

SB 377 INTRODUCED BY MCCALLUM, HALLIGAN
ALLOW REFUND OF 3 CENTS A GALLON ON FUEL USED BY
SCHOOL BUS CONTRACTORS
BY REQUEST OF SENATE TAXATION COMMITTEE

2/19	INTRODUCED		
2/19	REFERRED TO TAXATION		
2/19	FISCAL NOTE REQUESTED		
3/04	FISCAL NOTE RECEIVED		
3/05	HEARING		
3/05	COMMITTEE REPORT--BILL PASSED		
3/09	2ND READING PASSED	37	11
3/11	3RD READING PASSED	41	9
	TRANSMITTED TO HOUSE		
3/12	REFERRED TO TAXATION		
3/26	HEARING		
4/07	COMMITTEE REPORT--BILL NOT CONCURRED		
4/08	ADVERSE COMMITTEE REPORT ADOPTED	42	24
4/08	RETURNED TO SENATE NOT CONCURRED		

1 *Senate* BILL NO. *377*
 2 INTRODUCED BY *McCallum*
 3 BY REQUEST OF THE SENATE TAXATION COMMITTEE
 4

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW A REFUND OF 3
 6 CENTS PER GALLON OF GASOLINE OR SPECIAL FUEL USED BY SCHOOL
 7 BUS CONTRACTORS IN PROVIDING TRANSPORTATION SERVICES TO
 8 SCHOOL DISTRICTS IN MONTANA; AND AMENDING SECTIONS 15-70-221
 9 AND 15-70-328, MCA."

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

12 Section 1. Section 15-70-221, MCA, is amended to read:

13 "15-70-221. Refund authorized. (1) Any person who
 14 shall purchase and use any gasoline on which the Montana
 15 gasoline license tax has been paid for denaturing alcohol to
 16 be used in gasohol or operating or propelling stationary
 17 gasoline engines, tractors used off the public highways and
 18 streets, or for any commercial use other than propelling
 19 vehicles upon any of the public highways or streets of this
 20 state shall be allowed a refund of the amount of tax paid
 21 directly or indirectly on the gasoline so used. Such refund
 22 or drawback should in no instance exceed the tax paid or to
 23 be paid to the state and no refund shall be allowed of that
 24 portion of the tax per gallon upon aviation gasoline
 25 allocated to the department of commerce by 67-1-301.

1 (2) Any distributor paying the gasoline license tax to
 2 this state erroneously shall be allowed a credit or refund
 3 of the amount of tax so paid.

4 (3) A person who provides school bus transportation
 5 services on contract with a school district in this state is
 6 allowed a credit or refund of 3 cents per gallon of gasoline
 7 purchased and used in providing such services for a school
 8 district."

9 Section 2. Section 15-70-328, MCA, is amended to read:

10 "15-70-328. Credits. (1) Any licensed special fuel
 11 user or licensed special fuel dealer who has paid a special
 12 fuel tax either directly or to the vendor from whom it was
 13 purchased shall receive credit in the amount of any tax paid
 14 on special fuel exported for use outside of this state or
 15 for any use off the public roads and highways of this state
 16 or for any overpayment of special fuel taxes not due to the
 17 state. Special fuel carried from this state in the fuel tank
 18 of a motor vehicle is deemed to be exported from this state.

19 (2) Any licensed special fuel user who purchases a
 20 temporary special fuel permit and thereafter applies for a
 21 special fuel vehicle permit for the same vehicle in less
 22 than 11 days after the temporary permit is issued shall
 23 receive credit in the amount of the temporary permit fee.

24 (3) A licensed special fuel user who provides school
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1 district in this state is allowed a credit or refund of 3
2 cents per gallon of special fuel purchased and used in
3 providing such services for a school district."

4 NEW SECTION. Section 3. Extension of authority. Any
5 existing authority of the department of revenue to make
6 rules on the subject of the provisions of this act is
7 extended to the provisions of this act.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB377, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act to allow a refund of 3 cents per gallon of gasoline or special fuel used by school bus contractors in providing transportation services to school districts in Montana.

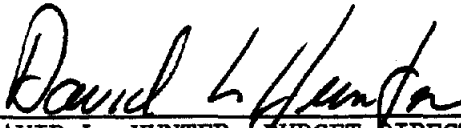
ASSUMPTIONS:

1. Miles to and from school equals 16,678,152 and equates to 80% of total miles.
2. Buses total 1,342 with 691 district-owned and 651 contractor-owned. Contractor-owned buses equal 48.5%.
3. Buses average 5 miles per gallon of fuel.
4. The effective date of the proposed legislation is October 1, 1987 (the full impact is not felt in FY88).

FISCAL IMPACT:

Revenues:

The proposed legislation would increase refunds by \$61,000 a year. Net Department of Highway receipts would be reduced by the same amount.

 DATE 2/26/87
DAVID L. HUNTER, BUDGET DIRECTOR
Office of Budget and Program Planning

 DATE 3-3-87
GEORGE McCALLUM, PRIMARY SPONSOR

Fiscal Note for SB377, as introduced.

SB 377

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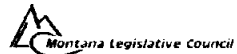
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