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SENATE BILL NO. 442

INTRODUCED BY M. LANG, M. CUFFE, T. MCGILLVRAY, R. LYNCH, S. HINEBAUCH, D. LOGE, D. BARTEL, C. KNUDSEN, B. USHER, R. TEMPEL, B. LER, J. SCHILLINGER, K. SEEKINS-CROWE, M. MALONE, C. HINKLE, M. BINKLEY, R. MARSHALL, S. ESSMANN, R. MINER, G. PARRY, N. NICOL, P. FIELDER

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE DISTRIBUTION OF MARIJUANA TAXES; REVISING THE ALLOCATION OF THE MARIJUANA STATE SPECIAL REVENUE ACCOUNT; TRANSFERRING TAX REVENUE FROM MARIJUANA SALES TO THE DEPARTMENT OF TRANSPORTATION FOR THE FUNDING OF COUNTY ROAD CONSTRUCTION AND MAINTENANCE; PROVIDING A CALCULATION BASED ON THE ROAD MILES, STATE AND FEDERAL LAND AREA, AND BLOCK MANAGEMENT ACRES IN COUNTIES AND CONSOLIDATED CITY-COUNTIES; ESTABLISHING A HABITAT LEGACY ACCOUNT; REVISING THE MONTANA WILDLIFE HABITAT IMPROVEMENT ACT; AMENDING SECTIONS 15-70-101, AND 16-12-111, 87-5-801, 87-5-802, 87-5-803, 87-5-804, 87-5-806, 87-5-807, AND 87-5-808, MCA; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."

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

NEW SECTION. Section 1. County road habitat access account. (1) There is a county road habitat access account in the state special revenue fund established in 17-2-102. All funds received pursuant to 16-12-111(4)(b)(i)(H) must be deposited in the account.

(2) Money deposited in the account is subject to appropriation by the legislature and may be used only for funding the construction, reconstruction, maintenance, and repair of county roads in the manner provided in 15-70-101(4).

NEW SECTION. SECTION 2. HABITAT LEGACY ACCOUNT. (1) THERE IS A HABITAT LEGACY ACCOUNT IN THE STATE SPECIAL REVENUE FUND ESTABLISHED IN 17-2-102. ALL FUNDS RECEIVED PURSUANT TO 16-12-111(4)(B) MUST BE DEPOSITED IN THE ACCOUNT AND TRANSFERRED TO THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS.



- 1 (i) an overview of the program;
- 2 (ii) a listing of projects funded during the reporting period;
- 3 (iii) an analysis of how projects funded are ~~improving wildlife habitat~~ meeting the goals of 87-5-804;
- 4 and
- 5 (iv) a summary of past and current funding. (Terminates June 30, 2023--sec. 11, Ch. 342, L.
- 6 2017.)"

7

8 **SECTION 11. SECTION 87-5-808, MCA, IS AMENDED TO READ:**

9 **"87-5-808. (Temporary) Rulemaking authority.** The department shall adopt rules ~~as proposed by~~
10 ~~the council~~ to implement this part, including a scoring system for ranking projects proposed to the council under
11 87-5-804. (Terminates June 30, 2023--sec. 11, Ch. 342, L. 2017.)"

12

13 **NEW SECTION. SECTION 12. Codification instruction.** (1) [Section 1] is intended to be codified as
14 an integral part of Title 15, chapter 70, part 1, and the provisions of Title 15, chapter 70, part 1, apply to [section
15 1].

16 (2) [SECTION 2] IS INTENDED TO BE CODIFIED AS AN INTEGRAL PART OF TITLE 87, CHAPTER 5, AND THE
17 PROVISIONS OF TITLE 87, CHAPTER 5, APPLY TO [SECTION 2].

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19 **NEW SECTION. SECTION 13. SEVERABILITY.** IF A PART OF [THIS ACT] IS INVALID, ALL VALID PARTS THAT
20 ARE SEVERABLE FROM THE INVALID PART REMAIN IN EFFECT. IF A PART OF [THIS ACT] IS INVALID IN ONE OR MORE OF ITS
21 APPLICATIONS, THE PART REMAINS IN EFFECT IN ALL VALID APPLICATIONS THAT ARE SEVERABLE FROM THE INVALID
22 APPLICATIONS.

23

24 **NEW SECTION. SECTION 14. Effective date.** [This act] is effective July 1, 2023.

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26 **NEW SECTION. SECTION 15. Termination.** [This act] terminates June 30, 2031.

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- END -