

# Legislative Fiscal Report

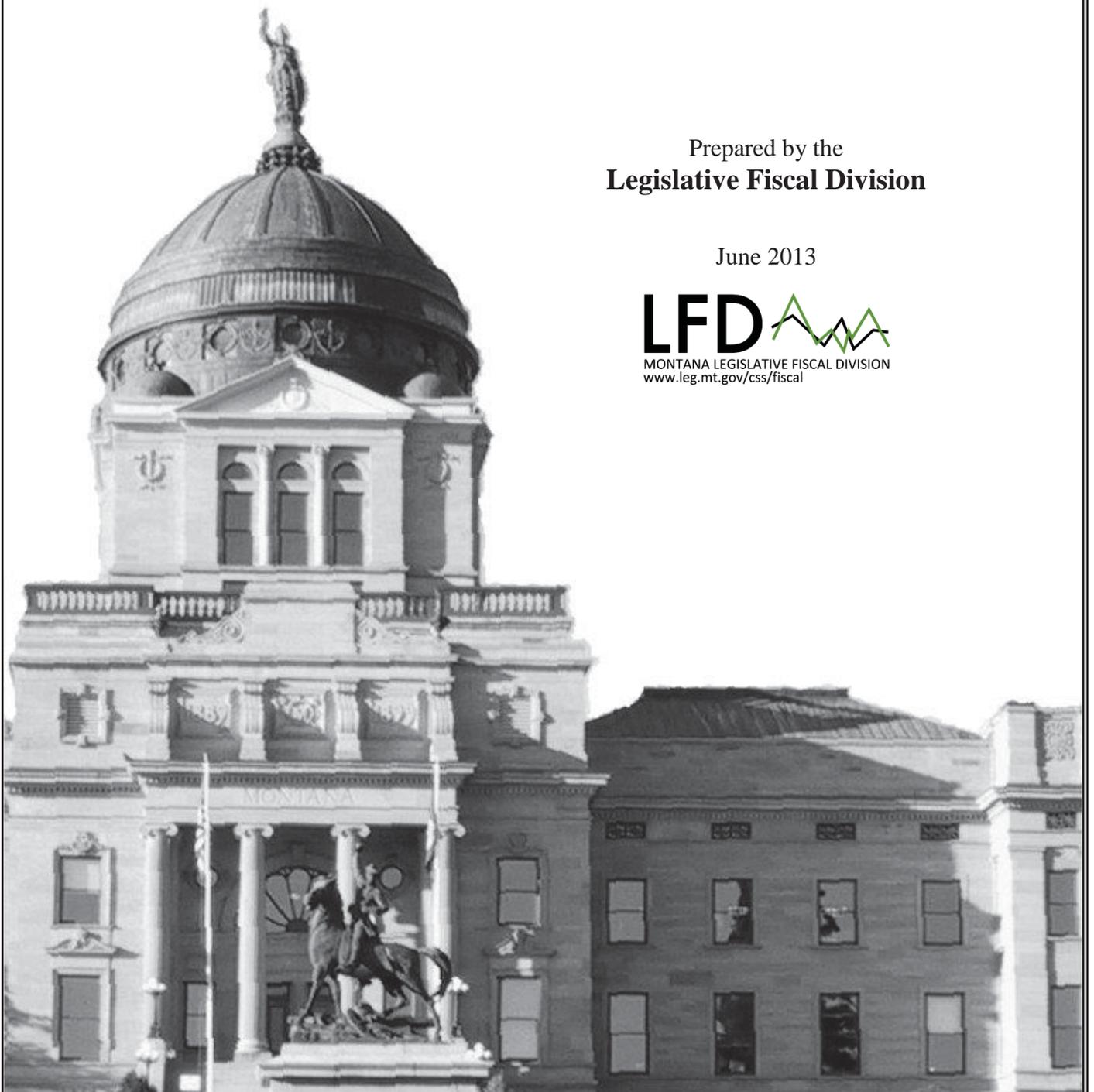
*2015 Biennium*

Volume 2 – Revenue Estimates

Prepared by the  
**Legislative Fiscal Division**

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**LFD**   
MONTANA LEGISLATIVE FISCAL DIVISION  
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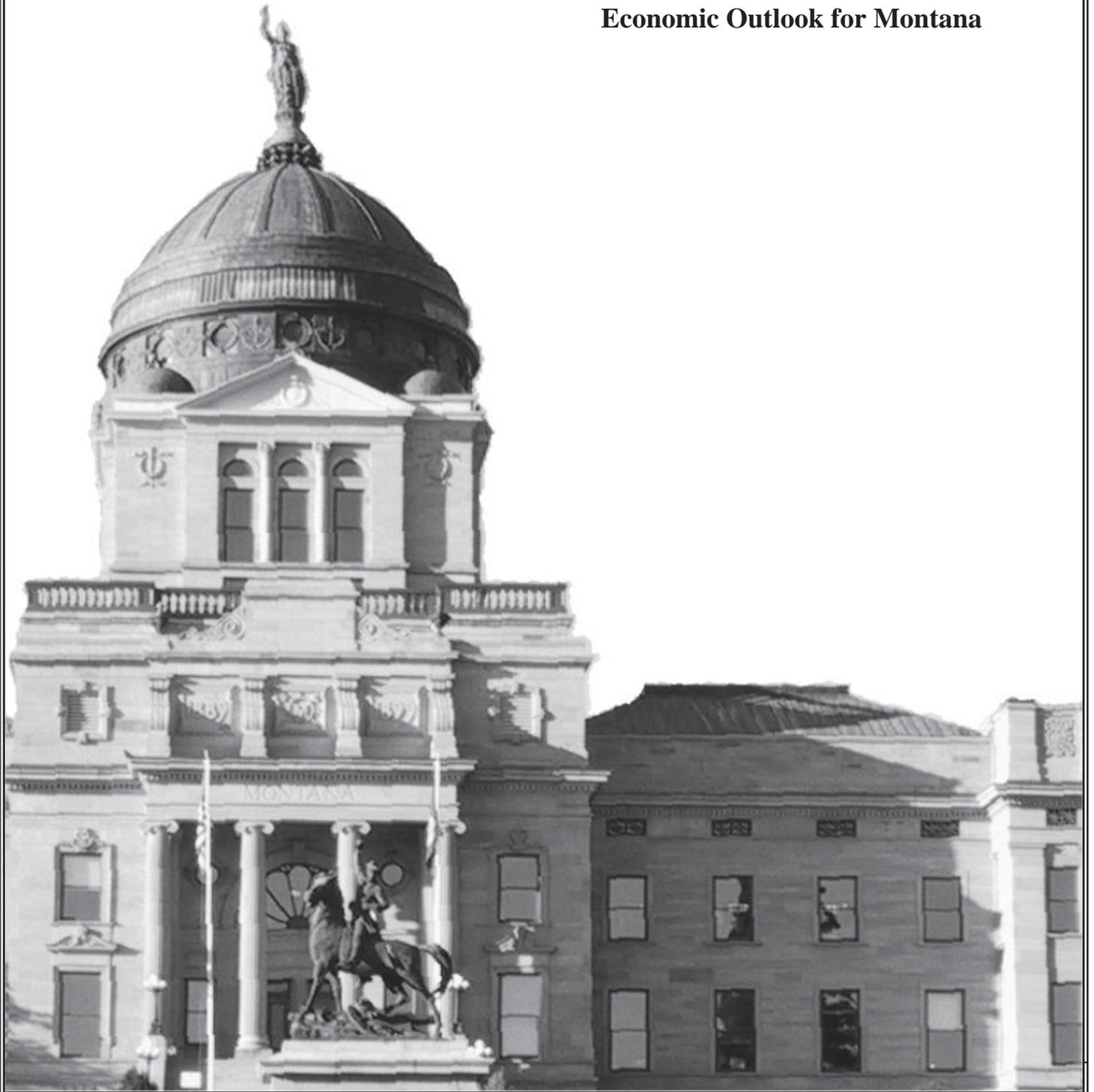
# Fiscal Report Table of Contents

<b>Overview .....</b>	<b>5</b>
<b>Business and Personal Taxes.....</b>	<b>21</b>
Corporation Income Tax .....	22
Driver's License Fees .....	29
Estate Tax.....	36
Individual Income Tax .....	40
Insurance Tax & License Fees .....	54
Investment License Fee.....	60
Lodging Taxes .....	65
Motor Vehicle Fee .....	70
Public Contractors Tax .....	76
Railroad Car Tax.....	80
Rental Car Sales Tax.....	84
Telecommunications Excise Tax .....	87
Vehicle Tax .....	90
<b>Natural Resource Taxes .....</b>	<b>95</b>
Coal Severance Tax .....	96
Electrical Energy Tax .....	101
Federal Forest Receipts.....	104
Metalliferous Mines Tax.....	107
Oil and Natural Gas Production Tax.....	114
Resource Indemnity Tax .....	124
US Mineral Royalty .....	129
Wholesale Energy Tax .....	136
<b>Interest Earnings.....</b>	<b>140</b>
Capital Land Grant Interest and Income .....	141
Coal Trust Interest.....	147
Common School Interest and Income .....	153
Cultural Trust Interest .....	163
Deaf and Blind Trust Interest and Income .....	168
Economic Development Trust Interest and Income.....	175
Parks Trust Interest .....	180
Pine Hills Interest and Income .....	184
Regional Water Trust Interest.....	191
Resource Indemnity Trust Interest.....	196
Tobacco Trust Interest .....	202
Treasure State Endowment Trust Interest.....	207
Treasury Cash Account Interest.....	212
<b>Consumption Taxes .....</b>	<b>216</b>
Beer Tax.....	217
Cigarette Tax.....	221
Diesel Tax .....	226
Gasoline Tax .....	231
GVW and Other Fees.....	237
Liquor Excise and License Tax.....	241
Liquor Profits .....	246
Lottery Profits .....	250
Tobacco Tax.....	255

Video Gambling Tax.....	259
Wine Tax.....	265
<b>Property Taxes .....</b>	<b>269</b>
Property Tax and Non Levy Revenue.....	270
Property Tax 55 Mill.....	276
Property Tax 40 Mill.....	284
Property Tax 6 Mill.....	289
Property Tax 1.5 Mill.....	294
<b>Other General Fund Revenue.....</b>	<b>299</b>
All Other Revenue .....	300
Highway Patrol Fines.....	307
Nursing Facilities Fee .....	311
Public Institution Reimbursements .....	315
Tobacco Settlement.....	319

# Overview

**General Fund Revenue Estimates**  
**Revenue Impacts of Legislation**  
**Non-General Fund Revenue Estimates**  
**Revenue Legislation of the 2013 Session**  
**Economic Outlook for Montana**



## General Fund Revenue Estimates

### History

In 1989, the Montana Legislature established a process for the Legislature to develop revenue estimates for legislative appropriation. Senate Bill No. 341 directed the then-Revenue Oversight Committee to prepare the revenue estimates. The legislation also provided that the revenue estimating resolution introduced by the Committee and subsequent periodic reports issued by the Committee constitute the Legislature's current revenue estimate until final adoption of the resolution by both houses of the Legislature.

In 1991, the Legislature revised the procedures of estimating revenue by inserting the language that is now contained in 5-5-227(2)(a) and (3), MCA, including the language that the Committee's revenue estimates and underlying assumptions should be used by state agencies in the preparation of fiscal notes (Chapter 603, Laws 1991).

Because of disparities in the revenue estimates between the Legislative Fiscal Analyst (now the Legislative Fiscal Division) and the Department of Revenue during the 1997 session, House leadership requested that the Revenue Oversight Committee work with the Fiscal Analyst and the Department of Revenue to develop a process to resolve differences in revenue estimates before the 1999 legislative session.

### Recent Process

In 1999, the Legislature revised the structure of interim committees and assigned the revenue estimating responsibilities to the Revenue and Transportation Interim Committee (Chapter 19, Laws 1999). In the past, the Revenue and Transportation Interim Committee has adopted the revenue estimates in November of the year proceeding the next regular session. As a practical matter, the Committee cannot adopt the estimates much earlier than mid-November because the Department of Revenue's income tax data is not available until November 1 (October 15 is the general deadline for taxpayers who requested an extension of time for filing an income tax return).

Staff of the Legislative Fiscal Division and the Governor's Office of Budget and Program Planning each present assumptions and corresponding revenue estimates for the Committee's consideration. In the past, the Committee has initially adopted the revenue estimates of the Legislative Fiscal Division and may make changes to those estimates based on information presented by OBPP, economists from the Montana university system, and other experts.

Finally, the resolution containing the Committee's revenue estimates must be pre-introduced by December 15, 2010 (see Rules of the Montana Legislature, Joint Rules 40-40(5)(a)). The Committee's estimate, as introduced in the Legislature, constituted the Legislature's current revenue estimate until amended or until final adoption of the estimate by both houses.

### Path through the Legislature

In the 1999 through 2003 legislative sessions, both houses of the Legislature adopted the resolution, and it was filed with the Secretary of State. During the last four sessions, the resolution has stalled at various stages of the legislative process:

- In 2005, the House of Representatives did not concur in the Senate amendments to the resolution, and the resolution died in the process. As such, the Senate estimates were the Legislature's current revenue estimates.
- In 2007, the resolution died in the House Taxation Committee. As such, the Revenue and Transportation Interim Committee's estimates were the Legislature's current revenue estimates.
- On February 18, 2009, the House Taxation Committee amended House Joint Resolution 2 and adopted a committee report. The resolution was rereferred to the Committee. On March 21, 2009, the Committee again amended the resolution and adopted a committee report. In each instance, the House Taxation Committee estimates became the Legislature's current revenue estimate. The resolution died in the process.
- On March 23, 2011, the House Taxation Committee amended House Joint Resolution 2 and adopted a committee report. The resolution was rereferred to the Committee on March 28th, where it died in process.

### 2013 Legislative Session Process

On November 19th, 2012, the Revenue and Transportation Interim Committee met to review and adopt a revenue estimate recommendation, but were unable to agree on the estimate. Therefore, the committee did not introduce a resolution with the Committee's estimate. The Rules Committee subsequently met and adopted rules for the 63rd Legislative Session, including a requirement that the chair of the Senate Taxation Committee prepare a revenue estimate to be introduced in the Senate. The rules also provide that the Senate transmit the revenue estimate to the House no later than the 15th legislative day and that the Senate

Joint Resolution does not constitute the Legislature's revenue estimate until passed by the House and any House amendments are concurred in by the Senate.

The estimate contained in Senate Joint Resolution 2, along with an initial set of amendments passed both houses by early February of the 2013 Legislative Session. A revised estimate contained in Senate Joint Resolution 27 was introduced in early April; however, due to missing the transmittal deadline for revenue bills, it ultimately failed to pass both houses.

Figure 1

General Fund Revenue Estimates & Adjustments by the 63rd Legislature (\$ Millions)			
	FY 2013	FY 2014	FY 2015
Senate Joint Resolution 2	\$1,988.8	\$2,044.6	\$2,124.2
Senate Taxation Committee Adjustments	6.2	11.7	13.2
House Taxation Committee Adjustments	0.0	0.0	0.0
<b>Final Revenue Estimates</b>	<b>\$1,995.0</b>	<b>\$2,056.3</b>	<b>\$2,137.4</b>

Figure 2 shows the amended current law general fund estimates by revenue category as contained in SJR 2. Actual FY 2012 collections are shown, along with projections for FY 2013 through 2015.

Figure 2

Senate Joint Resolution 2							
General Fund Revenue Estimates							
(\$ Millions)							
Source of Revenue	Actual FY 2012	Estimated FY 2013	Estimated FY 2014	Estimated FY 2015	Estimated FY 12-13	Estimated FY 14-15	Cumulative % of Total
<b>Large Sources</b>							
Individual Income Tax	\$898.851	\$983.953	\$1,039.160	\$1,104.898	\$1,882.804	\$2,144.058	51.1%
Property Tax	236.662	241.741	246.621	254.664	478.403	501.285	63.1%
Corporation Income Tax	127.771	150.658	154.096	155.022	278.429	309.118	70.5%
Vehicle Taxes & Fees	99.954	100.833	101.384	102.076	200.787	203.460	75.3%
Oil & Natural Gas Production Tax	97.560	98.750	99.336	97.427	196.310	196.763	80.0%
Insurance Tax & License Fees	58.951	59.932	52.021	54.052	118.883	106.073	82.5%
Video Gambling Tax	53.824	57.706	59.929	62.117	111.530	122.046	85.4%
<b>Other Business Taxes</b>							
Driver's License Fee	4.369	3.867	4.389	3.923	8.236	8.312	85.6%
Estate Tax	0.060	-	-	-	0.060	-	
Investment License Fee	6.961	7.210	7.457	7.714	14.171	15.171	86.0%
Lodging Facility Use Tax	15.606	17.314	18.365	19.477	32.920	37.842	86.9%
Public Contractors Tax	(3.042)	1.140	3.259	3.259	(1.902)	6.518	87.1%
Railroad Car Tax	2.273	2.157	2.320	2.437	4.430	4.757	87.2%
Rental Car Sales Tax	3.420	3.539	3.632	3.744	6.959	7.376	87.3%
Telecommunications Excise Tax	21.459	22.606	23.236	23.823	44.065	47.059	88.5%
<b>Other Natural Resource Taxes</b>							
Coal Severance Tax	12.350	12.864	14.857	15.906	25.214	30.763	89.2%
Electrical Energy Tax	4.481	4.442	4.521	4.565	8.923	9.086	89.4%
Metalliferous Mines Tax	10.010	10.904	10.595	10.039	20.914	20.634	89.9%
US Mineral Royalty	31.057	36.989	30.953	29.009	68.046	59.962	91.3%
Wholesale Energy Tax	3.427	4.038	4.140	4.217	7.465	8.357	91.5%
<b>Other Interest Earnings</b>							
Coal Trust Interest	25.840	24.451	24.424	24.411	50.291	48.835	92.7%
Treasury Cash Account Interest	2.654	2.779	2.346	2.778	5.433	5.124	92.8%
<b>Other Consumption Taxes</b>							
Beer Tax	2.956	3.052	3.067	3.085	6.008	6.152	93.0%
Cigarette Tax	31.483	30.991	30.433	29.499	62.474	59.932	94.4%
Liquor Excise & License Tax	17.037	18.206	19.284	20.431	35.243	39.715	95.3%
Liquor Profits	9.500	10.604	10.985	11.602	20.104	22.587	95.9%
Lottery Profits	13.061	14.477	14.342	15.076	27.538	29.418	96.6%
Tobacco Tax	5.709	5.821	6.005	6.197	11.530	12.202	96.9%
Wine Tax	2.104	2.144	2.218	2.291	4.248	4.509	97.0%
<b>Other Sources</b>							
All Other Revenue	47.258	32.595	32.488	32.773	79.853	65.261	98.5%
Highway Patrol Fines	4.385	4.427	4.467	4.508	8.812	8.975	98.8%
Nursing Facilities Fee	5.077	4.876	4.740	4.603	9.953	9.343	99.0%
Public Institution Reimbursements	14.562	16.332	17.663	18.301	30.894	35.964	99.8%
Tobacco Settlement	3.322	3.552	3.519	3.486	6.874	7.005	100.0%
<b>Total General Fund</b>	<b>\$1,870.954</b>	<b>\$1,994.950</b>	<b>\$2,056.252</b>	<b>\$2,137.410</b>	<b>\$3,865.904</b>	<b>\$4,193.662</b>	<b>100.0%</b>

## Revenue Impacts of Legislation

Figure 3 shows the revenue impacts of legislation enacted by the 63<sup>rd</sup> Legislature. If more than one bill was enacted that impact a certain revenue source, the cumulative impact of the bills is shown for each revenue source.

Figure 3

Revenue Legislation Impacts of 63rd Legislature						
General Fund Revenue						
(\$ Millions)						
Source of Revenue	Estimated FY 2013	Estimated FY 2014	Estimated FY 2015	Estimated FY 12-13	Estimated FY 14-15	Estimated 3-Yr Total
<b>Large Sources</b>						
Individual Income Tax	\$0.000	(\$0.078)	(\$0.104)	\$0.000	(\$0.182)	(\$0.182)
Property Tax	-	(1.334)	(2.248)	-	(3.582)	(3.582)
Corporation Income Tax	-	-	-	-	-	-
Vehicle Taxes & Fees	0.003	1.275	1.266	0.003	2.542	2.544
Oil & Natural Gas Production Tax	-	-	-	-	-	-
Insurance Tax & License Fees	-	-	-	-	-	-
Video Gambling Tax	-	-	-	-	-	-
<b>Other Business Taxes</b>						
Driver's License Fee	-	0.046	0.046	-	0.091	0.091
Estate Tax	-	-	-	-	-	-
Investment License Fee	-	-	-	-	-	-
Lodging Facility Use Tax	-	-	-	-	-	-
Public Contractors Tax	-	-	-	-	-	-
Railroad Car Tax	-	-	-	-	-	-
Rental Car Sales Tax	-	-	-	-	-	-
Telecommunications Excise Tax	-	-	-	-	-	-
<b>Other Natural Resource Taxes</b>						
Coal Severance Tax	-	-	-	-	-	-
Electrical Energy Tax	-	-	-	-	-	-
Metalliferous Mines Tax	-	-	-	-	-	-
US Mineral Royalty	-	-	-	-	-	-
Wholesale Energy Tax	-	-	-	-	-	-
<b>Other Interest Earnings</b>						
Coal Trust Interest	-	(0.070)	(0.149)	-	(0.220)	(0.220)
Treasury Cash Account Interest	-	-	-	-	-	-
<b>Other Consumption Taxes</b>						
Beer Tax	-	-	-	-	-	-
Cigarette Tax	-	-	-	-	-	-
Liquor Excise & License Tax	-	-	-	-	-	-
Liquor Profits	-	0.095	0.158	-	0.252	0.252
Lottery Profits	-	-	-	-	-	-
Tobacco Tax	-	-	-	-	-	-
Wine Tax	-	-	-	-	-	-
<b>Other Sources</b>						
All Other Revenue	0.269	0.060	0.083	0.269	0.143	0.412
Highway Patrol Fines	-	-	-	-	-	-
Nursing Facilities Fee	-	-	-	-	-	-
Public Institution Reimbursements	-	0.139	0.139	-	0.279	0.279
Tobacco Settlement	-	-	-	-	-	-
<b>Total General Fund</b>	<b>\$0.272</b>	<b>\$0.133</b>	<b>(\$0.809)</b>	<b>\$0.272</b>	<b>(\$0.676)</b>	<b>(\$0.404)</b>

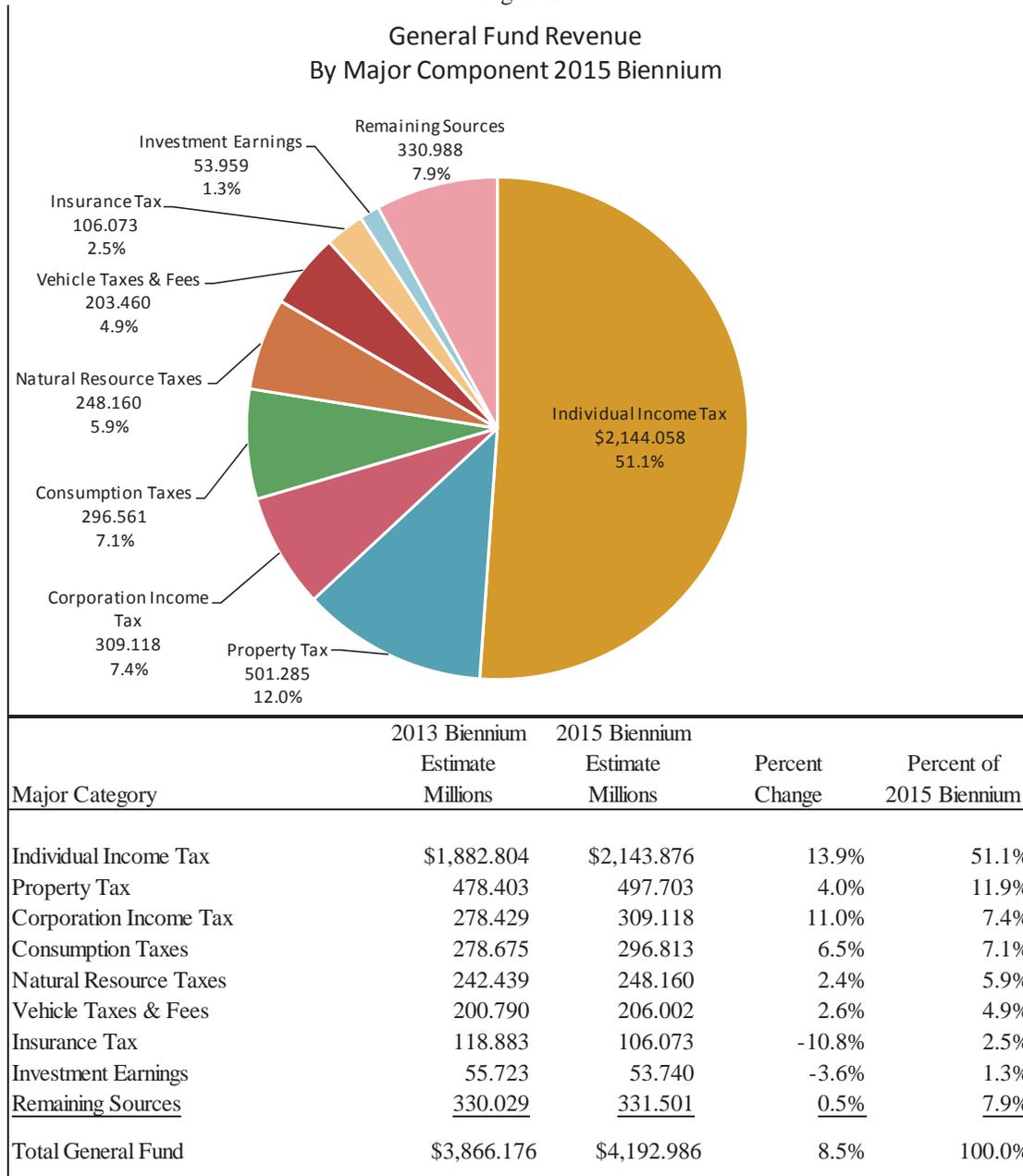
Figure 4 shows the revised general fund revenue estimates by source which is the sum of SJR 2 estimates and all enacted legislation impacts. These revised estimates are used in “Volume 1 – Statewide Perspectives” to determine the overall financial condition of the general fund for the 2015 biennium.

Figure 4

Senate Joint Resolution 2 Plus Legislation Impacts General Fund Revenue Estimates (\$ Millions)							
Source of Revenue	Actual FY 2012	Estimated FY 2013	Estimated FY 2014	Estimated FY 2015	Estimated FY 12-13	Estimated FY 14-15	Cumulative % of Total
<b>Large Sources</b>							
Individual Income Tax	\$898.851	\$983.953	\$1,039.082	\$1,104.794	\$1,882.804	\$2,143.876	51.1%
Property Tax	236.662	241.741	245.287	252.416	478.403	497.703	63.0%
Corporation Income Tax	127.771	150.658	154.096	155.022	278.429	309.118	70.4%
Vehicle Taxes & Fees	99.954	100.836	102.659	103.342	200.790	206.002	75.3%
Oil & Natural Gas Production Tax	97.560	98.750	99.336	97.427	196.310	196.763	80.0%
Insurance Tax & License Fees	58.951	59.932	52.021	54.052	118.883	106.073	82.5%
Video Gambling Tax	53.824	57.706	59.929	62.117	111.530	122.046	85.4%
<b>Other Business Taxes</b>							
Driver's License Fee	4.369	3.867	4.435	3.969	8.236	8.403	85.6%
Estate Tax	0.060	-	-	-	0.060	-	85.6%
Investment License Fee	6.961	7.210	7.457	7.714	14.171	15.171	86.0%
Lodging Facility Use Tax	15.606	17.314	18.365	19.477	32.920	37.842	86.9%
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Telecommunications Excise Tax	21.459	22.606	23.236	23.823	44.065	47.059	88.5%
<b>Other Natural Resource Taxes</b>							
Coal Severance Tax	12.350	12.864	14.857	15.906	25.214	30.763	89.2%
Electrical Energy Tax	4.481	4.442	4.521	4.565	8.923	9.086	89.4%
Metalliferous Mines Tax	10.010	10.904	10.595	10.039	20.914	20.634	89.9%
US Mineral Royalty	31.057	36.989	30.953	29.009	68.046	59.962	91.3%
Wholesale Energy Tax	3.427	4.038	4.140	4.217	7.465	8.357	91.5%
<b>Other Interest Earnings</b>							
Coal Trust Interest	25.840	24.451	24.354	24.262	50.291	48.616	92.7%
Treasury Cash Account Interest	2.654	2.779	2.346	2.778	5.433	5.124	92.8%
<b>Other Consumption Taxes</b>							
Beer Tax	2.956	3.052	3.067	3.085	6.008	6.152	93.0%
Cigarette Tax	31.483	30.991	30.433	29.499	62.474	59.932	94.4%
Liquor Excise & License Tax	17.037	18.206	19.284	20.431	35.243	39.715	95.3%
Liquor Profits	9.500	10.604	11.080	11.760	20.104	22.839	95.9%
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Wine Tax	2.104	2.144	2.218	2.291	4.248	4.509	97.0%
<b>Other Sources</b>							
All Other Revenue	47.258	32.864	32.548	32.856	80.123	65.404	98.5%
Highway Patrol Fines	4.385	4.427	4.467	4.508	8.812	8.975	98.8%
Nursing Facilities Fee	5.077	4.876	4.740	4.603	9.953	9.343	99.0%
Public Institution Reimbursements	14.562	16.332	17.802	18.440	30.894	36.243	99.8%
Tobacco Settlement	3.322	3.552	3.519	3.486	6.874	7.005	100.0%
<b>Total General Fund</b>	<b>\$1,870.954</b>	<b>\$1,995.222</b>	<b>\$2,056.385</b>	<b>\$2,136.601</b>	<b>\$3,866.176</b>	<b>\$4,192.986</b>	<b>100.0%</b>

Figure 5 shows the revenue contribution to the general fund account by the most significant revenue components. During the 2015 biennium, over 75% of total general fund revenue comes from income, property and vehicle taxes. Natural resource taxes are estimated to produce about 6% of total general fund revenue during the 2015 biennium. Figure 5 shows the general fund will receive an estimated \$54 million in the 2015 biennium from investment earnings. These revenues are due to the state investment of state trust fund or cash balances.

Figure 5



Total general fund revenues for the 2015 biennium are projected to increase 8.5% over the 2013 biennium projections. The comparative changes by major revenue category are shown at the bottom of Figure 5. Included in these amounts is the \$0.4 million reduction in revenue over the three-year period due to the enactment of the legislation shown in Figure 3.

## Non-General Fund Revenue Estimates

Figure 6 shows estimates for selected non-general fund revenue for FY 2013, 2014 and 2015 as contained in SJR 2 and from enacted legislation. These estimates are included because of their importance in the budgeting process.

Figure 6

Senate Joint Resolution 2 Plus Legislation Impacts							
Non-General Fund Revenue Estimates							
(\$ Millions)							
Source of Revenue	Actual FY 2012	Estimated FY 2013	Estimated FY 2014	Estimated FY 2015	Estimated FY 12-13	Estimated FY 14-15	Cumulative % of Total
Diesel Tax	\$74.292	\$76.300	\$78.350	\$80.466	\$150.592	\$158.816	21.4%
Federal Forest Receipts	20.487	18.101	2.284	2.138	38.588	4.422	22.0%
Gasoline Tax	136.661	137.161	137.663	138.166	273.822	275.829	59.3%
GVW and Other Fees	34.745	33.969	34.707	35.486	68.714	70.193	68.8%
Resource Indemnity Tax	2.344	2.210	2.541	2.620	4.554	5.161	69.5%
Arts Trust Interest	0.568	0.580	0.593	0.608	1.148	1.201	69.6%
Capital Land Grant Interest and Income	0.610	0.232	0.647	0.997	0.842	1.644	69.8%
Deaf & Blind Interest and Income	0.242	0.288	0.246	0.264	0.530	0.510	69.9%
Parks Trust Interest	1.034	1.063	1.089	1.119	2.097	2.208	70.2%
Pine Hills Interest and Income	0.393	0.302	0.370	0.392	0.695	0.762	70.3%
RIT Trust Interest	5.064	4.661	4.661	4.662	9.725	9.323	71.6%
TSE Trust Interest	9.866	9.873	10.383	10.998	19.739	21.381	74.5%
Economic Development Trust	2.731	2.858	3.113	3.419	5.589	6.532	75.3%
Tobacco Trust Interest	6.701	6.825	7.298	7.821	13.526	15.119	77.4%
Regional Water Trust Interest	2.937	3.032	3.287	3.591	5.969	6.878	78.3%
Property Tax: 6 Mill	15.325	15.815	16.451	16.848	31.140	33.299	82.8%
Common School Interest and Income	102.391	68.129	65.609	61.819	170.520	127.428	100.0%
<b>Total Non-General Fund</b>	<b>\$416.389</b>	<b>\$381.399</b>	<b>\$369.292</b>	<b>\$371.414</b>	<b>\$797.788</b>	<b>\$740.706</b>	<b>100.0%</b>

## Revenue Legislation of the 2013 Session

Figure 7 shows the revenue impacts of legislation enacted by the 63<sup>rd</sup> Legislature summarized by bill number. For the three-year period—FY 2013 through 2015—total general fund revenues decreased \$0.4 million.

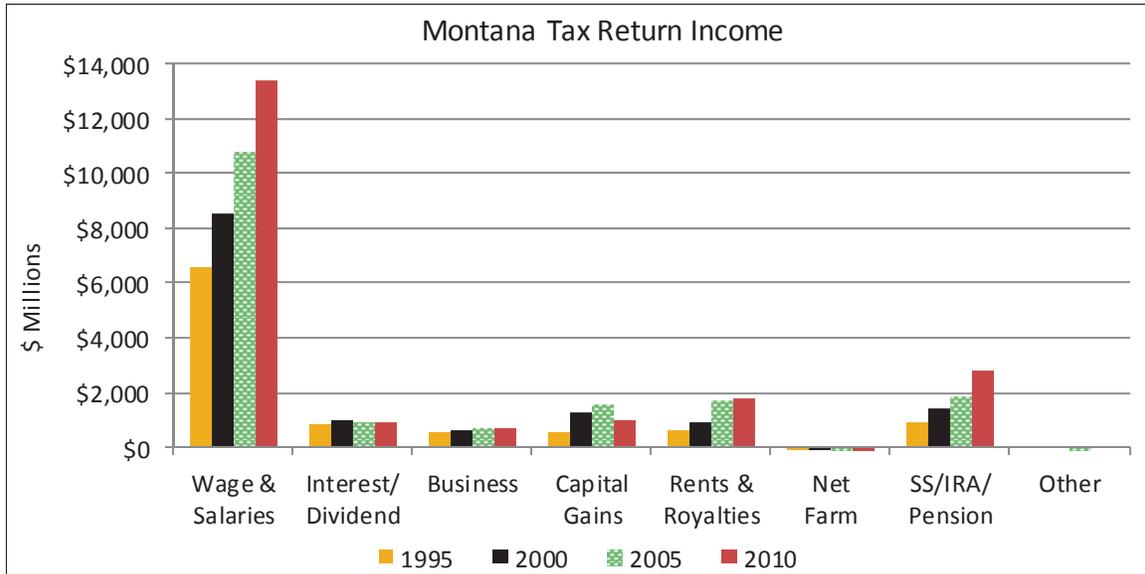
Figure 7

Impact of Enacted Legislation by Bill Number General Fund & Total Funds (\$ Millions)						
Bill No	Short Title	General Fund FY 2013	General Fund FY 2014	General Fund FY 2015	3-Year General Fund	3-Year Total Funds
HB0006	Renewable resource grants	\$0.000	\$0.000	\$0.000	\$0.000	\$37.724
HB0010	Long-range information technology appropriations	-	-	-	-	-
HB0011	Treasure state endowment program	-	-	-	-	21.700
HB0016	Revise involuntary commitment and emergency detention laws	-	0.139	0.139	0.279	0.279
HB0037	Allow temporary leasing of water rights	-	-	-	-	0.020
HB0039	Revise school finance laws to correct implementation problems	-	-	-	-	-
HB0073	Revise wolf hunting laws	-	-	-	-	0.189
HB0081	Revise securities restitution assistance fund laws	(0.272)	(0.272)	(0.272)	(0.817)	-
HB0089	Allow de minimus refund of abandoned property or closed estates	-	(0.005)	(0.005)	(0.011)	(0.011)
HB0095	Require contributions on working retiree compensation	-	-	-	-	-
HB0141	Revise gambling control laws	-	-	-	-	0.754
HB0163	Eliminate trophy fees for mountain lions	-	-	-	-	(0.040)
HB0170	Authorize a 3-day nonresident upland bird license	-	-	-	-	0.197
HB0189	Revise hail insurance maximum	-	-	-	-	-
HB0250	Require navigator, insurance producer certification for exchanges	-	-	-	-	0.008
HB0256	Revise landowner notification requirements under MFSA	-	-	-	-	0.068
HB0273	Remove sunset on allowing nonresidents to hunt with sponsor or family	-	-	-	-	0.132
HB0274	Revise laws related to licensing of outfitters and guides	-	-	-	-	(0.050)
HB0336	Generally revise highway patrol retirement system laws	-	-	-	-	-
HB0354	Establish a wildfire project suppression fund	-	-	-	-	1.000
HB0355	Eliminate the 5-year look back for alcohol and drug driving offenses	0.042	0.246	0.246	0.533	0.533
HB0377	Increase contributions and funding for TRS, revise GABA	-	-	-	-	-
HB0401	Revising certain hunting license application fees	-	-	-	-	2.519
HB0402	License and regulate wineries selling and shipping wine directly to MT consumers	-	(0.008)	0.017	0.009	0.009
HB0403	Revising fees collected by district court clerks	-	-	-	-	0.029
HB0414	Permit registration of motor vehicle to those having interest in real property	-	1.243	1.243	2.486	2.765
HB0444	Provide tax credit for access to state lands	-	-	(0.015)	(0.015)	(0.015)
HB0454	Provide funding for PERS defined benefit plan, revise GABA	-	-	-	-	-
HB0498	Generally revise state issued id requirements	-	0.092	0.100	0.192	0.192
HB0524	Removing grocery, pharmacy requirement on off-premises beer, wine license	-	0.103	0.141	0.244	0.244
HB0545	Allow employer to fund total cost of qualifying employee's health insurance	-	-	(0.010)	(0.010)	(0.010)
HB0559	Generally revise motor vehicle laws	0.003	0.032	0.023	0.058	0.067
HB0591	Increase the fees for licensing of commodity weighing devices	-	-	-	-	0.245
HB0605	Generally revise resort district laws	-	0.000	0.000	0.001	0.001
HB0607	Expand electronic title, lien filing, and registration pilot program	-	-	-	-	0.020
HB0626	Increase percentage of motor vehicle revenue for veterans' accounts	-	-	-	-	0.346
SB0047	Revise mine safety training and inspections laws	-	-	-	-	0.160
SB0096	Lower the business and equipment tax	-	(1.331)	(2.245)	(3.576)	(3.576)
SB0117	Allow deductions for other state college savings plans	-	(0.078)	(0.079)	(0.157)	(0.157)
SB0123	Provide for hunters against hunger	-	-	-	-	0.293
SB0136	Revise veterans home loan program laws	-	(0.070)	(0.149)	(0.220)	(0.220)
SB0162	Transfer hail insurance program from D of Revenue to the D of Agriculture	-	(0.007)	(0.007)	(0.014)	(0.194)
SB0175	Generally revise public education funding	-	-	-	-	45.900
SB0178	Allow FWP to retain percentage of Class B-10 license fee when portion returned	-	-	-	-	0.096
SB0183	Revise licensing laws regarding military service experience	-	-	-	-	0.006
SB0215	Move board of horseracing to the department of commerce	-	-	-	-	-
SB0226	Revise laws relating to dyed diesel and vehicles dedicated to animal husbandry	-	-	-	-	(0.025)
SB0231	Revise tax exemption laws regarding tribal recreational property	-	(0.003)	(0.003)	(0.006)	(0.006)
SB0264	Revise laws related to portable electronics insurance	-	-	-	-	0.012
SB0275	Revise driver license laws related to veteran status	-	0.048	0.048	0.095	0.104
SB0280	Allow mediation for dispute of property valuation	-	0.002	0.017	0.019	0.019
SB0355	Water court review of claims exempt from filing	-	-	-	-	1.200
SB0364	Generally revise laws related to solid waste management	-	-	-	-	0.025
SB0369	Revise state cabin site leasing laws	-	-	-	-	0.188
SB0392	Increase authority of commissioner of political practices for noncompliance	-	0.002	0.002	0.005	0.005
SB0410	Authorizing transfers to implement provisions of House Bill 2	0.500	-	-	0.500	14.000
<b>Total Impact</b>		<b>\$0.272</b>	<b>\$0.133</b>	<b>(\$0.809)</b>	<b>(\$0.404)</b>	<b>\$126.743</b>

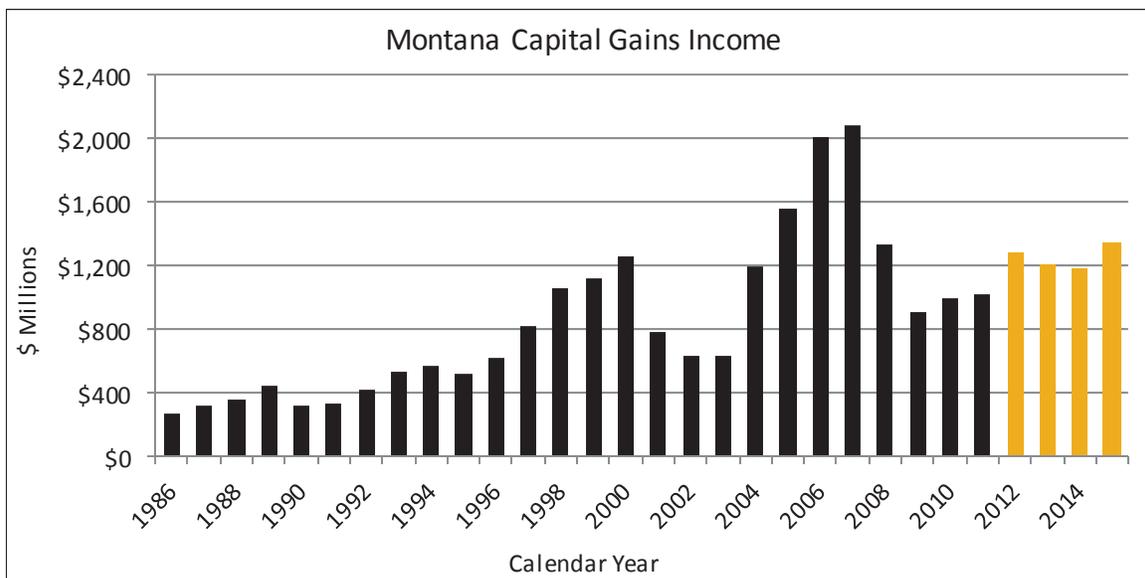
## Economic Outlook for Montana

### Individual Income

The total of all income sources listed on the Montana personal income tax form is referred to as Montana total income. The Department of Revenue tracks income from 11 different components, including wages, interest, dividends, business, capital gains, supplemental, rental, farm, social security, IRA and pension, and other incomes. Montana total income is the single most important variable to consider in the revenue estimation process. Of the 11 income items, wage and salary income provides the largest portion of Montana total income. Since 1990, wage and salary income has contributed an annual average of 64.9% of total income. In 2011, it contributed 65.6%, or \$14.0 billion. The average compounded growth from 1990 to 2011 is 5.0%.



