HOUSE BILL NO. 46

INTRODUCED BY J. JOHNSON

IN THE HOUSE

2.17	1111 110000
DECEMBER 23, 1992	INTRODUCED AND REFERRED TO COMMITTEE ON APPROPRIATIONS.
JANUARY 4, 1993	FIRST READING.
MARCH 12, 1993	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
MARCH 13, 1993	PRINTING REPORT.
MARCH 15, 1993	ON MOTION, CONSIDERATION PASSED FOR THE DAY.
MARCH 18, 1993	SECOND READING, DO PASS.
MARCH 19, 1993	ENGROSSING REPORT.
MARCH 24, 1993	THIRD READING, PASSED. AYES, 81; NOES, 18.
MARCH 25, 1993	TRANSMITTED TO SENATE.
IN	THE SENATE
MARCH 26, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON FINANCE & CLAIMS.
	FIRST READING.
APRIL 14, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.
APRIL 15, 1993	SECOND READING, CONCURRED IN.
	ON MOTION, RULES SUSPENDED AND BILL PLACED ON THIRD READING.
	THIRD READING, CONCURRED IN. AYES, 49; NOES, 0.
	RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

APRIL 16, 1993	ON MOTION, CONSIDERATION PASSED FOR THE DAY.
APRIL 19, 1993	SECOND READING, AMENDMENTS CONCURRED IN.
APRIL 20, 1993	THIRD READING, AMENDMENTS CONCURRED IN.
	SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

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4	A BILL FOR AN ACT ENTITLED: "AN ACT RESERVING 2 CENTS OF
5	THE CIGARETTE TAX FOR THE OPERATION AND MAINTENANCE OF STATE
6	VETERANS' NURSING HOMES; AMENDING SECTION 16-11-119, MCA;
7	AND PROVIDING AN EFFECTIVE DATE."
8	
9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10	Section 1. Section 16-11-119, MCA, is amended to read:

HOUSE BILL NO. 46

INTRODUCED BY J. JOHNSON

*16-11-119. (Temporary) Disposition of retirement of bonds. (1) Except as provided in subsection (2), all money collected under the provisions of 16-11-111, less the expense of collecting the taxes, must be paid to the state treasurer and deposited as follows: 72.79% in the long-range building program fund in the debt service fund type and 27.21% in the long-range building program fund in the capital projects fund type.

(2) In fiscal year 1993, \$1,133,624 is transferred from the long-range building program fund in the capital projects fund type to the general fund. (Terminates June 30, 1993--sec. 2, Ch. 3, Sp. L. July 1992.)

16-11-119. (Effective July 1, 1993) Disposition of 23 24 taxes -- retirement of bonds. Two cents of the cigarette tax 25 imposed under the provisions of 16-11-111 on each package of

2	fund to the credit of the department of corrections and
3	human services for the operation and maintenance of state
4	veterans' nursing homes. All moneys remaining revenue
5	collected under the provisions of 16-11-111, less the
6	expense of collecting all the taxes levied; imposed; and
7	assessed-by-said-section, shall must be paid to the state
8	treasurer and deposited as follows: 72.79% in the long-range
9	building program fund in the debt service fund type and
10	27.21% in the long-range building program fund in the
11	capital projects fund type.

cigarettes must be deposited in the state special revenue

16-11-119. (Effective August 15, 1993) Disposition of taxes -- retirement of bonds. Two cents of the cigarette tax imposed under the provisions of 16-11-111 on each package of cigarettes must be deposited in the state special revenue fund to the credit of the department of corrections and human services for the operation and maintenance of state veterans' nursing homes. All moneys remaining revenue collected under the provisions of 16-11-111, less the expense of collecting all the taxes levied, -- imposed, -- and assessed -- by -- said -- section, shall must be paid to the state treasurer and deposited as follows: 70.89% in the long-range building program fund in the debt service fund type and 29.11% in the long-range building program fund in the

capital projects fund type."

- 1 NEW SECTION. Section 2. Effective date. [This act] is
- 2 effective July 1, 1993.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0046, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act reserving 2 cents of the cigarette tax for the operation and maintenance of state veterans' nursing homes; and providing an effective date.

