

HOUSE BILL NO. 371

INTRODUCED BY J. WINDY BOY

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING ONGOING FUNDING OF INDIAN LANGUAGE PRESERVATION PROGRAMS; CREATING THE INDIAN LANGUAGE PRESERVATION STATE SPECIAL REVENUE ACCOUNT; PROVIDING AN APPROPRIATION; AMENDING SECTION 15-35-108, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

**NEW SECTION. Section 1. Indian language preservation account created -- use of fund.** (1) There

is an Indian language preservation account in the state special revenue fund established by 17-2-102.

(2) There must be deposited in the account:

- (a) money received pursuant to 15-35-108; and
- (b) legislative transfers.

(3) Appropriations from the Indian language preservation account to the department of commerce may be used only for the purpose of funding Indian language preservation programs as provided for in 20-9-537.

**Section 2.** Section 15-35-108, MCA, is amended to read:

**"15-35-108. (Temporary) Disposal of severance taxes.** Severance taxes collected under this chapter

must, in accordance with the provisions of 17-2-124, be allocated as follows:

(1) Fifty percent of total coal severance tax collections is allocated to the trust fund created by Article IX, section 5, of the Montana constitution. The trust fund money must be deposited in the fund established under 17-6-203(6) and invested by the board of investments as provided by law.

(2) The amount of 12% of coal severance tax collections is allocated to the long-range building program account established in 17-7-205.

(3) The amount of 0.85% in fiscal year 2018 and 0.88% in fiscal year 2019 must be allocated for provision of basic library services for the residents of all counties through library federations and for payment of the costs of participating in regional and national networking and must be deposited in the basic library services account established in 22-1-202.



1 (4) The amount of 3.89% in fiscal year 2018 and 3.83% in fiscal year 2019 must be allocated to the  
2 department of natural resources and conservation for conservation districts and deposited in the conservation  
3 district account established in 76-15-106.

4 (5) The amount of 0.72% in fiscal year 2018 and 0.75% in fiscal year 2019 must be allocated to the  
5 Montana Growth Through Agriculture Act and deposited in the growth through agriculture account established  
6 in 90-9-104.

7 (6) The amount of 1.27% must be allocated to a permanent fund account for the purpose of parks  
8 acquisition or management. Income from this permanent fund account, excluding unrealized gains and losses,  
9 must be appropriated for the acquisition, development, operation, and maintenance of any sites and areas  
10 described in 23-1-102.

11 (7) The amount of 0.95% must be allocated to the debt service fund type to the credit of the renewable  
12 resource loan debt service fund.

13 (8) The amount of 0.63% must be allocated to a trust fund for the purpose of protection of works of art  
14 in the capitol and for other cultural and aesthetic projects. Income from this trust fund account, excluding  
15 unrealized gains and losses, must be appropriated for protection of works of art in the state capitol and for other  
16 cultural and aesthetic projects.

17 (9) The amount of 5.8% through June 30, 2019, and beginning July 1, 2019, the amount of 2.9% must  
18 be credited to the coal natural resource account established in 90-6-1001(2).

19 (10) After the allocations are made under subsections (2) through (9), \$250,000 for the fiscal year must  
20 be credited to the coal and uranium mine permitting and reclamation program account established in 82-4-244.

21 (11) (a) Subject to ~~subsection~~ subsections (11)(b) and (11)(c), all other revenue from severance taxes  
22 collected under the provisions of this chapter must be credited to the general fund of the state.

23 (b) The interest income of the coal severance tax permanent fund that is deposited in the general fund,  
24 less the annual transfer of \$1.275 million to the research and commercialization state special revenue account  
25 pursuant to 15-1-122(2), is statutorily appropriated, as provided in 17-7-502, on July 1 each year as follows:

26 (i) \$65,000 to the cooperative development center;

27 (ii) \$625,000 for the growth through agriculture program provided for in Title 90, chapter 9;

28 (iii) to the department of commerce:

29 (A) \$125,000 for a small business development center;

30 (B) \$50,000 for a small business innovative research program;

- 1 (C) \$425,000 for certified regional development corporations;  
2 (D) \$200,000 for the Montana manufacturing extension center at Montana state university-Bozeman;  
3 and  
4 (E) \$300,000 for export trade enhancement.  
5 (c) The amount of \$1 million for each fiscal year must be credited to the Indian language preservation  
6 account provided for in [section 1]. (Terminates June 30, 2019--secs. 2, 3, Ch. 459, L. 2009.)

