

HOUSE BILL 359

Introduced by Cobb, et al.

1/23	Introduced
1/24	Referred to Taxation
1/25	Fiscal Note Requested
1/30	Fiscal Note Received
1/31	Fiscal Note Printed
2/07	Hearing
2/14	Tabled in Committee

1 House BILL NO. 359  
2 INTRODUCED BY Cobb Beck  
3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT EXCLUDING SAND AND  
5 GRAVEL FROM THE RESOURCE INDEMNITY TRUST TAX; AMENDING  
6 SECTION 15-38-103, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE  
7 DATE AND A RETROACTIVE APPLICABILITY DATE."  
8  
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
10 **Section 1.** Section 15-38-103, MCA, is amended to read:  
11 "15-38-103. Definitions. As used in this chapter, the  
12 following definitions apply:  
13 (1) "Department" means department of revenue.  
14 (2) "Gross value of product" means the market value of  
15 any merchantable mineral extracted or produced during the  
16 taxable year.  
17 (3) "Mineral" means any precious stones or gems, gold,  
18 silver, copper, coal, lead, petroleum, natural gas, oil,  
19 uranium, or other nonrenewable merchantable products  
20 extracted from the surface or subsurface of the state of  
21 Montana, except sand and gravel.  
22 (4) "Total environment" means air, water, soil, flora,  
23 and fauna and the social, economic, and cultural conditions  
24 that influence communities and individual citizens."  
25 **NEW SECTION. Section 2.** Extension of authority. Any

1 existing authority to make rules on the subject of the  
2 provisions of [this act] is extended to the provisions of  
3 [this act].  
4 **NEW SECTION. Section 3.** Effective date -- retroactive  
5 applicability. [This act] is effective on passage and  
6 approval and applies retroactively, within the meaning of  
7 1-2-109, to taxable years beginning after December 31, 1988.

-End-

## STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB 359, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

An act excluding sand and gravel from the resource indemnity trust tax; and providing an immediate effective date and a retroactive applicability date.

ASSUMPTIONS:

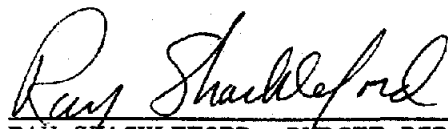
1. The resource indemnity trust tax is estimated to be \$4,584,000 in FY90 and \$4,324,000 in FY91(REAC).
2. The resource indemnity trust tax on sand and gravel averaged \$16,600 for FY87 and FY88.
3. There is no impact on Department of Revenue expenditures.

FISCAL IMPACT:

Revenue Impact:	FY '90			FY '91		
	Current Law	Proposed Law	Difference	Current Law	Proposed Law	Difference
Resource Indemnity Trust Tax	\$4,584,000	\$4,567,400	\$ (16,600)	\$4,324,000	\$4,307,400	\$(16,600)

Fund Information:	FY '90			FY '91		
	Current Law	Proposed Law	Difference	Current Law	Proposed Law	Difference
Resource Indemnity Tax Deposits to the Trust	\$4,584,000	\$4,567,400	\$(16,600)	\$4,324,000	\$4,307,400	\$(16,600)



RAY SHACKLEFORD, BUDGET DIRECTOR  
Office of Budget and Program Planning

DATE

1/30/89



JOHN COBB, PRIMARY SPONSOR

DATE

1/31/89

Fiscal Note for HB 359, as introduced**HB 359**