ASSUMPTIONS:

- 1. This proposal would become effective July 1, 1993.
- 2. Under current law cigarette tax is allocated through August 14, 1993 as follows after expenses: 72.79% long range building debt service fund type; 27.21% long-range building capital projects fund type.
- 3. Under current law cigarette tax is allocated beginning August 15, 1993 as follows: 70.89% long-range building debt service fund type; 29.11% long-range building capital projects fund type.
- 4. Under the proposal, two cents of the cigarette tax on each package of cigarettes sold is allocated to the operation and maintenance of state veterans' nursing homes. The remainder, after expenses, is allocated as under current law.
- 5. There will be 67.676 million packs of cigarettes stamped in FY 94 and 66.827 million packs stamped in FY 95.
- 6. The monthly distribution of cigarette indicia purchases is constant throughout each year of the biennium.
- 7. Under current law and the proposal the cigarette tax is 19.26 cents per pack (effective rate 18.53 cents) through August 14, 1993 and is 18 cents per pack (effective rate 17.32 cents) beginning August 15, 1993.
- 8. There is a one month time lag in collections of the cigarette tax from the 44.3% of retailers and wholesalers who purchase stamps on credit. For these purchasers there is an additional month of collections at the 19.26 cent rate in FY 94.

FISCAL IMPACT:

Revenues:

		FY '94			FY '95	
	Current Law	Proposed Law	<u>Difference</u>	Current Law	Proposed Law	Difference
Cigarette Tax	11,852,000	11,852,000	0	11,572,000	11,572,000	0
Funding						
Debt Service (General Fund)	8,431,000	7,469,000	(963,000)	8,203,000	7,256,000	(947,000)
Capital Projects (LRBP)	3,421,000	3,029,000	(391,000)	3,369,000	2,979,000	(389,000)
Veterans' Homes	0	1,354,000	1.354.000	0	1,337,000	1,337,000
Total	11,852,000	11,852,000	0	11,572,000	11,572,000	0

DAVID LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

JOHN JOHNSON, PRIMARY SPONSOR DATE
Fiscal Note for HB0046, as introduced

HB 46

Fiscal Note Request, <u>HB0046</u>, as introduced Form BD-15 page 2 (continued)

TECHNICAL NOTES:

Because the veterans' homes share is based on the number of cigarette packs sold rather than as a percentage of revenue collected, there is a potential for significant delays in distribution of the tax. This is due to a delay in the reporting of the number of packs sold. If the veterans' homes share were written as a percentage of revenue collected this administrative problem could be avoided.

APPROVED BY COMMITTEE ON APPROPRIATIONS

1	HOUSE BILL NO. 46
2	INTRODUCED BY J. JOHNSON
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT RESERVING 2CHNTS A
5	PERCENTAGE OF THE CIGARETTE TAX FOR THE OPERATION AND
6	MAINTENANCE OF STATE VETERANS' NURSING HOMES; THE
7	DEVELOPMENT AND IMPLEMENTATION OF A BENEFITS PROGRAM FOR
8	AGING VETERANS, AND THE ESTABLISHMENT OF A SPECIAL REVENUE
9	ACCOUNT IN THE DEPARTMENT OF CORRECTIONS AND HUMAN SERVICES;
10	AMENDING SECTIONS 16-11-119 AND 17-5-408, MCA; AND
11	PROVIDING AN EFFECTIVE DATE."
12	
13	STATEMENT OF INTENT
14	A STATEMENT OF INTENT IS REQUIRED FOR THIS BILL BECAUSE
15	THE DEPARTMENT OF CORRECTIONS AND HUMAN SERVICES IS
16	AUTHORIZED UNDER [SECTION 3] TO ADOPT RULES FOR THE
17	ADMINISTRATION OF THE VETERANS' BENEFITS PROGRAM.
18	
19	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
20	Section 1. Section 16-11-119, MCA, is amended to read:
21	"16-11-119. (Temporary) Disposition of taxes
22	retirement of bonds. (1) Except as provided in subsection
23	(2), all money collected under the provisions of 16-11-111,
24	less the expense of collecting the taxes, must be paid to
25	the state treasurer and deposited as follows: 72.79% in the