7 **15-35-108. (Effective July 1, 2019) Disposal of severance taxes.** Severance taxes collected under  
8 this chapter must, in accordance with the provisions of 17-2-124, be allocated as follows:

9 (1) Fifty percent of total coal severance tax collections is allocated to the trust fund created by Article IX,  
10 section 5, of the Montana constitution. The trust fund money must be deposited in the fund established under  
11 17-6-203(6) and invested by the board of investments as provided by law.

12 (2) The amount of 12% of coal severance tax collections is allocated to the long-range building program  
13 account established in 17-7-205.

14 (3) The amount of 0.90% in fiscal year 2020 and 0.93% in fiscal year 2021 and in each fiscal year  
15 thereafter must be allocated for provision of basic library services for the residents of all counties through library  
16 federations and for payment of the costs of participating in regional and national networking and must be  
17 deposited in the basic library services account established in 22-1-202.

18 (4) The amount of 3.77% in fiscal year 2020 and 3.71% in fiscal year 2021 and in each fiscal year  
19 thereafter must be allocated to the department of natural resources and conservation for conservation districts  
20 and deposited in the conservation district account established in 76-15-106.

21 (5) The amount of 0.79% in fiscal year 2020 and 0.82% in fiscal year 2021 and in each fiscal year  
22 thereafter must be allocated to the Montana Growth Through Agriculture Act and deposited in the growth through  
23 agriculture account established in 90-9-104.

24 (6) The amount of 1.27% must be allocated to a permanent fund account for the purpose of parks  
25 acquisition or management. Income from this permanent fund account, excluding unrealized gains and losses,  
26 must be appropriated for the acquisition, development, operation, and maintenance of any sites and areas  
27 described in 23-1-102.

28 (7) The amount of 0.95% must be allocated to the debt service fund type to the credit of the renewable  
29 resource loan debt service fund.

30 (8) The amount of 0.63% must be allocated to a trust fund for the purpose of protection of works of art

1 in the capitol and for other cultural and aesthetic projects. Income from this trust fund account, excluding  
2 unrealized gains and losses, must be appropriated for protection of works of art in the state capitol and for other  
3 cultural and aesthetic projects.

4 (9) The amount of 2.9% must be credited to the coal natural resource account established in  
5 90-6-1001(2).

6 (10) After the allocations are made under subsections (2) through (9), \$250,000 for the fiscal year must  
7 be credited to the coal and uranium mine permitting and reclamation program account established in 82-4-244.

8 (11) (a) ~~At~~ Subject to subsection (11)(b), other revenue from severance taxes collected under the  
9 provisions of this chapter must be credited to the general fund of the state.

10 (b) The amount of \$1 million for each fiscal year must be credited to the Indian language preservation  
11 account provided for in [section 1]."

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13 **NEW SECTION. Section 3. Appropriation.** For the biennium beginning July 1, 2019, \$2 million is  
14 appropriated from the Indian language preservation account provided for in [section 1] to the department of  
15 commerce to fund Indian language preservation programs as provided for in 20-9-537. The legislature intends  
16 that the appropriation in this section be considered a part of the ongoing base for the next legislative session.

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18 **NEW SECTION. Section 4. Notification to tribal governments.** The secretary of state shall send a  
19 copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell  
20 Chippewa tribe.

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22 **NEW SECTION. Section 5. Codification instruction.** [Section 1] is intended to be codified as an  
23 integral part of Title 20, chapter 7, part 14, and the provisions of Title 20, chapter 7, part 14, apply to [section 1].

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25 **NEW SECTION. Section 6. Contingent voidness.** If House Bill No. 33 is not passed and approved,  
26 then [this act] is void.

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28 **NEW SECTION. Section 7. Effective date.** [This act] is effective July 1, 2019.

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