

*Does this include
maintenance & repair*

Proposed Amendment to HB 512.

EXHIBIT 4
DATE 2-8-05
HB 512

- (1) Amend title.
 1. Title, line 6.
Following: "60-11-111"
Insert: "and 60-11-120"
- (2) Insert material only:
 1. Page 1, line 12.
Following: "60-11-120"
Insert: "(2)(a)"
- (3) Insert material and renumber:
Following: Page 2, line 11

Insert: "**Section 3.** Section 60-11-120, MCA, is amended to read:

"60-11-120. Railroad and intermodal transportation facility loans and grants -- authorization -- eligibility. (1) Money appropriated by the legislature may be used by the department of transportation, after deducting the necessary costs and expenses for administering this section, to provide loans and grants for the preservation and continued operation of railroad branch lines identified in 60-11-111 and for the development and improvement of intermodal transportation facilities except as may be excluded by federal law. Proceeds of all repayments of loans, including interest, made under this section must be deposited in the state general fund except as may be required by federal law.

(2) An owner or operator of a railroad identified in 60-11-111(2) is eligible for a loan or grant under this section if the owner or operator:

- (a) undertakes to repair, improve, or replace rail facilities to allow the continued operation of the railroad for local rail transportation service; and
- (b) derives revenue from the continued operation of the railroad.

(3) A port authority created under Title 7, chapter 14, part 11, is eligible for a loan or grant under this section for the development or improvement of an intermodal transportation facility under this section if:

- (a) the port authority is included in the state transportation planning process as described in 23 U.S.C. 135; and
- (b) the intermodal transportation facility for which a loan or grant is sought is integrally related to the railroad transportation system of the state.

Renumber subsequent sections.