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- type and 27.21% in the long-range building program fund in
- he capital projects fund type.
- (2) In fiscal year 1993, \$1,133,624 is transferred from
- he long-range building program fund in the capital projects
- type to the general fund. (Terminates June 30,
 - 993--sec. 2, Ch. 3, Sp. L. July 1992.)
- 16-11-119. (Effective July 1, 1993) Disposition of
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- epartment of corrections and human services for the
- peration and maintenance of state veterans' nursing homes.
- ND THE DEVELOPMENT AND IMPLEMENTATION OF A BENEFITS PROGRAM
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- building program fund in the capital projects fund type. 23
- 24 16-11-119. (Effective August 15, 1993) Disposition of
- taxes -- retirement of bonds. Two-cents THE AMOUNT OF 11.11% 25

1	of the cigarette tax imposed COLLECTED under the provisions
2	of 16-11-111 on each package of cigarettes must be deposited
3	in the state special revenue fund to the credit of the
4	department of corrections and human services for the
5	operation and maintenance of state veterans' nursing homes.
6	All moneys remaining revenue collected under the provisions
7	of 16-11-111, less the expense of collecting all the taxes
8	levied;-imposed;-and-assessed-by-said-section, shall must be
9	paid to the state treasurer and deposited as follows: 70:89%
10	79.25% in the long-range building program fund in the debt
11	service fund type and 29-114 20.25% in the long-range
12	building program fund in the capital projects fund type."

NEW SECTION. SECTION 2. USE OF FUNDS GENERATED BY
TAXATION ON CIGARETTES. (1) REVENUE GENERATED BY 16-11-119
AND ALLOCATED TO THE DEPARTMENT OF CORRECTIONS AND HUMAN
SERVICES MUST BE USED TO SUPPORT THE OPERATION AND
MAINTENANCE OF THE MONTANA VETERANS' HOMES PROGRAMS AND THE
DEVELOPMENT AND IMPLEMENTATION OF A BENEFITS PROGRAM FOR
AGING VETERANS WHO NEED IN-HOME HEALTH OR NURSING CARE.

(2) THE LEGISLATURE SHALL APPROPRIATE FROM THE ACCOUNT ESTABLISHED IN 16-11-119 THE FUNDS REQUIRED FOR THE OPERATION AND MAINTENANCE OF THE MONTANA VETERANS' HOMES AND THE DEVELOPMENT AND IMPLEMENTATION OF THE BENEFITS PROGRAM.

24 (3) OPERATION AND MAINTENANCE OF THE PROGRAMS MAY
25 INCLUDE PERSONAL SERVICES, OPERATIONS, EQUIPMENT, AND

CONSTRUCTION OR REMODELING PROJECTS.

2 NEW SECTION. SECTION 3. RULEMAKING. THE DEPARTMENT OF
3 CORRECTIONS AND HUMAN SERVICES MAY ADOPT RULES FOR THE
4 ADMINISTRATION OF THE VETERANS' BENEFITS PROGRAM REFERRED TO
5 IN [SECTION 2].

SECTION 4. SECTION 17-5-408, MCA, IS AMENDED TO READ:

"17-5-408. Percentage of income, corporation license, and cigarette tax pledged. (1) (a) The state pledges and appropriates and directs to be credited as received to the debt service account 9-8%-for-fiscal-year-1990-and-0-7%--for fiscal-year-1991-of-all money received from the collection of the individual income tax and li%-for-fiscal-year-1990 and-10-5%--for-fiscal-year-1991--of-all-money, except as provided in 15-31-702, money received from the collection of the corporation license and income tax, as provided in 15-1-501, and-such-additional-amount-of-said-taxes;-if-any; as may at any time be needed to comply with the principal and interest and reserve requirements stated in 17-5-405(4).

