

## 1 HOUSE BILL NO. 606

2 INTRODUCED BY B. MCCHESENEY

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4 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE CREATION OF STATE DEBT THROUGH THE  
5 ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE PURPOSES OF IMPROVING THE TONGUE RIVER  
6 ROAD; APPROPRIATING THE PROCEEDS OF THE BONDS AND STATE SPECIAL REVENUE FUNDS FOR  
7 THE ROAD IMPROVEMENT TO THE DEPARTMENT OF TRANSPORTATION; AND PROVIDING AN  
8 IMMEDIATE EFFECTIVE DATE."

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

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12 NEW SECTION. **Section 1. Appropriations.** (1) For the biennium beginning July 1, 2013, there is  
13 appropriated \$41.5 million to the department of transportation from the capital projects account from the proceeds  
14 of the bonds authorized by [section 3] for improvements to state secondary route 332/447 as described in [section  
15 2]. This appropriation is reappropriated biennially until the completion of the project.

16 (2) For the biennium beginning July 1, 2013, there is appropriated \$4.7 million from the highway state  
17 special revenue fund provided for in 60-3-201 for the planning, design, and construction of the improvements  
18 described in [section 2]. The state special revenue funds must be expended prior to the expenditure of bond  
19 proceeds.

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21 NEW SECTION. **Section 2. Authorization.** Notwithstanding the provisions of Title 60, chapter 2, part  
22 1, the department of transportation shall, with the appropriations contained in [section 1], implement and execute  
23 a plan to improve state secondary route 332/447 similar to concept III detailed in the Final Report on the Tongue  
24 River Road Corridor Planning Study, dated December 7, 2012, which includes the replacement of the bridges  
25 located on Foster Creek, the Tongue River, and Roe and Copper Creeks.

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27 NEW SECTION. **Section 3. Authorization of bonds.** (1) The board of examiners is authorized to issue  
28 and sell general obligation bonds in an amount not to exceed \$41.5 million for the road improvement project  
29 described in [section 2] in addition to the amount of general obligation bonds outstanding on January 1, 2013.

30 (2) The board of examiners shall coordinate issuance of the bonds with the Montana department of

1 transportation and shall issue the bonds in phases and in the amounts requested by the department.

2 (3) The bonding authority granted in this section does not expire until the project described in [section  
3 2] is completed or June 30, 2033, whichever occurs first.

4 (4) The bonds must be issued in accordance with the terms and in the manner required by Title 17,  
5 chapter 5, part 8. The authority granted to the board of examiners by this section is in addition to any other  
6 authorization to the board of examiners to issue and sell general obligation bonds.

7 (5) The proceeds from the bonds sold under this section must be deposited in the capital projects  
8 account and transferred to the department of transportation.

9 (6) Any proceeds from the bonds remaining unencumbered after the completion of the project described  
10 in [section 2] must be used to pay on the bonds issued pursuant to this section.

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12 **NEW SECTION. Section 4. Two-thirds vote required.** Because [section 3] authorizes the creation of  
13 state debt, Article VIII, section 8, of the Montana constitution requires a vote of two-thirds of the members of each  
14 house of the legislature for passage.

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16 **NEW SECTION. Section 5. Notification to tribal governments.** The secretary of state shall send a  
17 copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell  
18 Chippewa tribe.

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20 **NEW SECTION. Section 6. Effective date.** [This act] is effective on passage and approval.

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