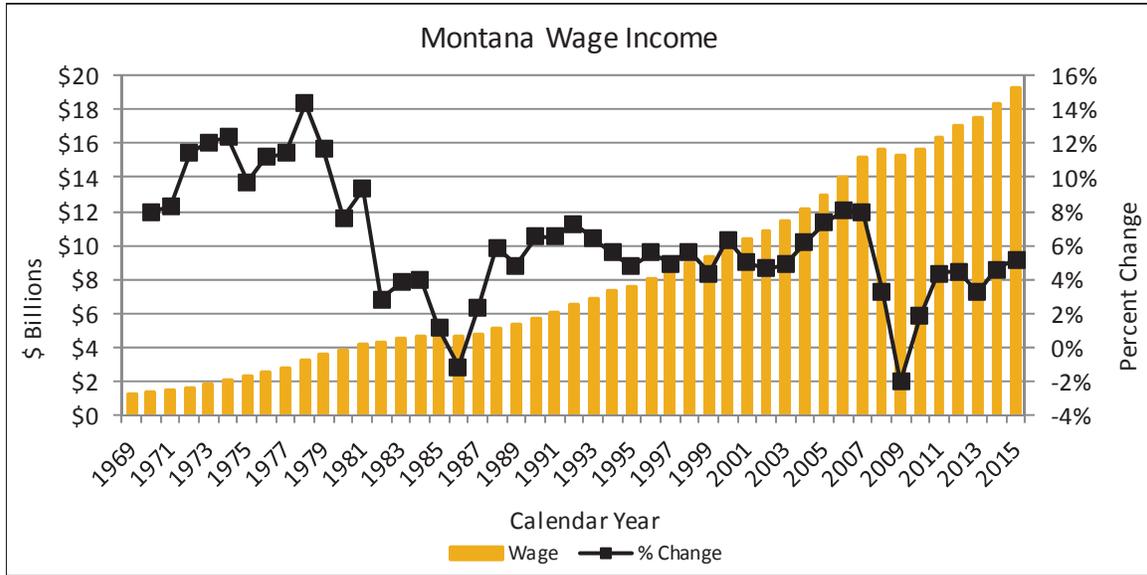
In recent times, capital gains income has been the focus of much conversation and speculation. Capital gains income has increased in relative importance over the decade. In 1990, capital gains made up only 4.2% of total income, with reported income of \$318 million. Capital gains income grew moderately through the decade, when in 2001 a significant decline occurred, coinciding with the recession. Rapid growth followed in the later part of the 2000 decade, and by 2007 capital gains had grown to 9.7% of total income, with income at \$2,088.6 million. However, in 2008, capital gains income was again influenced by a recession and declined by over 35%. In 2009, capital gains income declined by almost 32% reaching the amount of \$912 million. Projections based on IHS indicators suggest that capital gains income will increase moderately annually between 2012 and 2015.



### Wages

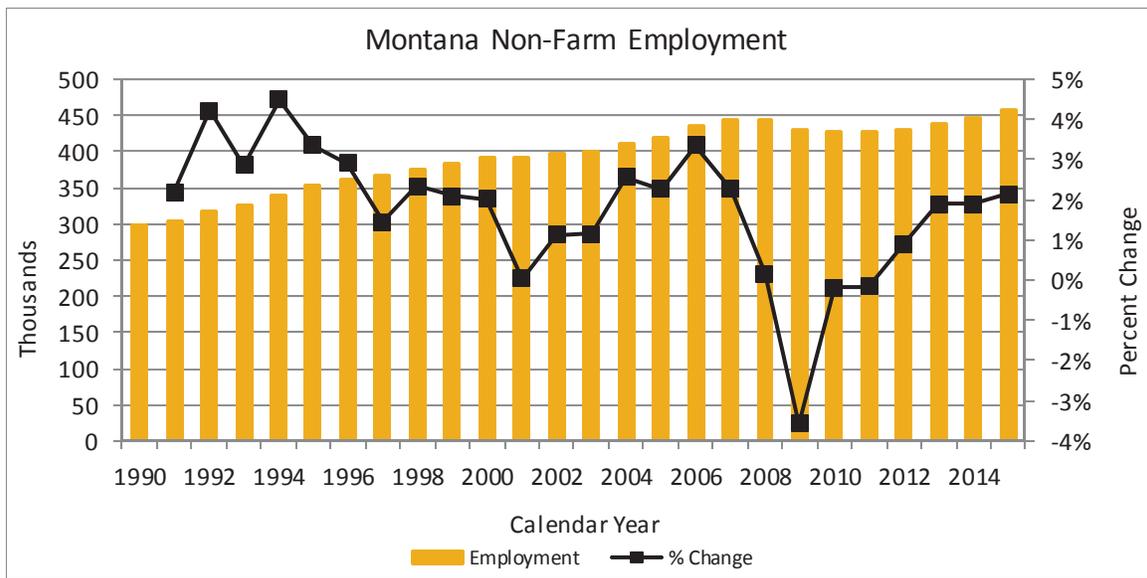
The average annual growth in Montana wages and salaries income is 5.1% between 1990 and 2011. Wage growth exceeding this average occurred in the early nineties and again in 2004-2007. In both these periods inflation was relatively high, i.e. greater than

2.5%, and employment growth was relatively high. During the recession, the growth of wages declined sharply to rates of -2.1% and 1.8% in 2010 and 2011 respectively. The growth in wages between 2012 through 2015 is modeled on IHS Montana wage and salary projections. Wage income is expected to increase throughout the forecast period.



Employment

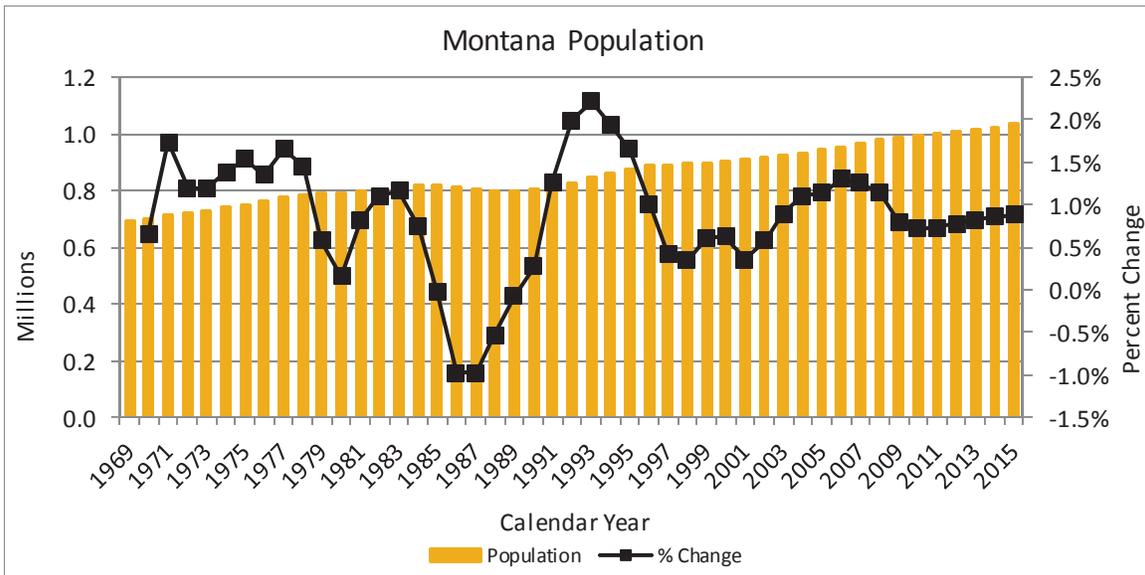
Average annual growth in total Montana employment between 1990 and 2011 is 1.7%. It is expected that total non-farm employment growth through 2012 will be 0.9%, and continue to grow slowly in the forecast period.



Population

Population statistics are used to develop estimates for many of the revenue sources including beer, wine, liquor, and cigarette taxes. In addition to those sources where population has a direct effect, the size of the population indirectly affects the profitability of all businesses and the employment levels statewide. Accurate population estimates are especially important when determining the changes expected in overall and per capita income for the state.

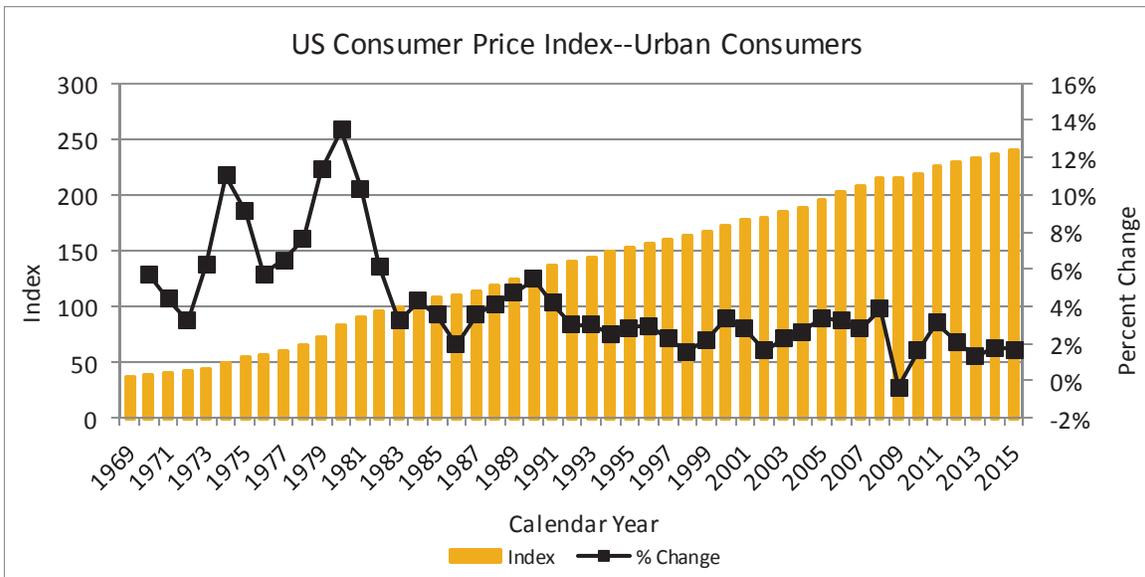
Historic population data is gathered from the U.S. Census department while projections are obtained from IHS. Since the early 1990's, Montana has experienced positive growth in total population varying between 0.1% in 1998 to 2.3% in 1994. Growth in recent years has been slow, averaging 0.8% growth annually from 2007 to 2010. Growth through the next biennium is expected to continue this trend.



**Inflation Rates**

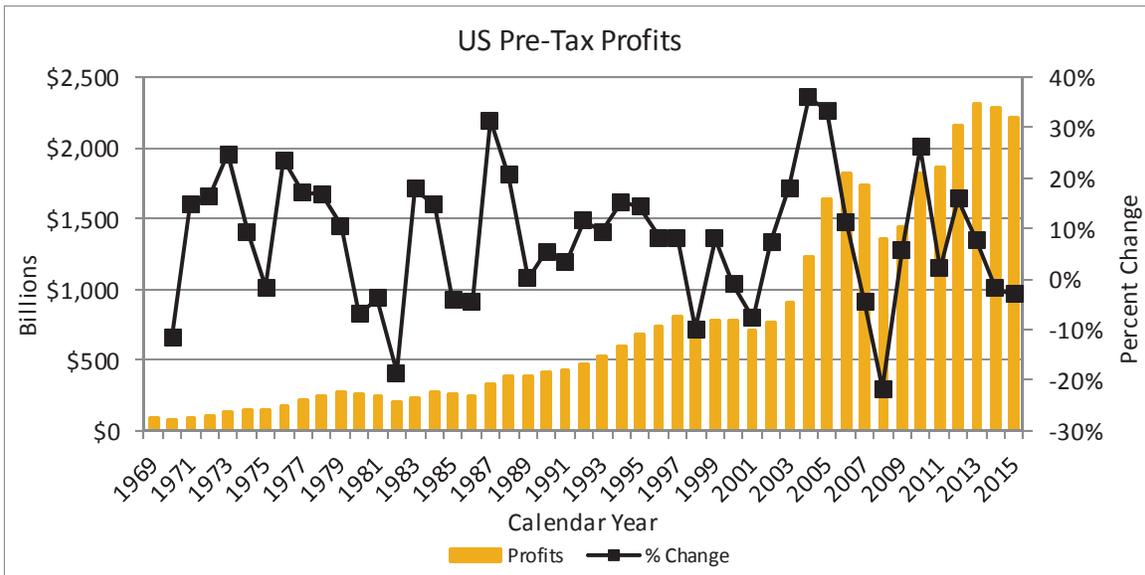
The inflation rate is measured by the price change of the Consumer Price Index (CPI) “shopping basket” of goods and services. Inflation is noted to have both good and bad effects. As prices rise, businesses increase prices and tend to become more profitable. At the same time, the consumer realizes a reduction in disposable income and spends less. Several areas where this information is vital in determining costs include minerals, timber, energy resources, and most services.

Since Montana’s individual income tax structure is fully indexed by changes in the consumer price index, this assumption is critical in the formulation of the individual income tax forecasts. The U.S. Bureau of Labor Statistics provides the historical CPI data for the all-urban customers data set. Since 1990, the average annual rate of inflation has been 2.6%. The IHS forecasts suggest inflation will remain low through the forecast biennium.



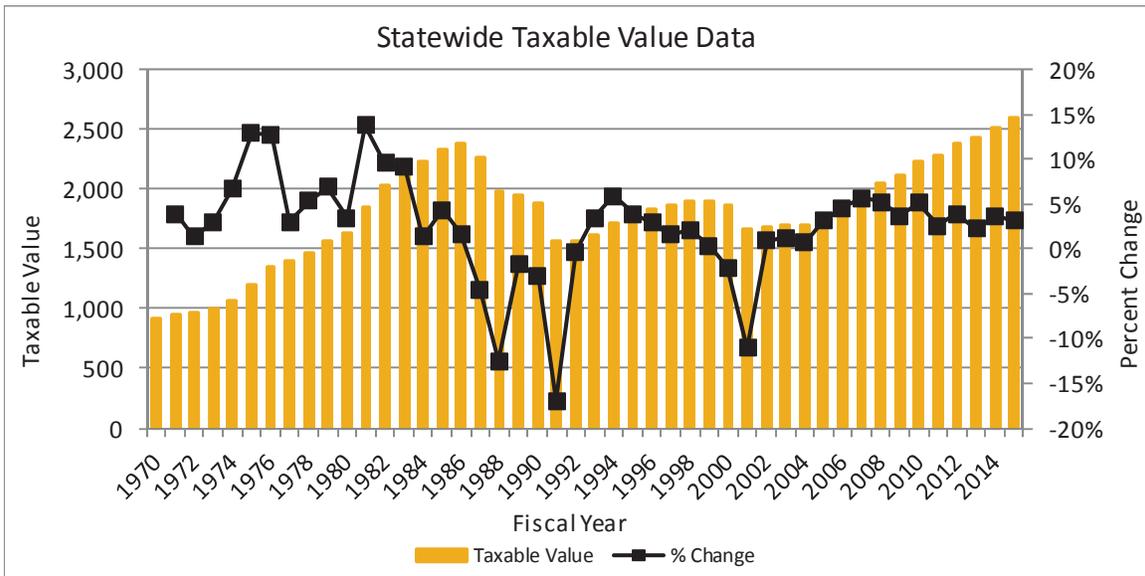
**Corporate Profits**

The profitability of corporate America is an important factor in estimating revenues. Corporate profitability affects both corporation license tax and individual income tax estimates. When corporations are profitable nationally, there is an expectation that corporations will be profitable in Montana. Additionally, greater corporate profitability is largely responsible for the amount of dividends corporations pay to stockholders as well as the value of equity investments. During the most recent years, the reduction of corporate profits has translated to lower corporate license tax collections. According to IHS, between 1990 and 1997, U.S. corporation pre-tax profits increased by an annual average of 10.3%. However, from 1997 through 2001, profits decreased by an average of 3.0%, the greatest decrease of 8.5% occurring in 2001. Between 2006 and 2011, corporate profitability grew an average annual rate of 0.3%. During the forecast period, corporation profits are expected to grow slowly, then decline slightly.

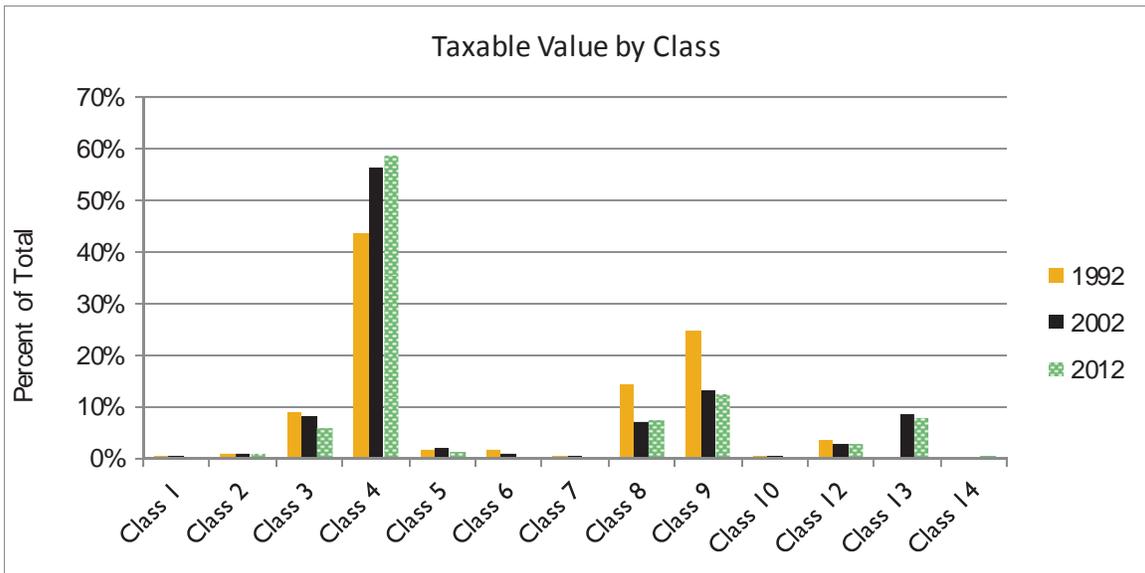


Property Values

Change in statewide property values is the critical assumption behind the estimates for property taxes. Historic property values are obtained from the Montana Department of Revenue. Total statewide taxable value increased slowly during the first part of the 1990's, but fell in FY 2000. This decline was primarily due to business equipment tax changes enacted by previous legislatures. Other reductions occurred in electrical generating and telecommunication property. Property values resumed an upward trend in 2001 and have increased every year since that time. On January 1, 2009, new reappraisal values were placed on residential, commercial, agricultural land and timber land. The 2009 legislature mitigated these increases by continuing to phase in assessed values and providing a schedule over the following six years by which tax rates are decreased and homestead and comstead exemptions are increased. Taxable values are expected to increase throughout the biennium in line with recent historical trends.



Significant changes have taken place in statewide property values since FY 1998. In that year, 48.0% of total statewide value was in class 4, residential and commercial property, and 11.5% of total value was in class 8, business equipment personal property. In FY 2012, the class 4 taxable value was 58.7% of the total property tax base, while class 8 was only 7.7% of the base.

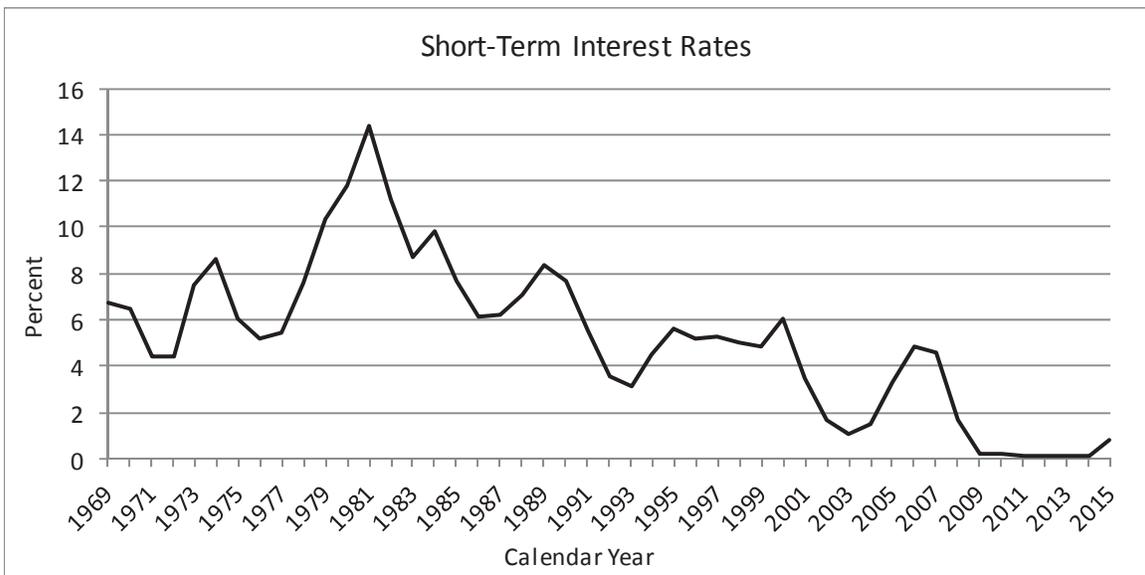


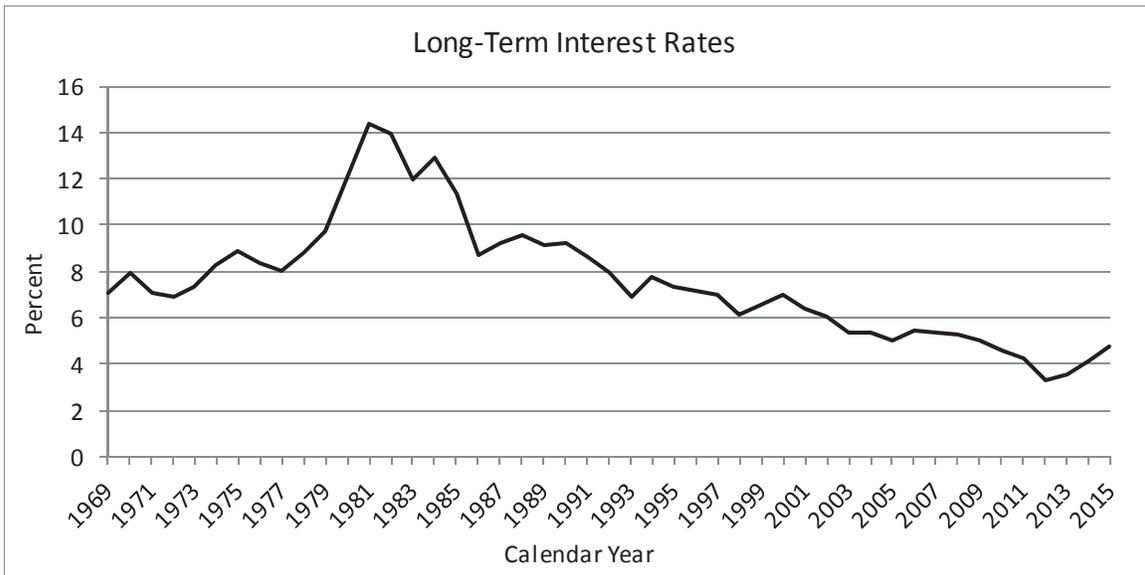
**Interest Rates**

A large portion of Montana’s revenues is derived from investment earnings from trust accounts and daily invested cash. Interest rates also affect the amount of investment income that is reported on individual income tax returns. As such, interest rates are a significant assumption when estimating future state revenues.

In addition to the state revenue impact, interest rates are fundamental in understanding the climate in which consumers and businesses are likely to make investments and large purchases. While low interest rates produce less revenue for Montana’s trust and interest holdings, higher income tax earnings might be expected as construction and sales activities increase.

Two types of interest rates, long and short-term, are estimated and used in determining future revenues. Both rates are an average across a selection of investment instruments. The forecast rates are obtained from IHS. Short-term rates are an average of 3-month corporate paper and 3 and 6-month T-bills. Long-term rates are an average of Corporate Aaa and Baa bonds, 10-year T bonds, and 30-year T bonds. The fiscal year computation of short-term interest rates reached unprecedented low rate of 0.1% in 2011. The future short-term interest rates are expected to remain at historic lows, while long-term rates are expected to recover slightly through 2015.





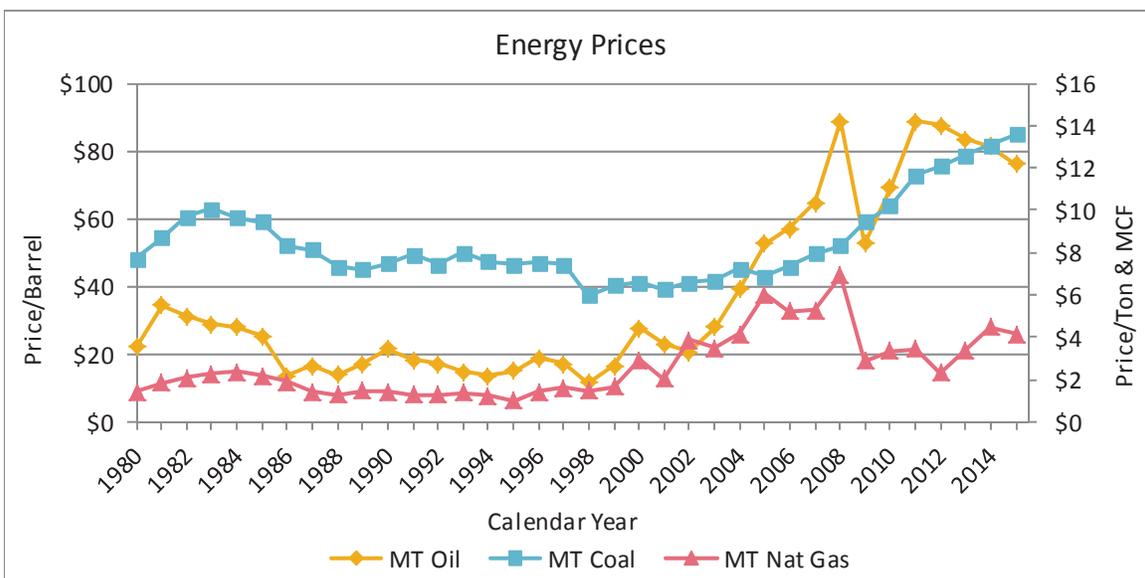
**Energy Prices and Consumption**

West Texas Intermediate (WTI) spot oil prices are a good indicator of Montana oil prices, and are expected to decline slowly throughout the forecast period.

After a period of decline in oil production, from a peak in 1974 of 34 million barrels to a trough in 1999 of 15 million barrels, the discovery of new oil fields and advances in technologies increased oil production in Montana. New drilling activity increased 75% in 2003, and increased nearly the same amount in 2004. In 2006, the new production hit a peak, with production of over 36 million barrels. Since 2006, oil production has declined but has stabilized at about 6 million barrels per quarter since the first quarter of 2011. That trend is expected to change with a modest improvement in total production through 2015. Montana oil production is expected to increase gradually through 2015.

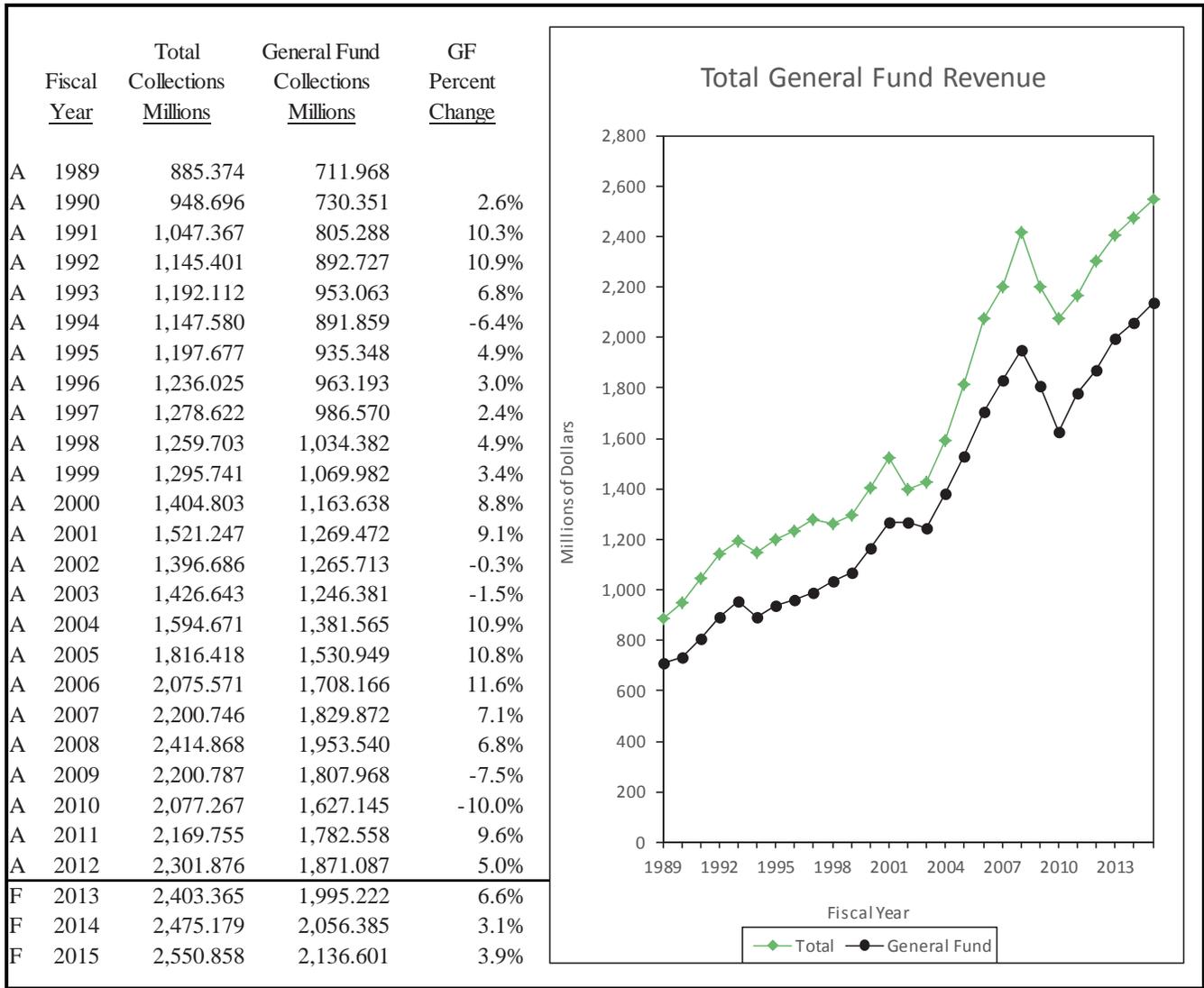
Natural gas prices at the wellhead in the U.S. reached as high as \$8.84 per MCF in 2008, but the prices have declined significantly since then. The average price in 2012 is expected to be \$2.67 per MCF. IHS is forecasting a small average growth throughout the forecast period. 2015. Montana prices are expected to follow a similar trend.

Natural gas production in Montana almost tripled between 1981 and 2007, from 40 million MCF to 119 million MCF. Production has increased around 70% since 2000. As in the oil market, new drilling activity was up substantially in 2003 and 2004, but production has started to drop and that trend is expected through 2015.



**Total General Fund**

The graph below shows actual total general fund collections from FY 1989 to FY 2012 and includes FY 2013 through FY 2015 projected collections as adopted by the 63<sup>rd</sup> Legislature.



**Summary**

A complete summary of each general fund and selected non-general fund revenue sources follows. Each summary provides information on the particular source of revenue including a description, the applicable tax or fee rates, and distribution mechanisms. A legislation impact table (if applicable) is shown summarizing all bills that impact the particular source of revenue.

It should be noted that the revenue projection table and graph are based on SJR2 estimates plus the impacts, if any, of enacted legislation. The corresponding revenue estimate assumption tables reflect only assumptions pertinent to the SJR2 revenue estimates and have not been updated for the impacts of enacted legislation.

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# Legislative Fiscal Division

## Revenue Estimate Profile

### Corporation License Tax

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**Revenue Description:** The corporation license tax is a license fee levied against a corporation's net income earned in Montana. The corporation income tax is imposed on corporations that, for reasons of jurisdiction, are not taxable under a license tax. Factors that affect corporation license tax receipts include tax credits and the audit efforts by the Department of Revenue (DOR). As with individual income tax, all tax liability is adjusted for allowable credits.

**Statutory Reference:**

Tax Rate (MCA) – 15-31-121,

Tax Distribution (MCA) – 15-31-121

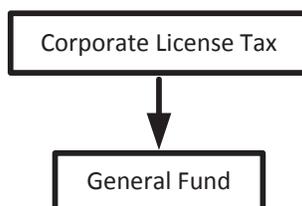
Date Due – by the 15<sup>th</sup> day of the fifth month following the close of the corporate fiscal year (15-31-111, 15-31-502).

Estimated taxes due April 15<sup>th</sup>, June 15<sup>th</sup>, September 15<sup>th</sup>, and December 15<sup>th</sup> (15-31-502).

**Applicable Tax Rate(s):** The tax rate is 6.75%, except for corporations making a "water's edge" election (see 15-31-322, MCA), who pay a 7.0% tax on their net income.

**Distribution:** Beginning FY 2006, all corporation tax revenue is distributed to the general fund.

Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** Monthly, Quarterly, and Annually

**% of Total General Fund Revenue:**

FY 2004 – 4.90%

FY 2007 – 9.67%

FY 2010 – 5.40%

FY 2005 – 6.42%

FY 2008 – 8.17%

FY 2011 – 6.88%

FY 2006 – 9.00%

FY 2009 – 9.20%

FY 2012 – 6.83%

**Revenue Estimate Methodology:**

Data

The data used to develop the estimates for the corporation income tax are provided by DOR, the state accounting system (SABHRS), and IHS. The DOR provides corporation data from the corporation income tax return series that include total corporation income, Montana allocation information, and the Montana tax liability. The return series is dated information since corporations are allowed up to 10.5 months after the end of the tax year to file the return. The DOR also provides a series based on the tax payment data. This series provides more timely data and includes individual corporation payment by type (estimated, tentative, return, refund, and audit). SABHRS provides historic fiscal year data of total collections, current year payments, estimated payments, audits and penalty and interest, and refunds.