- (b) No---more---than---the---percentages--described--in subsection-(1)(a)-of-such-tax-collections-may-be-pledged-for the-purpose-of-17-5-403(2). The pledge and appropriation herein made shall-be-and-remain-at-all-times by this section are a first and prior charge upon all money received from the collection of said the enumerated taxes.
- 25 (2) The Except for the amount credited to the veterans'

- home maintenance and improvement account under 16-11-119, 1 the state pledges and appropriates and directs to be 2 3 credited to the debt service account 70.75% of all remaining money received from the collection of the excise tax on cigarettes which that is levied, imposed, and assessed by 16-11-111. The state also pledges and 6 appropriates and directs to be credited as received to the debt service account all money received from the collection 9 of the taxes on other tobacco products which that are or may 10 hereafter be levied, imposed, and assessed-by-law for that 11 purpose, including the tax levied, imposed, and assessed by 12 16-11-202. Nothing-herein-shall This section does not impair 13 or otherwise affect the provisions and covenants contained 14 in the resolutions authorizing the presently outstanding 15 long-range building program bonds. Subject to the provisions 16 of the preceding sentence, the pledge and appropriation 17 herein made shall-be-and-remain-at-all-times by this section are a first and prior charge upon all money received from 18 19 the collection of all taxes referred to in this subsection 20 (2)."
 - NEW SECTION. SECTION 5. CODIFICATION INSTRUCTION. (1)
- 22 [SECTION 2] IS INTENDED TO BE CODIFIED AS AN INTEGRAL PART
- 23 OF TITLE 10, CHAPTER 2, PART 4, AND THE PROVISIONS OF TITLE
- 24 10, CHAPTER 2, PART 4, APPLY TO [SECTION 2].

25 (2) [SECTION 3] IS INTENDED TO BE CODIFIED AS AN

- 1 INTEGRAL PART OF TITLE 10, CHAPTER 2, PART 1, AND THE
- PROVISIONS OF TITLE 10, CHAPTER 2, PART 1, APPLY TO [SECTION
- 3 31.
- 4 NEW SECTION. Section 6. Effective date. [This act] is
- 5 effective July 1, 1993.

-End-

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4	A BILL FOR AN ACT ENTITLED: "AN ACT RESERVING 2CENTS A
5	PERCENTAGE OF THE CIGARETTE TAX FOR THE OPERATION AND
6	MAINTENANCE OF STATE VETERANS' NURSING HOMES7, THE
7	DEVELOPMENT AND IMPLEMENTATION OF A BENEFITS PROGRAM FOR
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9	ACCOUNT IN THE DEPARTMENT OF CORRECTIONS AND HUMAN SERVICES;
10	AMENDING SECTIONS 16-11-119 AND 17-5-408, MCA; AND
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HOUSE BILL NO. 46

1	long-range building program fund in the debt service fund
2	type and 27.21% in the long-range building program fund in
3	the capital projects fund type.
4	(2) In fiscal year 1993, \$1,133,624 is transferred from
5	the long-range building program fund in the capital projects
6	fund type to the general fund. (Terminates June 30,
7	1993sec. 2, Ch. 3, Sp. L. July 1992.)
8	16-11-119. (Effective July 1, 1993) Disposition of
9	taxes retirement of bonds. Two-cents THE AMOUNT OF 10.38%
10	of the cigarette tax imposed COLLECTED under the provisions
11	of 16-11-111 on each package of cigarettes must be deposited
12	in the state special revenue fund to the credit of the
13	department of corrections and human services for the
14	operation and maintenance of state veterans' nursing homes:
15	AND THE DEVELOPMENT AND IMPLEMENTATION OF A BENEFITS PROGRAM

FOR AGING VETERANS WHO NEED IN-HOME HEALTH OR NURSING CARE.

All moneys remaining revenue collected under the provisions

of 16-11-111, less the expense of collecting all the taxes levied;-imposed;-and-assessed-by-said-section, shall must be

paid to the state treasurer and deposited as follows: 72.79%

81.23% in the long-range building program fund in the debt

service fund type and 27-21% 18.77% in the long-range

16-11-119. (Effective August 15, 1993) Disposition of taxes -- retirement of bonds. Two-cents THE AMOUNT OF 11.11%

building program fund in the capital projects fund type.

