

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE DEVELOPMENT OF A PLAN AND DESIGN FOR
5 RECONSTRUCTION OF U.S. HIGHWAY 89 NORTH OF BROWNING TO THE BORDER WITH CANADA;
6 PROVIDING AN APPROPRIATION FOR PLANNING AND DESIGN ACTIVITIES; AMENDING SECTION
7 60-3-201; AND PROVIDING AN EFFECTIVE DATE."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10
11 NEW SECTION. **Section 1. Construction planning and design for U.S. Highway 89.** (1) The
12 department of transportation shall develop a plan to reconstruct U.S. highway 89 north of Browning, Montana,
13 to the border with Canada. The department shall consult with representatives of the city of Browning, Glacier
14 County, Glacier National Park, and the Blackfeet tribe and may consult with transportation officials of the province
15 of Alberta, Canada. The plan must include:

16 (a) the design for a modern, economical, and environmentally sound highway from Browning to the
17 border with Canada that essentially follows current U.S. highway 89 and provides easy and convenient access
18 to Glacier National Park;

19 (b) a schedule of tasks that, when completed, will result in full implementation of the plan and design,
20 including construction of the highway; and

21 (c) potential sources of funding to undertake and complete construction of the highway by January 1,
22 2022.

23 (2) The department shall complete the plan described in subsection (1) by December 31, 2016, and
24 make the plan available for review by the public.

25
26 **Section 2.** Section 60-3-201, MCA, is amended to read:

27 **"60-3-201. Distribution and use of proceeds of gasoline dealers' license tax.** (1) All money received
28 in payment of license taxes under the Distributor's Gasoline License Tax Act, except those amounts paid out of
29 the department's suspense account for gasoline tax refund, must be used and expended as provided in this
30 section. The portion of that money on hand at any time that is needed to pay highway bonds and interest on



- 1 highway bonds when due and to accumulate and maintain a reserve for payment of highway bonds and interest,
2 as provided in laws and in resolutions of the state board of examiners authorizing the bonds, must be deposited
3 in the highway bond account in the debt service fund established by 17-2-102. After deductions for amounts paid
4 out of the suspense account for gasoline tax refunds, the remainder is allocated as follows:
- 5 (a) 9/10 of 1% to the state park account;
 - 6 (b) 15/28 of 1% to a snowmobile account in the state special revenue fund;
 - 7 (c) 1/8 of 1% to an off-highway vehicle account in the state special revenue fund; and
 - 8 (d) 1/25 of 1% to the aeronautics revenue fund of the department under the provisions of 67-1-301.
 - 9 (e) The remainder of the money must be used:
 - 10 (i) by the department on the highways in this state selected and designated by the commission;
 - 11 (ii) for collection of the license taxes; ~~and~~
 - 12 (iii) for the enforcement of the Montana highway code under Article VIII, section 6, of the constitution of
13 this state; and
 - 14 (iv) for the development of a plan and design to reconstruct U.S. highway 89 north of Browning, Montana,
15 to the border with Canada, as provided in [section 1].
- 16 (2) The department shall, in expending this money, carry forward construction from year to year, using
17 the money expended in accordance with this title. Nothing in this title conflicts with Title 23, U.S.C., and the rules
18 by which it is administered.
- 19 (3) The department may enter into cooperative agreements with the national park service and the federal
20 highway administration for the purpose of maintaining national park approach roads in Montana.
- 21 (4) Money credited to the state park account in the state special revenue fund may be used only for the
22 creation, improvement, and maintenance of state parks where motorboating is allowed. The legislature finds that
23 of all the fuel sold in the state for consumption in internal combustion engines, except fuel for which refunds have
24 been made, not less than 9/10 of 1% is used for propelling boats on waterways of this state.
- 25 (5) (a) Money credited to the snowmobile account may be used only to develop and maintain facilities
26 open to the general public at no admission cost, to promote snowmobile safety, for enforcement purposes, and
27 for the control of noxious weeds.
- 28 (b) Of the amounts deposited in the snowmobile account:
 - 29 (i) 13% of the amount deposited must be used by the department of fish, wildlife, and parks to promote
30 snowmobile safety and education and to enforce snowmobile laws. Two-thirds of the 13% deposited must be

1 used to promote snowmobile safety and education and one-third of the 13% deposited must be used for the
2 enforcement of snowmobile laws.

3 (ii) 1% of the amount deposited must be credited to the noxious weed management special revenue fund
4 provided for in 80-7-816.

5 (c) The legislature finds that of all fuels sold in this state for consumption in internal combustion engines,
6 except fuel for which refunds have been made, not less than 15/28 of 1% is used for propelling registered
7 snowmobiles in this state.

8 (6) (a) Money credited to the off-highway vehicle account under subsection (1)(c) may be used only to
9 develop and maintain facilities open to the general public at no admission cost, to repair areas that are damaged
10 by off-highway vehicles, and to promote off-highway vehicle safety. Ten percent of the money deposited in the
11 off-highway vehicle account must be used to promote off-highway vehicle safety. Up to 10% of the money
12 deposited in the off-highway vehicle account may be used to repair areas that are damaged by off-highway
13 vehicles.

14 (b) The legislature finds that of all fuel sold in this state for consumption in internal combustion engines,
15 except fuel for which refunds have been made, not less than 1/8 of 1% is used for propelling off-highway vehicles
16 in this state.

17 (7) Money credited to the aeronautics account of the department of transportation may be used only to
18 develop, improve, and maintain facilities open to the public at no admission cost and to promote aviation safety.
19 The legislature finds that of all the fuel sold in this state for consumption in internal combustion engines, except
20 fuel for which refunds have been made, not less than 1/25 of 1% is used for propelling aircraft in this state."
21

22 **NEW SECTION. Section 3. Appropriation.** There is appropriated \$100,000 from the highway account
23 in the state special revenue fund to the department of transportation for the biennium beginning July 1, 2015, for
24 developing a plan and design to construct a modern, economical, and environmentally sound highway from
25 Browning, Montana, northward to the border with Canada that essentially follows current U.S. highway 89.
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27 **NEW SECTION. Section 4. Notification to tribal government.** The secretary of state shall send a
28 copy of [this act] to the tribal government of the Blackfeet tribe.
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30 **NEW SECTION. Section 5. Codification instruction.** [Section 1] is intended to be codified as an

1 integral part of Title 60, chapter 2, part 1, and the provisions of Title 60, chapter 2, part 1, apply to [section 1].

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3 NEW SECTION. **Section 6. Effective date.** [This act] is effective July 1, 2015.

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