Analysis

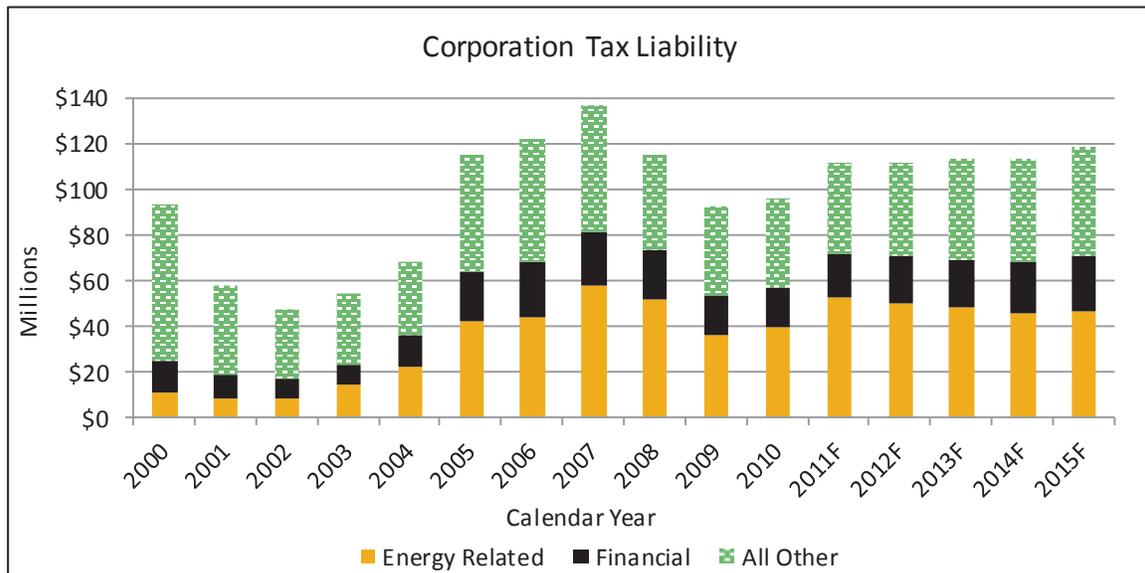
The corporation license tax is highly volatile. Collection patterns show that current tax payments often originate in a previous year. Included in fiscal year data are late payments, audit payments, and refunds. The data often includes payment for tax periods more than 20 years in the past. These activities promote misinterpretation of how high, or low as the case may be, Montana corporate profitability is in any given tax year. A simple review of SABHRS data will not distinguish the many anomalies of the data, and may lead to the adoption of incorrect assumptions.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Corporation License Tax

DOR now requires industry sector information on the corporate tax returns. Significant work has been done to apply the new sector information to prior years' return data. The result is a sixteen-year history of income and tax liability for each sector. The historical tax liability of each sector is modeled against characteristic national or Montana-specific economic variables from IHS to produce a forecast of calendar year tax liability. As shown in the figure below, energy related sectors account for nearly half of total tax liability. The underlying volatility of the energy industry is a large contributor to the overall volatility of this tax source.



#### Assumptions

Each of the eleven sectors is listed below, followed by the average share of tax liability, a brief description of the sector, and the underlying economic variables used to develop the projection. The variables used to develop most of the projections are the average price of West Texas Intermediate Crude, GDP, the average number of housing starts in Montana, and the median existing home price in Montana. All variable projections are provided by IHS.

- Manufacturing (25%)—The manufacturing industry in Montana is highly correlated with energy prices and is therefore a relatively variable with respect to its aggregate tax liability. This sector is modeled on the average price of West Texas Intermediate Crude.
- Financial services (19%)—This sector includes banks, bank holding corporations, and companies involved in investment activities. Financial sector tax liability is modeled on median existing home prices in Montana.
- Wholesale and retail trade (13%)—This combined sector models well against Montana retail sales.
- Mining (9%)—The mining industry in Montana is heavily dependent on energy prices; it is modeled on the average price of West Texas Intermediate Crude.
- Professional and business services (8%)—The professional service sector comprises establishments that specialize in performing professional, scientific, and technical activities for others. The business service sector comprises establishments performing routine support activities for the day-to-day operations of other organizations. The combined sectors' tax liability is modeled on GDP.
- Transportation and warehousing (6%)—The transportation and warehousing sector includes industries providing transportation of passengers and cargo, warehousing and storage for goods, scenic and sightseeing transportation, and support activities related to modes of transportation. Its tax liability is modeled on median house price.
- Information (4%)—The main components of this sector are the publishing industries, the motion picture and sound recording industries, the broadcasting industries, the telecommunications industries, and the information services industries. Its tax liability is modeled on the average number of housing starts per year.

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# Legislative Fiscal Division

## Revenue Estimate Profile

### Corporation License Tax

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- Utilities (3%)—The utilities sector includes establishments engaged in the provision of electric power, natural gas, steam supply, water supply, and sewage removal. The tax liability of this sector is modeled on the average number of housing starts per year.
- Agriculture (3%)—The tax liability of the agriculture sector is modeled on real GSP for agriculture.
- Social and educational services (2%)—This is a broad grouping of educational and health services, and arts, entertainment and recreation. The tax liability is modeled on GDP.
- Construction (2%)—The construction industry is the smallest contributor to corporation tax liability, likely because most construction companies are organized as S-corps or limited liability companies. Its tax liability is modeled on the average annual number of housing starts.

To develop the estimate for the corporation income tax, the sector growth rate is applied to the most recent tax year collections, 2010. The industrial sectors are then summed to provide an estimate for the tax year corporation tax liabilities. Because the industrial sector estimates are based on a tax year analysis, but are paid in a state fiscal year, payment timing must be taken into consideration. Analysis shows that the payments made in any given state fiscal year are made of the tax liability of the numerous previous tax years. Estimated tax payments made in the first half of the fiscal year are assumed to be payments for the liabilities of the previous tax year and payments in the second half of the fiscal year are assumed to be liabilities of the current tax year. Audits and refunds are generally assumed to be corrections to tax liabilities of the prior year. When calculated, the analysis suggests that 5% of the payments in the current fiscal year occur from liabilities of two years previous, 55% of the fiscal year payments are from tax liabilities of one year previous, and 40% of the payments are related to the current year's tax liability. When the percentages of each tax year are combined, the resulting value is adjusted by an average factor to produce the fiscal year corporate tax liability.

#### Adjustments

After the estimate for the fiscal year gross corporation tax liability is complete, several adjustments are required. The adjustments and the corresponding estimate process for each is described below.

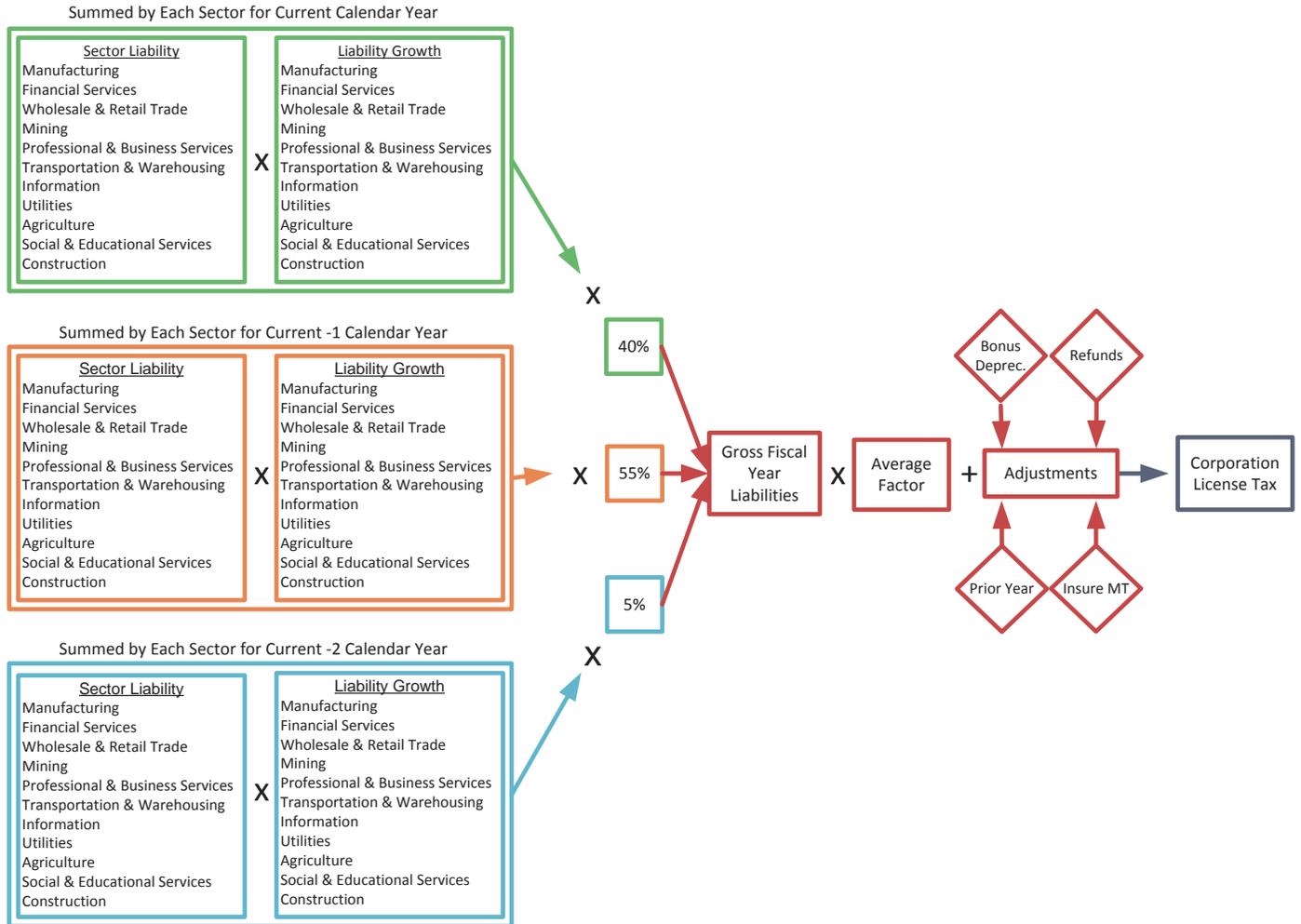
- Refunds – Projected on a historical average based on the ratio to prior years' gross liability.
- Audits, penalties and interest – Audits, penalties and interest revenue are determined based on an average of past year ratios to gross fiscal year liability; these amounts included with the forecast gross tax liability in determining total fiscal year liability.
- Insure Montana credit reimbursement – Shown as an adjustment in future years as a result of the DOR adjusting the corporation tax account for the refund of the Insure Montana credit.
- Legislation impacts – Any changes implemented by the last Legislature that have yet to be fully implemented in the base year are added to future years.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Corporation License Tax

#### Forecast Methodology:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Corporation License Tax

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	<u>t</u>	<u>Total Tax</u>	<u>GF Tax</u>	<u>Tax</u>	<u>Refunds</u>	<u>Audit &amp; P&amp;I</u>	<u>Bonus</u>	<u>Insure MT</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Rate</u>	<u>Millions</u>	<u>Payments</u>	<u>Depreciation</u>	<u>Credit</u>
						<u>Millions</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	68.173	68.173	6.75%				
Actual	2003	44.138	44.138	6.75%				
Actual	2004	67.723	67.723	6.75%				
Actual	2005	98.214	98.214	6.75%				
Actual	2006	153.675	153.675	6.75%	(13.859)	10.830		
Actual	2007	177.504	177.504	6.75%	(26.200)	26.813		
Actual	2008	160.342	160.342	6.75%	(27.900)	16.874		
Actual	2009	166.355	166.355	6.75%	(19.881)	31.036		
Actual	2010	87.901	87.901	6.75%	(37.121)	15.380		
Actual	2011	119.044	119.044	6.75%	(29.800)	26.116		
Actual	2012	127.771	127.771	6.75%	(38.757)	27.366		
Forecast	2013	150.658	150.658	6.75%	(24.632)	22.306	2.137	1.000
Forecast	2014	154.096	154.096	6.75%	(24.632)	22.602	4.103	1.000
Forecast	2015	155.022	155.022	6.75%	(25.713)	22.602	3.282	1.000

	<u>t</u>	<u>Agriculture</u>	<u>Mining</u>	<u>Utilities</u>	<u>Construction</u>	<u>Manufacture</u>	<u>Trade</u>	<u>Transport</u>
	<u>Cal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	1.966	2.021	1.604	1.033	5.918	7.983	1.417
Actual	2003	1.614	4.031	1.649	1.104	9.738	8.485	1.147
Actual	2004	1.636	5.256	1.561	1.151	16.532	8.859	3.860
Actual	2005	2.269	14.589	4.471	2.278	27.314	13.892	9.269
Actual	2006	2.823	9.798	4.938	2.873	34.111	13.071	10.250
Actual	2007	3.437	12.237	6.594	2.721	45.595	14.836	10.145
Actual	2008	3.094	11.654	2.508	2.373	39.358	9.942	11.268
Actual	2009	3.043	11.613	2.394	2.364	24.276	13.361	6.455
Actual	2010	3.224	10.006	1.399	1.518	29.653	12.019	7.114
Actual	2011	2.657	14.688	1.005	1.112	37.409	13.842	8.693
Actual	2012	2.757	14.531	0.805	1.040	35.540	14.159	9.126
Forecast	2013	2.758	13.742	1.646	1.342	34.141	14.515	9.600
Forecast	2014	2.798	13.152	1.751	1.379	32.215	14.892	10.162
Forecast	2015	2.841	12.339	2.255	1.560	34.280	15.348	10.851

# Legislative Fiscal Division

## Revenue Estimate Profile

### Corporation License Tax

	<u>t</u>	<u>Information</u>	<u>Professional</u>	<u>Large Banks</u>	<u>Social</u>	<u>Unknown</u>	<u>Total</u>
	<u>Cal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>CY Liability</u>
							<u>Millions</u>
Actual	2002	2.420	5.306	8.959	1.208	6.258	46.092
Actual	2003	2.686	5.536	9.170	1.370	5.699	52.230
Actual	2004	2.008	6.132	13.739	1.433	4.346	66.512
Actual	2005	3.770	7.233	21.306	1.891	4.848	113.130
Actual	2006	4.701	7.844	23.826	1.922	3.803	119.959
Actual	2007	3.788	6.564	23.253	2.501	2.339	134.011
Actual	2008	3.396	4.776	22.402	1.703	0.948	113.422
Actual	2009	1.758	6.356	17.051	1.774	0.171	90.616
Actual	2010	2.697	6.570	17.203	1.954	0.190	93.547
Actual	2011	1.981	7.112	20.040	1.966	0.150	110.656
Actual	2012	1.880	7.344	20.902	2.113	0.150	110.346
Forecast	2013	2.305	7.599	21.819	2.194	0.150	111.810
Forecast	2014	2.358	7.848	22.823	2.283	0.150	111.811
Forecast	2015	2.613	8.095	24.014	2.370	0.150	116.719

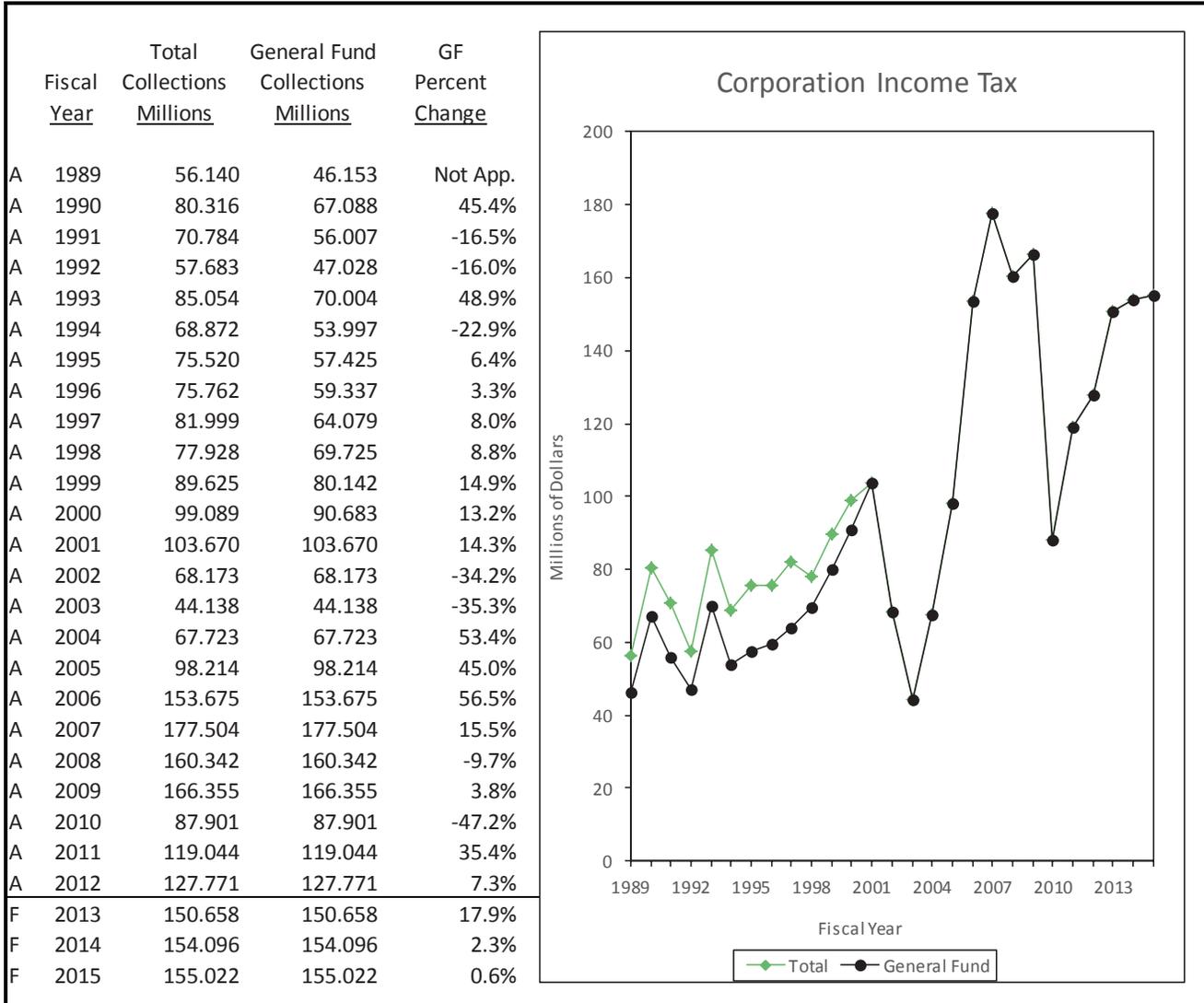
	<u>t</u>	<u>Calculated</u>	<u>Legislation</u>
	<u>Fiscal</u>	<u>Fiscal</u>	<u>Millions</u>
		<u>Factor</u>	
Actual	2002		
Actual	2003		
Actual	2004		
Actual	2005		
Actual	2006	1.330	
Actual	2007	1.384	
Actual	2008	1.334	
Actual	2009	1.473	
Actual	2010	1.180	
Actual	2011	1.230	
Actual	2012	1.282	
Forecast	2013	1.350	0.067
Forecast	2014	1.350	0.176
Forecast	2015	1.350	0.255

Total Tax = (5%\*(Total CY Liability)<sub>(t-2)</sub> + 55%\*(Total CY Liability)<sub>(t-1)</sub> + 40%\*(Total CY Liability)<sub>t</sub>)  
 \*Calculated Fiscal Factor + Refunds + Audit & P&I + Insure MT Credit + Bonus + Payroll + Legislation  
 GF Tax = Total Tax

# Legislative Fiscal Division

## Revenue Estimate Profile Corporation License Tax

### Revenue Projection:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Driver's License Fees

**Revenue Description:** A resident of Montana must have a valid driver's license to operate a motor vehicle on any highway in the state. A driver's license is issued only if the applicant passes specified examinations and pays fees. The fees are collected by Department of Justice, Motor Vehicle Division staff or county treasurers and are forwarded to the state treasurer for deposit. If collected by the county treasurers, a portion is retained by the county. The estimates shown in this source are net of revenue retained by the counties. The fees included in this source are from regular driver's licenses, commercial driver's licenses, motorcycle endorsements, duplicate driver's licenses, and renewal notices. Between October 1, 1995 and October 1, 1999, one-half of the licenses issued for those between the ages of 21 and 67 were 4-year licenses and one-half were 8-year licenses. Drivers outside these age brackets were assigned driver's licenses with terms which depend on how many years the driver was less than 21 or less than 75 years old. Between October 1, 1999 and July 1, 2005, all licenses for those 21-67 years of age were valid for 8 years. With the enactment of HB 192 by the 2005 Legislature, commercial licenses are valid for 5 years.

#### Statutory Reference:

Tax Rates (MCA) – Duplicate license (61-5-114), all others (61-5-111(6))

Tax Distribution (MCA) – 61-5-121

Date Due – upon application

#### Applicable Tax Rate(s):

 Driver's license fees are:

- driver's license, except a commercial driver's license - \$5.00 per year or fraction of a year
- motorcycle endorsement - \$0.50 per year or fraction of a year
- commercial driver's licenses (includes the basic license fee of \$5.00):
  - interstate - \$10.00 per year or fraction of a year
  - intrastate - \$8.50 per year or fraction of a year
- duplicate license - \$10.00
- renewal notice - \$0.50

**Distribution:** The distribution of license fee revenue varies by the type of license and who collects the fee. The table below shows the current statutory distribution. Note that the portion allocated to counties applies only when the county collects the fee. Otherwise, the county allocation is added to the general fund distribution.

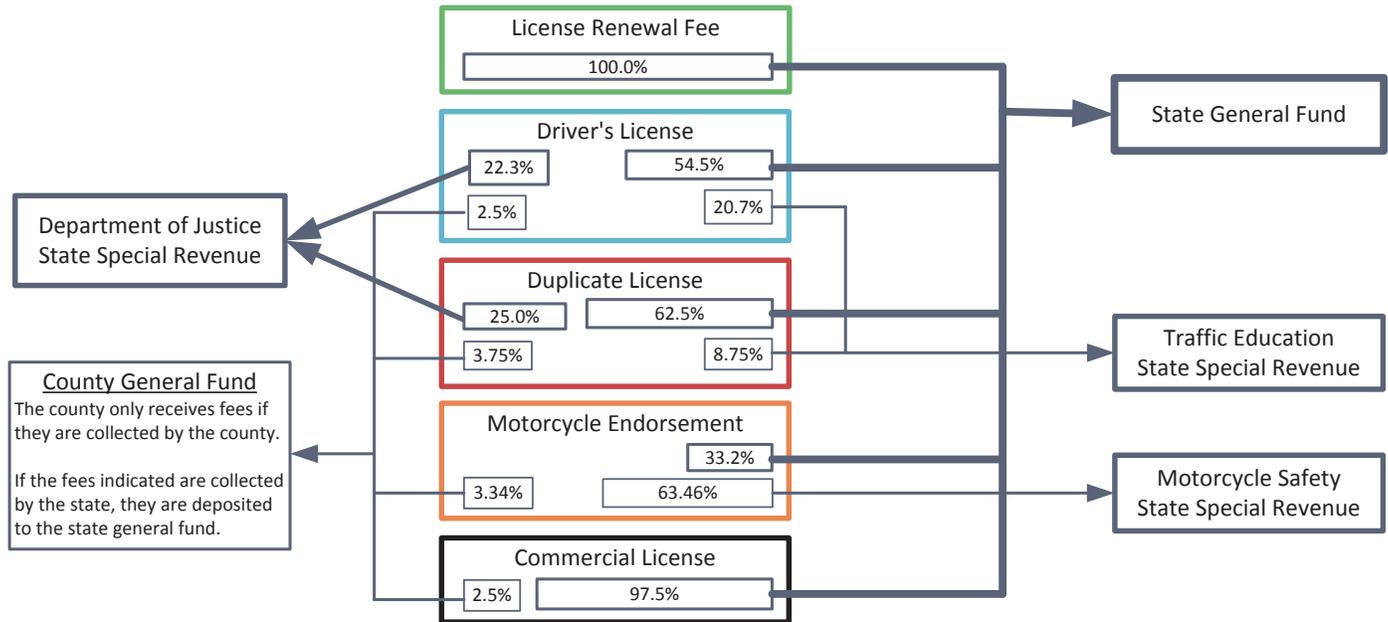
Distribution of Driver's License Fees					
Allocation	Driver's License	Replacement License	Motorcycle Endorsement	Commercial	
				Driver's License	Renewal Notice
County or State General Fund	2.5%	3.8%	3.3%	2.5%	0.0%
Motorcycle Safety Account	0.0%	0.0%	63.5%	0.0%	0.0%
Traffic Education Account	20.7%	8.8%	0.0%	16.5%	0.0%
General Fund	<u>76.8%</u>	<u>87.5%</u>	<u>33.2%</u>	<u>80.6%</u>	<u>100.0%</u>
Total	100.0%	100.0%	100.0%	99.6%	100.0%

# Legislative Fiscal Division

## Revenue Estimate Profile

### Driver's License Fees

#### Distribution Chart:



#### Summary of Legislative Action:

**Senate Bill 275** – This legislation allows for Montana residents who have a veteran status, upon providing documentation of such status, to be provided a driver's license or identification card that shall include the word "veteran" on the face of the card. There would be a cost to create this new license and also offsetting revenue that would be generated by driver's license replacement. This bill has an effective date of January 1, 2014.

Driver's License Fee – Legislation Passed by 63rd Legislature			
General Fund Impact (\$ Millions)			
Bill Number and Short Title	FY 2013	FY 2014	FY 2015
SB0275 Revise driver license laws related to veteran status	\$0.000	\$0.046	\$0.046
<b>Total General Fund Impact</b>	<b>\$0.000</b>	<b>\$0.046</b>	<b>\$0.046</b>

**Collection Frequency:** Monthly

#### % of Total General Fund Revenue:

FY 2004 – 0.22%	FY 2007 – 0.25%	FY 2010 – 0.26%
FY 2005 – 0.22%	FY 2008 – 0.20%	FY 2011 – 0.21%
FY 2006 – 0.22%	FY 2009 – 0.19%	FY 2012 – 0.23%

#### Revenue Estimate Methodology:

The driver's license revenue estimate is based on the number of the six various licenses/fees, multiplied by the applicable fee. The number of licenses is modeled on Montana driving age population.

#### Data

There are six different sources of revenue—five different driver's licenses and the renewal notice. The best source of data for the number of licenses and the renewal notice is contained in the history of revenue collections for each of these six items from the state accounting system (SABHRS).

# Legislative Fiscal Division

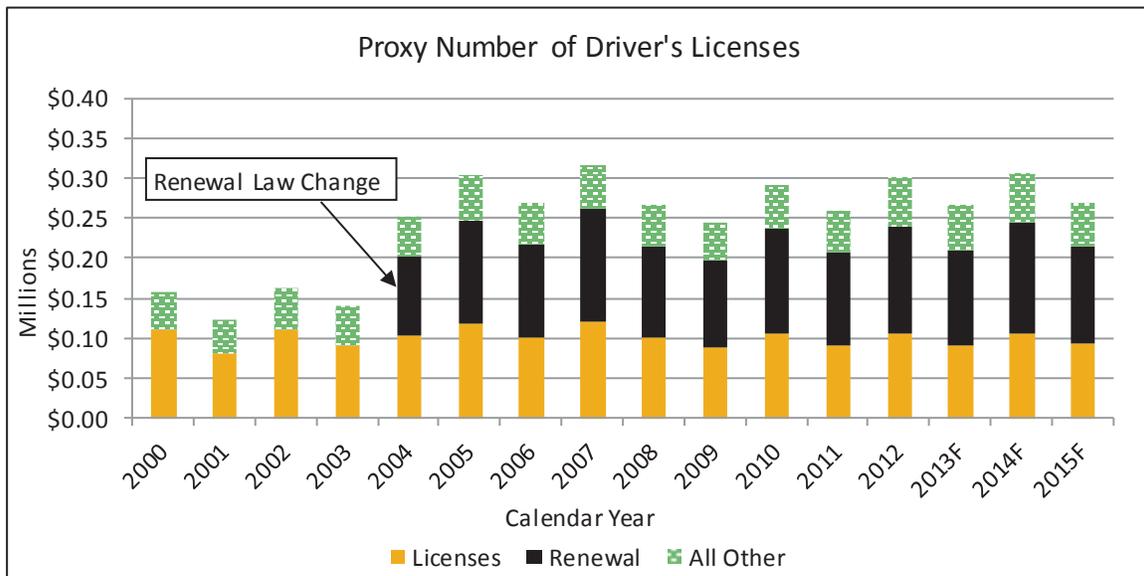
## Revenue Estimate Profile

### Driver's License Fees

#### Analysis

The methodology used to determine the number of each license/fee differs slightly:

1. The proxy numbers for driver's and motorcycle licenses are obtained by multiplying the driving age population estimate for each year by the last known actual ratio of driver's licenses to driving age population. This ratio differs between odd and even years, and is applied accordingly.
2. For duplicate licenses, the proxy number is derived by multiplying the number of driver's licenses by the previous year's ratio between the number of duplicates and drivers licenses. Because the driver's license proxy includes the effects of population change, these effects are also included in the proxy for duplicate licenses.
3. The proxies for the number of interstate and intrastate licenses are the amounts from the last known fiscal year.
4. To approximate the number of renewal notices, the ratio between the previous years' number of notices to the proxy number of licenses is multiplied by the estimated number of licenses. Since the license proxy includes the effects of population change, these effects are also included in the proxy for renewal notices.
5. Based on historical percentages, amounts retained by the counties are calculated and subtracted from the total revenue to derive the state's portion.



#### Adjustments and Distribution

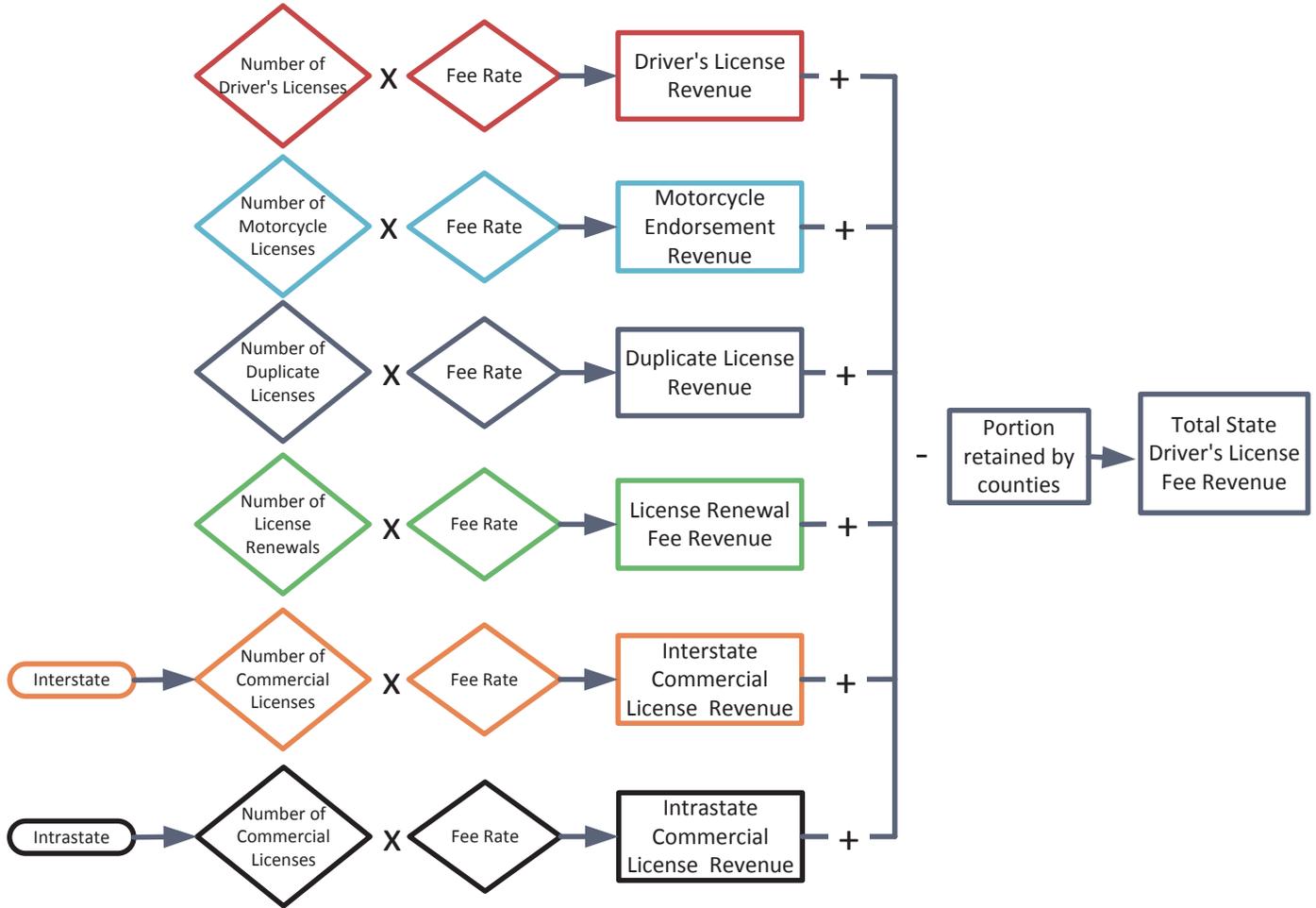
Once the proxy number for each license has been estimated, adjustments, if any, are made. After any adjustments, the applicable distribution percentage of the revenue for each license fee is applied (see the "Distribution" section).

# Legislative Fiscal Division

## Revenue Estimate Profile

### Driver's License Fees

#### Forecast Methodology:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Driver's License Fees

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t	Total Fee	GF Fee	GF Fee	GF Fee	GF Fee	GF Fee	GF Fee
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Licenses</u>	<u>Duplicates</u>	<u>Cycle</u>	<u>Commercial</u>	<u>Renewal</u>
				<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	4.173	2.580	0.000	0.000	0.000	0.000	0.000
Actual	2003	3.421	2.119	0.000	0.000	0.000	0.000	0.000
Actual	2004	4.895	3.021	2.224	0.190	0.013	0.410	0.049
Actual	2005	5.562	3.373	2.557	0.216	0.016	0.401	0.064
Actual	2006	4.872	3.828	3.072	0.307	0.012	0.346	0.058
Actual	2007	5.747	4.609	3.654	0.282	0.017	0.439	0.071
Actual	2008	4.845	3.866	3.037	0.285	0.013	0.377	0.058
Actual	2009	4.326	3.478	2.778	0.288	0.012	0.314	0.054
Actual	2010	5.166	4.156	3.315	0.278	0.018	0.430	0.065
Actual	2011	4.614	3.711	2.808	0.285	0.014	0.515	0.058
Actual	2012	5.432	4.369	3.259	0.295	0.018	0.689	0.068
Forecast	2013	4.810	3.867	2.846	0.258	0.015	0.689	0.059
Forecast	2014	5.466	4.389	3.313	0.300	0.018	0.689	0.069
Forecast	2015	4.880	3.923	2.896	0.262	0.015	0.689	0.060

License	t	Proxy	Proxy	Proxy	Proxy	Proxy	Proxy
<u>Count</u>	<u>Fiscal</u>	<u>Licenses</u>	<u>Duplicates</u>	<u>Cycle</u>	<u>Interstate</u>	<u>Intrastate</u>	<u>Renewal</u>
<u>Millions</u>							
Actual	2002	0.108	0.029	0.010	0.011	0.003	0.000
Actual	2003	0.089	0.035	0.008	0.009	0.001	0.000
Actual	2004	0.102	0.030	0.010	0.010	0.001	0.099
Actual	2005	0.117	0.035	0.012	0.009	0.001	0.129
Actual	2006	0.100	0.035	0.009	0.008	0.001	0.116
Actual	2007	0.119	0.032	0.013	0.010	0.001	0.141
Actual	2008	0.099	0.033	0.010	0.008	0.001	0.116
Actual	2009	0.088	0.032	0.009	0.007	0.001	0.108
Actual	2010	0.105	0.031	0.012	0.009	0.001	0.130
Actual	2011	0.089	0.032	0.010	0.011	0.001	0.116
Actual	2012	0.104	0.033	0.013	0.015	0.002	0.136
Forecast	2013	0.091	0.029	0.010	0.015	0.002	0.118
Forecast	2014	0.105	0.033	0.013	0.015	0.002	0.138
Forecast	2015	0.092	0.029	0.010	0.015	0.002	0.120

# Legislative Fiscal Division

## Revenue Estimate Profile

### Driver's License Fees

<u>GF Fee Rate in \$</u>	<u>t Fiscal</u>	<u>Proxy Licenses</u>	<u>Proxy Duplicates</u>	<u>Proxy Cycle</u>	<u>Proxy Interstate</u>	<u>Proxy Intrastate</u>	<u>Proxy Renewal</u>
Actual	2002						
Actual	2003						
Actual	2004	21.80	6.25	1.33	39.00	27.30	0.50
Actual	2005	21.80	6.25	1.33	39.00	27.30	0.50
Actual	2006	30.72	8.75	1.33	40.28	34.24	0.50
Actual	2007	30.72	8.75	1.33	40.28	34.24	0.50
Actual	2008	30.72	8.75	1.33	40.28	34.24	0.50
Actual	2009	31.42	9.01	1.42	41.16	34.98	0.50
Actual	2010	31.42	9.01	1.42	41.16	34.98	0.50
Actual	2011	31.42	9.01	1.42	41.16	34.98	0.50
Actual	2012	31.42	9.01	1.42	41.16	34.98	0.50
Forecast	2013	31.42	9.01	1.42	41.16	34.98	0.50
Forecast	2014	31.42	9.01	1.42	41.16	34.98	0.50
Forecast	2015	31.42	9.01	1.42	41.16	34.98	0.50

<u>Total Fee Rate in \$</u>	<u>t Fiscal</u>	<u>Proxy Licenses</u>	<u>Proxy Duplicates</u>	<u>Proxy Cycle</u>	<u>Proxy Interstate</u>	<u>Proxy Intrastate</u>	<u>Proxy Renewal</u>
Actual	2002	32.00	5.00	4.00	40.00	28.00	0.00
Actual	2003	32.00	5.00	4.00	40.00	28.00	0.00
Actual	2004	40.00	10.00	4.00	40.00	28.00	0.50
Actual	2005	40.00	10.00	4.00	40.00	28.00	0.50
Actual	2006	40.00	10.00	4.00	50.00	42.50	0.50
Actual	2007	40.00	10.00	4.00	50.00	42.50	0.50
Actual	2008	40.00	10.00	4.00	50.00	42.50	0.50
Actual	2009	40.00	10.00	4.00	50.00	42.50	0.50
Actual	2010	40.00	10.00	4.00	50.00	42.50	0.50
Actual	2011	40.00	10.00	4.00	50.00	42.50	0.50
Actual	2012	40.00	10.00	4.00	50.00	42.50	0.50
Forecast	2013	40.00	10.00	4.00	50.00	42.50	0.50
Forecast	2014	40.00	10.00	4.00	50.00	42.50	0.50
Forecast	2015	40.00	10.00	4.00	50.00	42.50	0.50

Total Fee = Licenses × Fee + Duplicates × Fee + Cycle × Fee + Interstate × Fee + Intrastate × Fee + Renewal × Fee

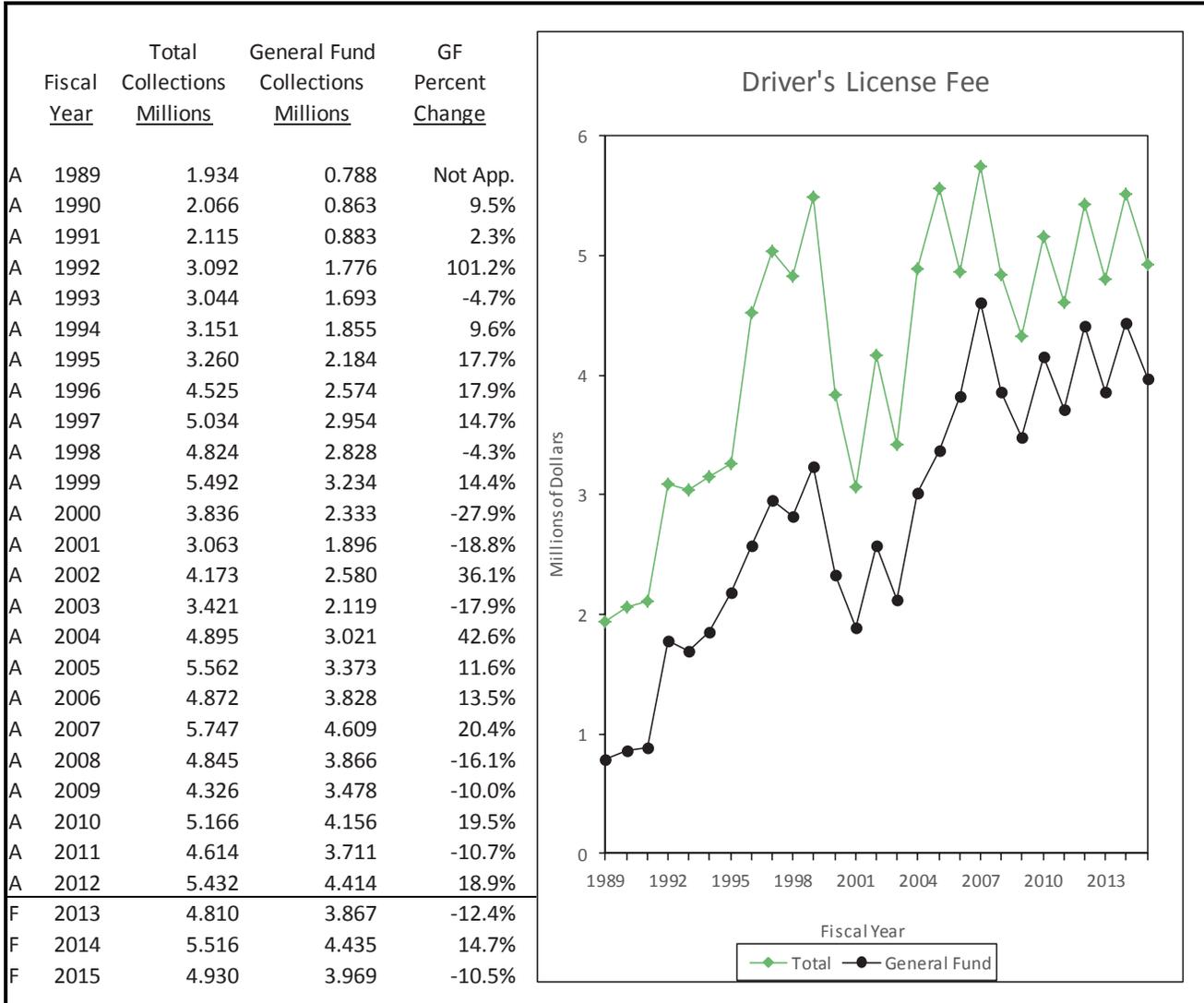
GF Fee = Licenses × GF Fee + Duplicates × GF Fee + Cycle × GF Fee + Interstate × GF Fee + Intrastate × GF Fee + Renewal × GF Fee

# Legislative Fiscal Division

## Revenue Estimate Profile

### Driver's License Fees

#### Revenue Projection:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Estate Tax

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**Revenue Description:** Since 1980, revenues from inheritance taxes have fluctuated because of federal and state law changes, changes in wealth, changes in the death rate of the population, accounting procedures, and the processing of large estates. Due to passage of Legislative Referendum 116 by the electorate in November 2000, the state inheritance tax was repealed. The tax had been imposed on the transfer of any decedent's property, interest in property, or income from property within the state, to any other person or corporation except a surviving spouse, child or lineal descendant, stepchild, or governmental or charitable organization. Although the referendum was effective immediately, it applied to deaths occurring after December 31, 2000. Thus, inheritance tax revenue will continue to produce revenue, but the amount of revenue will decrease each year. In addition to the inheritance tax, the state receives a credit from the federal estate tax based on the value of Montana property transferred to estates at the time of death. The Montana estate tax is equal to the maximum estate tax credit allowed under federal estate tax law.