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HB 46

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NEW SECTION. SECTION 2. USE OF FUNDS GENERATED BY
TAXATION ON CIGARETTES. (1) REVENUE GENERATED BY 16-11-119
AND ALLOCATED TO THE DEPARTMENT OF CORRECTIONS AND HUMAN
SERVICES MUST BE USED TO SUPPORT THE OPERATION AND
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DEVELOPMENT AND IMPLEMENTATION OF A BENEFITS PROGRAM FOR
AGING VETERANS WHO NEED IN-HOME HEALTH OR NURSING CARE.

- (2) THE LEGISLATURE SHALL APPROPRIATE FROM THE ACCOUNT ESTABLISHED IN 16-11-119 THE FUNDS REQUIRED FOR THE OPERATION AND MAINTENANCE OF THE MONTANA VETERANS' HOMES AND THE DEVELOPMENT AND IMPLEMENTATION OF THE BENEFITS PROGRAM.
- 24 (3) OPERATION AND MAINTENANCE OF THE PROGRAMS MAY
 25 INCLUDE PERSONAL SERVICES, OPERATIONS, EQUIPMENT, AND

1 CONSTRUCTION OR REMODELING PROJECTS.

2 NEW SECTION. SECTION 3. RULEMAKING. THE DEPARTMENT OF
3 CORRECTIONS AND HUMAN SERVICES MAY ADOPT RULES FOR THE
4 ADMINISTRATION OF THE VETERANS' BENEFITS PROGRAM REPERRED TO
5 IN [SECTION 2].

6 SECTION 4. SECTION 17-5-408, MCA, IS AMENDED TO READ:

*17-5-408. Percentage of income, corporation license, and cigarette tax pledged. (1) (a) The state pledges and appropriates and directs to be credited as received to the debt service account 9-0%-for-fiscal-year-1998-and-0-7%--for fiscal-year-1991-of-all money received from the collection of the individual income tax and ll%-for--fiscal--year--1990 and--10-5%--for--fiscal--year--1991--of-all-money, except as provided in 15-31-702, money received from the collection of the corporation license and income tax, as provided in 15-1-501, and-such-additional-amount-of-said-taxes;-if-any, as may at any time be needed to comply with the principal and interest and reserve requirements stated in 17-5-405(4).

- (b) No---more---than---the---percentages--described--in subsection-(i)(a)-of-such-tax-collections-may-be-pledged-for the-purpose-of-17-5-403(2). The pledge and appropriation herein made shall-be-and-remain-at-all-times by this section are a first and prior charge upon all money received from the collection of said the enumerated taxes.
- 25 (2) The Except for the amount credited to the veterans'

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1 home maintenance and improvement account under 16-11-119, 2 the state pledges and appropriates and directs to be 3 credited to the debt service account 78-89% 79.75% of all 4 remaining money received from the collection of the excise 5 tax on cigarettes which that is levied, imposed, and 6 assessed by 16-11-111. The state also pledges and 7 appropriates and directs to be credited as received to the 8 debt service account all money received from the collection 9 of the taxes on other tobacco products which that are or may 10 hereafter be levied; imposed; and assessed by law for that 11 purpose, including the tax levied, imposed, and assessed by 12 16-11-202. Nothing-herein-shall This section does not impair or otherwise affect the provisions and covenants contained 13 14 in the resolutions authorizing the presently outstanding 15 long-range building program bonds. Subject to the provisions 16 of the preceding sentence, the pledge and appropriation 17 herein made shall-be-and-remain-at-all-times by this section 18 are a first and prior charge upon all money received from 19 the collection of all taxes referred to in this subsection 20 t2)." NEW SECTION. SECTION 5. CODIFICATION INSTRUCTION. (1)

3 3]. NEW SECTION. Section 6. Effective date. [This act] is

effective July 1, 1993.

INTEGRAL PART OF TITLE 10, CHAPTER 2, PART 1, AND THE

PROVISIONS OF TITLE 10, CHAPTER 2, PART 1, APPLY TO { SECTION

-End-

HB 46

[SECTION 2] IS INTENDED TO BE CODIFIED AS AN INTEGRAL PART

OF TITLE 10, CHAPTER 2, PART 4, AND THE PROVISIONS OF TITLE

(2) [SECTION 3] IS INTENDED TO BE CODIFIED AS AN

10, CHAPTER 2, PART 4, APPLY TO [SECTION 2].

