

HB 56      INTRODUCED BY ASAY  
EXPANDING PURPOSES FOR COAL BOARD GRANTS AND LOANS

1/05	INTRODUCED		
1/05	REFERRED TO TAXATION		
1/12	HEARING		
2/13	COMMITTEE REPORT--BILL PASSED AS AMENDED		
2/16	2ND READING PASSED	88	8
2/17	3RD READING PASSED	91	5
	TRANSMITTED TO SENATE		
2/19	REFERRED TO TAXATION		
3/17	HEARING		
	DIED IN COMMITTEE		

1                    HOUSE    BILL NO. 56  
2    INTRODUCED BY ASAY

3  
4    A BILL FOR AN ACT ENTITLED: "AN ACT EXPANDING THE PURPOSES  
5    FOR WHICH THE COAL BOARD MAY AWARD GRANTS AND LOANS;  
6    AMENDING SECTIONS 90-6-201 AND 90-6-205, MCA; AND PROVIDING  
7    AN EFFECTIVE DATE."

8  
9    BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10        Section 1. Section 90-6-201, MCA, is amended to read:  
11        "90-6-201. Purpose. The purposes of this part are to  
12        assist local governmental units which have been required to  
13        expand the provision of public services as a consequence of  
14        large-scale development of coal mines and coal-using energy  
15        complexes, to assist in the construction and reconstruction  
16        of designated portions of highways which serve the area  
17        affected by such large-scale development, to support county  
18        land planning, to mitigate the impacts of curtailment or  
19        discontinuance of coal mining, to compile and disseminate  
20        information on water resources, and to invest a portion of  
21        the tax revenue from coal mines in a permanent fund, the  
22        income from which shall be used for the support of public  
23        schools throughout the state."

24        Section 2. Section 90-6-205, MCA, is amended to read:  
25        "90-6-205. Coal board -- general powers. The board

1    may:  
2        (1) retain professional consultants and advisors;  
3        (2) adopt rules governing its proceedings;  
4        (3) consider applications for grants from the local  
5        impact and education trust fund account;  
6        (4) consider applications for loans from the local  
7        impact and education trust fund account for periods and  
8        interest rates to be determined by the board; and  
9        (5) award grants and loans, subject to 90-6-207, not  
10       to exceed in any one year seven-elevenths and after June 30,  
11       1979, seven-fifteenths of the revenue paid into the local  
12       impact and education trust fund account:  
13        (a) to local governmental units, state agencies, and  
14       governing bodies of federally recognized Indian tribes to  
15       assist local governmental units and federally recognized  
16       Indian tribes in meeting the local impact of coal  
17       development by enabling them to adequately provide  
18       governmental services and facilities which are needed as a  
19       direct consequence of coal development; and  
20        (b) notwithstanding the provisions of 90-6-207, to:  
21        (i) the department of highways established in  
22       2-15-2501 to expedite the construction, repair, and  
23       maintenance of deficient sections of highway within the area  
24       designated in 90-6-210 if the deficiency is the direct  
25       result of increased traffic accompanying the development of



1 coal resources, with priority designation to federal-aid  
 2 secondary highway 384 in Treasure County and federal-aid  
 3 secondary highway 314 in Big Horn County;

4 . (ii) the department of labor and industry established  
 5 in 2-15-1701 to fund or partially fund programs to initiate,  
 6 promote, and develop job search, training, and work programs  
 7 that will contribute to the employability of persons whose  
 8 employment in the mining of Montana coal is terminated  
 9 because of the curtailment or discontinuance of coal mining  
 10 in Montana; and

11 (iii) to the department of natural resources and  
 12 conservation established in 2-15-3301 to compile, publish,  
 13 and disseminate information collected under 85-1-203 and  
 14 85-2-512 and all other information pertinent to Montana's  
 15 groundwater resources developed by public or private  
 16 agencies or individuals; and

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

1 (6) award a grant to a local government unit for the  
 2 purpose of paying for part or all of the credit that the  
 3 local government unit is obligated to give to a major new  
 4 industrial facility that has prepaid property taxes under  
 5 15-16-201. The board must award the grant in accordance with  
 6 90-6-206."

7 NEW SECTION. Section 3. Extension of authority. Any  
 8 existing authority of the coal board to make rules on the  
 9 subject of the provisions of this act is extended to the  
 10 provisions of this act.

