

SENATE BILL 117

Introduced by Keating, et al.

1/13	Introduced
1/13	Referred to Taxation
1/19	Hearing
1/19	Fiscal Note Requested
1/24	Fiscal Note Received
1/25	Fiscal Note Printed
1/25	Committee Report--Bill Not Passed
1/25	Adverse Committee Report Adopted
1/27	2nd Reading Passed
1/30	3rd Reading Passed

Transmitted to House

1/31	Referred to Taxation
2/09	Hearing
2/16	Committee Report--Bill Not Concurred
2/17	Adverse Committee Report Adopted

CONSTITUTIONAL AMENDMENT

1 *Senate* BILL NO. *117*
 2 INTRODUCED BY *Reating M. W. Hammond*
 3 *M. Hansen Phillips Sam Gilbert*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO SUBMIT TO THE
 5 QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE IX,
 6 SECTION 5, OF THE MONTANA CONSTITUTION TO DISCONTINUE THE
 7 DEPOSIT OF COAL SEVERANCE TAX COLLECTIONS IN THE COAL
 8 SEVERANCE TAX TRUST FUND."
 9

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

11 **Section 1.** Article IX, section 5, of The Constitution
 12 of the State of Montana is amended to read:

13 "Section 5. ~~Severance--tax--on--coal---~~ Coal severance
 14 tax trust fund. The legislature shall dedicate not less than
 15 one-fourth (1/4) of the There is a coal severance tax to--a
 16 trust fund, the interest and income from which may be
 17 appropriated. The principal of the trust shall forever
 18 remain inviolate unless appropriated by vote of
 19 three-fourths (3/4) of the members of each house of the
 20 legislature. ~~After December 31, 1979, at least fifty percent~~
 21 ~~(50%)--of--the--severance--tax--shall--be--dedicated--to--the--trust~~
 22 ~~fund--"~~

23 NEW SECTION. **Section 2.** Submission to electorate.
 24 This amendment shall be submitted to the qualified electors
 25 of Montana at the general election to be held in November

1 1990 by printing on the ballot the full title of this act
 2 and the following:

- 3 ☐ FOR amending the constitution to discontinue the
 4 deposit of coal severance tax collections in the
 5 coal severance tax trust fund.
 6 ☐ AGAINST amending the constitution to discontinue the
 7 deposit of coal severance tax collections in the
 8 coal severance tax trust fund.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB117, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

An act to submit to the qualified electors of Montana an amendment to article IX, section 5, of the Montana Constitution to discontinue the deposit of coal severance tax collections in the coal severance tax trust fund.

FISCAL IMPACT:

This proposal will submit to the electors an amendment to the Constitution of Montana at the general election to be held in November 1990. A constitutional amendment approved by the electorate becomes effective on July 1st following the election. If approved this proposal would become effective on July 1, 1991, which is the start of FY92. There would be no impact on revenue during the current biennium.

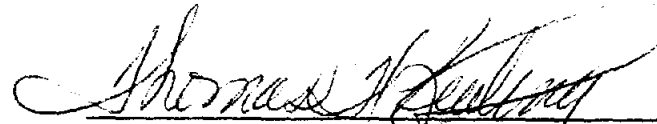
If this constitutional amendment is approved, the 1991 Legislature would have the option to amend Section 15-35-108, MCA, to change the disposal of the coal severance tax. Currently this section allocates 50% of coal severance tax collections to the trust fund. For FY91 the coal severance tax is estimated to be \$45,683,000. Fifty percent of this revenue would be \$22,841,500.



RAY SHACKLEFORD, BUDGET DIRECTOR
Office of Budget and Program Planning

1/24/89

DATE



THOMAS F. KEATING, PRIMARY SPONSOR DATE

Fiscal Note for SB117, Introduced

SB 117

LC 0940/01
CONSTITUTIONAL AMENDMENT
COMMITTEE
ON TAXATION
RECOMMEND DO NOT PASS

1 *Senate* BILL NO. *117*
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3 *M. Hansen* *Phillips* *San* *Gillbert* *Boyle*
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17 appropriated. The principal of the trust shall forever
18 remain inviolate unless appropriated by vote of
19 three-fourths (3/4) of the members of each house of the
20 legislature. After December 31, 1979, at least fifty percent
21 (50%) of the severance tax shall be dedicated to the trust
22 fund."

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