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Page 1 of 2 April 14, 1993

MR. PRESIDENT:

We, your committee on Finance and Claims having had under consideration House Bill No. 46 (third reading copy -- blue), respectfully report that House Bill No. 46 be amended as follows and as so amended be concurred in.

Signed: Judy H. Jagobson, Chair

That such amendments read:

1. Title, line 6. Following: "HOMES" Insert: ";"

2. Title, lines 6 through 8.
Strike: ", THE DEVELOPMENT AND IMPLEMENTATION OF A BENEFITS PROGRAM FOR AGING VETERANS, AND"
Insert: "PROVIDING FOR"

Page 1, lines 13 through 17.
 Strike: lines 13 through 17 in their entirety

4. Page 2, line 14. Pollowing: "homes" Insert: "."

5. Page 2, lines 15 and 16. Strike: line 15 and 16 in their entirety

6. Page 3, line 17. Pollowing: "PROGRAMS" Insert: "."

7. Page 3, lines 17 through 19. Strike: "AND" on line 17 through "CARE." on line 19

8. Page 3, line 22. Following: "HOMES" Insert: "."

9. Page 3, line 22 through line 5 on page 4. Strike: "AND" on line 22 through line 5 on page 4 Renumber: subsequent sections

10. Page 5, line 21.
Strike: "(1)"

Amd. Coord.
The Sec. of Senate

Wealing Senator Carrying Bill

821526SC.San

11. Page 5, line 25 through line 3 on page 6. Strike: line 25 on page 5 through line 3 on page 6 in their entirety

-END-

HB 46 SENATE 821526SC.San

1	HOUSE BILL NO. 46
2	INTRODUCED BY J. JOHNSON
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT RESERVING 2CENTS \underline{A}
5	PERCENTAGE OF THE CIGARETTE TAX FOR THE OPERATION AND
6	MAINTENANCE OF STATE VETERANS' NURSING HOMES; 7THB
7	DBVBLOPMENTANDIMPLEMENTATIONOPA-BBMBPITS-PROGRAM-POR
8	AGING-VETERANS, - AND PROVIDING FOR THE ESTABLISHMENT OF A
9	SPECIAL REVENUE ACCOUNT IN THE DEPARTMENT OF CORRECTIONS AND
10	HUMAN SERVICES; AMENDING SECTIONS 16-11-119 AND
11	17-5-408, MCA; AND PROVIDING AN EPPECTIVE DATE."
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14	A-STATEMENT-OP-INTENT-IS-REQUIRED-POR-THIS-BILL-BECAUSE
15	PHBDEPARTMENTOFCORRECTIONSANDHUMANSERVICESIS
16	AUTHORISEDUNDER{SECTION3}TOADOPTRULESPORTHE
17	ADMINISTRATION OF THE VETERANS - BENEFITS - PROGRAM:
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1	of the cigarette tax imposed COLLECTED under the provisions
2	of 16-11-111 on each package of cigarettes must be deposited
3	in the state special revenue fund to the credit of the
4	department of corrections and human services for the
5	operation and maintenance of state veterans' nursing homes.
6	All moneys remaining revenue collected under the provisions
7	of 16-11-111, less the expense of collecting all the taxes
8	levied,-imposed,-and-assessed-by-said-section, shall must be
9.	paid to the state treasurer and deposited as follows: 70-89%
10	79.25% in the long-range building program fund in the debt
11	service fund type and 29:11% 20.25% in the long-range
12	building program fund in the capital projects fund type."
13	NEW SECTION. SECTION 2. USE OF FUNDS GENERATED BY
14	TAXATION ON CIGARETTES. (1) REVENUE GENERATED BY 16-11-119
15	AND ALLOCATED TO THE DEPARTMENT OF CORRECTIONS AND HUMAN
16	SERVICES MUST BE USED TO SUPPORT THE OPERATION AND
17	MAINTENANCE OF THE MONTANA VETERANS' HOMES PROGRAMS. AND-THE
18	DEVELOPMENTANDIMPLEMENTATIONOPA-BENEPITS-PROGRAM-POR
19	aging-veterang-who-need-in-home-health-or-nursing-care-
20	(2) THE LEGISLATURE SHALL APPROPRIATE FROM THE ACCOUNT
21	ESTABLISHED IN 16-11-119 THE FUNDS REQUIRED FOR THE
22	OPERATION AND MAINTENANCE OF THE MONTANA VETERANS' HOMES.
23	ANDTHEDEVELOPMENTANDIMPLEMENTATIONOPTHE-BENEFITS
24	PROGRAM→
25	+3}operationandmaintenanceoptheprogramsmay