Congress passed the Economic Growth and Tax Relief Reconciliation Act of 2001 (EGTRRA) which scheduled a step down approach to the repeal of the federal estate tax. Provisions of the act included the elimination of the state estate tax credit, the source of Montana's estate tax revenue. The estate tax credit of those who died in 2002, 2003, and 2004 was reduced by 25% per each year until 2005 when the credit equaled zero. Many years may pass before the time that estates are finally settled and the taxes of the estates are paid, and estate tax revenues collected by the state are expected to become insignificant.

The Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 reinstated federal estate taxes for 2011 and 2012, but did not reinstate the state estate tax credit. For these years, the federal estate tax exemption will be \$5 million and the estate tax rate for estates valued over this amount will be 35%; however, because the state credit was not continued, Montana will not receive any increase in revenues.

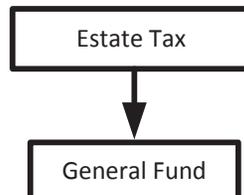
#### Statutory Reference:

Tax Rate (MCA) – 72-16-905  
Tax Distribution (MCA) – 17-2-124(2), 72-16-1003  
Date Due – 18 months after death (72-16-909)

**Applicable Tax Rate(s):** The estate tax is equal to the maximum estate tax credit allowed under federal estate tax law.

**Distribution:** All proceeds are deposited into the general fund.

#### Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** Monthly

#### % of Total General Fund Revenue:

FY 2004 – 0.83%	FY 2007 – 0.05%	FY 2010 – 0.01%
FY 2005 – 0.27%	FY 2008 – 0.01%	FY 2011 – 0.00%
FY 2006 – 0.10%	FY 2009 – 0.01%	FY 2012 – 0.00%

#### Revenue Estimate Methodology:

##### Changes to the Federal Estate Tax

The provisions of the Economic Growth and Tax Relief Reconciliation Act of 2001 (EGTRRA) were designed to be temporary unless Congress took action to extend the tax revisions. The Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 reinstated federal estate taxes for 2011 and 2012, but did not reinstate the state estate tax credit. For these

# Legislative Fiscal Division

## Revenue Estimate Profile

### Estate Tax

years, the federal estate tax exemption will be \$5 million and the estate tax rate for estates valued over this amount will be 35%; however, because the state credit was not continued, Montana will not receive any increase in revenues.

#### Data

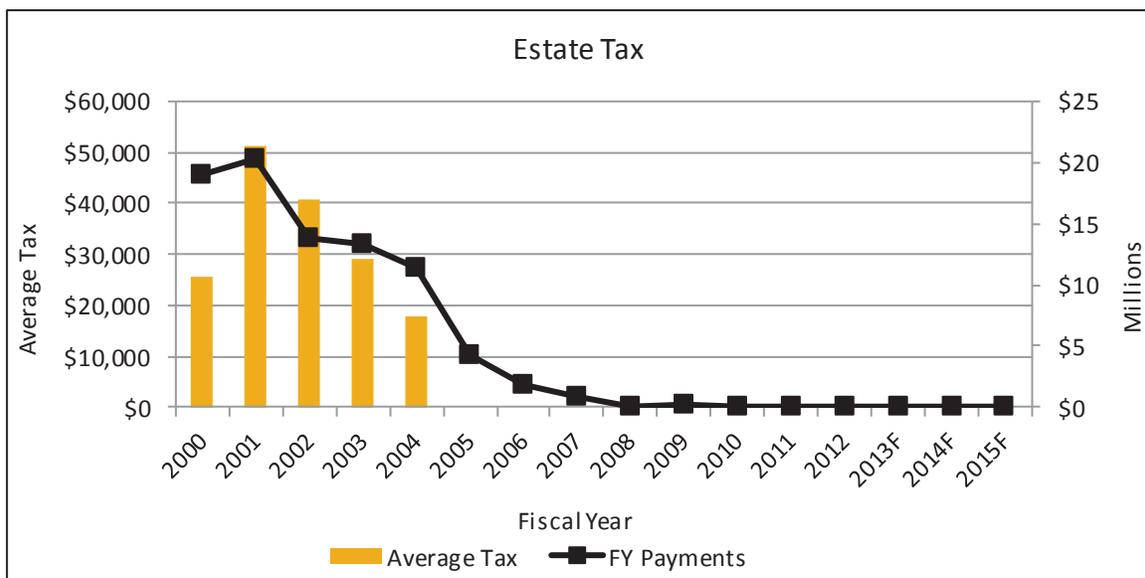
The Department of Revenue (DOR) data provides the details of fiscal year tax filers on individual estates, and the state accounting system (SABHRS) SABHRS data provides aggregate historic collections of the estate tax.

The DOR data is separated based on the individual’s year of death since the estate tax laws are imposed based on the year of death. Next, all new and prior year data is combined by year of death, and that data is sorted based on total tax payment.

#### Analysis

Because the state credit to the federal estate tax was effectively eliminated in 2005, no recent data exists and the estimates are based on data from 2002, the year that most closely mirrored the pre-EGTRRA tax provisions. The Tax Relief Act of 2010 changed the exemptions on the decedent’s taxable estate value to be \$5 million and the top tax rate for taxable estates will be 35%.

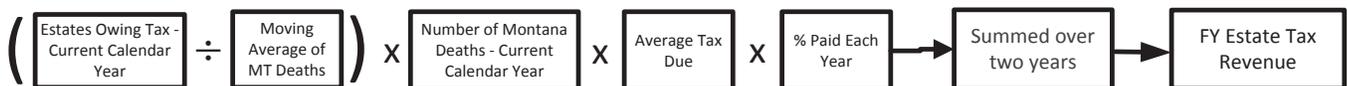
Future collections of the estate tax are developed with a complex system of averaging. First, a ratio of taxpayers to deaths is created. The product of that ratio is then adjusted in recognition of the changes in the laws governing the “death” taxes. Next, the average tax paid by taxpayer is calculated. When those quantities are multiplied, the result is the expected estate taxes for the given year of death. The figure above shows the number of taxpayers and the average tax as calculated with this methodology.



Finally, payments of the estate tax are distributed across the years based on federal tax provisions which require the estate tax to be filed within 9 months of death. A six month extension is available on the taxpayers request, however the Internal Revenue Service requires the requesting estates to estimate the tax due and pay the estimated amount.

Due to the Tax Relief Act of 2010 exclusion of the state tax credit provisions of the federal estate tax, no estate tax estimate has been included in the forecast period.

#### Forecast Methodology:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Estate Tax

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#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	<u>t</u>	<u>Total Tax</u>	<u>GF Tax</u>	<u>Annual</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Growth</u>
Actual	2002	13.816	13.816	-31.9%
Actual	2003	13.306	13.306	-3.7%
Actual	2004	11.431	11.431	-14.1%
Actual	2005	4.191	4.191	-63.3%
Actual	2006	1.773	1.773	-57.7%
Actual	2007	0.839	0.839	-52.7%
Actual	2008	0.122	0.122	-85.4%
Actual	2009	0.217	0.217	77.7%
Actual	2010	0.091	0.091	-58.3%
Actual	2011	0.043	0.043	-52.3%
Actual	2012	0.060	0.060	38.3%
Forecast	2013	0.000	0.000	-100.0%
Forecast	2014	0.000	0.000	0.0%
Forecast	2015	0.000	0.000	0.0%

Total Tax = Previous Fiscal Total Tax × (1 + Annual Growth)

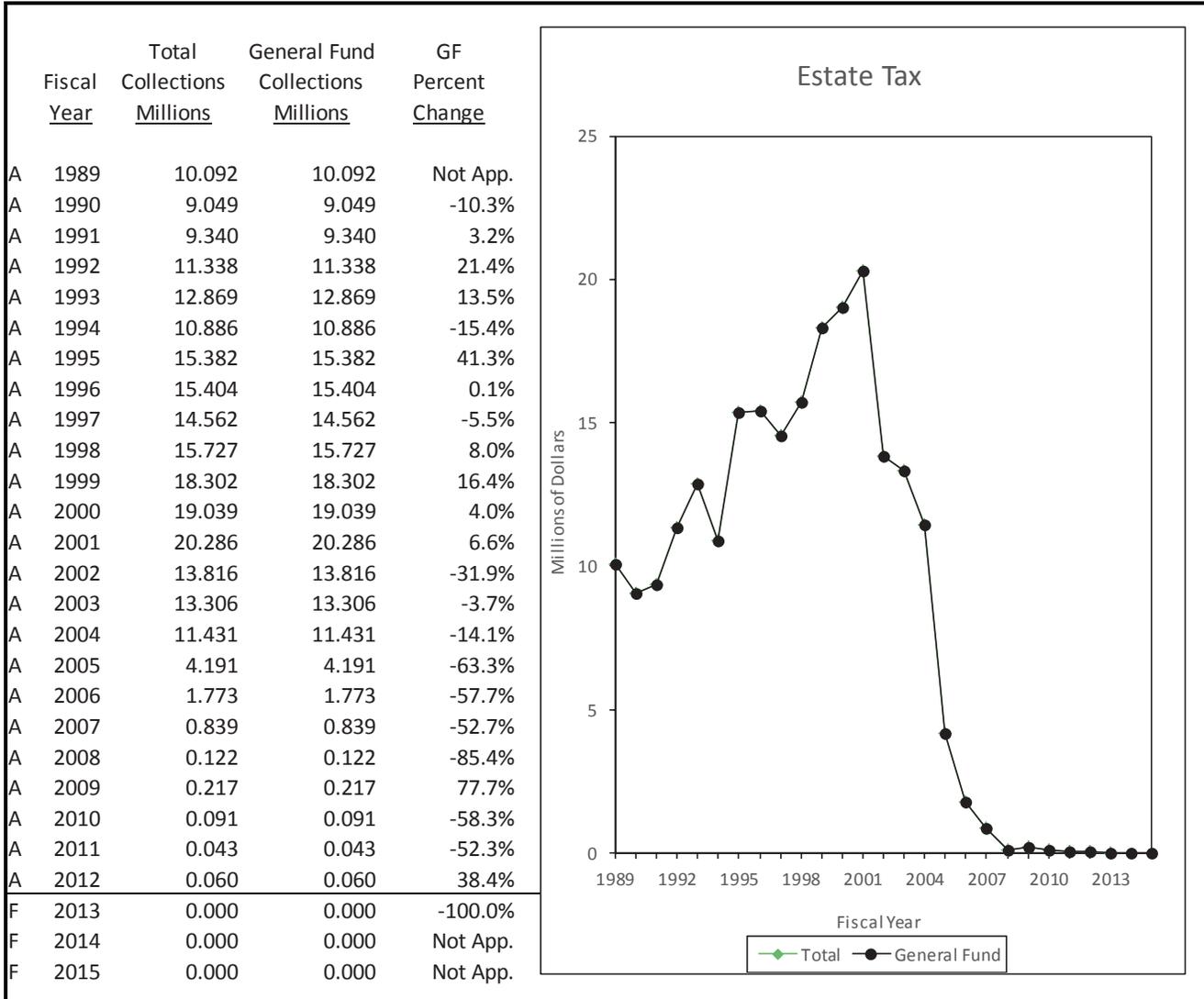
GF Tax = Total Tax

# Legislative Fiscal Division

## Revenue Estimate Profile

### Estate Tax

#### Revenue Projection:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Individual Income Tax

**Revenue Description:** The tax is levied against taxable income, which is defined as Montana personal income adjusted for exemptions and deductions. Once tax liability is determined, the amount of tax due is computed by subtracting allowable credits.

**Statutory Reference:**

Tax Rate (MCA) – 15-30-2103, 15-30-2104, 15-30-2105

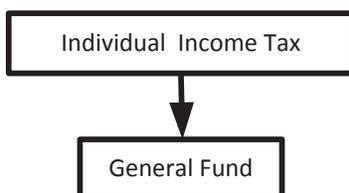
Tax Distribution (MCA) – 17-2-124(2)

Date Due – 15<sup>th</sup> day of the fourth month of the filer’s fiscal year (15-30-2604). Withholding taxes are due monthly, quarterly, or on an accelerated schedule depending on income (15-30-2504). Estimated taxes are due on the 15<sup>th</sup> day of the 4<sup>th</sup>, 6<sup>th</sup>, and 9<sup>th</sup> month and the month following the close of the tax year.

**Applicable Tax Rate(s):** Tax rates vary from 1.0% to 6.9%, depending on the level of taxable income. Tax brackets, personal exemption amounts, and the standard deduction are adjusted for inflation each year. SB 407, enacted by the 2003 Legislature, created a new capital gains income tax credit. As a result, the tax rate on capital gains income was less than the tax rate on ordinary income by 1% in tax years 2005 and 2006, and by 2% in tax year 2007 and beyond.

**Distribution:** All proceeds are deposited into the general fund.

Distribution Chart:



**Summary of Legislative Action:**

House Bill 444 – This legislation provides an individual income tax credit of \$500 (not to exceed \$2,000) for qualified access to state land that was previously inaccessible to the public, starting in calendar year 2014.

House Bill 545 – This bill allows employers to pay all or a portion of qualified employees' disability insurance coverage if the employer does not offer group health insurance or the cost of the employer offered health insurance exceeds 9.5% of the employee's household income. The bill also excludes the employer-paid premium from adjusted gross income.

Senate Bill 108 – This bill would extend the sunset date for the charitable endowment credit from the end of CY 2013 to the end of CY 2019. *The revenue estimate contained in SJR 2 did not include a revenue impact from expiration of the credit, so the revenue impact of this bill is already assumed in both the OBPP and LFD revenue estimates.*

Senate Bill 117 – This bill would expand the Family Education Savings Account exemption to include deposits to out-of-state accounts.

Individual Income Tax – Legislation Passed by 63rd Legislature			
General Fund Impact (\$ Millions)			
Bill Number and Short Title	FY 2013	FY 2014	FY 2015
HB0444 Provide tax credit for access to state lands	\$0.000	\$0.000	(\$0.015)
HB0545 Allow employer to fund total cost of qualifying employee's health insurance	0.000	0.000	(0.010)
SB0108 Renew Montana charitable endowment tax credit*	0.000	0.000	0.000
SB0117 Allow deductions for other state college savings plans	0.000	(0.078)	(0.079)
<b>Total General Fund Impact</b>	<b>\$0.000</b>	<b>(\$0.078)</b>	<b>(\$0.104)</b>

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# Legislative Fiscal Division

## Revenue Estimate Profile

### Individual Income Tax

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**Collection Frequency:** Withholding and estimated taxes are collected monthly, bi-weekly, and weekly.

#### **% of Total General Fund Revenue:**

FY 2004 – 43.82%	FY 2007 – 45.04%	FY 2010 – 44.12%
FY 2005 – 46.13%	FY 2008 – 44.17%	FY 2011 – 45.78%
FY 2006 – 45.01%	FY 2009 – 45.09%	FY 2012 – 48.04%

#### **Revenue Estimate Methodology:**

##### Data

There are three kinds of data required to make forecasts of individual income tax revenue: historical individual income tax return data; state and national historical data on income, inflation, employment, and other economic variables; and forecasts of economic activity that determine income and deductions.

Actual individual income tax return data is supplied annually by the Department of Revenue (DOR). This data is usually available in November and is for the prior tax year. It includes line-by-line tax return information for each state income taxpayer (except those that have been removed because of the existence of certain federal information). The historical information on type of income, inflation rates, employment and other economic variables is available from individual income tax returns, Bureau of Economic Analysis, Bureau of Labor Statistics, IHS and MA.

IHS provides forecasts of a wide variety of state and national economic variables that are used to assess overall state and national economic activity. These data are used to produce future growth rates for each income and deduction item, as explained in the methodology section below.

##### Analysis

An individual income tax simulation model is used to forecast Montana calendar year individual income tax liability for all residents. These forecasts are converted to fiscal year liability and are adjusted for audits, legislative impacts and one-time events. The model includes the effects of SB 407, which changed the individual income tax system in Montana and was passed by the 2003 legislature. This legislation collapsed 10 tax brackets with a top tax rate of 11% into a system of 7 tax brackets with a top rate of 6.9%, and limited the deductibility of federal taxes paid to \$5,000 for single taxpayers and \$10,000 for married taxpayers.

The calendar year state tax liability forecast is developed by applying growth rates to each resident taxpayer's income and deduction items. Growth rates are calculated for the forecast period and applied to the most recent year of tax return data which is available. The result is a forecast of calendar year state individual income tax liability for each resident, the sum of which produces a statewide forecast of individual income tax liability for each year.

The statewide forecast of resident liability is multiplied by an all-filers percentage to include the tax liability for nonresidents and partial-year residents. Next, the all-filers calendar year tax liability is adjusted by the expected growth in the number of taxpayers. This results in a forecast of total calendar year individual income tax liability before credits. An estimate of allowable credits is deducted, producing a calendar year individual income tax liability for each future year.

##### Fiscal Year Conversion

The calendar year liabilities are converted to fiscal year liabilities by summing 50% of the prior calendar year's liability with 50% of the current calendar year tax liability.

##### Audits and Other Assumptions

After fiscal year liabilities are determined, growth rates between fiscal years are calculated; these growth rates are applied to the base year collections of individual income tax to produce forecasted collections before audits and other adjustments. Projected audit revenue and any other adjustments are added in, resulting in total fiscal year collections. The table below summarizes these assumptions:

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# Legislative Fiscal Division

## Revenue Estimate Profile

### Individual Income Tax

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	Audit and Other Assumptions (Millions)		
	Fiscal Year		
	2013	2014	2015
Audits, Penalties and Interest	36.193	37.255	38.046
Legislation Impacts	-2.064	-1.473	-1.033
Insure Montana Credit	2.500	2.500	2.500
Bonus Depreciation	0.713	0.529	0.418
Federal PPACA	0.750	0.085	0.856

# Legislative Fiscal Division

## Revenue Estimate Profile

### Individual Income Tax

#### Growth Rates

The table below contains the growth rates used for individual income and deduction items forecast:

Income Tax Growth Rates 2012 - 2015				
	Calendar Year			
	2012	2013	2014	2015
Full Year Resident Returns (Annual)	0.6%	1.4%	1.4%	1.5%
Full Year Resident Returns (Cumulative)	100.6%	102.0%	103.4%	105.0%
Inflation State	1.7%	1.3%	1.8%	1.6%
Inflation Federal	2.4%	2.6%	1.4%	1.7%
<b>INCOME:</b>				
Wages and salaries	4.6%	4.0%	4.5%	5.0%
Interest income	-1.2%	0.0%	4.0%	7.4%
Dividend income	1.7%	12.8%	6.4%	-1.4%
Taxable refunds	0.0%	0.0%	0.0%	0.0%
Alimony received	3.4%	3.4%	3.4%	3.4%
Net business income	4.8%	9.3%	-2.4%	1.7%
Capital gains	26.6%	-5.8%	-2.1%	13.2%
Supplemental gains	12.9%	5.4%	10.7%	5.0%
IRA distributions	15.4%	15.5%	14.3%	12.4%
Taxable pensions	6.7%	7.4%	7.8%	7.8%
Rents, royalties, etc.	3.3%	1.9%	7.4%	2.8%
Farm income	-26.5%	80.2%	26.2%	5.8%
Unemployment compensation	0.0%	0.0%	0.0%	0.0%
Taxable soc. sec.	3.2%	4.3%	8.1%	7.3%
Other income	0.0%	0.0%	0.0%	0.0%
<b>ADJUSTMENTS:</b>				
Educator expenses	0.0%	0.0%	0.0%	0.0%
Business expenses	0.0%	0.0%	0.0%	0.0%
Health SA deduction	11.0%	10.0%	9.0%	8.0%
Moving expenses	0.0%	0.0%	0.0%	0.0%
One-half self-employment tax	0.0%	0.0%	0.0%	0.0%
Self-employed SEP, SIMPLE, and qual. plans	0.0%	0.0%	0.0%	0.0%
Self-employed health insurance deduction	0.0%	0.0%	0.0%	0.0%
Penalty on early withdrawal of savings	0.0%	0.0%	0.0%	0.0%
Alimony paid	3.4%	3.4%	3.4%	3.4%
IRA deduction	-1.7%	-1.7%	-1.7%	-1.7%
Student loan interest deduction	5.0%	5.0%	5.0%	5.0%
Tuition and fees	0.0%	0.0%	0.0%	0.0%
Domestic production activities deduction	0.0%	0.0%	0.0%	0.0%
Federal write ins	0.0%	0.0%	0.0%	0.0%
Federal write-in adjustments	0.0%	0.0%	0.0%	0.0%
<b>ADDITIONS:</b>				
Interest on local govt. bonds	15.2%	-2.3%	-7.2%	-10.6%
Dividends not included in FAGI	0.0%	0.0%	0.0%	0.0%
Recoveries of amounts deducted in earlier years	0.0%	0.0%	0.0%	0.0%
Additions to federal taxable social security or railroad retirement	4.1%	4.1%	4.1%	4.1%
Allocation of compensation to spouse	0.0%	0.0%	0.0%	0.0%
Medical savings account nonqualified withdrawals	0.0%	0.0%	0.0%	0.0%
First-time homebuyer's account nonqualified withdrawals	0.0%	0.0%	0.0%	0.0%
Farm and ranch risk management account taxable distributions	0.0%	0.0%	0.0%	0.0%
Dependent care assistance credit adjustment	0.0%	0.0%	0.0%	0.0%
Smaller federal estate and trust taxable distributions	-75.0%	0.0%	0.0%	0.0%
Federal net operating loss carryover	0.0%	0.0%	0.0%	0.0%
Federal taxes paid by your S. corporation	0.0%	0.0%	0.0%	0.0%
Title plant depreciation	0.0%	0.0%	0.0%	0.0%
Premiums for Insure MT SB health	14.1%	14.1%	14.1%	14.1%
Other additions	19.6%	19.6%	19.6%	19.6%

# Legislative Fiscal Division

## Revenue Estimate Profile

### Individual Income Tax

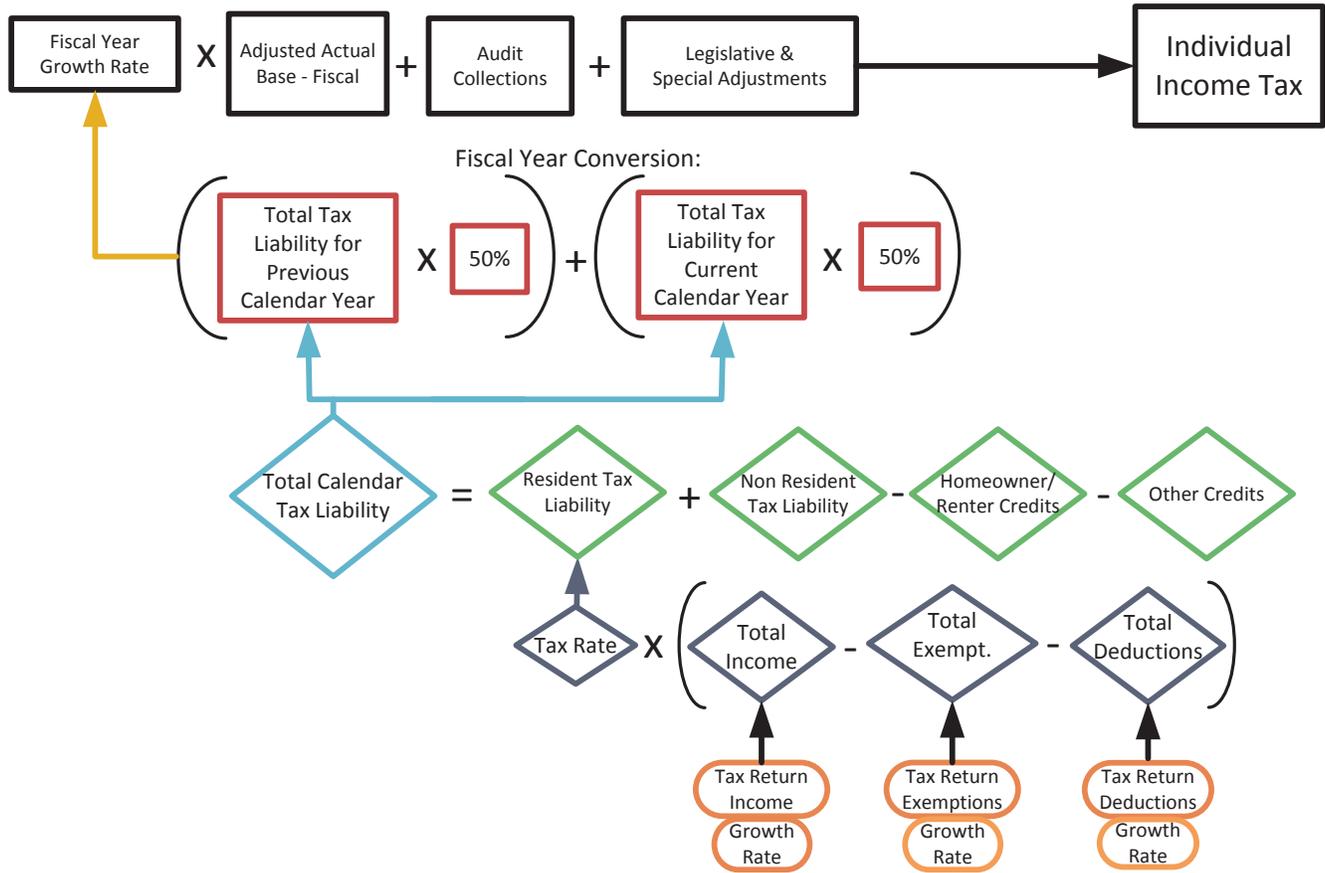
Income Tax Growth Rates 2012 - 2015				
	Calendar Year			
	2012	2013	2014	2015
<b>REDUCTIONS:</b>				
Exclusion for savings bonds	-25.0%	15.5%	14.2%	21.9%
Exempt tribal income	18.9%	18.9%	18.9%	18.9%
Unemployment income	0.0%	0.0%	0.0%	0.0%
Exempt worker's comp benefits	0.0%	0.0%	0.0%	0.0%
Capital gains from small business investment companies	0.0%	0.0%	0.0%	0.0%
State tax refunds included in federal AGI	0.0%	0.0%	0.0%	0.0%
Recoveries of amounts deducted in earlier years	0.0%	0.0%	0.0%	0.0%
Exempt active duty military salary	4.3%	4.3%	4.3%	4.3%
Nonresident exempt military income	16.8%	16.8%	16.8%	16.8%
Exempt life insurance premiums reimbursement (National Guard)	0.0%	0.0%	0.0%	0.0%
Exempt retirement disability income (under age 65)	0.0%	0.0%	0.0%	0.0%
Exempt tip income	10.4%	10.4%	10.4%	10.4%
Exempt income of child taxed to parent	0.0%	0.0%	0.0%	0.0%
Exempt health insurance premiums taxed to employee	0.0%	0.0%	0.0%	0.0%
Health Care Prof. Loan Pmt Excl	0.0%	0.0%	0.0%	0.0%
Medical savings account excl.	4.9%	4.9%	4.9%	4.9%
First-time homebuyers acct. excl.	0.0%	0.0%	0.0%	0.0%
Family education account excl.	2.5%	2.5%	2.5%	2.5%
Farm risk management account	0.0%	0.0%	0.0%	0.0%
Subtraction to federal taxable social security/Tier I railroad retirem	11.4%	11.4%	11.4%	11.4%
Subtraction for federal taxable Tier II railroad retirement	4.5%	4.5%	4.5%	4.5%
Subtraction for spouse filing joint return: passive loss carryover	0.0%	0.0%	0.0%	0.0%
Subtraction for spouse filing joint return: capital loss adjustment	2.1%	2.1%	2.1%	2.1%
Allocation of compensation to spouse	-4.2%	-4.2%	-4.2%	-4.2%
Montana net operation loss carryover	18.1%	18.1%	18.1%	18.1%
40% capital gain exclusion (Montana)	0.0%	0.0%	0.0%	0.0%
Business expense of recycled material	30.0%	30.0%	30.0%	30.0%
Sales of land to beginning farmers	0.0%	0.0%	0.0%	0.0%
Larger federal estate and trust taxable distributions	0.0%	0.0%	0.0%	0.0%
Wage deduction reduced by federal targeted jobs credit	0.0%	0.0%	0.0%	0.0%
Certain gains recognized by liquidating corporation	0.0%	0.0%	0.0%	0.0%
Other subtractions	7.6%	7.6%	7.6%	7.6%
<b>TAX ITEMS:</b>				
Montana tax withheld	4.6%	4.0%	4.5%	5.0%
Payments of estimated tax	8.8%	3.7%	5.5%	6.7%
<b>ITEMIZED DEDUCTIONS:</b>				
Deductible medical expenses	4.1%	4.1%	4.1%	4.1%
Medical insurance premiums	5.4%	5.4%	5.4%	5.4%
Long-term care insurance premiums	9.4%	9.4%	9.4%	9.4%
Real estate taxes	5.2%	5.2%	5.2%	5.2%
Personal property taxes	1.2%	1.2%	1.2%	1.2%
Local income taxes	0.0%	0.0%	0.0%	0.0%
Other deductible taxes	3.3%	3.3%	3.3%	3.3%
Home mortgage interest	3.6%	3.6%	3.6%	3.6%
NR Home mortgage interest	5.4%	5.4%	5.4%	5.4%
Home mortgage interest points	0.0%	0.0%	0.0%	0.0%
Home mortgage interest premiums	0.0%	0.0%	0.0%	0.0%
Deductible investment interest	2.3%	2.3%	2.3%	2.3%
Contributions by cash or check	7.7%	7.7%	7.7%	7.7%
Contributions other than cash or check	-2.3%	-2.3%	-2.3%	-2.3%
Contributions carryover	10.5%	10.5%	10.5%	10.5%
Child/dependent care expenses	0.1%	0.1%	0.1%	0.1%
Casualty and theft losses	-40.0%	0.0%	0.0%	0.0%
Tier I - Miscellaneous	4.7%	4.7%	4.7%	4.7%
Tier II - Miscellaneous	0.0%	0.0%	0.0%	0.0%
Political Contributions	0.0%	0.0%	0.0%	0.0%
Gambling Losses	10.3%	10.3%	10.3%	10.3%

# Legislative Fiscal Division

## Revenue Estimate Profile

### Individual Income Tax

#### Forecast Methodology:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Individual Income Tax

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t	Total Tax	GF Tax	Legislation	Depreciation	Insure MT	PPACA
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Bonus</u>	<u>Adjustment</u>	<u>Adjustment</u>
					<u>Millions</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	517.568	517.568	0.000	0.000	0.000	0.000
Actual	2003	535.831	535.831	0.000	0.000	0.000	0.000
Actual	2004	605.582	605.348	0.000	0.000	0.000	0.000
Actual	2005	707.343	706.235	0.000	0.000	0.000	0.000
Actual	2006	768.922	768.922	0.000	0.000	0.000	0.000
Actual	2007	827.145	827.145	0.000	0.000	0.000	0.000
Actual	2008	866.659	866.659	0.000	0.000	0.000	0.000
Actual	2009	815.138	815.138	0.000	0.000	0.000	0.000
Actual	2010	717.834	717.834	0.000	0.000	0.000	0.000
Actual	2011	816.090	816.090	0.000	0.000	0.000	0.000
Actual	2012	898.851	898.851	0.000	0.713	0.000	0.750
Forecast	2013	983.953	983.953	-2.064	0.529	2.500	0.085
Forecast	2014	1039.160	1039.160	-1.473	0.418	2.500	0.856
Forecast	2015	1104.898	1104.898	-1.033	0.274	2.500	0.565

	t	Total Tax	GF Tax	Legislation	Depreciation	Insure MT	PPACA
	<u>Fiscal</u>	<u>Percent</u>	<u>Percent</u>	<u>Percent</u>	<u>Bonus</u>	<u>Adjustment</u>	<u>Adjustments</u>
					<u>Percent</u>	<u>Percent</u>	<u>Percent</u>
Actual	2002	-6.9%	-6.9%	NA	NA	NA	NA
Actual	2003	3.5%	3.5%	NA	NA	NA	NA
Actual	2004	13.0%	13.0%	NA	NA	NA	NA
Actual	2005	16.8%	16.7%	NA	NA	NA	NA
Actual	2006	8.7%	8.9%	NA	NA	NA	NA
Actual	2007	7.6%	7.6%	NA	NA	NA	NA
Actual	2008	4.8%	4.8%	NA	NA	NA	NA
Actual	2009	-5.9%	-5.9%	NA	NA	NA	NA
Actual	2010	-11.9%	-11.9%	NA	NA	NA	NA
Actual	2011	13.7%	13.7%	NA	NA	NA	NA
Actual	2012	10.1%	10.1%	NA	NA	NA	NA
Forecast	2013	9.5%	9.5%	NA	NA	NA	NA
Forecast	2014	5.6%	5.6%	NA	NA	NA	NA
Forecast	2015	6.3%	6.3%	NA	NA	NA	NA

	t	Total	Total	Collections less	Collections less	Audits &	Audits &
	<u>Fiscal</u>	<u>Liability</u>	<u>Liability</u>	<u>Audits &amp; Adjust</u>	<u>Audits &amp; Adjust</u>	<u>P&amp;I &amp; Amend</u>	<u>P&amp;I &amp; Amend</u>
		<u>Millions</u>	<u>Percent</u>	<u>Millions</u>	<u>Percent</u>	<u>Millions</u>	<u>Percent</u>
Actual	2002	496.596	-3.0%	495.756	-9.1%	21.812	107.7%
Actual	2003	518.493	4.4%	512.204	3.3%	23.627	8.3%
Actual	2004	584.732	12.8%	575.660	12.4%	29.922	26.6%
Actual	2005	646.513	10.6%	670.103	16.4%	37.240	24.5%
Actual	2006	700.957	8.4%	746.179	11.4%	22.744	-38.9%
Actual	2007	760.264	8.5%	801.670	7.4%	25.475	12.0%
Actual	2008	774.578	1.9%	836.022	4.3%	30.637	20.3%
Actual	2009	720.909	-6.9%	780.395	-6.7%	34.743	13.4%
Actual	2010	706.177	-2.0%	682.541	-12.5%	35.293	1.6%
Actual	2011	759.198	7.5%	782.622	14.7%	33.468	-5.2%
Actual	2012	812.505	7.0%	889.940	13.7%	28.307	-15.4%
Forecast	2013	864.896	6.4%	947.324	6.4%	36.193	27.9%
Forecast	2014	913.790	5.7%	1,000.877	5.7%	37.255	2.9%
Forecast	2015	972.684	6.4%	1,065.385	6.4%	38.046	2.1%

