust fund account for periods and interest rates to be determined by the board; and

(5) award grants and loans, subject to 90-6-207, not to exceed in any one year seven-elevenths and after June 30, 1979, and before July 1, 1985, seven-fifteenths and after June 30, 1985, 23.08% of the revenue paid into the local impact and education trust fund account, less the appropriation provided in section 1, Chapter 733, Laws of 1985, and less the appropriation provided in [section 1]:

(a) to local governmental units, state agencies, and governing bodies of federally recognized Indian tribes to assist local governmental units and federally recognized Indian tribes in meeting the local impact of coal development by enabling them to adequately provide governmental services and facilities which are needed as a direct consequence of coal development; and

(b) notwithstanding the provisions of 90-6-207, to the

REFERENCE BILL
HB 23

department of highways established in 2-15-2501 to expedite the construction, repair, and maintenance of deficient sections of highway within the area designated in 90-6-210 if the deficiency is the direct result of increased traffic accompanying the development of coal resources; and

(c) provided that as used in this subsection (5), "revenue paid" does not include interest income from the account reinvested in the account in trust for the public schools and the university system. Grants and loans may be from current allocations only, and no part of the principal or income of the trust referred to in 90-6-211 may be used for this purpose. The money derived from loan repayments, including the interest thereon, must be deposited to the credit of the local impact fund referred to in 90-6-202.

(6) award a grant to a local government unit for the purpose of paying for part or all of the credit that the local government unit is obligated to give to a major new industrial facility that has prepaid property taxes under 15-16-201. The board must award the grant in accordance with 90-6-206.

90-6-205. (Effective July 1, 1987) Coal board -- general powers. The board may:

- (1) retain professional consultants and advisors;
- (2) adopt rules governing its proceedings;
- (3) consider applications for grants from the local

impact and education trust fund account;

(4) consider applications for loans from the local impact and education trust fund account for periods and interest rates to be determined by the board; and

(5) award grants and loans, subject to 90-6-207, not to exceed in any one year seven-elevenths and after June 30, 1979, seven-fifteenths of the revenue paid into the local impact and education trust fund account:

(a) to local governmental units, state agencies, and governing bodies of federally recognized Indian tribes to assist local governmental units and federally recognized Indian tribes in meeting the local impact of coal development by enabling them to adequately provide governmental services and facilities which are needed as a direct consequence of coal development; and

(b) notwithstanding the provisions of 90-6-207, to the department of highways established in 2-15-2501 to expedite the construction, repair, and maintenance of deficient sections of highway within the area designated in 90-6-210 if the deficiency is the direct result of increased traffic accompanying the development of coal resources; and

(c) provided that as used in this subsection (5), "revenue paid" does not include interest income from the account reinvested in the account in trust for the public schools and the university system. Grants and loans may be

1 from current allocations only, and no part of the principal
2 or income of the trust referred to in 90-6-211 may be used
3 for this purpose. The money derived from loan repayments,
4 including the interest thereon, must be deposited to the
5 credit of the local impact fund referred to in 90-6-202.

6 (6) award a grant to a local government unit for the
7 purpose of paying for part or all of the credit that the
8 local government unit is obligated to give to a major new
9 industrial facility that has prepaid property taxes under
10 15-16-201. The board must award the grant in accordance with
11 90-6-206."

12 NEW SECTION. Section 3. Effective date. This act is
13 effective on passage and approval, and if approved after
14 June 30, 1986, the appropriation in subsection (1)(a) of
15 section 1 applies retroactively within the meaning of
16 1-2-109.

-End-