11 NEW SECTION. Section 4. Effective date. This act is  
 12 effective July 1, 1987.

-End-

APPROVED BY COMMITTEE  
ON TAXATION

HOUSE BILL NO. 56

INTRODUCED BY ASAY

A BILL FOR AN ACT ENTITLED: "AN ACT EXPANDING THE PURPOSES FOR WHICH THE COAL BOARD MAY AWARD GRANTS AND LOANS; AMENDING SECTIONS 90-6-201 AND 90-6-205, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 90-6-201, MCA, is amended to read:

"90-6-201. Purpose. The purposes of this part are to assist local governmental units which have been required to expand the provision of public services as a consequence of large-scale development of coal mines and coal-using energy complexes, to assist in the construction and reconstruction of designated portions of highways which serve the area affected by such large-scale development, to support county land planning, to mitigate the impacts of curtailment or discontinuance of coal mining, to compile and disseminate information on water resources AFFECTED BY COAL MINING, and to invest a portion of the tax revenue from coal mines in a permanent fund, the income from which shall be used for the support of public schools throughout the state."

Section 2. Section 90-6-205, MCA, is amended to read:

"90-6-205. 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:
    - (i) 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

1 coal resources, ~~with priority designation to federal aid~~  
 2 ~~secondary highway 304 in Treasure County and federal aid~~  
 3 ~~secondary highway 314 in Big Horn County;~~

4 (ii) the department of labor and industry established  
 5 in 2-15-1701 to fund or partially fund programs to initiate,  
 6 promote, and develop job search, training, and work programs  
 7 that will contribute to the employability of persons whose  
 8 employment ~~in the mining of Montana coal~~ is terminated  
 9 because of the curtailment or discontinuance of coal mining  
 10 in Montana, PROVIDING THAT SUCH JOB SEARCH, TRAINING, AND  
 11 WORK PROGRAMS HAVE SPECIFIC AND MEASURABLE GOALS AND  
 12 OBJECTIVES AND HAVE PROVISIONS FOR MONITORING BY THE  
 13 DEPARTMENT OF LABOR AND INDUSTRY; and

14 (iii) to the department of natural resources and  
 15 conservation established in 2-15-3301 to compile, publish,  
 16 and disseminate information collected under 85-1-203 and  
 17 85-2-512 and all other information DEVELOPED BY PUBLIC OR  
 18 PRIVATE AGENCIES OR INDIVIDUALS pertinent to Montana's  
 19 groundwater resources ~~developed by public or private~~  
 20 ~~agencies or individuals~~ AFFECTED BY COAL MINING; and

21 (c) provided that as used in this subsection (5),  
 22 "revenue paid" does not include interest income from the  
 23 account reinvested in the account in trust for the public  
 24 schools and the university system. Grants and loans may be  
 25 from current allocations only, and no part of the principal

1 or income of the trust referred to in 90-6-211 may be used  
 2 for this purpose. The money derived from loan repayments,  
 3 including the interest thereon, must be deposited to the  
 4 credit of the local impact fund referred to in 90-6-202.

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

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18 land planning, to mitigate the impacts of curtailment or  
19 discontinuance of coal mining, to compile and disseminate  
20 information on water resources AFFECTED BY COAL MINING, and  
21 to invest a portion of the tax revenue from coal mines in a  
22 permanent fund, the income from which shall be used for the  
23 support of public schools throughout the state."

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4 (3) consider applications for grants from the local  
5 impact and education trust fund account;  
6 (4) consider applications for loans from the local  
7 impact and education trust fund account for periods and  
8 interest rates to be determined by the board; and  
9 (5) award grants and loans, subject to 90-6-207, not  
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11 1979, seven-fifteenths of the revenue paid into the local  
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16 Indian tribes in meeting the local impact of coal  
17 development by enabling them to adequately provide  
18 governmental services and facilities which are needed as a  
19 direct consequence of coal development; and  
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22 2-15-2501 to expedite the construction, repair, and  
23 maintenance of deficient sections of highway within the area  
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25 result of increased traffic accompanying the development of

1 coal resources, ~~with priority designation to federal aid~~  
 2 ~~secondary highway 384 in Treasure County and federal aid~~  
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 5 in 2-15-1701 to fund or partially fund programs to initiate,  
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 7 that will contribute to the employability of persons whose  
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 11 WORK PROGRAMS HAVE SPECIFIC AND MEASURABLE GOALS AND  
 12 OBJECTIVES AND HAVE PROVISIONS FOR MONITORING BY THE  
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 15 conservation established in 2-15-3301 to compile, publish,  
 16 and disseminate information collected under 85-1-203 and  
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