# Legislative Fiscal Division

## Revenue Estimate Profile

### Individual Income Tax

	t	Resident Liability Cal Millions	Population Adjustment Percent	Homeowner Credit Millions	All Other Credits Millions	All Filers Multiplier Percent	All Filers Liability Millions
Actual	2002	494.216	100.0%	11.049	18.955	106.3%	495.118
Actual	2003	538.246	100.0%	11.889	21.119	106.8%	541.868
Actual	2004	620.965	100.0%	12.193	26.462	107.3%	627.595
Actual	2005	652.487	100.0%	11.580	31.606	108.6%	665.431
Actual	2006	731.493	100.0%	10.726	41.553	107.8%	736.482
Actual	2007	771.627	100.0%	9.811	38.111	107.8%	784.046
Actual	2008	741.689	100.0%	10.396	38.219	109.7%	765.110
Actual	2009	687.751	100.0%	10.316	37.626	105.4%	676.708
Actual	2010	739.846	100.0%	11.355	43.461	106.8%	735.647
Actual	2011	776.522	100.0%	10.786	35.901	106.8%	782.748
Forecast	2012	831.529	100.7%	10.786	46.896	107.3%	842.262
Forecast	2013	865.146	102.0%	10.786	49.616	107.3%	887.531
Forecast	2014	903.250	103.4%	10.786	52.699	107.3%	940.049
Forecast	2015	950.907	105.0%	10.786	56.554	107.3%	1005.320

	t	Resident Liability Cal Percent	Population Adjustment Percent	Homeowner Credit Percent	All Other Credits Percent	All Filers Multiplier Percent	All Filers Liability Percent
Actual	2002	-0.8%	0.0%	15.8%	-19.9%	-0.3%	-0.6%
Actual	2003	8.9%	0.0%	7.6%	11.4%	0.5%	9.4%
Actual	2004	15.4%	0.0%	2.6%	25.3%	0.5%	15.8%
Actual	2005	5.1%	0.0%	-5.0%	19.4%	1.2%	6.0%
Actual	2006	12.1%	0.0%	-7.4%	31.5%	-0.7%	10.7%
Actual	2007	5.5%	0.0%	-8.5%	-8.3%	0.0%	6.5%
Actual	2008	-3.9%	0.0%	6.0%	0.3%	1.8%	-2.4%
Actual	2009	-7.3%	0.0%	-0.8%	-1.6%	-4.0%	-11.6%
Actual	2010	7.6%	0.0%	10.1%	15.5%	1.4%	8.7%
Actual	2011	5.0%	0.0%	-5.0%	-17.4%	0.0%	6.4%
Forecast	2012	7.1%	0.7%	0.0%	30.6%	0.5%	7.6%
Forecast	2013	4.0%	1.3%	0.0%	5.8%	0.0%	5.4%
Forecast	2014	4.4%	1.3%	0.0%	6.2%	0.0%	5.9%
Forecast	2015	5.3%	1.6%	0.0%	7.3%	0.0%	6.9%

	t	Wages Millions	Annual Growth	Interest Millions	Annual Growth	Dividends Millions	Annual Growth	Fed Inflation Growth
Actual	2002	9,265.904	2.8%	528.959	-20.2%	264.875	-12.4%	3.3%
Actual	2003	9,649.687	4.1%	453.025	-14.4%	297.423	12.3%	1.6%
Actual	2004	10,209.869	5.8%	411.889	-9.1%	379.386	27.6%	2.3%
Actual	2005	10,840.674	6.2%	480.088	16.6%	463.027	22.0%	2.3%
Actual	2006	11,779.592	8.7%	636.780	32.6%	521.734	12.7%	3.1%
Actual	2007	12,669.894	7.6%	756.826	18.9%	619.819	18.8%	3.9%
Actual	2008	13,352.105	5.4%	674.053	-10.9%	592.113	-4.5%	2.3%
Actual	2009	13,136.979	-1.6%	519.760	-22.9%	462.423	-21.9%	4.3%
Actual	2010	13,389.962	1.9%	442.983	-14.8%	504.422	9.1%	0.2%
Actual	2011	13,995.864	4.5%	376.777	-14.9%	465.230	-7.8%	1.5%
Forecast	2012	14,608.957	4.4%	372.803	-1.1%	472.948	1.7%	2.4%
Forecast	2013	15,134.173	3.6%	374.414	0.4%	527.604	11.6%	2.6%
Forecast	2014	15,807.528	4.4%	390.292	4.2%	562.830	6.7%	1.4%
Forecast	2015	16,602.145	5.0%	419.146	7.4%	557.109	-1.0%	1.7%

# Legislative Fiscal Division

## Revenue Estimate Profile

### Individual Income Tax

	t	Business Income	Annual Growth	Capital Gains	Annual Growth	Supplemental Gains	Annual Growth	State Inflation Growth
	Cal	Millions		Millions		Millions		
Actual	2002	620.572	0.4%	637.444	-18.9%	32.565	-24.1%	1.1%
Actual	2003	629.701	1.5%	629.701	-1.2%	55.547	70.6%	2.1%
Actual	2004	680.790	8.1%	1193.177	89.5%	69.724	25.5%	3.3%
Actual	2005	749.588	10.1%	1554.054	30.2%	77.631	11.3%	2.5%
Actual	2006	785.303	4.8%	2006.021	29.1%	67.793	-12.7%	4.3%
Actual	2007	762.060	-3.0%	2088.579	4.1%	66.367	-2.1%	2.7%
Actual	2008	701.307	-8.0%	1337.810	-35.9%	56.735	-14.5%	5.0%
Actual	2009	648.187	-7.6%	912.041	-31.8%	19.035	-66.4%	-1.4%
Actual	2010	690.830	6.6%	992.632	8.8%	42.064	121.0%	1.1%
Actual	2011	702.187	1.6%	1015.745	2.3%	41.884	-0.4%	3.6%
Forecast	2012	735.283	4.7%	1284.069	26.4%	47.266	12.9%	1.7%
Forecast	2013	799.689	8.8%	1204.611	-6.2%	49.808	5.4%	1.3%
Forecast	2014	778.167	-2.7%	1179.613	-2.1%	55.133	10.7%	1.8%
Forecast	2015	794.587	2.1%	1342.199	13.8%	57.910	5.0%	1.6%

	t	Rents, Royalties S-Corps	Annual Growth	Farm Income Gains	Annual Growth	Social Security	Annual Growth
	Cal	Millions		Millions		Millions	
Actual	2002	1014.593	11.8%	-157.525	39.9%	254.249	-1.1%
Actual	2003	1019.724	0.5%	-146.211	-7.2%	267.287	5.1%
Actual	2004	1283.271	25.8%	-139.623	-4.5%	305.542	14.3%
Actual	2005	1704.629	32.8%	-125.935	-9.8%	359.184	17.6%
Actual	2006	1944.999	14.1%	-176.145	39.9%	434.518	21.0%
Actual	2007	1976.847	1.6%	-155.989	-11.4%	508.637	17.1%
Actual	2008	1735.147	-12.2%	-210.131	34.7%	527.626	3.7%
Actual	2009	1508.400	-13.1%	-183.602	-12.6%	540.620	2.5%
Actual	2010	1823.263	20.9%	-145.068	-21.0%	603.827	11.7%
Actual	2011	2075.865	13.9%	-127.273	-12.3%	651.771	7.9%
Forecast	2012	2144.602	3.3%	-94.219	-26.0%	672.122	3.1%
Forecast	2013	2191.052	2.2%	-172.201	82.8%	701.227	4.3%
Forecast	2014	2356.586	7.6%	-214.583	24.6%	758.706	8.2%
Forecast	2015	2430.871	3.2%	-227.133	5.8%	814.637	7.4%

	t	IRA Income	Annual Growth	Pension Income	Annual Growth	Other Income	Annual Growth
	Cal	Millions		Millions		Millions	
Actual	2002	231.217	-12.6%	1019.172	5.2%	-5.377	-76.0%
Actual	2003	237.257	2.6%	1070.482	5.0%	-47.936	791.5%
Actual	2004	271.069	14.3%	1146.455	7.1%	-78.402	63.6%
Actual	2005	308.394	13.8%	1216.409	6.1%	-218.921	179.2%
Actual	2006	339.909	10.2%	1317.954	8.3%	-204.405	-6.6%
Actual	2007	396.199	16.6%	1416.590	7.5%	41.344	-120.2%
Actual	2008	451.709	14.0%	1509.033	6.5%	2.641	-93.6%
Actual	2009	396.729	-12.2%	1567.181	3.9%	-24.918	-1043.4%
Actual	2010	548.648	38.3%	1658.178	5.8%	-23.266	-6.6%
Actual	2011	592.390	8.0%	1752.608	5.7%	-210.837	806.2%
Forecast	2012	685.389	15.7%	1874.424	7.0%	-210.361	-0.2%
Forecast	2013	790.925	15.4%	2015.645	7.5%	-209.868	-0.2%
Forecast	2014	902.798	14.1%	2176.968	8.0%	-209.359	-0.2%
Forecast	2015	1013.680	12.3%	2346.347	7.8%	-208.832	-0.3%

# Legislative Fiscal Division

## Revenue Estimate Profile

### Individual Income Tax

	<u>t</u>	Total <u>Income</u>	Annual <u>Growth</u>	IRA, Etc <u>Reductions</u>	Annual <u>Growth</u>	Fed Adjusted <u>Gross Income</u>	Annual <u>Growth</u>
	<u>Cal</u>	<u>Millions</u>		<u>Millions</u>		<u>Millions</u>	
Actual	2002	13,706.648	0.1%	252.613	23.2%	13,454.034	-0.2%
Actual	2003	14,115.688	3.0%	292.241	15.7%	13,984.658	3.9%
Actual	2004	15,733.147	11.5%	322.438	10.3%	15,410.710	10.2%
Actual	2005	17,408.821	10.7%	367.927	14.1%	17,188.824	11.5%
Actual	2006	19,454.052	11.7%	389.095	5.8%	19,220.114	11.8%
Actual	2007	21,147.172	8.7%	427.200	9.8%	20,892.994	8.7%
Actual	2008	20,730.149	-2.0%	417.744	-2.2%	20,312.405	-2.8%
Actual	2009	19,502.835	-5.9%	378.735	-9.3%	19,124.100	-5.9%
Actual	2010	20,528.474	5.3%	417.143	10.1%	20,111.331	5.2%
Actual	2011	21,332.211	3.9%	434.745	4.2%	20,897.467	3.9%
Forecast	2012	22,593.284	5.9%	438.886	1.0%	22,154.398	6.0%
Forecast	2013	23,407.081	3.6%	443.179	1.0%	22,963.902	3.7%
Forecast	2014	24,544.678	4.9%	447.577	1.0%	24,097.101	4.9%
Forecast	2015	25,942.664	5.7%	452.027	1.0%	25,490.637	5.8%

	<u>t</u>	Bond <u>Interest</u>	Annual <u>Growth</u>	FIT <u>Refunds</u>	Annual <u>Growth</u>	Other <u>Additions</u>	Annual <u>Growth</u>
	<u>Cal</u>	<u>Millions</u>		<u>Millions</u>		<u>Millions</u>	
Actual	2002	43.230	-3.0%	247.312	21.3%	150.548	2.6%
Actual	2003	44.962	4.0%	256.908	3.9%	177.862	18.1%
Actual	2004	47.871	6.5%	271.611	5.7%	205.779	15.7%
Actual	2005	47.838	-0.1%	252.492	-7.0%	247.926	20.5%
Actual	2006	71.965	50.4%	147.708	-41.5%	326.648	31.8%
Actual	2007	79.868	11.0%	146.328	-0.9%	300.556	-8.0%
Actual	2008	94.381	18.2%	122.653	-16.2%	315.525	5.0%
Actual	2009	92.213	-2.3%	122.977	0.3%	395.449	25.3%
Actual	2010	114.984	24.7%	126.672	3.0%	494.396	25.0%
Actual	2011	110.168	-4.2%	111.495	-12.0%	262.700	-46.9%
Forecast	2012	126.863	15.2%	106.654	-4.3%	293.570	11.8%
Forecast	2013	123.913	-2.3%	102.024	-4.3%	331.076	12.8%
Forecast	2014	114.997	-7.2%	97.594	-4.3%	375.805	13.5%
Forecast	2015	102.860	-10.6%	93.357	-4.3%	429.161	14.2%

	<u>t</u>	Farm Risk <u>Mgmt Excl.</u>	Annual <u>Growth</u>	Elderly <u>Interest</u>	Annual <u>Growth</u>	Savings <u>Bond</u>	Annual <u>Growth</u>
	<u>Cal</u>	<u>Millions</u>		<u>Millions</u>		<u>Millions</u>	
Actual	2002	0.062	NA	43.310		59.642	-30.6%
Actual	2003	0.873	1309.1%	40.099		47.157	-20.9%
Actual	2004	0.010	-98.9%	37.999		43.524	-7.7%
Actual	2005	0.000	-100.0%	38.041		49.152	12.9%
Actual	2006	0.000	NA	43.447	14.2%	67.566	37.5%
Actual	2007	0.000	NA	47.408	9.1%	76.997	14.0%
Actual	2008	0.000	NA	46.872	-1.1%	51.862	-32.6%
Actual	2009	0.000	NA	43.633	-6.9%	37.421	-27.8%
Actual	2010	0.000	NA	40.227	-7.8%	31.017	-17.1%
Actual	2011	0.000	NA	36.798	-8.5%	25.765	-16.9%
Forecast	2012	0.000	NA	36.798	0.0%	19.323	-25.0%
Forecast	2013	0.000	NA	36.798	0.0%	22.326	15.5%
Forecast	2014	0.000	NA	36.798	0.0%	25.505	14.2%
Forecast	2015	0.000	NA	36.798	0.0%	31.088	21.9%

# Legislative Fiscal Division

## Revenue Estimate Profile

### Individual Income Tax

	t	Unemployment	Annual	Med.	Annual	Family	Annual
	Cal	Millions	Growth	Savings	Growth	Education	Growth
				Millions		Millions	
Actual	2002	78.266	31.5%	5.480	60.4%	0.000	
Actual	2003	85.702	9.5%	6.584	20.1%	0.381	
Actual	2004	67.368	-21.4%	7.474	13.5%	0.330	-13.4%
Actual	2005	56.427	-16.2%	14.352	92.0%	6.984	2015.5%
Actual	2006	58.694	4.0%	15.791	10.0%	7.515	7.6%
Actual	2007	62.872	7.1%	16.638	5.4%	8.009	6.6%
Actual	2008	99.749	58.7%	16.968	2.0%	6.854	-14.4%
Actual	2009	169.813	70.2%	17.484	3.0%	6.592	-3.8%
Actual	2010	268.586	58.2%	18.732	7.1%	6.547	-0.7%
Actual	2011	192.982	-28.1%	19.396	3.5%	6.529	-0.3%
Forecast	2012	192.982	0.0%	20.352	4.9%	6.689	2.5%
Forecast	2013	192.982	0.0%	21.356	4.9%	6.853	2.5%
Forecast	2014	192.982	0.0%	22.409	4.9%	7.021	2.5%
Forecast	2015	192.982	0.0%	23.515	4.9%	7.193	2.5%

	t	First Time	Annual	Doctor Student	Annual	Other	Annual
	Cal	Home	Growth	Loan Excl.	Growth	Reductions	Growth
		Millions		Millions		Millions	
Actual	2002	0.929	1.8%	9.937	20.6%	496.251	5.0%
Actual	2003	1.067	14.9%	11.398	14.7%	530.169	6.8%
Actual	2004	0.866	-18.8%	13.876	21.7%	585.907	10.5%
Actual	2005	0.732	-15.5%	0.258	-98.1%	656.587	12.1%
Actual	2006	0.587	-19.8%	0.251	-2.9%	784.247	19.4%
Actual	2007	0.539	-8.3%	0.257	2.4%	855.991	9.1%
Actual	2008	0.538	0.0%	0.295	14.9%	908.568	6.1%
Actual	2009	0.710	31.9%	0.371	25.8%	1,039.095	14.4%
Actual	2010	0.358	-49.6%	0.477	28.5%	1,161.909	11.8%
Actual	2011	0.395	10.4%	0.666	39.8%	1,331.638	14.6%
Forecast	2012	0.395	0.0%	0.666	0.0%	1,500.332	12.7%
Forecast	2013	0.395	0.0%	0.666	0.0%	1,694.716	13.0%
Forecast	2014	0.395	0.0%	0.666	0.0%	1,920.784	13.3%
Forecast	2015	0.395	0.0%	0.666	0.0%	2,184.047	13.7%

	t	Reductions to	Reductions	Additions to	Additions	MT Adjusted	MAGI
	Cal	Income	Annual	Income	Annual	Gross Income	Annual
		Millions	Growth	Millions	Growth	Millions	Growth
Actual	2002	860.312	2.6%	441.091	11.7%	13,034.813	0.0%
Actual	2003	892.111	3.7%	479.732	8.8%	13,572.280	4.1%
Actual	2004	924.793	3.7%	525.260	9.5%	15,011.177	10.6%
Actual	2005	953.277	3.1%	550.350	4.8%	16,785.897	11.8%
Actual	2006	1,107.147	16.1%	546.321	-0.7%	18,659.288	11.2%
Actual	2007	1,195.607	8.0%	550.710	0.8%	20,248.096	8.5%
Actual	2008	1,265.730	5.9%	532.558	-3.3%	19,579.234	-3.3%
Actual	2009	1,447.997	14.4%	610.638	14.7%	18,286.742	-6.6%
Actual	2010	1,670.219	15.3%	736.051	20.5%	19,177.163	4.9%
Actual	2011	1,764.863	5.7%	484.364	-34.2%	19,934.727	4.0%
Forecast	2012	1,740.740	-1.4%	527.087	8.8%	20,940.745	5.0%
Forecast	2013	1,939.294	11.4%	557.013	5.7%	21,581.620	3.1%
Forecast	2014	2,169.763	11.9%	588.396	5.6%	22,515.734	4.3%
Forecast	2015	2,439.887	12.4%	625.377	6.3%	23,676.128	5.2%

# Legislative Fiscal Division

## Revenue Estimate Profile

### Individual Income Tax

	t	Medical Premiums	Annual Growth	Medical Deductions	Annual Growth	Long Term Care	Annual Growth
	Cal	Millions		Millions		Millions	
Actual	2002	239.494	9.9%	222.983	9.7%	15.887	13.0%
Actual	2003	234.737	-2.0%	236.627	6.1%	17.295	8.9%
Actual	2004	251.763	7.3%	258.564	9.3%	18.472	6.8%
Actual	2005	266.946	6.0%	273.369	5.7%	19.125	3.5%
Actual	2006	304.942	14.2%	274.060	0.3%	21.552	12.7%
Actual	2007	314.537	3.1%	287.408	4.9%	24.551	13.9%
Actual	2008	328.606	4.5%	309.033	7.5%	26.552	8.1%
Actual	2009	345.055	5.0%	307.848	-0.4%	26.195	-1.3%
Actual	2010	353.881	2.6%	304.437	-1.1%	27.301	4.2%
Actual	2011	364.570	3.0%	301.438	-1.0%	33.986	24.5%
Forecast	2012	384.119	5.4%	313.798	4.1%	37.191	9.4%
Forecast	2013	404.717	5.4%	326.664	4.1%	40.698	9.4%
Forecast	2014	426.420	5.4%	340.057	4.1%	44.536	9.4%
Forecast	2015	449.286	5.4%	354.000	4.1%	48.736	9.4%

	t	Federal Income Tax Deducted	Annual Growth	Real Estate	Annual Growth	Other Taxes	Annual Growth
	Cal	Millions		Millions		Millions	
Actual	2002	1,644.517	-11.9%	274.873	10.7%	39.533	11.6%
Actual	2003	1,587.057	-3.5%	291.351	6.0%	40.721	3.0%
Actual	2004	1,749.652	10.2%	313.020	7.4%	44.860	10.2%
Actual	2005	915.475	-47.7%	313.168	0.0%	49.392	10.1%
Actual	2006	1,003.149	9.6%	335.796	7.2%	53.801	8.9%
Actual	2007	1,065.150	6.2%	351.508	4.7%	54.986	2.2%
Actual	2008	977.041	-8.3%	375.863	6.9%	54.112	-1.6%
Actual	2009	1,007.166	3.1%	390.524	3.9%	53.773	-0.6%
Actual	2010	1,015.360	0.8%	400.710	2.6%	52.672	-2.0%
Actual	2011	1,132.027	11.5%	411.428	2.7%	52.698	0.1%
Forecast	2012		NA	432.885	5.2%	53.305	1.2%
Forecast	2013		NA	455.461	5.2%	53.920	1.2%
Forecast	2014		NA	479.214	5.2%	54.541	1.2%
Forecast	2015		NA	504.206	5.2%	55.170	1.2%

	t	Home Mortgage	Annual Growth	Deductible Interest	Annual Growth	Contributions	Annual Growth
	Cal	Millions		Millions		Millions	
Actual	2002	752.226	4.2%	27.933	-22.6%	345.228	13.1%
Actual	2003	744.359	-1.0%	24.518	-12.2%	337.411	-2.3%
Actual	2004	775.952	4.2%	27.544	12.3%	375.310	11.2%
Actual	2005	833.941	7.5%	38.056	38.2%	432.055	15.1%
Actual	2006	965.231	15.7%	54.142	42.3%	463.826	7.4%
Actual	2007	1,099.986	14.0%	59.497	9.9%	658.658	42.0%
Actual	2008	1,151.150	4.7%	49.398	-17.0%	530.993	-19.4%
Actual	2009	1,114.955	-3.1%	31.369	-36.5%	510.963	-3.8%
Actual	2010	1,075.407	-3.5%	37.073	18.2%	537.900	5.3%
Actual	2011	1,008.850	-6.2%	33.365	-10.0%	556.132	3.4%
Forecast	2012	1,045.343	3.6%	34.118	2.3%	593.493	6.7%
Forecast	2013	1,083.156	3.6%	34.888	2.3%	633.989	6.8%
Forecast	2014	1,122.336	3.6%	35.676	2.3%	677.870	6.9%
Forecast	2015	1,162.934	3.6%	36.482	2.3%	725.406	7.0%

# Legislative Fiscal Division

## Revenue Estimate Profile

### Individual Income Tax

	t	Child Care Millions	Annual Growth	Casualty Losses Millions	Annual Growth	Miscellaneous Expense 1 Millions	Annual Growth
	Cal						
Actual	2002	1.668	1.6%	4.464	41.3%	146.328	3.8%
Actual	2003	1.704	2.2%	4.105	-8.0%	146.982	0.4%
Actual	2004	1.545	-9.4%	3.619	-11.9%	160.408	9.1%
Actual	2005	1.495	-3.2%	4.478	23.7%	174.095	8.5%
Actual	2006	1.392	-6.9%	7.373	64.7%	186.204	7.0%
Actual	2007	1.471	5.7%	4.675	-36.6%	204.621	9.9%
Actual	2008	1.382	-6.1%	5.566	19.1%	213.815	4.5%
Actual	2009	1.601	15.8%	6.906	24.1%	191.103	-10.6%
Actual	2010	1.468	-8.3%	4.922	-28.7%	198.644	3.9%
Actual	2011	1.607	9.5%	9.738	97.9%	219.574	10.5%
Forecast	2012	1.609	0.1%	5.843	-40.0%	229.922	4.7%
Forecast	2013	1.610	0.1%	5.843	0.0%	240.757	4.7%
Forecast	2014	1.612	0.1%	5.843	0.0%	252.102	4.7%
Forecast	2015	1.613	0.1%	5.843	0.0%	263.982	4.7%

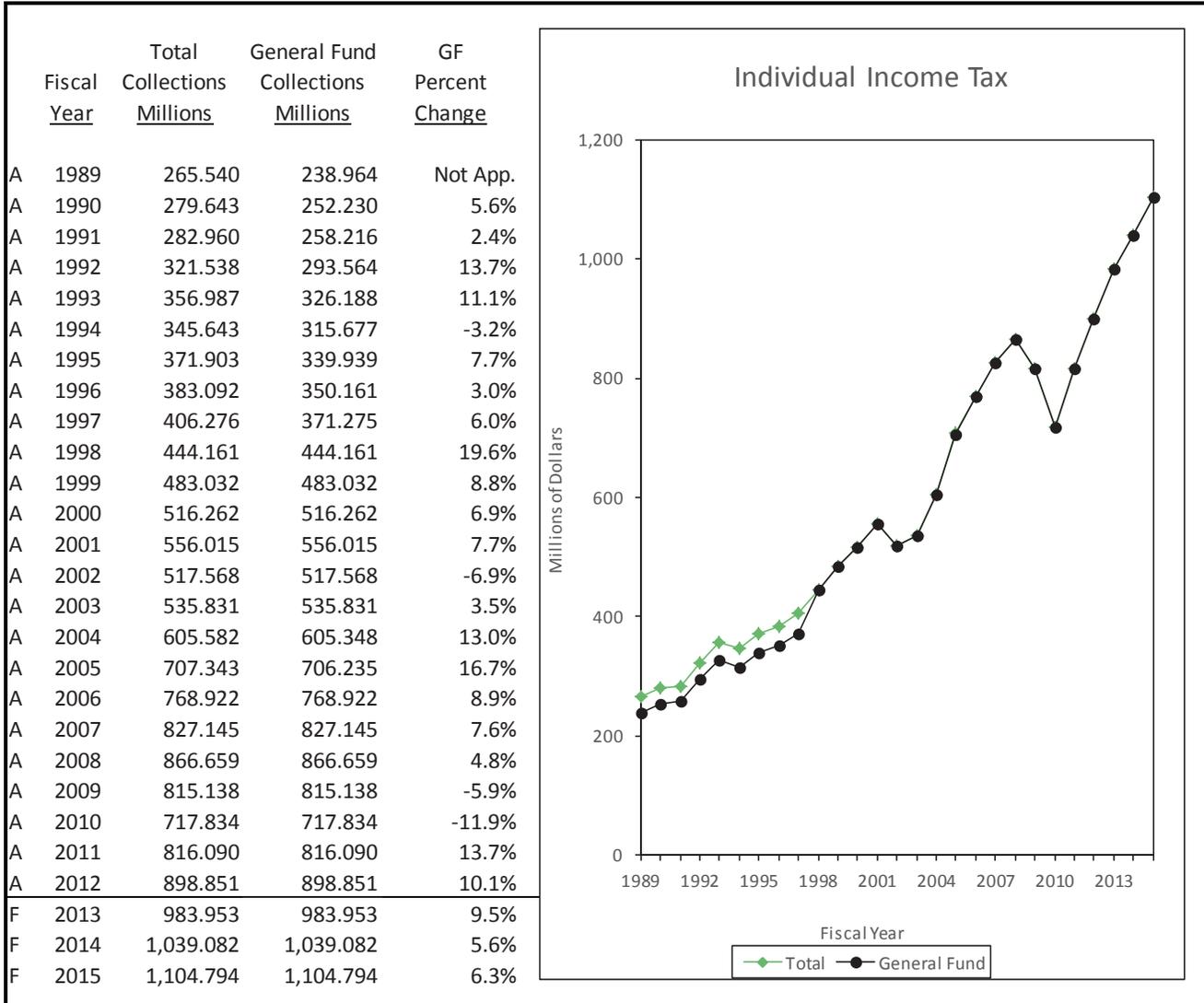
	t	Miscellaneous Expense 2 Millions	Annual Growth	Gambling Losses Millions	Annual Growth	Capital Gains Credit Millions	Annual Growth
	Cal						
Actual	2002	4.267	13.5%	4.846	0.1%		
Actual	2003	7.147	67.5%	4.674	-3.6%		
Actual	2004	4.928	-31.0%	5.748	23.0%		
Actual	2005	6.133	24.4%	7.371	28.2%	15.441	
Actual	2006	8.989	46.6%	7.916	7.4%	19.599	26.9%
Actual	2007	5.362	-40.4%	8.914	12.6%	40.025	104.2%
Actual	2008	7.970	48.6%	10.936	22.7%	26.152	-34.7%
Actual	2009	17.171	115.4%	10.916	-0.2%	17.974	-31.3%
Actual	2010	7.635	-55.5%	10.773	-1.3%	19.642	9.3%
Actual	2011	5.625	-26.3%	12.302	14.2%	19.622	-0.1%
Forecast	2012	5.625	0.0%	13.572	10.3%		NA
Forecast	2013	5.625	0.0%	14.972	10.3%		NA
Forecast	2014	5.625	0.0%	16.517	10.3%		NA
Forecast	2015	5.625	0.0%	18.222	10.3%		NA

# Legislative Fiscal Division

## Revenue Estimate Profile

### Individual Income Tax

#### Revenue Projection:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Insurance Tax & License Fees

**Revenue Description:** The insurance premiums tax is levied on the net premiums or gross underwriting profit for each insurance company operating in Montana. Various insurance and license fees are also collected.

**Statutory Reference:**

- Tax Rate (MCA) – 33-2-705(2), 33-2-311, 33-28-201(1&2), 50-3-109(1)
- Fee Rate (MCA) – 33-2-708(1&2), 33-14-201(2), 33-2-712, 33-38-105
- Tax Distribution (MCA) – 33-2-708(3), 33-2-712, 50-3-109(1), 33-28-120
- Date Due – March 1<sup>st</sup> each year (33-2-705(1), 33-2-712, 33-28-201(1&2)). Quarterly payments due the 15<sup>th</sup> of April, June, September, and December (Administrative Rules 6.6.2704, 6.6.2705)

**Applicable Tax Rate(s):** The current tax rate is 2.75% of net premiums (including cancellation and return premiums) on policies sold in Montana. In addition to this tax, there is a 2.5 % tax on the fire portion of net premiums for selected risks. Beginning FY 2008 with the enactment of HB 278 (2007 session), for each Montana resident insured under any individual or group disability or health insurance policy, all insurers are required to pay \$1.00 to the State Insurance Commissioner. The fee had been scheduled to be reduced to \$0.70, but the legislation extended the \$1.00 fee indefinitely. This fee is deposited to the state special revenue fund and used to fund the statewide genetics program established in statute (50-19-211, MCA). Senate Bill 132 (passed by the 1999 legislature) eliminated many disparate fees on insurance companies, which had partially been deposited into the general fund, and replaced them with a single company annual fee of \$1,900. Revenue from this fee is deposited to the state special revenue fund for administration of insurance activities. The following lists various insurance related fees. Captive insurance companies are taxed 0.4% on the first \$20 million of net direct premiums and 0.3% on each subsequent dollar collected. The annual \$5,000 minimum tax is prorated based on the quarter in which the company is first licensed.

Insurance Fees Collected by the State Auditor				
Fee	Amount	MCA Cite	ARM Cite	
<u>General Fund</u>				
Farm mutual insurer filing of articles of incorporation	10.00	33-4-202		
Farm mutual county insurer certificate of authority	10.00	33-4-505		
Farm mutual state insurer certificate of authority	25.00	33-4-505		
Benevolent association certificate of authority and reinstatement	25.00	33-6-401		
Fraternal benefit society report filing	25.00	33-7-118		
Fraternal benefit society certificate of authority renewal	10.00	33-7-217		
Fraternal benefit society lapsed certificate of authority reinstatement	25.00	33-7-217		
Insurance administrator certificate of registration application and ren	100.00	33-17-603		
Medical care discount card certification and renewal	100.00	33-38-105		
<u>State Auditor's Office</u>				
Domestic and foreign insurer accreditation	275.00	33-1-313	6.6.4101	
Insurance producers charges and expenses for examinations	Variable	33-1-413		
Reinstatement of certificate of authority	100.00	33-2-117		
Certificate of authority	1,900.00	33-2-708		
Non-resident application for original license	100.00	33-2-708		
Non-resident biennial license renewal	50.00	33-2-708		
Non-resident lapsed license reinstatement	100.00	33-2-708		
Resident lapsed insurance producer's license reinstatement	100.00	33-2-708		
Surplus lines insurance producer license application	50.00	33-2-708		
Surplus lines insurance producer license biennial renewal	100.00	33-2-708		
Surplus lines insurance lapsed producer license reinstatement	200.00	33-2-708		
Insurance adjuster license application	50.00	33-2-708		
Insurance adjuster license biennial renewal	100.00	33-2-708		
Insurance adjuster lapsed license reinstatement	200.00	33-2-708		
Insurance consultant license application	50.00	33-2-708		
Insurance consultant license biennial renewal	100.00	33-2-708		
Insurance consultant lapsed license reinstatement	200.00	33-2-708		
Rental car entity producer license application	100.00	33-2-708		
Rental car entity producer quarterly filing	25.00	33-2-708		
A copy of each document page	0.50	33-2-708		

# Legislative Fiscal Division

## Revenue Estimate Profile

### Insurance Tax & License Fees

Insurance Fees Collected by the State Auditor (continued)			
Fee	Amount	MCA Cite	ARM Cite
Review of each course or program submitted for continuing education	75.00	33-2-708	
Genetics program fee for each MT resident insured	1.00	33-2-712	
Surplus lines stamping fee	1% of base	33-2-321	6.6.2804
Charges and expenses for examinations	Variable	33-4-315	
Fraternal benefit society charges and expenses for examinations	Variable	33-7-119	
Fraternal benefit society service of process	2.00	33-7-123	
Guaranty associations charges and expenses for examinations	Variable	33-10-218	
Premium finance company license application	100.00	33-14-201	
Premium finance company license renewal	100.00	33-14-201	
Rating & advisory organization charges and expenses for examination:	Variable	33-16-106	
Rating & advisory organization license application	100.00	33-16-403	
Insurance producers background examination	Variable	33-17-201	
Insurance producers charges and examinations	Variable	33-17-212	
Review of each non-resident course submitted for continuing education	75.00	33-17-1206	6.6.4213
Viatical settlement provider registration application	1,900.00	33-20-1315	6.6.8502
Viatical settlement broker license	50.00	33-20-1315	6.6.8502
Viatical settlement provider license renewal	1,900.00	33-20-1315	6.6.8503
Captive insurance company license application	200.00	33-28-102	
Captive insurance company license renewal	300.00	33-28-102	
Captive insurance company examinations and investigations	Variable	33-28-108	
Health service corporation certified copies	0.50	33-30-204	
Health service corporation membership contract filing	25.00	33-30-204	
Health service corporation membership contract package filing	100.00	33-30-204	
Health service corporation filing statement	25.00	33-30-204	
Health service corporation license	300.00	33-30-204	
Health service corporation license renewal	300.00	33-30-204	
Health maintenance organization certification of authority	300.00	33-31-212	
Health maintenance organization amendment to documents	25.00	33-31-212	
Health maintenance organization statement filing	25.00	33-31-212	
Health maintenance organization certification of authority renewal	300.00	33-31-212	
Health maintenance organization charges & examinations	Variable	33-31-401	
Actual cost to review an application for a managed care community ne	Variable	53-6-703	6.6.5805

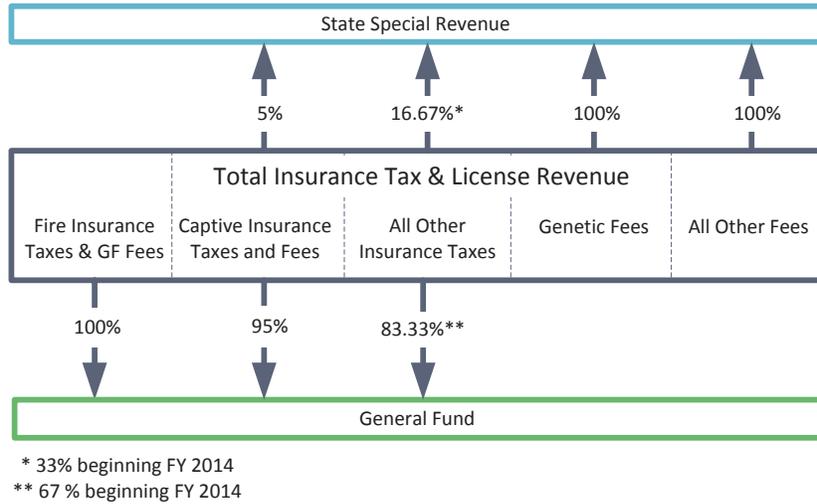
**Distribution:** With the approval of Initiative 155 by the electorate in November 2008, 67% of insurance tax proceeds from the tax on surplus lines premiums and net premiums have been deposited into the general fund. The remaining 33% of revenue have been deposited to the state special revenue to expand the children health insurance program and Medicaid eligibility of uninsured children. HB 676 enacted by the 2009 Legislature temporarily changed the 33% distribution to 16.67% for the 2011 and 2013 biennia with 83.33% deposited to the general fund. Beginning FY 2014 the distribution will again be 33% with 67% deposited to the general fund. All fire insurance premiums are deposited to the general fund. Due to enactment of SB 161 by the 2007 Legislature, 5% of premium tax revenue from captive insurance company and all fees and assessments on captive insurance companies are deposited to a state special revenue fund to be used to administer captive insurance captive insurance company statutes and reimburse expenses incurred in promoting captive insurance in Montana. The other 95% of captive insurance premium tax revenue is deposited to the general fund. License fees and the 1% stamping fee on surplus lines insurance premiums are deposited into the state special revenue fund for use by the State Auditor. Beginning October 2005, the genetic fee revenue is deposited to the state special revenue fund.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Insurance Tax & License Fees

**Distribution Chart:**



**Summary of Legislative Action:**

House Bill 250 – This legislation provides for a navigator to be certified under the authority of the insurance commissioner. Fees would be collected by the State Auditor’s Office for such certification.

Insurance Tax & License Fees – Legislation Passed by 63rd Legislature			
General Fund Impact (\$ Millions)			
Bill Number and Short Title	FY 2013	FY 2014	FY 2015
HB0250 Require navigator, insurance producer certification for exchanges	\$0.000	\$0.000	\$0.000
<b>Total General Fund Impact</b>	<b>\$0.000</b>	<b>\$0.000</b>	<b>\$0.000</b>

**Collection Frequency:** Quarterly and annually

**% of Total General Fund Revenue:**

FY 2004 – 4.11%	FY 2007 – 3.33%	FY 2010 – 3.37%
FY 2005 – 3.74%	FY 2008 – 3.26%	FY 2011 – 3.25%
FY 2006 – 3.44%	FY 2009 – 2.77%	FY 2012 – 3.15%

**Revenue Estimate Methodology:**

Most insurance tax and license fee revenue is from premium taxes with minor amounts from various fees. Estimates are made for these components based on measures of growth and then summed. This total is reduced by estimates of refunds and guarantee offsets. Guarantees are amounts that members of the Montana comprehensive health associations are required to pay into a reserve account (up to 1% of the total disability insurance premium received from Montana residents). The amount of these payments reduces (offsets) premium tax liabilities dollar for dollar (33-22-1513(7), MCA).

Data

The state accounting system (SABHRS) provides historical collection data for insurance premium taxes, genetics program fees, and various general fund and state special revenue fees. The State Auditor’s Office provides historical data and future estimates of offsets and refunds.

