HOUSE BILL 236

Introduced by Nelson, R., et al.

1/17	Introduced
1/18	Referred to Taxation
1/18	Fiscal Note Requested
1/23	Fiscal Note Received
1/24	Fiscal NOte Printed
2/03	Hearing
2/28	Committee ReportBill Passed
	as Amended
3/02	2nd Reading Do Pass Motion Failed

LC 0953/01

CONSTITUTIONAL AMENDMENT

Heuse BILL NO. 236 1 INTRODUCED BY RAckson lehe Vincen 2 Stapki Harne Haro 3 A BILL FOR AN ACT ENTITLED: "AN ACT TO SUBMIT TO THE Δ QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE X. 5 SECTION 2, OF THE MONTANA CONSTITUTION TO DEDICATE 7.5% OF 6 7 THE COAL SEVERANCE TAX TO THE PUBLIC SCHOOL FUND; AND PROVIDING AN EFFECTIVE DATE." 8

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

Section 1. Article X, section 2, of The Constitution
 of the State of Montana is amended to read:

13 "Section 2. Public school fund. The public school fund 14 of the state shall consist of: (1) Proceeds from the school 15 lands which have been or may hereafter be granted by the 16 United States,

17 (2) Lands granted in lieu thereof,

18 (3) Lands given or granted by any person or19 corporation under any law or grant of the United States,

20 (4) All other grants of land or money made from the
21 United States for general educational purposes or without
22 special purpose,

23 (5) All interests in estates that escheat to the24 state,

25 (6) All unclaimed shares and dividends of any



1 corporation incorporated in the state,

2	(7) Not less than 7.5% of the severance tax on coal,
3	(7)<u>(8)</u> All other grants, gifts, devises or bequests
4	made to the state for general educational purposes."
5	NEW SECTION. Section 2. Effective date. If approved
6	by the electorate, this amendment is effective July 1, 1991.
7	NEW SECTION. Section 3. Submission to electorate.

8 This amendment shall be submitted to the qualified electors 9 of Montana at the general election to be held in November 10 1990 by printing on the ballot the full title of this act 11 and the following:

12 D FOR dedicating 7.5% of the coal severance tax to the13 public school fund.

14 AGAINST dedicating 7.5% of the coal severance tax to

15 the public school fund.

-End-

-2- INTRODUCED BILL HB 236

STATE OF MONTANA - FISCAL NOTE Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB236, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act to submit to the qualified electors of Montana an amendment to Article X, Section 2, of the Montana Constitution to dedicate 7.5% of the coal severance tax to the public school fund; and providing an effective date.

FISCAL IMPACT:

If the proposal is passed by the electorate, the revenue to the general fund would be reduced by the 7.5% dedicated to the public school fund. Using the FY91 estimate of total coal severance tax revenue of \$45,683,000 (REAC), 7.5% would equal \$3,426,225. However, the proposal has a effective date of July 1, 1991, which would mean general fund revenues would not be reduced until FY92.

RAY SHACKLEFORD, BUDGET DIRECTOR DATE OFFICE OF BUDGET AND PROGRAM PLANNING

RICHARD M. NELSON, PRIMARY SPONSOR

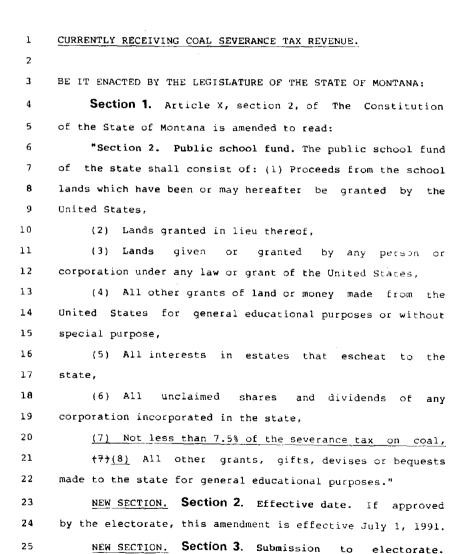
Fiscal Note for HB236 , as introduced

HB 236

51st Legislature

HB 0236/02 CONSTITUTIONAL AMENDMENT APPROVED BY COMMITTEE ON TAXATION

1	HOUSE BILL NO. 236
2	INTRODUCED BY R. NELSON, SCHYE, VINCENT, EUDAILY, DARKO,
3	HAYNE, HARP, PETERSON, BLAYLOCK, PECK
4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT TO SUBMIT TO THE
6	QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE X,
7	SECTION 2, OF THE MONTANA CONSTITUTION TO DEDICATE 7.5% OF
8	THE COAL SEVERANCE TAX TO THE PUBLIC SCHOOL FUND; AND
9	PROVIDING AN EFFECTIVE DATE."
10	
11	WHEREAS, THE LEGISLATURE HAS PLACED REVENUE RECEIVED
12	FROM THE COAL SEVERANCE TAX INTO THE EDUCATION TRUST FUND TO
13	PROVIDE FOR THE FUTURE FUNDING FOR EDUCATION; AND
14	WHEREAS, THE 1987 LEGISLATURE APPROPRIATED MOST OF THE
15	MONEY THAT WAS IN THE EDUCATION TRUST FUND AT THE TIME; AND
16	WHEREAS, A CONSTITUTIONAL ALLOCATION OF COAL SEVERANCE
17	TAX REVENUE TO THE PUBLIC SCHOOL FUND MAY NOT BE
18	APPROPRIATED BY FUTURE LEGISLATURES; AND
19	WHEREAS, SUCH AN ALLOCATION SHOULD NOT AFFECT THE
20	FUNDING OF OTHER RECIPIENTS OF COAL SEVERANCE TAX REVENUE;
21	AND
22	WHEREAS, IF THIS CONSTITUTIONAL REFERENDUM IS ADOPTED
23	BY THE PEOPLE OF MONTANA, AMENDMENTS TO THE STATUTORY
24	DISTRIBUTION OF COAL SEVERANCE TAX REVENUE WILL BE NECESSARY
25	TO ENSURE THAT THIS BILL IS REVENUE NEUTRAL TO AGENCIES



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HB 236

HB 0236/02

SECOND READING

HB 0236/02

- This amendment shall be submitted to the qualified electors of Montana at the general election to be held in November l990 by printing on the ballot the full title of this act and the following: FOR dedicating 7.5% of the coal severance tax to the public school fund.
 AGAINST dedicating 7.5% of the coal severance tax to
- 8 the public school fund.
 - -End-

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HB 236