

House BILL NO. 249

INTRODUCED BY Cobb

A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE IX, SECTION 5, OF THE MONTANA CONSTITUTION ALLOWING THE LEGISLATURE TO USE \$9 MILLION FOR INFRASTRUCTURE PROJECTS EACH YEAR FROM JANUARY 1, 1999, THROUGH JANUARY 1, 2008, OF MONEY THAT WOULD BE DEPOSITED IN THE COAL SEVERANCE TAX TRUST FUND; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."

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

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

"Section 5. Severance tax on coal -- trust fund. (1) ~~The~~ Until January 1, 1999, the legislature shall dedicate not less than ~~one-fourth (1/4)~~ fifty percent (50%) of the coal severance tax to a trust fund, the interest and income from which may be appropriated. The principal of the trust shall forever remain inviolate unless appropriated by vote of three-fourths (3/4) of the members of each house of the legislature. After December 31, 1979, at least fifty percent (50%) of the severance tax shall be dedicated to the trust fund.

(2) From January 1, 1999, until January 1, 2008, \$9 million per year that would be deposited in the trust fund pursuant to subsection (1) may be used by majority legislative vote for the construction, installation, and expansion of infrastructure.

(3) As used in this section, "infrastructure" means:

(a) drinking water systems;

(b) wastewater treatment systems;

(c) sanitary sewer or storm sewer systems;

(d) solid waste disposal and separation systems, including site acquisition, preparation, or monitoring; and

(e) bridges."

NEW SECTION. Section 2. Effective date -- termination. If approved by the electorate, this amendment is effective January 1, 1999, and terminates January 1, 2008.

THE SECOND READING OF HOUSE BILL 249 WAS NOT PRINTED.

CONSTITUTIONAL AMENDMENT

HOUSE BILL NO. 249

INTRODUCED BY COBB

A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE IX, SECTION 5, OF THE MONTANA CONSTITUTION ALLOWING THE LEGISLATURE TO USE ~~\$9~~ \$15 MILLION FOR INFRASTRUCTURE PROJECTS, HISTORIC PRESERVATION PROJECTS, RESEARCH AND DEVELOPMENT, SCHOOL CONSTRUCTION, AND TECHNOLOGY ACQUISITION FOR SCHOOLS EACH YEAR FROM JANUARY 1, 1999, THROUGH JANUARY 1, ~~2008~~ 2018, OF MONEY THAT WOULD BE DEPOSITED IN THE COAL SEVERANCE TAX TRUST FUND; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."

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

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

"Section 5. Severance tax on coal -- trust fund. ~~(1) The~~ Until January 1, 1999, the legislature shall dedicate not less than ~~one-fourth (1/4)~~ fifty percent (50%) of the coal severance tax to a trust fund, the interest and income from which may be appropriated. The principal of the trust shall forever remain inviolate unless appropriated by vote of three-fourths (3/4) of the members of each house of the legislature. ~~After December 31, 1979, at least fifty percent (50%) of the severance tax shall be dedicated to the trust fund.~~

(2) From January 1, 1999, until January 1, ~~2008~~ 2018, \$9 \$15 million per year that would be deposited in the trust fund pursuant to subsection (1) may be used by majority legislative vote for the construction, installation, and expansion of infrastructure.

~~(3) As used in this section, "infrastructure" means:~~

~~(a) drinking water systems;~~

~~(b) wastewater treatment systems;~~

~~(c) sanitary sewer or storm sewer systems;~~

~~(d) solid waste disposal and separation systems, including site acquisition, preparation, or monitoring; and~~

~~(e) bridges;~~

(A) INFRASTRUCTURE;

- 1 (B) HISTORIC PRESERVATION PROJECTS;
 2 (C) RESEARCH AND DEVELOPMENT;
 3 (D) SCHOOL CONSTRUCTION; AND
 4 (E) TECHNOLOGY ACQUISITION FOR SCHOOLS."

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6 NEW SECTION. Section 2. Effective date -- termination. If approved by the electorate, this
 7 amendment is effective January 1, 1999, and terminates January 1, ~~2008~~ 2018.

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9 NEW SECTION. Section 3. Submission to electorate. This amendment shall be submitted to the
 10 qualified electors of Montana at the general election to be held in November 1998 by printing on the ballot
 11 the full title of this act and the following:

12 [] FOR allowing the legislature to ~~use for infrastructure \$9 million per year of the coal~~
 13 ~~severance tax dedicated to the coal severance tax trust fund~~ INVEST A PORTION OF THE FUTURE COAL
 14 SEVERANCE TAXES FOR INFRASTRUCTURE, HISTORIC PRESERVATION, RESEARCH AND
 15 DEVELOPMENT, AND SCHOOLS.

16 [] AGAINST allowing the legislature to ~~use for infrastructure \$9 million per year of the coal~~
 17 ~~severance tax dedicated to the coal severance tax trust fund~~ INVEST A PORTION OF THE FUTURE COAL
 18 SEVERANCE TAXES FOR INFRASTRUCTURE, HISTORIC PRESERVATION, RESEARCH AND
 19 DEVELOPMENT, AND SCHOOLS.

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