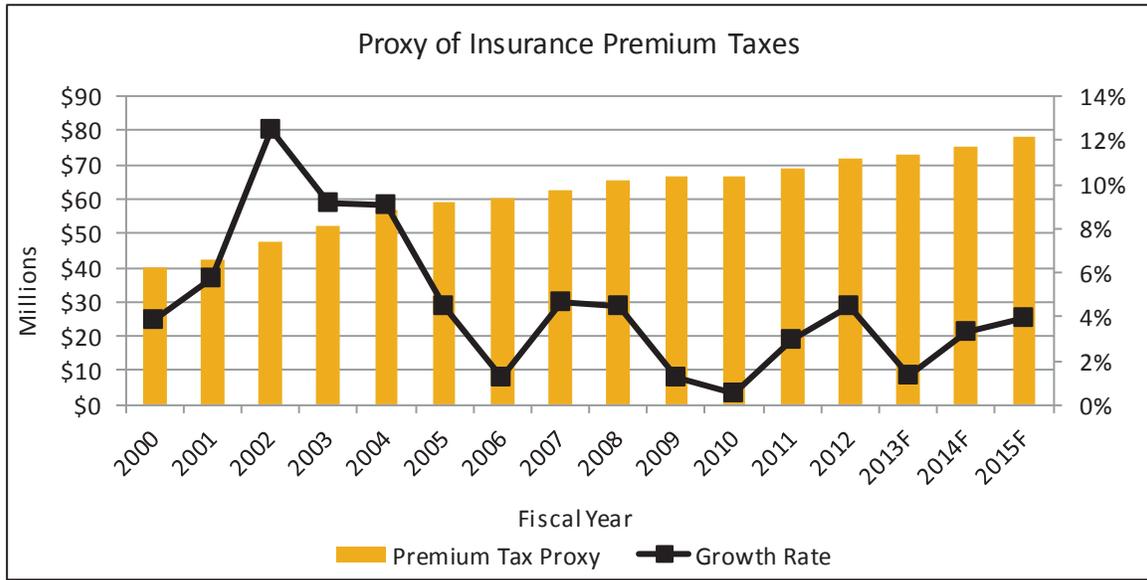
Analysis

Because offsets and refunds can vary substantially, they are added to the amounts shown on the state accounting system to more accurately reflect total taxes. Total premium taxes are modeled against long-term interest rates, housing starts and the S & P 500 index.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Insurance Tax & License Fees



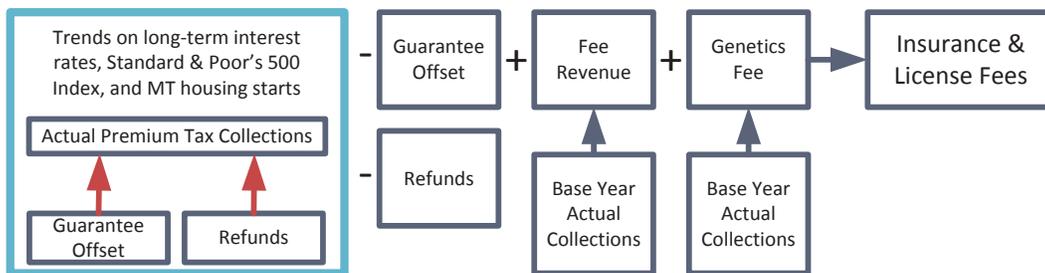
From the estimated amounts, offsets and refunds as estimated by the State Auditor’s Office are subtracted to produce the amount of net premium taxes expected to be received by the state.

If no better information is available, the estimates for the other components such as genetics program fees, general fund fees, and state special revenue fees are a continuation of the last known fiscal year amounts.

#### Adjustments and Distribution

Once each component has been estimated adjustments, if any, are made. Since each component is estimated separately and each goes to either the general fund or the state special revenue fund, the distribution of the revenue has already been done.

#### Forecast Methodology:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Insurance Tax & License Fees

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t	Total Tax	GF Tax	Non-GF Fees	GF Fees	CHIP
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	51.084	47.291	3.793	0.291	
Actual	2003	54.790	50.810	3.980	0.378	
Actual	2004	61.063	56.533	4.530	0.623	
Actual	2005	61.290	57.308	3.981	-0.417	
Actual	2006	64.521	58.795	4.816	0.199	
Actual	2007	66.321	61.074	4.200	0.002	
Actual	2008	69.269	64.004	4.504	0.068	
Actual	2009	71.122	50.038	5.323	0.030	14.622
Actual	2010	70.581	54.892	4.872	0.024	9.661
Actual	2011	74.599	57.964	5.165	0.024	9.960
Actual	2012	75.706	58.951	5.019	0.028	10.401
Forecast	2013	77.198	59.932	5.019	0.028	10.621
Forecast	2014	80.742	52.021	5.019	0.028	22.077
Forecast	2015	83.631	54.052	5.019	0.028	22.934

	t	Genetics	Premium Tax	Offsets	Refunds	Long-term Interest	Housing Starts	S & P 500
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Rate</u>	<u>Thousands</u>	<u>Index</u>
Actual	2002	0.570	47.683	0.740	0.513	6.687	20.200	1114.902
Actual	2003	0.563	52.038	1.463	0.707	6.233	24.100	895.146
Actual	2004	0.583	56.775	1.161	0.287	5.729	23.800	1078.271
Actual	2005	0.635	59.309	1.650	0.568	5.365	24.800	1159.962
Actual	2006	0.911	60.064	1.116	0.353	5.194	26.600	1254.854
Actual	2007	1.047	62.880	1.679	0.128	5.234	24.460	1399.901
Actual	2008	0.750	65.703	1.576	0.180	5.405	18.980	1426.685
Actual	2009	1.138	66.508	1.704	0.173	5.318	15.769	965.818
Actual	2010	1.135	66.880	2.079	0.252	5.121	19.679	1085.562
Actual	2011	1.480	68.871	0.826	0.115	4.798	16.586	1230.541
Actual	2012	1.295	71.963	2.400	0.200	4.430	18.411	1287.901
Forecast	2013	1.295	73.356	2.300	0.200	3.791	20.001	1417.661
Forecast	2014	1.295	75.599	1.000	0.200	3.438	21.194	1474.808
Forecast	2015	1.295	78.488	1.000	0.200	3.805	23.032	1541.008

Total Tax = Non-GF Fees + GF Fees + Genetics + Premium Tax - Offsets - Refunds

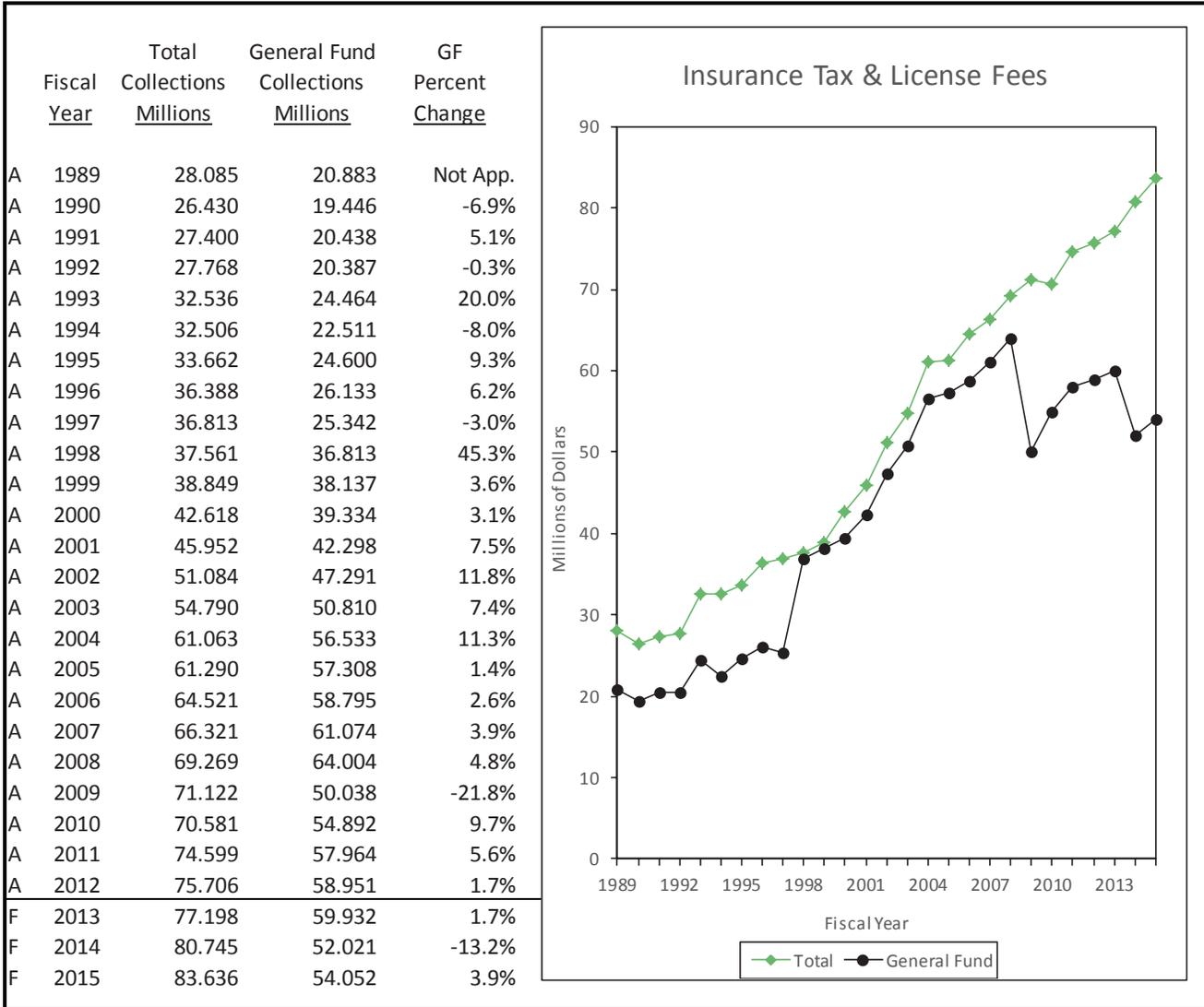
GF Tax = GF Fees + Premium Tax - Offsets - Refunds - CHIP

# Legislative Fiscal Division

## Revenue Estimate Profile

### Insurance Tax & License Fees

#### Revenue Projection:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Investment License Fee

**Revenue Description:** Investment advisors and investment companies pay fees to the state for registration of securities and agents, registration of securities by notification, notice of a federal filing of a federally secured security, and name changes.

**Statutory Reference:**

Fee Rate (MCA) – 30-10-209, 30-10-904

Fee Distribution (MCA) – excess to general fund (30-10-115), 30-10-209(6), portfolio notice fee (30-10-209(1d)), 30-10-210(2), 30-10-907

Date Due (Regulation of dealers) – initial (upon registration), annual (prior to December 31<sup>st</sup>) (30-10-201 (9&11))

Date Due (Regulation of securities) – upon registration (30-10-206(3c), valid for one year (30-10-209(1b))), renewal (prior to termination date):

**Applicable Tax Rate(s):** Initial and annual security registration fees vary based on the offering price of securities, but cannot be less than \$200 or more than \$1,000. Initial and annual registration fees for a broker-dealer, investment adviser, and federal covered adviser are \$200. Initial and annual registration fees for a salesperson or investment adviser are \$50. The fee for name changes to series, portfolio, or a subdivision of an investment company is \$50. More details on the fees are provided below.

Security Fees Collected by the State Auditor				
Fee	Amount	MCA Cite	ARM Cite	
<u>General Fund</u>				
Certified or uncertified copies	0.5	30-10-107		
Initial registration for the first \$100,000 issue	200	30-10-209		
Additional registration fee of 0.1% over \$100,000 max of \$1,000	1,000	30-10-209		
Registration renewal fee of 0.1%, min of \$200 & max of \$1,000	1,000	30-10-209		
Late amended registration 0.3%, min of \$600 & max of \$3,000	3,000	30-10-209		
Name change of series, portfolio or other subdivision of an issuer	50	30-10-209		
Registration for broker-dealer or investment adviser	200	30-10-209		
Registration renewal for broker-dealer or investment adviser	200	30-10-209		
Initial registration for salesperson or investment adviser representative	50	30-10-209		
Registration renewal for salesperson or investment adviser representative	50	30-10-209		
Transfer of registration for salesperson or investment adviser representative	50	30-10-209		
Initial registration for federal covered adviser	200	30-10-209		
Registration renewal for federal covered adviser	200	30-10-209		
Certified or uncertified copies	Various	30-10-209		
Request for exemption for transaction in compliance with rules-first \$100,000	200	30-10-209	6.10.120	
Request for exemption for transaction in compliance with rules-0.1% over \$100,000, \$1,000 ma	1,000	30-10-209	6.10.120	
Request for exemption for other transactions	50	30-10-209		
Living trusts initial license application for the first \$100,000 issue	200	30-10-904		
Living trusts additional license application fee of 0.1% over \$100,000 max of \$1,000	1,000	30-10-904		
Living trusts license renewal fee of 0.1%, min of \$200 & max of \$1,000	1,000	30-10-904		
<u>State Auditor's Office</u>				
Collected examination costs	Various	30-10-115		
Portfolio notice filing - Initial registration for the first \$100,000 issue	200	30-10-209		
Portfolio notice filing - Additional registration fee of 0.1% over \$100,000 max of \$1,000	1,000	30-10-209		
Portfolio notice filing - Registration renewal fee of 0.1%, min of \$200 & max of \$1,000	1,000	30-10-209		
Portfolio notice filing - Late amended registration 0.3%, min of \$600 & max of \$3,000	3,000	30-10-209		

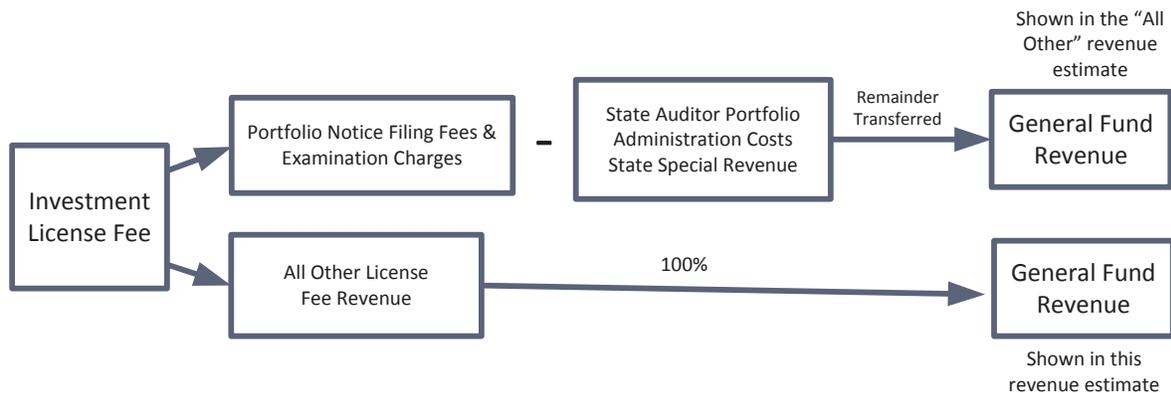
**Distribution:** All fees except portfolio notice filing fees and examination charges are deposited to the general fund. Portfolio notice filing fees and examination charges are deposited in a state special revenue account from which the State Auditor pays for expenses associated with the regulation of portfolio activities. The excess in this account is transferred to the general fund throughout the year as a non-budgeted transfer and is shown under the “All Other” revenue category.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Investment License Fee

#### Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** Varies

#### % of Total General Fund Revenue:

FY 2004 – 0.35%	FY 2007 – 0.33%	FY 2010 – 0.38%
FY 2005 – 0.34%	FY 2008 – 0.33%	FY 2011 – 0.39%
FY 2006 – 0.33%	FY 2009 – 0.36%	FY 2012 – 0.37%

**Revenue Estimate Methodology:** Investment license fee revenue is obtained from two major sources: portfolio notice filing and examination fees (state special revenue), and many other varied fees (general fund). The portfolio notice filing fees, examination fees, and other permit revenue are estimated separately and then summed.

#### Data

The state accounting system (SABHRS) provides historical collection data for the state special revenue portfolio notice filing fees, as well as revenue from examination fee and fees distributed to the general fund. The State Auditor’s Office provides revenue estimates of the general fund and examination fees in its biennial budget submission for the forecast period. Also provided in the budget submission are requested appropriations for the portfolio regulatory program that are needed to determine the transfer amount of portfolio notice filing and examination fee revenue to the general fund.

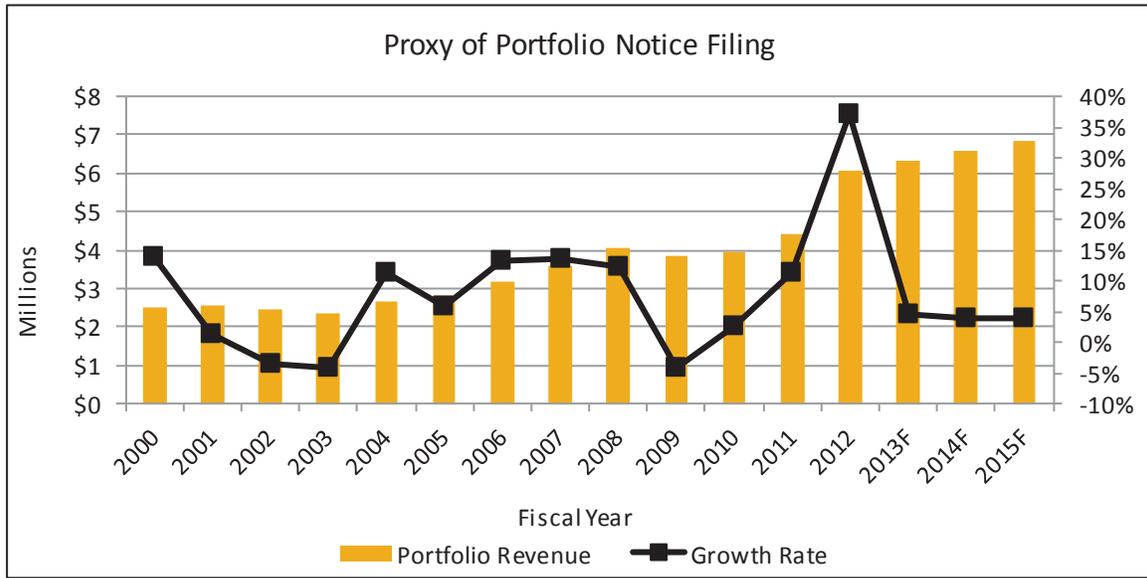
#### Analysis

The portfolio notice filing fee and the licenses and permits are both modeled on the S&P 500 Index.

# Legislative Fiscal Division

## Revenue Estimate Profile

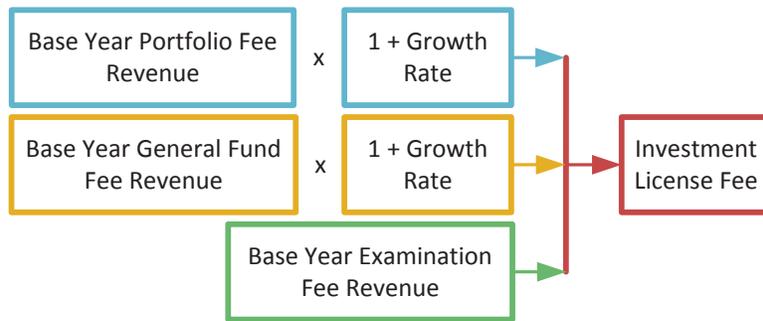
### Investment License Fee



#### Adjustments and Distribution

Since the general fund and the state special revenue component are estimated under separate methodologies, the distribution of the revenue has already been done. However, there is a further distribution of the portfolio notice filing and examination fee revenue after it is in the state special revenue fund. Once there, the revenue is reduced by estimates of the appropriations required by the State Auditor’s Office to regulate portfolio activities. The remaining amount of the fee revenue is then transferred to the general fund. The general fund transfer amounts are not shown in this revenue source, but are shown in the “All Other” revenue source.

#### Forecast Methodology:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Investment License Fee

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t	Total Tax	GF Tax	GF Transfer	Licenses	Portfolio	Portfolio
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Expenses</u>
							<u>Millions</u>
Actual	2002	7.467	4.992	2.179	4.992	2.476	0.202
Actual	2003	7.520	5.142	2.036	5.142	2.378	0.321
Actual	2004	7.486	4.834	2.113	4.834	2.652	0.684
Actual	2005	8.007	5.192	2.110	5.192	2.815	0.690
Actual	2006	8.764	5.584	2.234	5.584	3.180	0.654
Actual	2007	9.692	6.095	2.977	6.095	3.597	0.630
Actual	2008	10.556	6.514	3.309	6.514	4.068	0.674
Actual	2009	10.333	6.461	3.318	6.461	3.887	0.675
Actual	2010	10.195	6.225	2.969	6.225	3.994	1.056
Actual	2011	11.342	6.922	3.278	6.922	4.426	1.152
Actual	2012	13.016	6.961	4.965	6.961	6.065	1.139
Forecast	2013	13.547	7.210	5.147	7.210	6.337	1.190
Forecast	2014	14.046	7.457	5.205	7.457	6.589	1.384
Forecast	2015	14.557	7.714	5.466	7.714	6.844	1.377

	t	Licenses	Portfolio	Expense
	<u>Fiscal</u>	<u>Growth %</u>	<u>Growth %</u>	<u>Growth %</u>
Actual	2002	-15.2%	-3.4%	49.2%
Actual	2003	3.0%	-4.2%	58.5%
Actual	2004	-6.0%	11.5%	113.1%
Actual	2005	7.4%	5.8%	0.9%
Actual	2006	7.5%	13.3%	-5.2%
Actual	2007	9.1%	13.7%	-3.6%
Actual	2008	6.9%	12.4%	6.9%
Actual	2009	-0.8%	-4.2%	0.2%
Actual	2010	-3.7%	2.5%	56.5%
Actual	2011	11.2%	11.3%	9.1%
Actual	2012	0.6%	37.0%	-1.1%
Forecast	2013	0.0%	0.0%	4.4%
Forecast	2014	0.0%	0.0%	16.3%
Forecast	2015	0.0%	0.0%	-0.5%

Total Tax = Licenses + Portfolio - Portfolio Expenses

GF Tax = Licenses

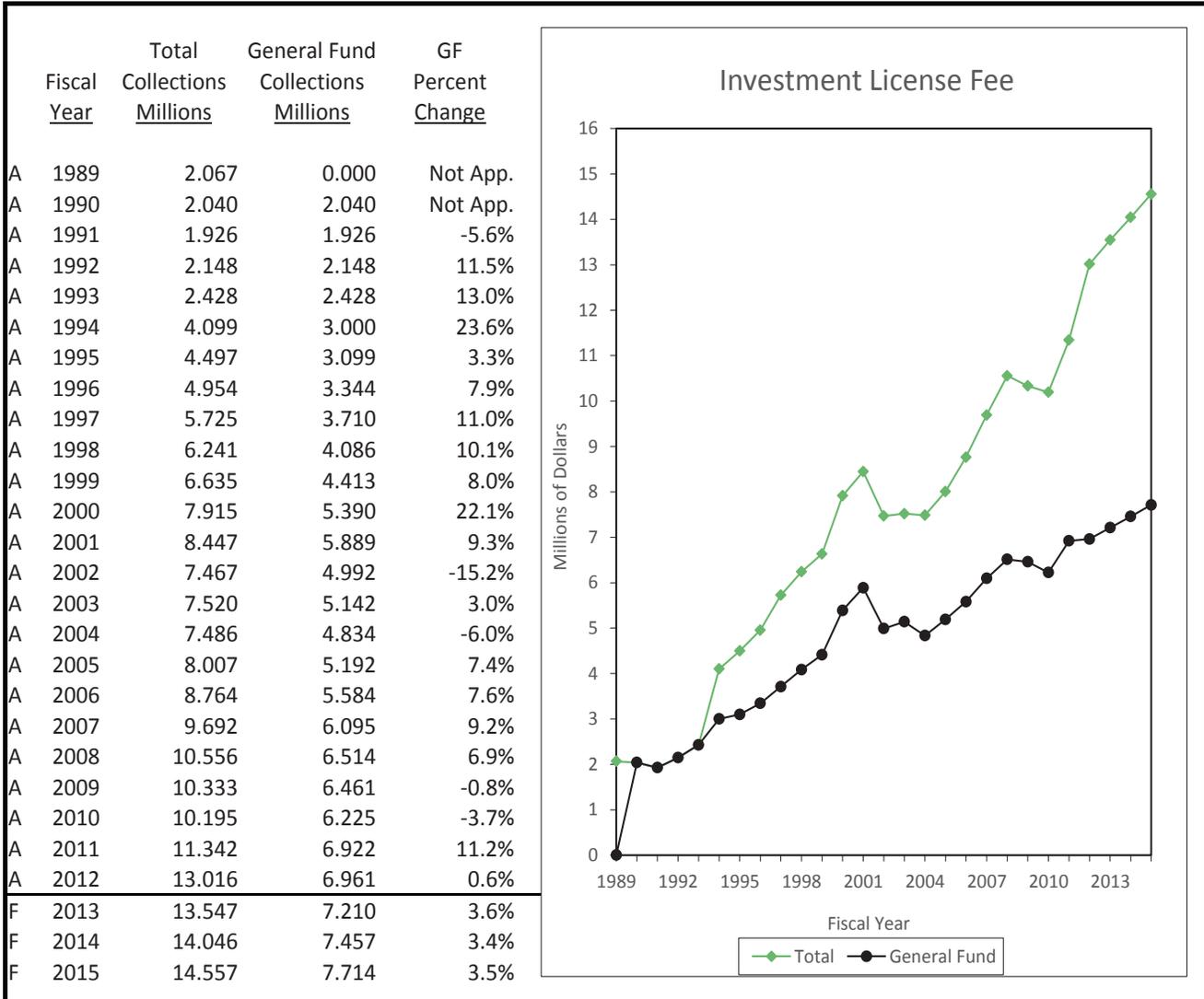
GF Transfer = Portfolio - Portfolio Expenses

# Legislative Fiscal Division

## Revenue Estimate Profile

### Investment License Fee

#### Revenue Projection:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Lodging Taxes

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**Revenue Description:** The state imposes two taxes on room charges collected by lodging facilities and campgrounds: a lodging sales tax and a lodging facility use tax. The taxes only apply for rooms used for lodging.

The 3% lodging sales tax began June 1, 2003 and applies to hotels, motels, campgrounds, resorts, dormitories, condominium inns, dude ranches, guest ranches, hostels, public lodging houses, and bed and breakfast facilities. Exempt are facilities for health care, facilities owned by non-profit corporations for use by youth for camping, facilities whose average daily charge is less than 60% of the amount the state of Montana reimburses for lodging, and facilities rented for 30 days or more. Sales to the U.S. government are also exempt from the sales tax. All facilities subject to the tax must obtain a seller's permit before engaging in business subject to the sales tax within Montana. The vendor must pay the tax due by the last day of the month following a calendar quarter. Vendors are allowed to claim and keep 5% of the tax as an allowance, not to exceed \$1,000 a quarter. The Department of Revenue may require a retailer to post security up to twice the average tax liability to be used to recover taxes, interest, and penalties owed.

The 4% lodging facility use tax applies to facilities containing individual sleeping rooms or suites, providing overnight lodging for periods of less than 30 days to the general public for compensation. This includes hotels, motels, campgrounds, resorts, dormitories, condominium inns, dude ranches, guest ranches, hostels, public lodging houses, or bed and breakfasts. Exempt are non-profit or religious corporation facilities used primarily by youth for camping, facilities whose average daily charge does not exceed 60% of the amount the state of Montana reimburses for lodging, and facilities rented for 30 days or more. All facilities must be registered with the Department of Revenue. Due to enactment of HB 111 in the 2011 session, 30% of taxes paid by state employees are deposited to the general fund. Taxes paid by federal funds are deposited to the general fund and reimbursed to the federal government from the general fund through the statutory appropriation in 17-3-106. The remainder of taxes paid by state employees is distributed under current allocations. The 30% returned to the general fund is shown in the "All Other Revenue" profile.

#### Statutory Reference:

Tax Rate (MCA) – 15-65-111 ([lodging facility use tax](#)), 15-68-102 ([lodging sales tax](#))

Tax Distribution (MCA) – 15-65-121 ([lodging facility use tax](#)), 15-68-820 ([lodging sales tax](#))

Date Due – [Lodging facility use tax](#) is due before the end of calendar quarter (15-65-112). The [lodging sales tax](#) is due the last day of the month following the calendar quarter (15-68-502(1)).

**Applicable Tax Rate(s):** The lodging sales tax is 3.0% of the sales price. The lodging facility use tax is 4.0% of room charges.

#### Distribution:

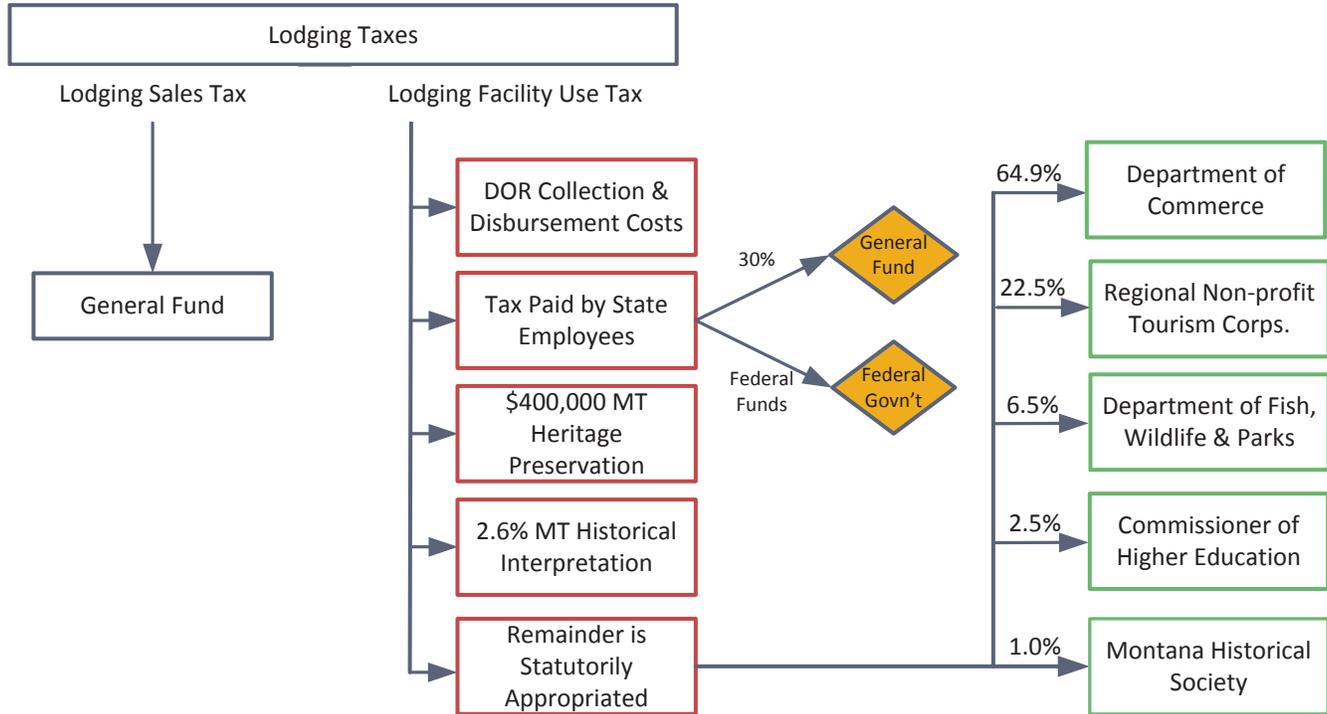
1. Sales Tax: 100% general fund
2. Lodging Facility Use Tax: The revenue is first distributed as follows: the Department of Revenue in the amount appropriated for collection and disbursement costs; 30% of the taxes paid by state employees to the general fund (taxes paid with federal funds are reimbursed to the federal government from the general fund); \$400,000 to the Montana heritage preservation and development fund which is statutorily appropriated for restoring and maintaining historic properties; and 2.6% to the historical interpretation account. After these distributions, the remainder is distributed and statutorily appropriated:
  - 67.5% to the Department of Commerce for tourism promotion and promotion of the state as a location for the production of motion pictures and television commercials.
  - 22.5% to regional nonprofit tourism corporations.
  - 6.5% to the Department of Fish, Wildlife and Parks for maintenance of state park facilities.
  - 2.5% to the university system for the establishment and maintenance of a Montana travel research program.
  - 1.0% to the Montana Historical Society to install and maintain roadside historical signs and historic sites.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Lodging Taxes

Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** The owner of a facility collects the tax and remits it quarterly to the Department of Revenue.

**% of Total General Fund Revenue:**

A small portion for reimbursement of lodging facility taxes paid by state employees is included in “All Other General Fund Revenue.”

FY 2004 – 0.67%	FY 2007 – 0.70%	FY 2010 – 0.76%
FY 2005 – 0.67%	FY 2008 – 0.68%	FY 2011 – 0.80%
FY 2006 – 0.63%	FY 2009 – 0.69%	FY 2012 – 0.83%

**Revenue Estimate Methodology:**

Data

Data from the state accounting system (SABHRS) is used to prepare the estimate for the two lodging facility taxes. Additional data, such as the consumer price index projections, provided by the IHS, and non-residential tourism expenditures, provided by the Institute for Tourism and Recreation Research, is used to evaluate the results of the methodology.

Total lodging taxes are made up of two separate taxes, the lodging facility use tax, which is deposited into state special revenue accounts to fund state tourism activities, and the lodging sales tax, which is deposited into the general fund. The same base, in the form of a proxy for taxable room charges, is used as the starting point both sources, and both taxes are estimated using a single proxy of the taxable room charges in Montana.

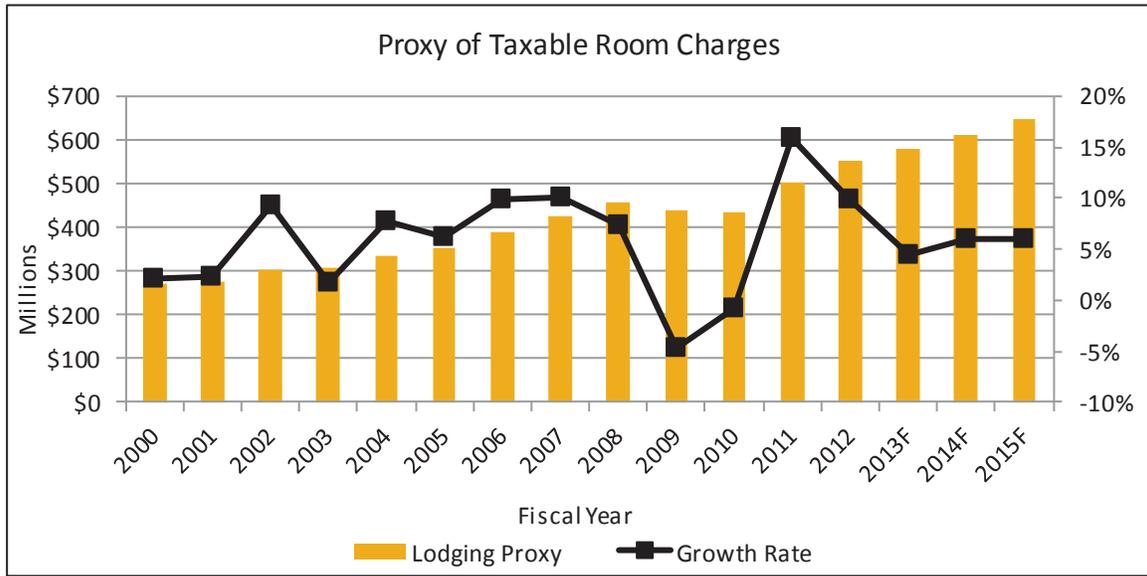
Analysis

The proxy of lodging taxes is modeled on Montana retail sales and then reduced by a ratio to account for the difference apparent in the taxable room receipts of the lodging facility use tax and lodging sales tax. Estimates of taxable room charges are multiplied by the corresponding tax rate and summed to produce the total lodging tax estimate.

# Legislative Fiscal Division

## Revenue Estimate Profile

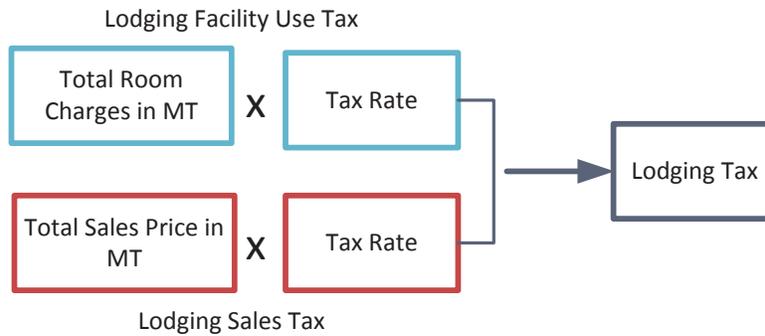
### Lodging Taxes



#### Adjustments

A portion of the collections is distributed to the DOR to cover the expenses associated with administration of the tax. Of the taxes paid by state employees who stay in lodging facilities in connection with their jobs, 30% is distributed to the general fund. Taxes paid by employees with federal funds are reimbursed to the federal government. After the gross lodging facility use tax estimates are adjusted, the remainder of the revenues is distributed to the statutorily designated agencies.

