

HOUSE BILL 444

Introduced by Pavlovich, et al.

2/03	Introduced
2/03	Referred to Taxation
2/03	First Reading
2/10	Hearing
2/18	Tabled in Committee

CONSTITUTIONAL AMENDMENT

1 *House Bill No. 444*
 2 INTRODUCED BY *Carlton D. Lysak*
 3 *Barthine Hamington Ben McCreedy*

4 A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE
 5 QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE IX,
 6 SECTION 5, OF THE MONTANA CONSTITUTION TO REDUCE THE
 7 PERCENTAGE OF COAL SEVERANCE TAXES THAT IS REQUIRED TO BE
 8 PAID INTO THE PERMANENT TRUST FUND FROM ONE-HALF TO
 9 ONE-FOURTH AND TO REQUIRE ONE-FOURTH OF COAL SEVERANCE TAXES
 10 TO BE DEDICATED TO SCHOOL FINANCE AND MAINTENANCE OF
 11 STATE-OWNED BUILDINGS; AND PROVIDING AN EFFECTIVE DATE."

12
 13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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

16 "Section 5. Severance tax on coal -- trust fund --
 17 school finance -- state buildings maintenance. (1) The
 18 legislature shall dedicate not less than one-fourth (1/4) of
 19 the coal severance tax to school finance and maintenance of
 20 state-owned buildings and not less than one-fourth (1/4) of
 21 the coal severance tax to a trust fund; the. The interest
 22 and income from which the trust may be appropriated. The
 23 principal of the trust shall forever remain inviolate unless
 24 appropriated by vote of three-fourths (3/4) of the members
 25 of each house of the legislature. After-December--31--1999

1 ~~at--least--fifty-percent--(50%)--of--the--severance--tax--shall--be~~
 2 ~~dedicated--to--the--trust--fund;~~

3 (2) The one-fourth (1/4) of the coal severance tax
 4 dedicated to school finance and maintenance of state-owned
 5 buildings shall be distributed as follows:

6 (a) one-third to public schools kindergarten through
 7 grade 12;

8 (b) one-third to the university system; and

9 (c) one-third to maintenance of state-owned buildings."

10 **NEW SECTION. Section 2.** Effective date. If approved by
 11 the electorate, this amendment is effective January 1, 1995.

12 **NEW SECTION. Section 3.** Submission to electorate. This
 13 amendment shall be submitted to the qualified electors of
 14 Montana at the general election to be held in November 1994
 15 by printing on the ballot the full title of this act and the
 16 following:

17 ☐ FOR reducing coal severance taxes paid to the trust
 18 fund by one-fourth and dedicating one-fourth to
 19 school finance and maintenance of state-owned
 20 buildings.

21 ☐ AGAINST reducing coal severance taxes paid to the
 22 trust fund by one-fourth and dedicating one-fourth
 23 to school finance and maintenance of state-owned
 24 buildings.

-End-