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INCLUBE--PERSONAL--SERVICES7--OPERATIONS7---BQUIPMENT7---AND
CONSTRUCTION-OR-REMODELING-PROJECTST
    NEW-SECTION: -- SECTION-3. - RULBMAKING .-- THE DEPARTMENT OF
CORRECTIONS-AND-HUMAN-SERVICES--MAY--ADOPT--RULES--POR--THE
ADMINISTRATION-OF-THE-VETERANS1-BENEPIPS-PROGRAM-REPERRED-TO
IN-{SBCTION-2}-
   SECTION 3. SECTION 17-5-408, MCA, IS AMENDED TO READ:
    *17-5-408. Percentage of income, corporation license,
and cigarette tax pledged, (1) (a) The state pledges and
appropriates and directs to be credited as received to the
debt service account 9:8%-for-fiscal-year-1998-and-8:7%--for
fiscal--year--1991-of-all money received from the collection
of the individual income tax and 114-for--fiscal--year--1996
and--10-5%--for--fiscal--year--1991--of-all-money, except as
provided in 15-31-702, money received from the collection of
the corporation license and income tax, as provided in
15-1-501, and-such-additional-amount-of-said-taxesy-if-any,
as may at any time be needed to comply with the principal
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(b) No---more---than---the---percentages--described--in subsection-(1)(a)-of-such-tax-collections-may-be-pledged-for the-purpose-of-17-5-403(2)+ The pledge and appropriation herein made shall-be-and-remain-at-all-times by this section are a first and prior charge upon all money received from the collection of said the enumerated taxes.

and interest and reserve requirements stated in 17-5-405(4).

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1 (2) The Except for the amount credited to the veterans' 2 home maintenance and improvement account under 16-11-119, 3 the state pladges and appropriates and directs to be credited to the debt service account 70:789% 79.75% of all 5 remaining money received from the collection of the excise tax on cigarettes which that is levied, imposed, and 7 assessed by 16-11-111. The state also pledges and 8 appropriates and directs to be credited as received to the 9 debt service account all money received from the collection of the taxes on other tobacco products which that are or may 10 11 hereafter be levied, imposed, and assessed by law for that 12 purpose, including the tax levied, imposed, and assessed by 13 16-11-202. Nothing-herein-shall This section does not impair 14 or otherwise affect the provisions and covenants contained 15 in the resolutions authorizing the presently outstanding 16 long-range building program bonds. Subject to the provisions 17 of the preceding sentence, the pledge and appropriation 18 herein made shall-be-and-remain-at-all-times by this section 19 are a first and prior charge upon all money received from 20 the collection of all taxes referred to in this subsection 21 **+2)."**

NEW SECTION. SECTION 4. CODIFICATION INSTRUCTION. 711 22 23 [SECTION 2] IS INTENDED TO BE CODIFIED AS AN _INTEGRAL PART 24 OF TITLE 10, CHAPTER 2, PART 4, AND THE PROVISIONS OF TITLE 25 10, CHAPTER 2, PART 4, APPLY TO [SECTION 2].

FNTBGRAL--PART--GP--TITLE--10y--GHAPTER--2y--PART-1y-AND-THE PROVISIONS-OF-TITLE-107-CHAPTER-27-PART-17-APPLY-TO-{SECTION 4 3}: NEW SECTION. Section 5. Effective date. [This act] is effective July 1, 1993.

+2}--{586710N-3}--18--1N79NDBD--T0--BB--CODIPIED--AS--AN

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