#### Forecast Methodology:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Lodging Taxes

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	<u>t</u>	<u>Total Tax</u>	<u>GF Tax</u>	<u>Accom.</u>	<u>Accom.</u>	<u>Net Lodging</u>	<u>Lodging</u>	<u>DOR</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Sales</u>	<u>Tax Rate</u>	<u>Sales</u>	<u>Tax Rate</u>	<u>Admin.</u>
				<u>Millions</u>	<u>Rate</u>	<u>Millions</u>	<u>Rate</u>	<u>Millions</u>
Actual	2002	11.862	0.000	303.948	4.0%			0.126
Actual	2003	12.613	2.271	309.013	4.0%			0.103
Actual	2004	22.848	9.279	333.172	4.0%	333.172	3.0%	0.137
Actual	2005	24.636	10.201	353.689	4.0%	338.826	3.0%	0.141
Actual	2006	25.519	10.679	388.456	4.0%	371.961	3.0%	0.029
Actual	2007	30.620	12.916	427.346	4.0%	409.048	3.0%	0.150
Actual	2008	31.744	13.390	458.526	4.0%	439.406	3.0%	0.149
Actual	2009	29.581	12.477	437.313	4.0%	419.059	3.0%	0.154
Actual	2010	29.265	12.331	434.054	4.0%	416.004	3.0%	0.131
Actual	2011	33.809	14.241	503.265	4.0%	482.164	3.0%	0.132
Actual	2012	37.724	15.606	552.942	4.0%	529.700	3.0%	0.136
Forecast	2013	40.399	17.314	577.123	4.0%	577.123	3.0%	0.136
Forecast	2014	42.853	18.365	612.172	4.0%	612.172	3.0%	0.141
Forecast	2015	45.446	19.477	649.221	4.0%	649.221	3.0%	0.141

	<u>t</u>	<u>Higher Ed.</u>	<u>DOC</u>	<u>Sites &amp;</u>	<u>Regional</u>	<u>FWP</u>	<u>MT.</u>	<u>All Other</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Signs</u>	<u>Millions</u>	<u>Millions</u>	<u>Heritage</u>	<u>Entities</u>
				<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	0.283	7.651	0.114	2.550	0.737	0.400	0.000
Actual	2003	0.288	6.088	0.116	2.596	0.750	0.400	0.000
Actual	2004	0.326	8.797	0.130	2.932	0.847	0.400	0.000
Actual	2005	0.347	9.378	0.139	3.126	0.903	0.400	0.000
Actual	2006	0.360	9.727	0.144	3.242	0.937	0.400	0.000
Actual	2007	0.429	11.579	0.172	3.860	1.115	0.400	0.000
Actual	2008	0.445	12.019	0.178	4.006	1.157	0.400	0.000
Actual	2009	0.414	11.171	0.165	3.724	1.076	0.400	0.000
Actual	2010	0.410	11.072	0.164	3.691	1.066	0.400	0.000
Actual	2011	0.476	12.850	0.190	4.283	1.237	0.400	0.000
Actual	2012	0.540	14.012	0.216	4.856	1.403	0.400	0.000
Forecast	2013	0.564	14.634	0.225	5.073	1.466	0.400	0.000
Forecast	2014	0.599	15.542	0.239	5.388	1.557	0.400	0.000
Forecast	2015	0.636	16.503	0.254	5.721	1.653	0.400	0.000

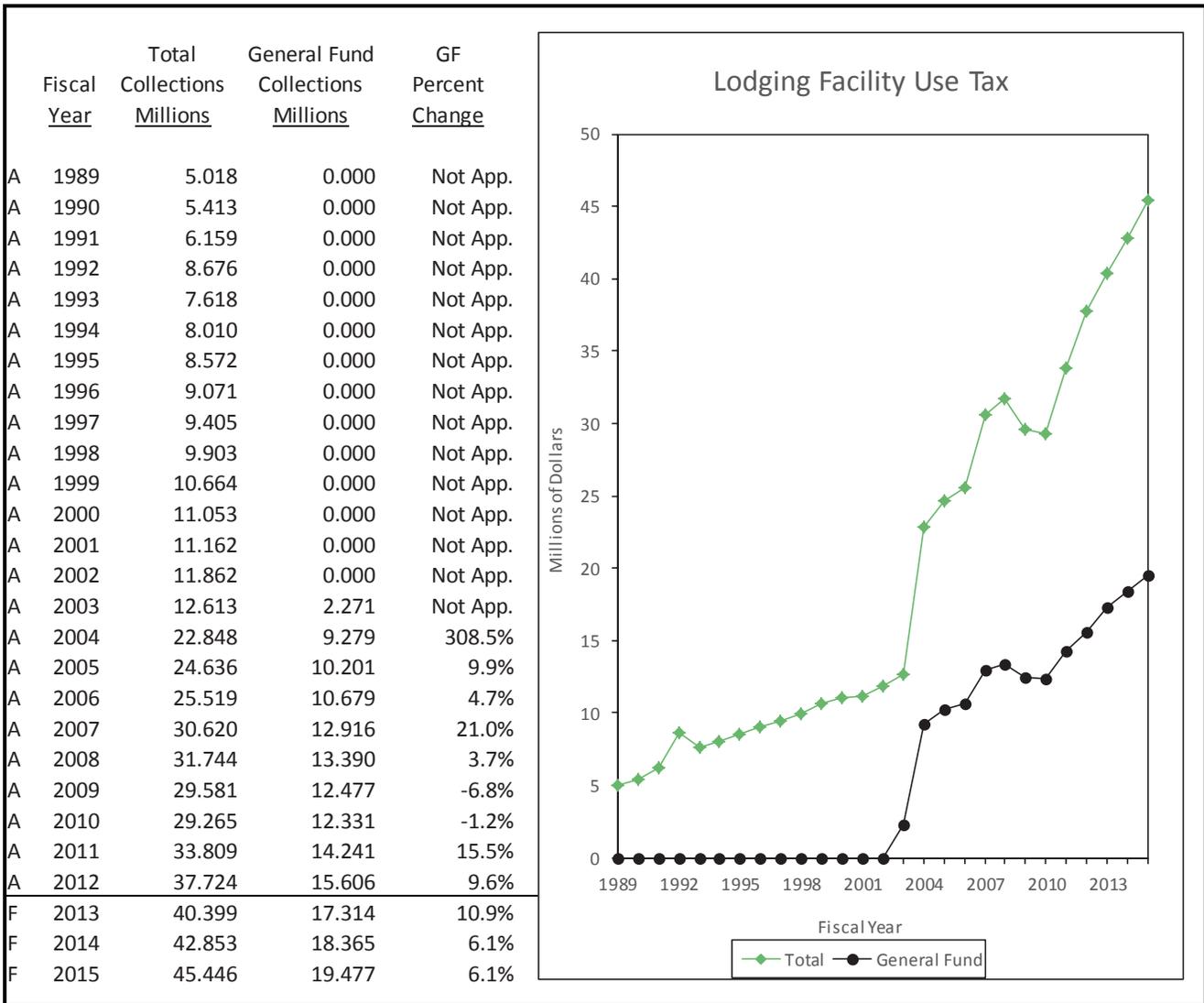
Total Tax = Accom. Sales × Accom. Tax Rate + Net Lodging Sales × Lodging Tax Rate  
 GF Tax = Lodging Sales × Lodging Tax Rate

# Legislative Fiscal Division

## Revenue Estimate Profile

### Lodging Taxes

#### Revenue Projection:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Motor Vehicle Fee

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**Revenue Description:** The state assesses a variety of motor vehicle fees, including fees for the filing of motor vehicle liens, fees for new license plates, title fees, and annual and permanent registration fees. The fees vary according to the type of vehicle and the type of license plate. There are also Gross Vehicle Weight (GVW) fees on trucks and pickups, special fees for senior citizen transportation, veteran services, the highway patrol pension fund, salaries for the highway patrol, motorcycle safety, electronic commerce applications, and an optional \$4 registration fee on light vehicles for state parks and fishing access sites.

Effective January 1, 2004, all fees on motorcycles and quadricycles, trailers, travel trailers, snowmobiles, off-highway vehicles, and watercraft are one-time only and permanent, except upon change of ownership. Fees on other vehicles are annual. Light vehicles older than ten years old may be licensed permanently, at the option of the owner. New license plate fees increased from \$2 to \$5. The registration fees on campers and pontoons and rubber rafts are eliminated. Beginning January 1, 2005, the registration fees on all light vehicles increased, as did permanent fees on recreational trailers, off-highway vehicles, snowmobiles, recreational vehicles, and motorcycles. Beginning January 2006, motor homes 11 years or older may be permanently registered and the registration fee for certain vehicles increased \$5 to fund Highway Patrol salaries.

Due to changes enacted by HB 671 and SB 285 by the 2005 Legislature, registration fee revenue reported by counties on the county collection report are now being recorded as vehicle taxes. Therefore, revenue shown for this source shows a large decline in FY 2006 from FY 2005, but revenue increases by a like amount in the "Vehicle Tax" revenue source. Due to enactment of HB 90 by the 2007 Legislature, lien filing fee increases are extended through June 2016 and certificate of title fee increases are extended through June 2018. SB 508 enacted by the 2009 Legislature created an online vehicle insurance verification system funded by new fees, increased existing fees, and earmarking of existing fees.

#### Statutory Reference:

Tax Fee rate – multiple, but generally in Title 61, chapter 3. Permanent registration 61-3-562

Tax Distribution (MCA) – all fees in Title 61 are distributed to the general fund unless stated otherwise (61-3-108)

**Applicable Tax Rate(s):** Various

**Distribution:** Most motor vehicle fees are allocated to the general fund.

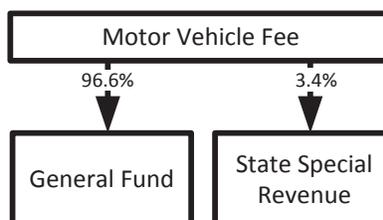
The following fees are distributed to the Motor Vehicle Information Technology Systems state special revenue account:

- \$4 of the \$8 recording lien fee (including boats, snowmobiles, and off highway vehicles)
- \$5 of the \$10 certificate of ownership fees for watercraft, snowmobiles, off-highway vehicles and all other vehicles
- \$5 of the \$10 duplicate certificate of ownership fee
- The \$10 fee for the issuance of a new certificate of title following the release of a lien

Other distributions to other state special revenue accounts (and county general fund) are as follows:

- \$10 of the \$30 donation fee for collegiate license plates to the student academic scholarship fund or foundation of the named institution
- The annual donation fee of \$20 for motorcycle or quadricycles specialty license plates for grants to chronically or critically ill children
- \$5 of the \$15 administrative fee for generic specialty license plates to the county general fund
- The \$15 surcharge for sponsoring a generic patriotic license plate for the construction, maintenance, operation, and administration of state veterans' cemeteries
- The optional \$4 fee for parks

#### Distribution Chart:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Motor Vehicle Fee

#### Summary of Legislative Action:

House Bill 414 – This bill allows for individuals who have an abode in Montana, but are not considered Montana residents, to title and register their vehicles in Montana. The change affects both vehicle taxes and motor vehicle fees.

House Bill 559 – This bill has several provisions that affect both vehicle taxes and motor vehicle fees:

- Allows vehicles with collegiate plates to be registered permanently, if they meet the age standard
- Allows motor homes that register permanently to bear generic specialty or collegiate plates
- Removes the termination date (January 1, 2015) for the use of past standard license plate designs, and on the option to reuse plate numbers on new issue plates
- Eliminates the requirement for the use of a county number prefix on small license plates
- Clarifies penalties for speed limit violations in special speed limit zones

House Bill 607 – This legislation allows for an optional expedited title service for a \$50 fee.

Motor Vehicle Fee – Legislation Passed by 63rd Legislature			
General Fund Impact (\$ Millions)			
Bill Number and Short Title	FY 2013	FY 2014	FY 2015
HB0414 Permit registration of motor vehicle to those having interest in real property	\$0.000	\$0.052	\$0.052
HB0559 Generally revise motor vehicle laws	0.000	0.000	0.000
HB0607 Expand electronic title, lien filing, and registration pilot program	0.000	0.000	0.000
<b>Total General Fund Impact</b>	<b>\$0.000</b>	<b>\$0.052</b>	<b>\$0.052</b>

**Collection Frequency:** The various fees are generally collected on a monthly basis.

#### % of Total General Fund Revenue:

FY 2004 – 2.22%	FY 2007 – 1.03%	FY 2010 – 0.88%
FY 2005 – 2.00%	FY 2008 – 1.07%	FY 2011 – 0.83%
FY 2006 – 1.24%	FY 2009 – 0.85%	FY 2012 – 0.86%

#### Revenue Estimate Methodology:

##### Data

The data used to estimate the motor vehicle (MV) fees are obtained from the state accounting system (SABHRS) and IHS.

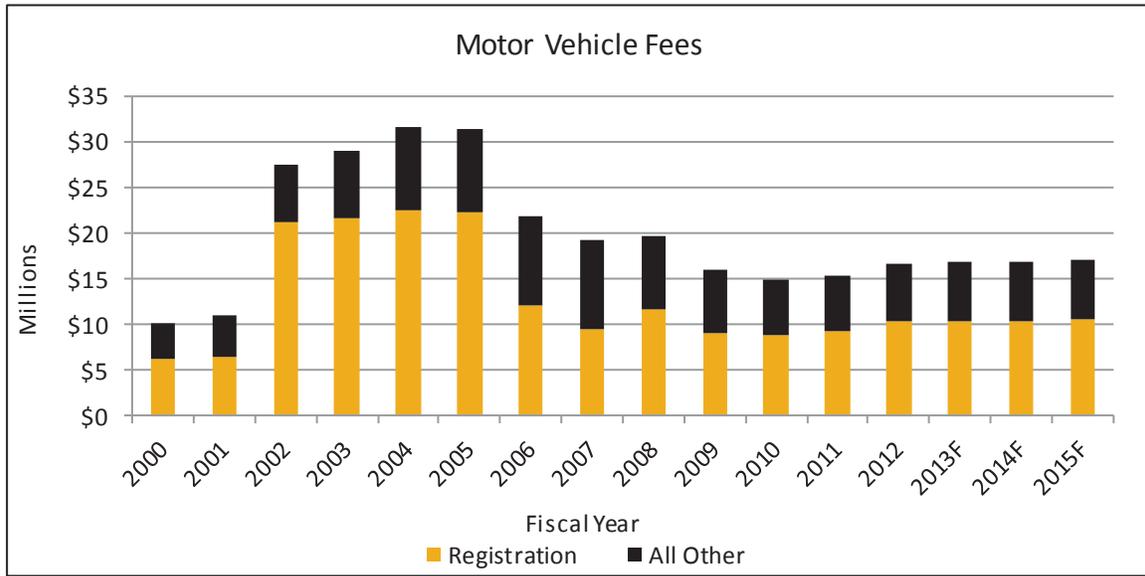
##### Analysis

MV fees are currently imposed at different rates on eight major categories. Included in the fees assessed on motor vehicles in Montana are registration fees, two types of record liens, title fees, personal and new plate fees, senior transit fees, and veteran's administration fees. The ninth category is made up of other miscellaneous fees assessed on motor vehicles. As shown in the figure below, the collection of motor vehicle fees has been highly variable since FY 2000. The figure below also shows the impact of the reduction and subsequent change in classifying vehicle registration fee revenue as vehicle tax revenue in FY 2006 and FY 2007. This change in the vehicle registration fees is the combined impact of SB 285 and HB 671, both implemented in the 2005 session. However, since registration fee revenues are now recorded as vehicle taxes, the net change to total revenues is zero.

# Legislative Fiscal Division

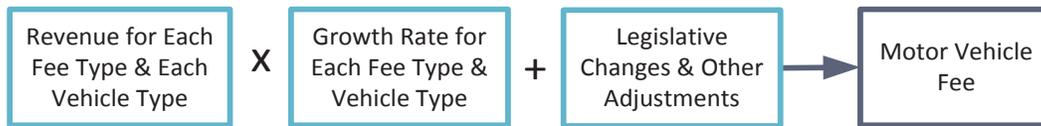
## Revenue Estimate Profile

### Motor Vehicle Fee



With constant fees, the future change in MV fees results from change in the vehicle stock in Montana. Because fee payments are directly connected to the number of vehicles in the state, estimates for the MV fees are made by applying estimated growth rates to the previous year revenue. Growth rates for the stock of Montana vehicles are modeled on IHS estimates for the national and Montana-specific vehicle stock and new car sales nationwide. The growth rate is applied to the base year revenues of each fee category and projected forward at the same rate for all estimated fiscal years. The estimated tax collections of each category are then combined to create the total estimates for the MV fees.

#### Forecast Methodology:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Motor Vehicle Fee

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t	Total Tax	GF Tax	GF Fee	GF Fee	GF Fee	GF Fee	GF Fee
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Registration</u>	<u>Record</u>	<u>Titles</u>	<u>Personal</u>	<u>VA Cemetery</u>
				<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	27.457	27.271	21.180	0.728	2.353	1.270	
Actual	2003	28.906	28.352	21.712	0.696	2.442	1.354	
Actual	2004	31.602	30.724	22.577	0.737	2.660	1.492	
Actual	2005	31.362	30.640	22.231	0.717	2.608	1.508	
Actual	2006	21.903	21.195	12.085	0.688	2.369	1.418	0.233
Actual	2007	19.141	18.401	9.452	0.699	2.495	1.364	0.231
Actual	2008	19.616	18.995	11.677	0.719	2.464	1.336	0.193
Actual	2009	15.905	15.345	9.114	0.526	2.126	1.219	0.183
Actual	2010	14.917	14.377	8.826	0.545	2.156	1.233	0.185
Actual	2011	15.353	14.814	9.283	0.538	2.286	1.230	0.189
Actual	2012	16.643	16.084	10.242	0.559	2.387	1.246	0.195
Forecast	2013	16.789	16.225	10.332	0.564	2.408	1.257	0.197
Forecast	2014	16.881	16.314	10.389	0.567	2.421	1.264	0.198
Forecast	2015	16.996	16.425	10.460	0.571	2.438	1.272	0.199

	t	GF Fee	GF Fee	GF Fee	GF Fee	GF Fee	Non GF Fee	Adjustments
	<u>Fiscal</u>	<u>New Plate</u>	<u>Computer</u>	<u>\$.25</u>	<u>Other</u>	<u>Transit</u>	<u>Lien</u>	<u>Millions</u>
		<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	0.525	-0.001	0.024	1.084	0.109	0.186	
Actual	2003	0.492	0.000	0.000	1.221	0.435	0.554	
Actual	2004	0.910	0.000	0.000	1.559	0.394	0.878	
Actual	2005	1.192	0.000	0.000	1.468	0.373	0.722	0.000
Actual	2006	2.865	0.000	0.000	1.335	0.203	0.708	0.000
Actual	2007	3.102	0.000	0.000	1.057	0.000	0.740	0.000
Actual	2008	1.493	0.000	0.000	1.113	0.000	0.621	0.000
Actual	2009	1.278	0.000	0.000	0.899	0.000	0.560	0.000
Actual	2010	0.660	0.000	0.000	0.772	0.000	0.540	0.000
Actual	2011	0.529	0.000	0.000	0.759	0.000	0.538	0.000
Actual	2012	0.554	0.000	0.000	0.900	0.000	0.559	0.000
Forecast	2013	0.559	0.000	0.000	0.908	0.000	0.564	0.000
Forecast	2014	0.562	0.000	0.000	0.913	0.000	0.567	0.000
Forecast	2015	0.565	0.000	0.000	0.919	0.000	0.571	0.000

# Legislative Fiscal Division

## Revenue Estimate Profile

### Motor Vehicle Fee

	<u>t</u>	<u>GF Fee</u> <u>Registration</u> <u>Growth</u>	<u>GF Fee</u> <u>Record</u> <u>Growth</u>	<u>GF Fee</u> <u>Titles</u> <u>Growth</u>	<u>GF Fee</u> <u>Personal</u> <u>Growth</u>	<u>GF Fee</u> <u>New Plate</u> <u>Growth</u>	<u>GF Fee</u> <u>Other</u> <u>Growth</u>	<u>GF Fee</u> <u>VA Cemetery</u> <u>Growth</u>
Actual	2002	232.6%	14.5%	82.4%	78.1%	-65.9%	196.8%	
Actual	2003	2.5%	-4.3%	3.8%	6.6%	-6.3%	12.7%	
Actual	2004	4.0%	5.9%	9.0%	10.2%	85.1%	27.6%	
Actual	2005	-1.5%	-2.8%	-2.0%	1.1%	30.9%	-5.8%	37.9%
Actual	2006	-45.6%	-4.0%	-9.2%	-6.0%	140.5%	-9.1%	-57.2%
Actual	2007	-21.8%	1.5%	5.3%	-3.8%	8.3%	-20.8%	-0.8%
Actual	2008	23.5%	2.9%	-1.3%	-2.1%	-51.9%	5.3%	-16.5%
Actual	2009	-22.0%	-26.9%	-13.7%	-8.7%	-14.4%	-19.3%	-4.9%
Actual	2010	-3.2%	3.7%	1.4%	1.1%	-48.3%	-14.2%	1.0%
Actual	2011	5.2%	-1.3%	6.0%	-0.2%	-19.9%	-1.6%	2.2%
Actual	2012	10.3%	3.9%	4.4%	1.3%	4.7%	18.6%	3.2%
Forecast	2013	0.9%	0.9%	0.9%	0.9%	0.9%	0.9%	0.9%
Forecast	2014	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%
Forecast	2015	0.7%	0.7%	0.7%	0.7%	0.7%	0.7%	0.7%

	<u>t</u>	<u>GF Fee</u> <u>New Plate</u> <u>Growth</u>	<u>GF Fee</u> <u>Computer</u> <u>Growth</u>	<u>GF Fee</u> <u>\$0.25</u> <u>Growth</u>	<u>GF Fee</u> <u>Other</u> <u>Growth</u>	<u>GF Fee</u> <u>Transit</u> <u>Growth</u>	<u>Non GF Fee</u> <u>Lien</u> <u>Growth</u>
Actual	2002	-65.9%	-100.1%	-92.1%	196.8%		
Actual	2003	-6.3%	-100.0%	-100.0%	12.7%	300.4%	-4.3%
Actual	2004	85.1%			27.6%	-9.4%	5.9%
Actual	2005	30.9%			-5.8%	-5.5%	-2.8%
Actual	2006	140.5%			-9.1%	-45.6%	-4.0%
Actual	2007	8.3%			-20.8%	-100.0%	1.5%
Actual	2008	-51.9%			5.3%		2.9%
Actual	2009	-14.4%			-19.3%		-26.9%
Actual	2010	-48.3%			-14.2%		3.7%
Actual	2011	-19.9%			-1.6%		-1.3%
Actual	2012	4.7%			18.6%		3.9%
Forecast	2013	0.9%			0.9%		0.9%
Forecast	2014	0.5%			0.5%		0.5%
Forecast	2015	0.7%			0.7%		0.7%

Total Tax = Registration + Record + Titles + Personal + New Plate + VA Cemetery + Other + Transit + Lien

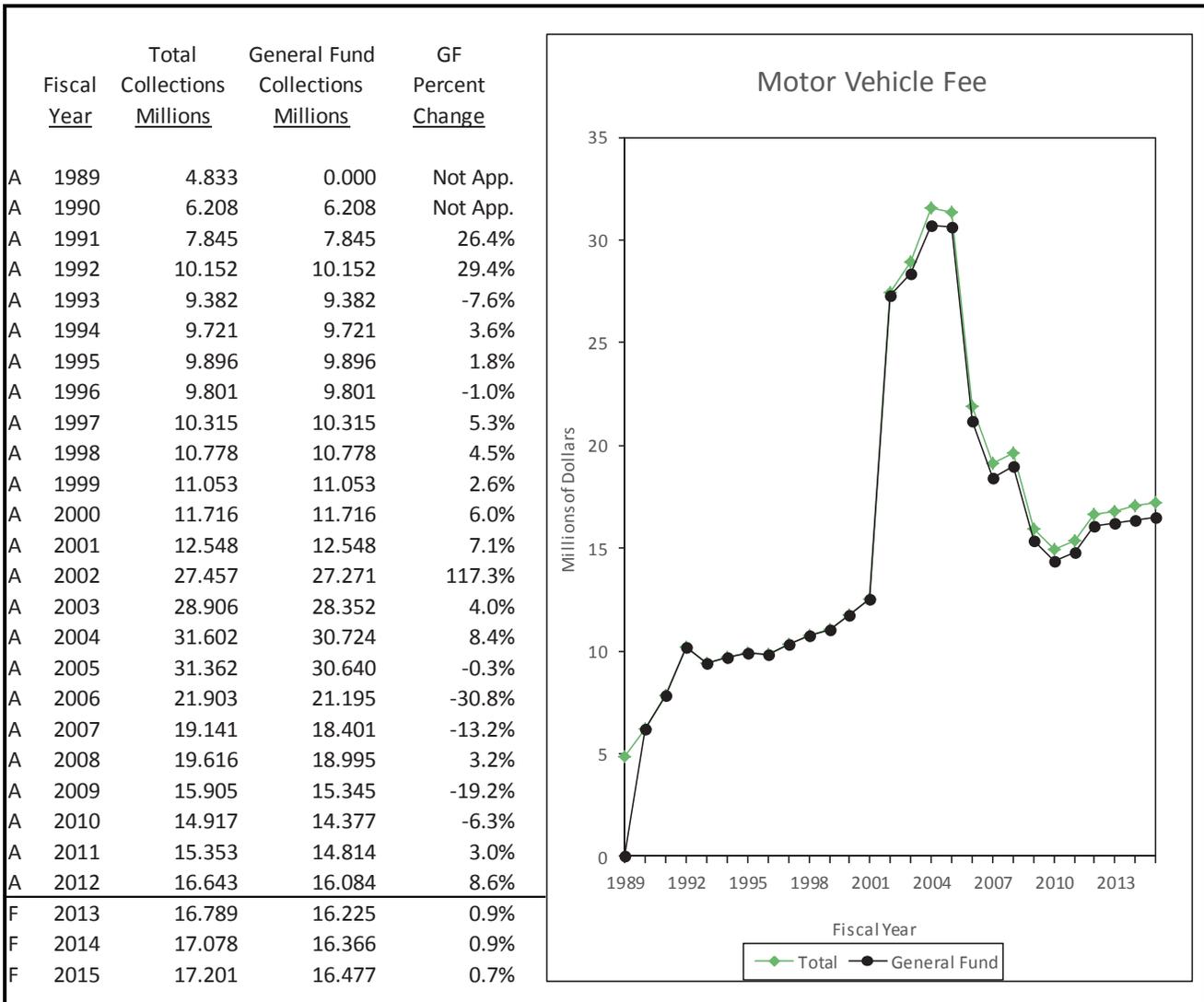
GF Tax = Total Tax - Lien

# Legislative Fiscal Division

## Revenue Estimate Profile

### Motor Vehicle Fee

#### Revenue Projection:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Public Contractors Tax

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**Revenue Description:** Contractors or subcontractors submitting a proposal to perform construction work in Montana for the federal government, state government, or any political subdivision must be licensed as a public contractor. A license is not required in order to bid on contracts in which federal aid is used for highway construction, but is required once the bid is awarded.

**Statutory Reference:**

Tax Rate (MCA) – 15-50-205

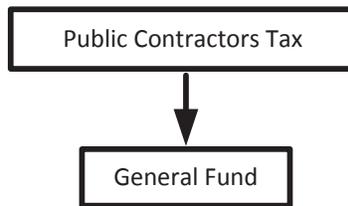
Tax Distribution MCA) – 15-50-311

Date Due – within 30 days after payment to the contractor (15-50-309)

**Applicable Tax Rate(s):** A 1.0% license fee is applied to the gross receipts of each separate project let by any of the listed public entities. However, a credit (in the form of a refund) against the license fee is allowed for personal property taxes and certain motor vehicle fees paid in Montana on personal property or vehicles used in the business of the contractor. In addition, the amount of the net license fee paid (gross less the property tax refund) may be used as a credit on the contractor's corporate or individual tax return. Overpayments are also refunded.

**Distribution:** All public contractor tax revenue is deposited into the general fund.

Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** Monthly

**% of Total General Fund Revenue:**

FY 2004 – 0.15%

FY 2007 – 0.30%

FY 2010 – 0.43%

FY 2005 – 0.09%

FY 2008 – 0.26%

FY 2011 – 0.38%

FY 2006 – 0.25%

FY 2009 – 0.33%

FY 2012 – (0.16%)

**Revenue Estimate Methodology:**

Data

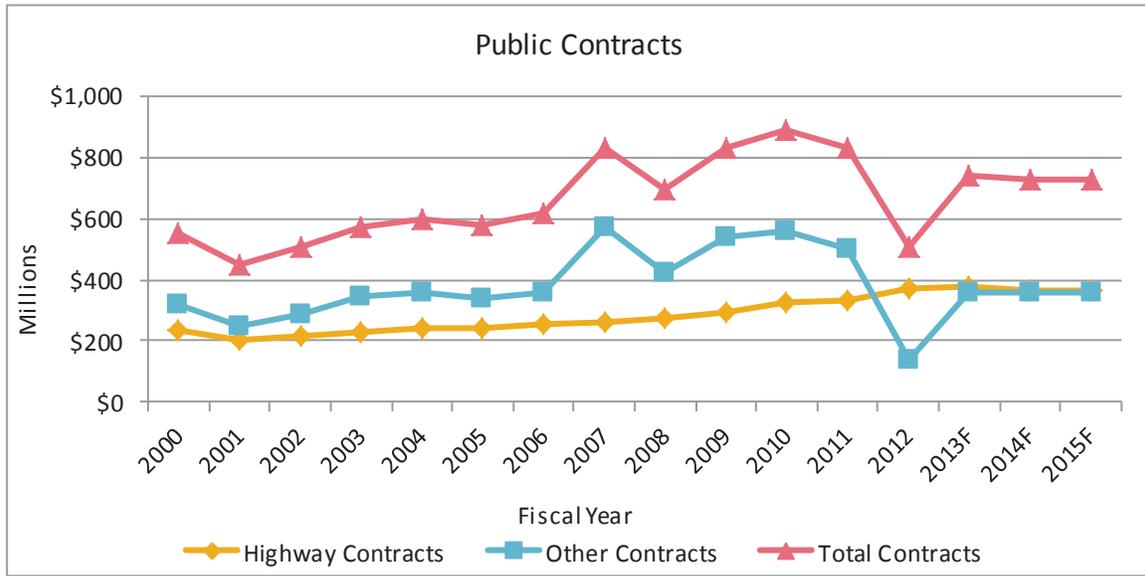
Total fiscal year tax collections are obtained from the state accounting system (SABHRS), estimates of highway contracts for future biennia are provided by the Department of Transportation (DOT), and actual credits and refunds paid in each fiscal year are available from the Department of Revenue (DOR).

A proxy for gross tax collections is developed by adjusting the SABHRS total collection data to account for the reductions of refunds and credits. The gross tax data is then disaggregated into two contract classifications, highway and all other contracts. The remainder of the gross collections can be credited to other types of contracts. These contracts include forestry, bridge construction, and public building projects.

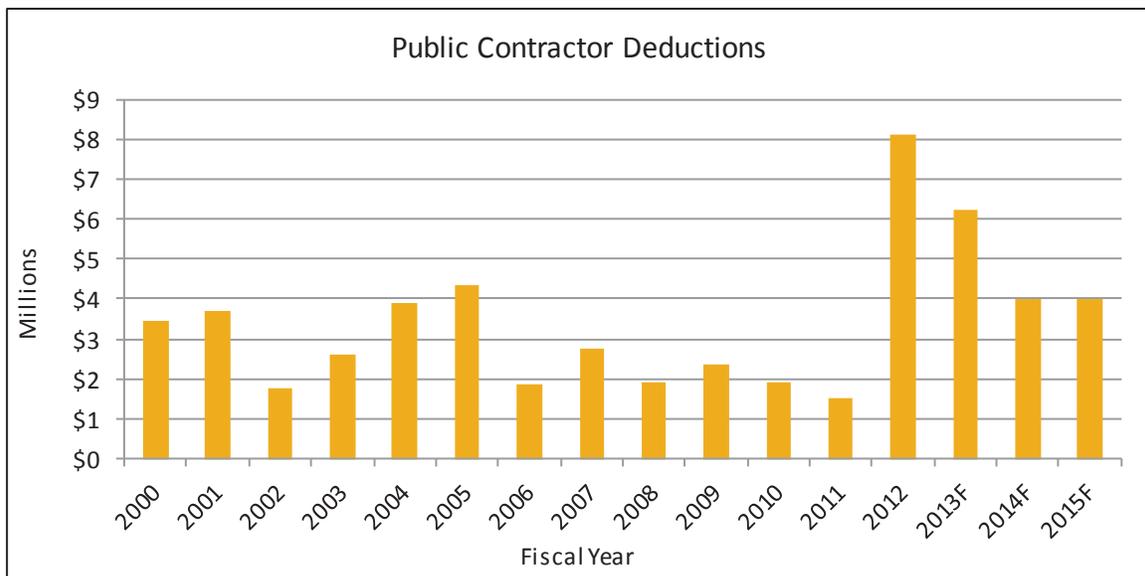
# Legislative Fiscal Division

## Revenue Estimate Profile

### Public Contractors Tax



Public contractor's tax revenue has been highly variable due to inconsistencies in processing payment of refunds and credits, as shown in the figure below.



Refunds are made up primarily of refund claims against the class 8-business property tax. Changes in the property tax rate, such as in FY 2000 when the rate was reduced from 6% to 3%, affect the amount of refunds. Credits are authorized for both individual income tax and the corporation license tax.

#### Analysis

The forecast value of all contracts other than DOT contracts is based on a historical average. This estimate is added to the estimate of highway contracts provided by DOT and multiplied by 1% to obtain the gross tax revenue. Gross taxes are reduced by an aggregate forecast of refunds and credits to produce net tax collections.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Public Contractors Tax

#### Forecast Methodology:



#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	<u>t</u>	<u>Total Tax</u>	<u>GF Tax</u>	<u>Gross Tax</u>	<u>Credits</u>	<u>Tax</u>	<u>DOT</u>	<u>Other</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>&amp; Refunds</u>	<u>Rate</u>	<u>Contracts</u>	<u>Contracts</u>
					<u>Millions</u>		<u>Millions</u>	<u>Millions</u>
Actual	2002	3.267	3.267	5.053	1.788	1.0%	217.749	287.595
Actual	2003	3.082	3.082	5.706	2.625	1.0%	226.114	344.530
Actual	2004	2.120	2.120	6.004	3.884	1.0%	241.630	358.780
Actual	2005	1.411	1.411	5.752	4.341	1.0%	239.291	335.919
Actual	2006	4.275	4.275	6.158	1.883	1.0%	254.388	361.377
Actual	2007	5.567	5.567	8.336	2.769	1.0%	263.661	569.907
Actual	2008	5.063	5.063	6.964	1.902	1.0%	271.911	424.512
Actual	2009	5.930	5.930	8.287	2.357	1.0%	290.543	538.191
Actual	2010	6.969	6.969	8.882	1.913	1.0%	327.699	560.550
Actual	2011	6.803	6.803	8.329	1.525	1.0%	330.290	502.570
Actual	2012	-3.042	-3.042	5.068	8.110	1.0%	369.168	137.636
Forecast	2013	1.140	1.140	7.394	6.254	1.0%	379.194	360.186
Forecast	2014	3.259	3.259	7.241	3.983	1.0%	363.947	360.186
Forecast	2015	3.259	3.259	7.241	3.983	1.0%	363.947	360.186

Total Tax = (DOT Contracts + Other Contracts) × Tax Rate - Credits & Refunds

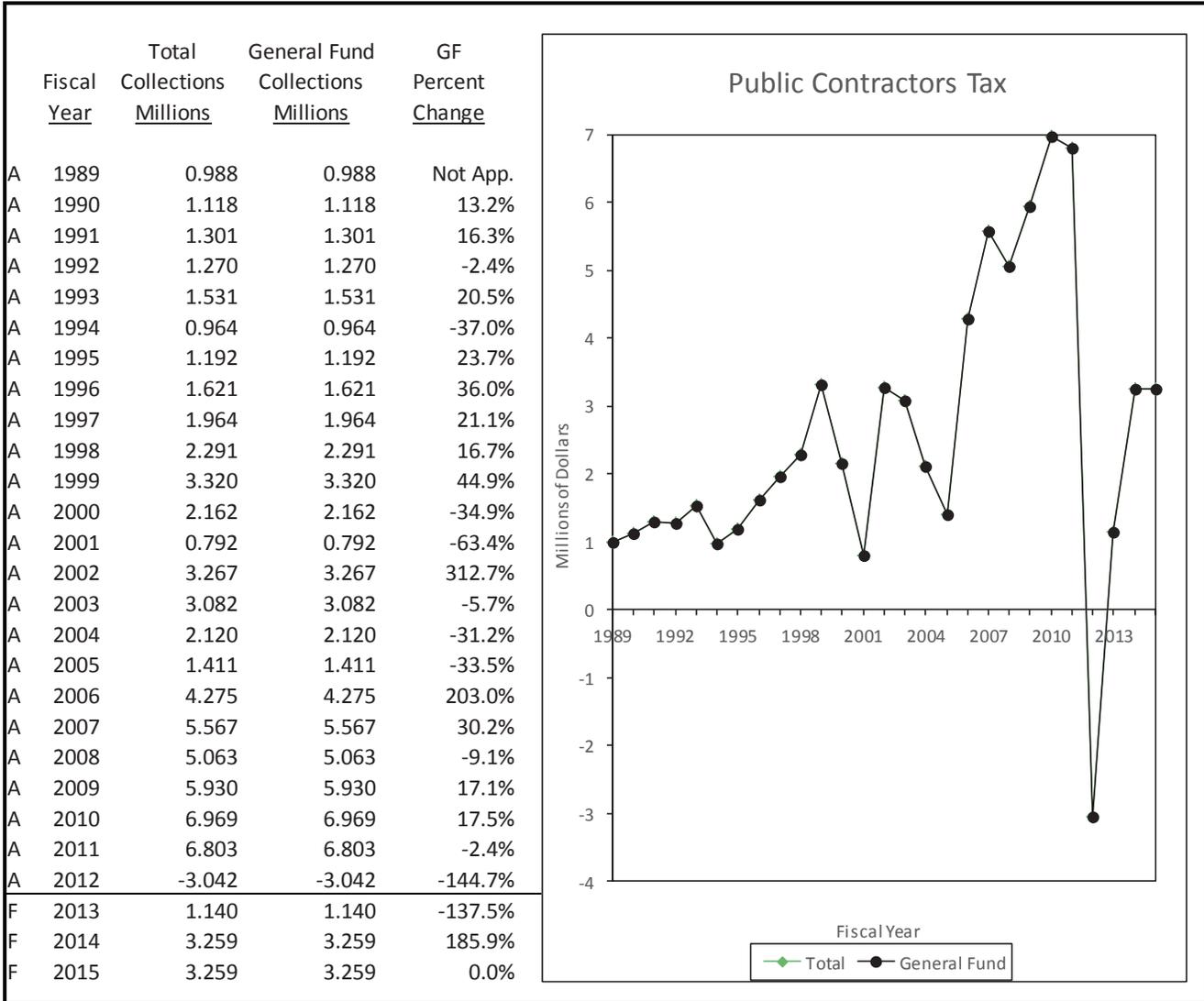
GF Tax = Total Tax

# Legislative Fiscal Division

## Revenue Estimate Profile

### Public Contractors Tax

#### Revenue Projection:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Railroad Car Tax

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**Revenue Description:** All railroad property is subject to taxation as defined in the federal Railroad Revitalization and Regulatory Reform Act of 1976. The Railroad car tax applies to the rolling stock owned by railroad companies. The railroad car tax rate the average property tax rate for commercial and industrial property. Railroad car companies, which operate in several states, pay taxes on the portion of the property value allocated to Montana, based on the ratio of the car miles traveled within Montana to the total number of car miles traveled in all states, as well as time spent in the state relative to time spent in other states.

**Statutory Reference:**

Tax Rate (MCA) - 15-23-214(1)

Tax Distribution (MCA) – 15-23-215

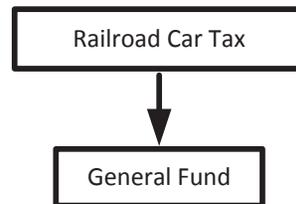
Date Due – Report due to the Department of Revenue April 15<sup>th</sup> of each year for the previous calendar year (15-23-103(2), 15-23-212). The department calculates the tax due by the third Monday in October (15-23-214(1)). One-half of the tax is due by November 30<sup>th</sup> and one-half is due by May 31<sup>st</sup> (15-23-214(3), 15-16-102(1)).

**Applicable Tax Rate(s):** The tax rate is equal to the previous year's average statewide tax rate for commercial and industrial property. This is multiplied by the statewide average mill levy for commercial and industrial property. The most current tax year rates are:

FY 2004 – 3.88%	FY 2007 – 3.55%	FY 2010 – 3.40%
FY 2005 – 3.81%	FY 2008 – 3.52%	FY 2011 – 3.40%
FY 2006 – 3.74%	FY 2009 – 3.44%	FY 2012 – 3.50%

**Distribution:** All revenue from this tax is deposited into the general fund.

Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** Semi-annually

**% of Total General Fund Revenue:**

FY 2004 – 0.11%	FY 2007 – 0.09%	FY 2010 – 0.16%
FY 2005 – 0.10%	FY 2008 – 0.11%	FY 2011 – 0.12%
FY 2006 – 0.10%	FY 2009 – 0.12%	FY 2012 – 0.12%

**Revenue Estimate Methodology:**

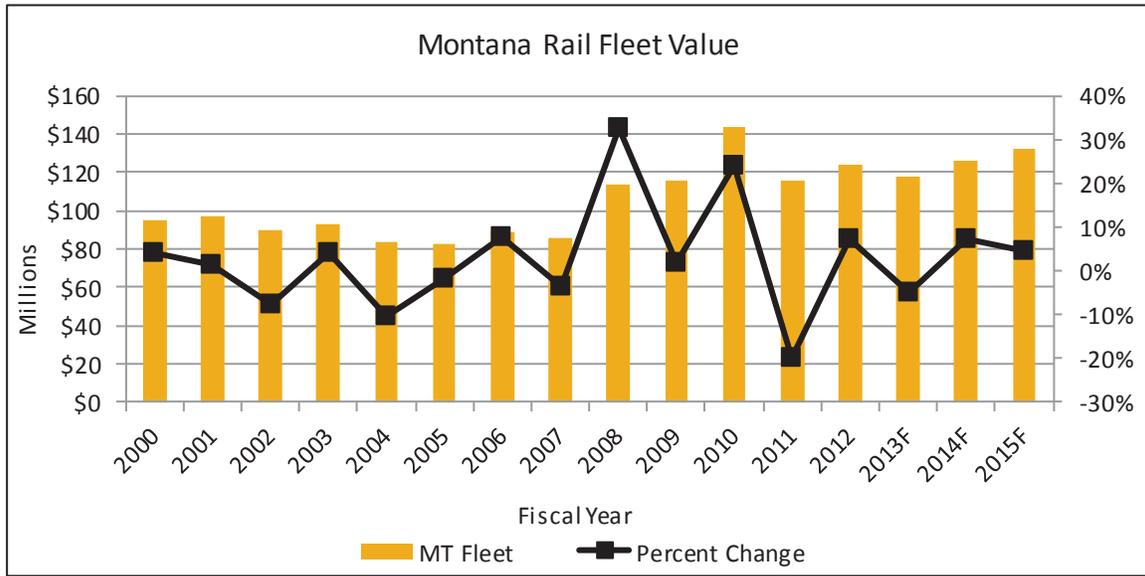
Data

Data from the Department of Revenue (DOR) provides the value of national railroad car fleet, Montana's rolling stock, railroad car tax assessed by company, the average mill levy and applicable tax rate. State accounting data (SABHRS) are used to check the estimates against the historic values.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Railroad Car Tax



#### Analysis

Although the railcar tax appears quite volatile, most of the volatility is caused by shifts in average mill levies and tax rates, both of which are controlled in large part by factors outside of the growth in rail shipments. The volatility can also be traced to litigation brought by rail companies and settled in federal legislation. In 1993, some rail companies protested tax rates, which reduced tax payments for four years. In 1997, the litigation was settled and the companies were required to make both past and current payments.

Railroad properties are taxed as class 12 properties. To calculate total railroad car tax collections, the market value of the Montana fleet is multiplied by the average mill levy and tax rate. The market value of the rail fleet in Montana is based on a relationship with market value of the U.S. fleet. An estimate for the value of the national fleet is developed using the average rate of growth in the U.S. fleet value, based on a four-year pattern of growth. Montana's average share of the total fleet value is applied to the national estimate. Since 2004, the market value of Montana's rail fleet has been ranged between 0.44% and 0.51% of the nation's fleet. Growth in Montana-allocated value is expected to grow with the national fleet value.

After the Montana market fleet value is determined, the average commercial and industrial mill levy and tax rate must be calculated. The rate of the mill levy is calculated from the average of statewide commercial and industrial mill levies. The average mill levy is expected to increase because counties are able to raise levies at a rate equal to half of the annual rate of inflation. Furthermore, the increasing costs of school budgets will further force the average mill levy to increase.

The tax rate for the railroad property is created from a weighted average of five property classes containing commercial and industrial property: class 4, 7, 8, 9, 13 and 14. Class 4 property tax, which contains commercial real estate, is weighted more heavily than the other classes. The estimated tax rate will be shown for forecast years in the revenue estimate assumptions table below.

The rail car tax estimates are completed by multiplying the Montana market value by the average mills and the tax rate.

#### Forecast Methodology:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Railroad Car Tax

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	<u>t</u>	<u>Total Tax</u>	<u>GF Tax</u>	<u>Total MV</u>	<u>MT</u>	<u>MT MV</u>	<u>Tax</u>	
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>of Fleet</u>	<u>Allocation</u>	<u>of Fleet</u>	<u>Rate</u>	<u>Mills</u>
				<u>Millions</u>	<u>Percent</u>	<u>Millions</u>		
Actual	2002	1.490	1.490	20,065.084	0.4%	89.657	4.2%	0.401
Actual	2003	1.484	1.484	19,527.800	0.5%	93.549	4.0%	0.419
Actual	2004	1.568	1.568	19,231.928	0.4%	84.020	3.9%	0.474
Actual	2005	1.604	1.604	18,767.655	0.4%	82.646	3.8%	0.487
Actual	2006	1.667	1.667	20,014.412	0.4%	89.056	3.7%	0.510
Actual	2007	1.615	1.615	21,120.423	0.4%	85.817	3.6%	0.516
Actual	2008	2.064	2.064	22,553.070	0.5%	113.859	3.5%	0.520
Actual	2009	2.099	2.099	25,133.266	0.5%	116.184	3.4%	0.525
Actual	2010	2.579	2.579	28,120.571	0.5%	144.031	3.5%	0.525
Actual	2011	2.130	2.130	27,258.969	0.4%	115.455	3.4%	0.517
Actual	2012	2.273	2.273	26,010.981	0.5%	123.766	3.5%	0.533
Forecast	2013	2.157	2.157	26,722.252	0.4%	117.899	3.5%	0.530
Forecast	2014	2.320	2.320	28,685.053	0.4%	126.558	3.5%	0.532
Forecast	2015	2.437	2.437	29,823.780	0.4%	131.583	3.5%	0.537

Total Tax = Total MV of Fleet × MT Allocation × Tax Rate × Mills

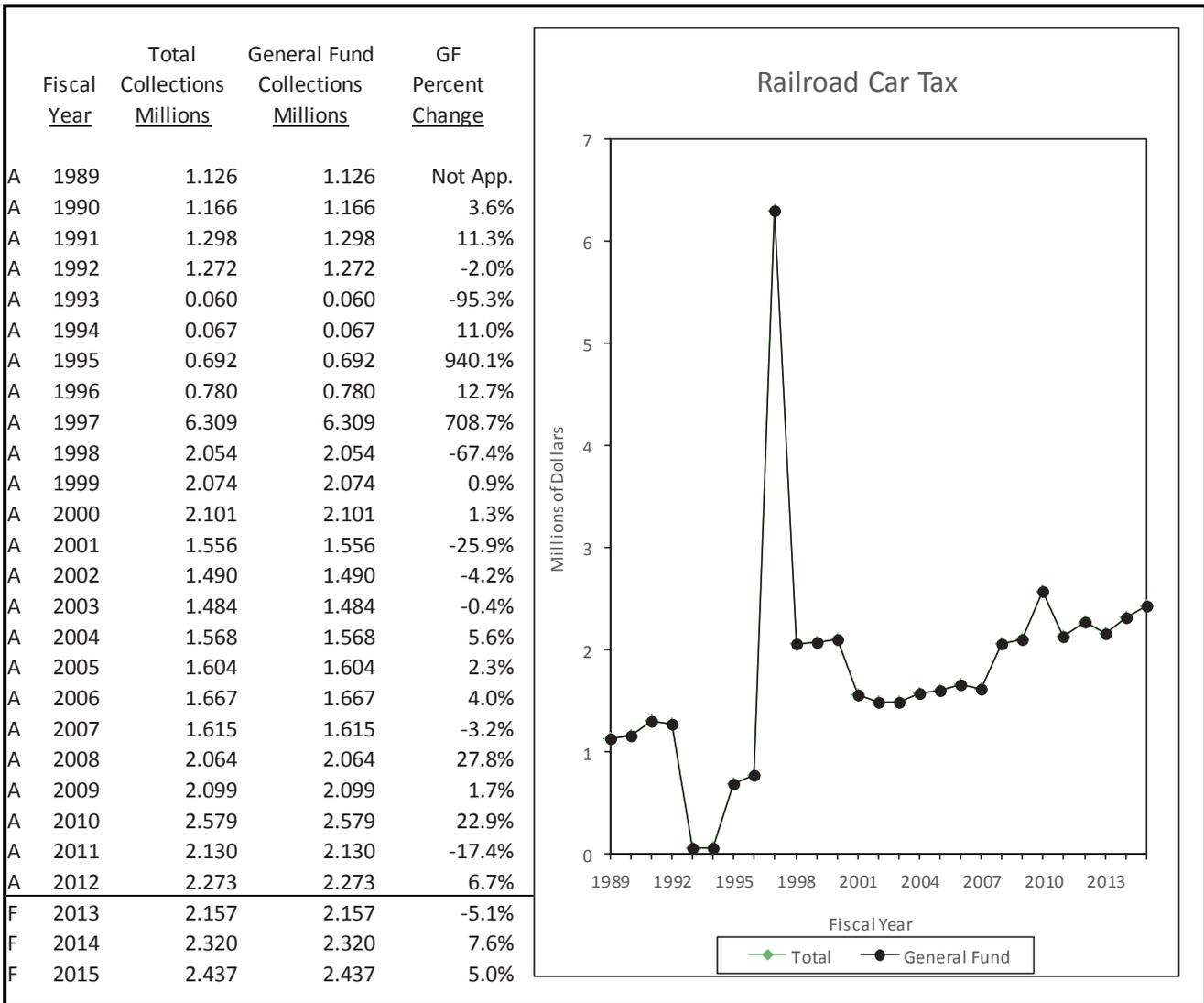
GF Tax = Total Tax

# Legislative Fiscal Division

## Revenue Estimate Profile

### Railroad Car Tax

#### Revenue Projection:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Rental Car Sales Tax

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**Revenue Description:** Beginning July 1, 2003, a new 4% sales tax was imposed on the base rental charge for rental vehicles. The base rental charge includes use charges for time and mileage, insurance, accessory equipment, and charges for additional or underage drivers. It does not include price discounts, charges for operating an airport concession, motor fuel, intercity drop charges, and government taxes. A rental vehicle is one that is used by a person other than the owner by arrangement and for consideration. Included are light vehicles, motorcycles, motor-driven cycles, quadricycles, motorboats and sailboats, and off-highway vehicles. Sales to the U.S. government are exempt from the sales tax. All facilities subject to the tax must obtain a seller's permit before engaging in business subject to the sales tax within Montana. The Department of Revenue may require a retailer to post security up to twice the average tax liability to be used to recover taxes, interest, and penalties owed. Vendors are allowed to claim and keep 5% of the tax as an allowance, not to exceed \$1,000 a quarter.

#### Statutory Reference:

Tax Rate (MCA) - 15-68-102(1b)

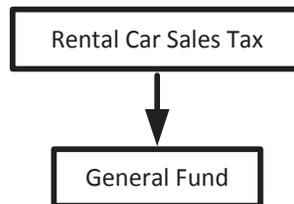
Tax Distribution MCA) - 15-68-820

Date Due - before the last day of the month following the calendar quarter (15-68-502(1))

**Applicable Tax Rate(s):** A 4% sales tax is imposed on the base rental charge for rental vehicles.

**Distribution:** All revenue from this tax is deposited into the general fund.

#### Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** The vendor must pay the tax due by the last day of the month following a calendar quarter.

#### % of Total General Fund Revenue:

FY 2004 – 0.18%

FY 2007 – 0.16%

FY 2010 – 0.17%

FY 2005 – 0.17%

FY 2008 – 0.16%

FY 2011 – 0.18%

FY 2006 – 0.16%

FY 2009 – 0.16%

FY 2012 – 0.18%

#### Revenue Estimate Methodology:

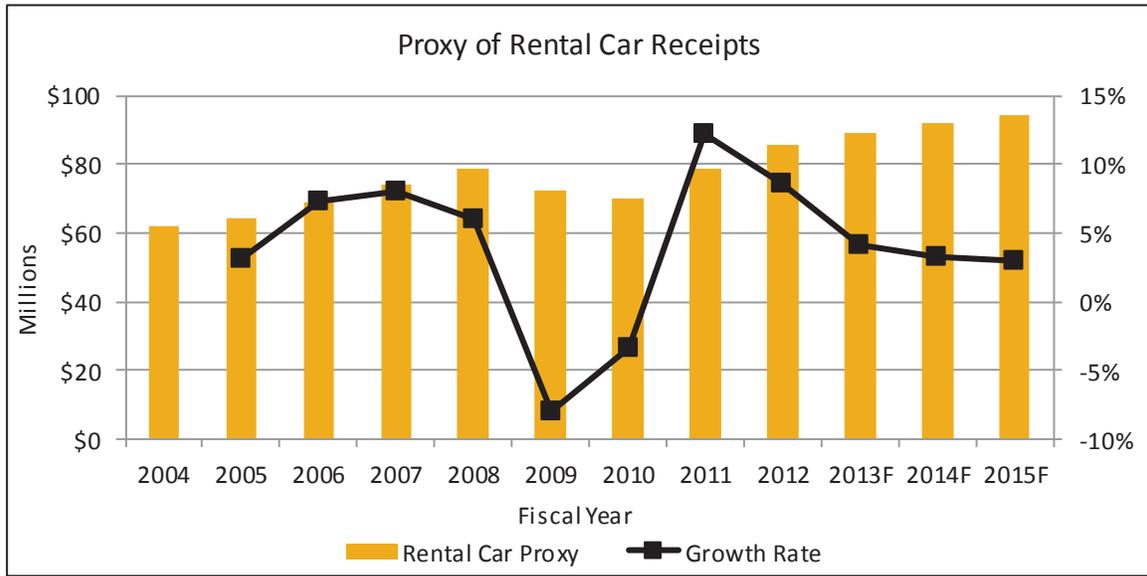
##### Data

Data for rental car sales tax is provided by the state accounting system (SABHRS) and the Institute for Tourism and Recreation Research (ITRR). The SABHRS data includes the historic tax collection observations and the ITRR data is used as an indicator for the historic growth associated with the tourism industry.

# Legislative Fiscal Division

## Revenue Estimate Profile

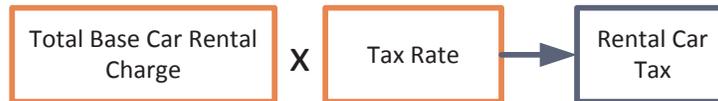
### Rental Car Sales Tax



#### Analysis

A proxy of rental car receipts is made by dividing historic tax receipts by the current tax rate. Future proxy values are modeled on Montana retail sales and then multiplied by the applicable tax rate to obtain projected tax revenues.

#### Forecast Methodology:



#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t	Total Tax	GF Tax	Taxable	Tax	Credits	Audits
	Fiscal	Millions	Millions	Sales	Rate	Millions	Millions
				Millions	Percent		
Actual	2002	0.000	0.000	0.000	0.0%	0.000	0.000
Actual	2003	0.000	0.000	0.000	0.0%	0.000	0.000
Actual	2004	2.486	2.486	62.150	4.0%	0.000	0.000
Actual	2005	2.566	2.566	64.139	4.0%	0.000	0.000
Actual	2006	2.755	2.755	68.877	4.0%	0.000	0.000
Actual	2007	2.976	2.976	74.406	4.0%	0.000	0.000
Actual	2008	3.157	3.157	78.931	4.0%	0.000	0.000
Actual	2009	2.904	2.904	72.609	4.0%	0.000	0.000
Actual	2010	2.807	2.807	70.185	4.0%	0.000	0.000
Actual	2011	3.149	3.149	78.730	4.0%	0.000	0.000
Actual	2012	3.420	3.420	85.494	4.0%	0.000	0.000
Forecast	2013	3.539	3.539	88.463	4.0%	0.000	0.000
Forecast	2014	3.632	3.632	90.793	4.0%	0.000	0.000
Forecast	2015	3.744	3.744	93.585	4.0%	0.000	0.000

$$\text{Total Tax} = \text{Taxable Sales} \times \text{Tax Rate} - \text{Credits} + \text{Audits}$$

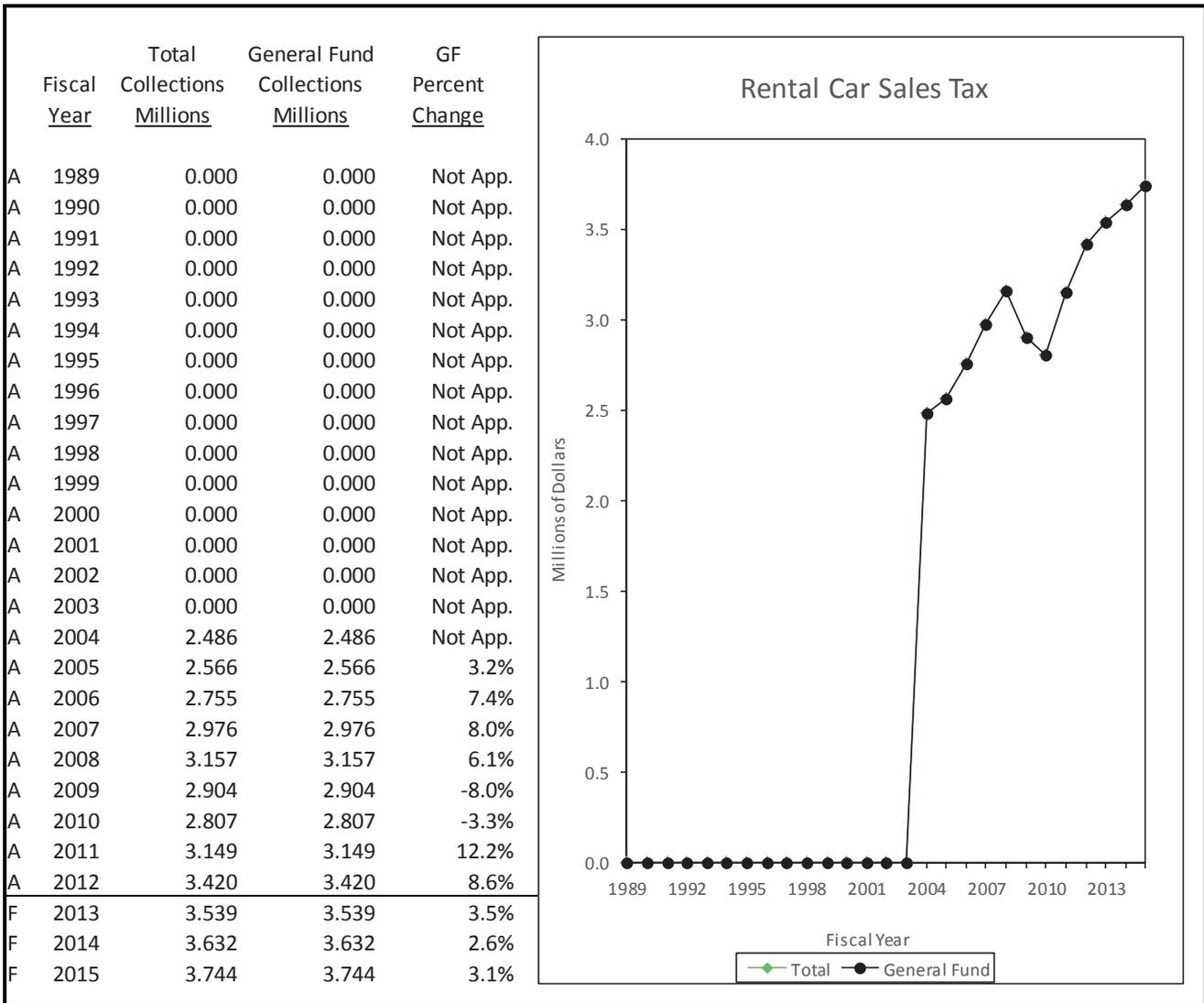
$$\text{GF Tax} = \text{Total Tax}$$

# Legislative Fiscal Division

## Revenue Estimate Profile

### Rental Car Sales Tax

#### Revenue Projection:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Telecommunications Excise Tax

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**Revenue Description:** The retail telecommunications excise tax is levied on the sales price of retail telecommunications services originating or terminating in the state. It is paid by the retail purchaser and collected by the provider.

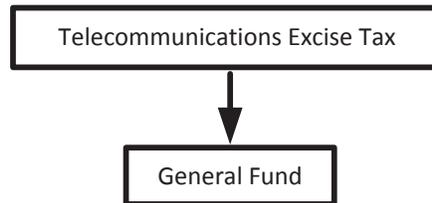
**Statutory Reference:**

Tax Rate (MCA) – 15-53-130  
Tax Distribution (MCA) – 15-53-156  
Date Due – 60 days after the end of the calendar quarter (15-53-139)

**Applicable Tax Rate(s):** The current tax rate of 3.75% is applied to the sales price of retail telecommunications services. Sales price includes payment for services such as distribution, supply, transmission, and delivery, but excludes federal taxes, relocation of service, equipment repair, prepaid calling cards, and other items. Gross receipts from the provision of internet services are also exempt. Credits previously allowed for costs of advanced telecommunications infrastructure improvements were repealed in House Bill 96 by the 2003 legislature.

**Distribution:** After retaining an allowance for refunds, all proceeds are deposited into the general fund.

Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** Quarterly

**% of Total General Fund Revenue:**

FY 2004 – 1.51%	FY 2007 – 1.14%	FY 2010 – 1.45%
FY 2005 – 1.38%	FY 2008 – 1.15%	FY 2011 – 1.24%
FY 2006 – 1.24%	FY 2009 – 1.23%	FY 2012 – 1.15%

**Revenue Estimate Methodology:**

Data

Data from quarterly reports produced by DOR provide a history of retail telecommunications sales for each individual company. Inflation data is obtained from IHS.

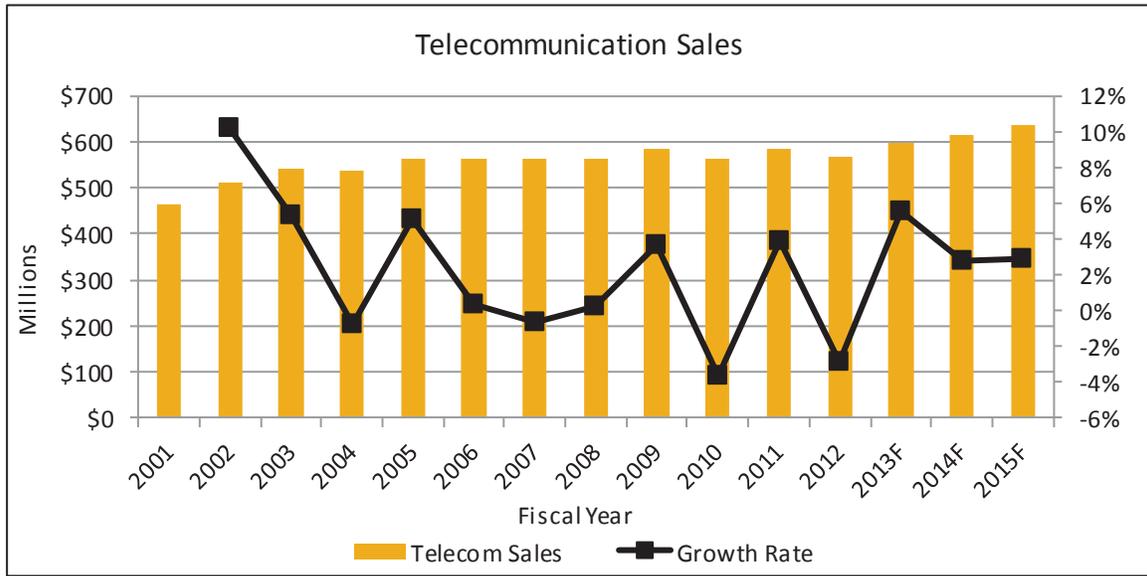
Analysis

The total retail telecommunication sales are reported by the DOR. The estimate for gross sales is modeled on Montana real gross state product for the information sector. Yearly estimated taxable sales are multiplied by the tax rate to produce gross tax revenue from this source.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Telecommunications Excise Tax



#### Adjustments and Distribution

Once gross tax revenue for each fiscal year is determined, the value is adjusted by audits. Audits are projected based on a ten-year moving average of actual audits.

#### Forecast Methodology:



#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t Fiscal	Total Tax Millions	GF Tax Millions	Taxable Sales Millions	Tax Rate Percent	Credits Millions	Audits Millions
Actual	2002	19.594	19.594	512.754	3.75%	0.252	0.617
Actual	2003	20.805	20.805	540.397	3.75%	0.004	0.544
Actual	2004	20.890	20.890	536.139	3.75%	0.053	0.838
Actual	2005	21.144	21.144	563.780	3.75%	0.000	0.003
Actual	2006	21.209	21.209	565.572	3.75%	0.000	0.000
Actual	2007	21.066	21.066	561.756	3.75%	0.000	0.000
Actual	2008	22.350	22.350	563.408	3.75%	0.000	1.223
Actual	2009	22.250	22.250	584.146	3.75%	0.000	0.345
Actual	2010	23.523	23.523	563.234	3.75%	0.000	2.402
Actual	2011	22.050	22.050	585.333	3.75%	0.000	0.100
Actual	2012	21.459	21.459	568.306	3.75%	0.000	0.148
Forecast	2013	22.606	22.606	600.148	3.75%	0.000	0.100
Forecast	2014	23.236	23.236	616.939	3.75%	0.000	0.100
Forecast	2015	23.823	23.823	632.583	3.75%	0.000	0.100

$$\text{Total Tax} = \text{Taxable Sales} \times \text{Tax Rate} - \text{Credits} + \text{Audits}$$

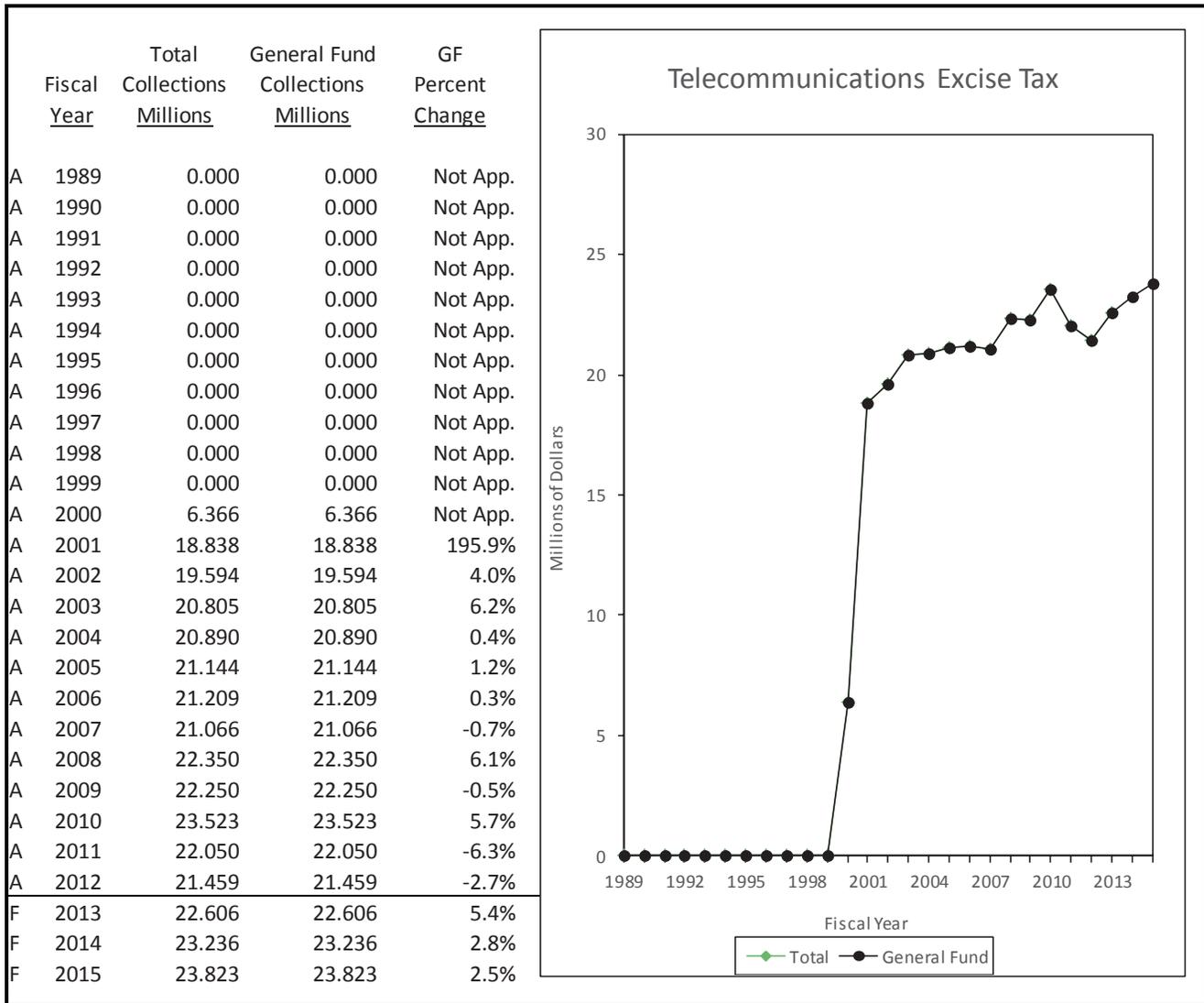
$$\text{GF Tax} = \text{Total Tax}$$

# Legislative Fiscal Division

## Revenue Estimate Profile

### Telecommunications Excise Tax

#### Revenue Projection:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Vehicle Tax

**Revenue Description:** Light vehicles, motorcycles and quadricycles, snowmobiles, buses, trucks, truck tractors having a manufacturer's rated capacity of more than 1 ton, motor homes, and certain trailers and travel trailers are taxed under a fee schedule that varies by age and weight.

**Statutory Reference:**

Tax Rate (MCA) – watercraft one-time (23-2-516), snowmobiles one-time (23-2-626), OHV one-time (23-2-803), vehicle registrations (61-3-321), vehicles greater than 1 ton (61-3-529)

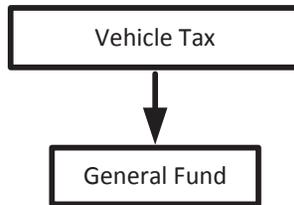
Tax Distribution (MCA) – watercraft (23-2-518), snowmobiles (23-2-619(7)), OHV (23-2-803), vehicle registrations (61-3-321(16)), motorcycles and quadricycles registrations (61-3-509), motor homes registrations (61-3-509), vehicles greater than 1 ton registrations (61-3-509)

Date Due – County treasurers remit the revenue to the Department of Revenue every 30 days (15-1-504 & 61-3-509).

**Applicable Tax Rate(s):** Varies

**Distribution:** All fees-in-lieu-of-tax are deposited in the general fund.

Distribution Chart:



**Summary of Legislative Action:**

House Bill 414 – This bill allows for individuals who have an abode in Montana, but are not considered Montana residents, to title and register their vehicles in Montana. The change affects both vehicle taxes and motor vehicle fees.

House Bill 559 – This bill has several provisions that affect both vehicle taxes and motor vehicle fees:

- Allows vehicles with collegiate plates to be registered permanently, if they meet the age standard
- Allows motor homes that register permanently to bear generic specialty or collegiate plates
- Removes the termination date (January 1, 2015) for the use of past standard license plate designs, and on the option to reuse plate numbers on new issue plates
- Eliminates the requirement for the use of a county number prefix on small license plates
- Clarifies penalties for speed limit violations in special speed limit zones

Vehicle Tax – Legislation Passed by 63rd Legislature			
General Fund Impact (\$ Millions)			
Bill Number and Short Title	FY 2013	FY 2014	FY 2015
HB0414 Permit registration of motor vehicle to those having interest in real property	\$0.000	\$1.191	\$1.191
HB0559 Generally revise motor vehicle laws	0.003	0.032	0.023
<b>Total General Fund Impact</b>	<b>\$0.003</b>	<b>\$1.223</b>	<b>\$1.214</b>

**Collection Frequency:** Monthly

# Legislative Fiscal Division

## Revenue Estimate Profile

### Vehicle Tax

#### % of Total General Fund Revenue:

FY 2004 – 6.05%	FY 2007 – 5.51%	FY 2010 – 5.50%
FY 2005 – 5.23%	FY 2008 – 5.26%	FY 2011 – 5.64%
FY 2006 – 5.39%	FY 2009 – 4.94%	FY 2012 – 5.34%

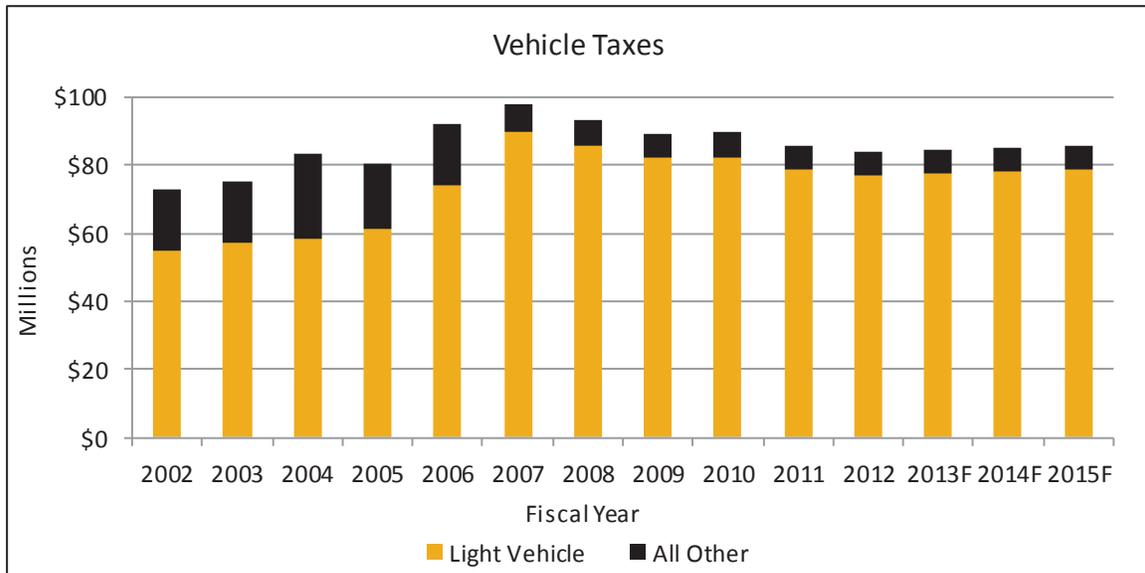
#### Revenue Estimate Methodology:

##### Data

The data used to estimate the motor vehicle tax are obtained from the state accounting system (SABHRS) and IHS.

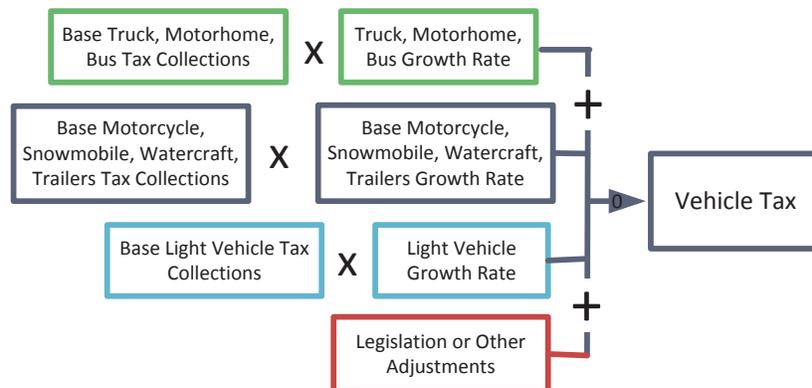
##### Analysis

Vehicle taxes are currently imposed at different rates on five categories of vehicles (tax schedule varies by age and weight) including light vehicles, large trucks, motor homes, motor cycles (including tri-cycles), and boats and snowmobiles. Seen in the figure below, there is a greater rate of growth for light vehicle taxes in FY 2006 and FY 2007. This growth results from the legislative impacts of SB 285 and HB 671, both implemented in the 2005 session.



With constant fees, the future change in vehicle tax revenue results from change in the vehicle stock in Montana. Because taxes are directly connected to the number of vehicles in the state, estimates are made by applying estimated growth rates to the previous year revenue. Growth rates for the stock of Montana vehicles are modeled on IHS estimates for the national and Montana-specific vehicle stock and new car sales nationwide. The growth rate is applied to the base year revenues and projected forward at the same rate for the forecast period.

#### Forecast Methodology:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Vehicle Tax

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	<u>t</u>	<u>Total Tax</u>	<u>GF Tax</u>	<u>Non-GF Tax</u>	<u>Legislation</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	73.092	73.127	-0.036	0.000
Actual	2003	75.186	75.185	0.001	0.000
Actual	2004	83.607	83.607	0.000	0.000
Actual	2005	80.132	80.132	0.000	0.000
Actual	2006	92.097	92.097	0.000	0.000
Actual	2007	98.070	98.070	0.000	0.000
Actual	2008	93.493	93.493	0.000	0.000
Actual	2009	89.335	89.335	0.000	0.000
Actual	2010	89.485	89.485	0.000	0.000
Actual	2011	85.762	85.762	0.000	0.000
Actual	2012	83.871	83.871	0.000	0.000
Forecast	2013	84.608	84.608	0.000	0.000
Forecast	2014	85.070	85.070	0.000	0.000
Forecast	2015	85.651	85.651	0.000	0.000

	<u>t</u>	<u>Large</u>	<u>Motor</u>	<u>Light</u>	<u>Boats/</u>	<u>MCO</u>	<u>District</u>
	<u>Fiscal</u>	<u>Truck</u>	<u>Home</u>	<u>Vehicle</u>	<u>Snow</u>	<u>Registration</u>	<u>Courts</u>
		<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	5.384	3.607	54.602	2.076	7.459	-0.036
Actual	2003	5.117	3.342	56.961	2.196	7.569	0.000
Actual	2004	8.562	4.485	58.457	3.980	8.122	0.000
Actual	2005	4.433	3.835	60.940	2.369	8.555	0.000
Actual	2006	5.577	5.236	73.980	2.325	4.980	0.000
Actual	2007	3.024	4.000	89.575	1.470	0.001	0.000
Actual	2008	2.779	3.743	85.624	1.347	0.000	0.000
Actual	2009	2.668	3.216	82.259	1.191	0.000	0.000
Actual	2010	2.584	3.489	82.212	1.199	0.000	0.000
Actual	2011	2.726	3.460	78.443	1.133	0.000	0.000
Actual	2012	2.745	3.035	76.880	1.211	0.000	0.000
Forecast	2013	2.769	3.062	77.555	1.221	0.000	0.000
Forecast	2014	2.784	3.079	77.979	1.228	0.000	0.000
Forecast	2015	2.803	3.100	78.512	1.237	0.000	0.000

# Legislative Fiscal Division

## Revenue Estimate Profile

### Vehicle Tax

	<u>Fiscal</u>	<u>Large Truck Growth</u>	<u>Motor Home Growth</u>	<u>Light Vehicle Growth</u>	<u>Boats/ Snow Growth</u>	<u>MCO Registration Growth</u>
Actual	2002					
Actual	2003	-5.0%	-7.3%	4.3%	5.8%	1.5%
Actual	2004	67.3%	34.2%	2.6%	81.2%	7.3%
Actual	2005	-48.2%	-14.5%	4.2%	-40.5%	5.3%
Actual	2006	25.8%	36.5%	21.4%	-1.8%	-41.8%
Actual	2007	-45.8%	-23.6%	21.1%	-36.8%	-100.0%
Actual	2008	-8.1%	-6.4%	-4.4%	-8.4%	-100.0%
Actual	2009	-4.0%	-14.1%	-3.9%	-11.6%	
Actual	2010	-3.1%	8.5%	-0.1%	0.7%	
Actual	2011	5.5%	-0.8%	-4.6%	-5.5%	
Actual	2012	0.7%	-12.3%	-2.0%	6.9%	
Forecast	2013	0.9%	0.9%	0.9%	0.9%	
Forecast	2014	0.5%	0.5%	0.5%	0.5%	
Forecast	2015	0.7%	0.7%	0.7%	0.7%	

Total Tax = Large Trucks + Motor Home + Light Vehicle + Boats/Snow + MCO Registration

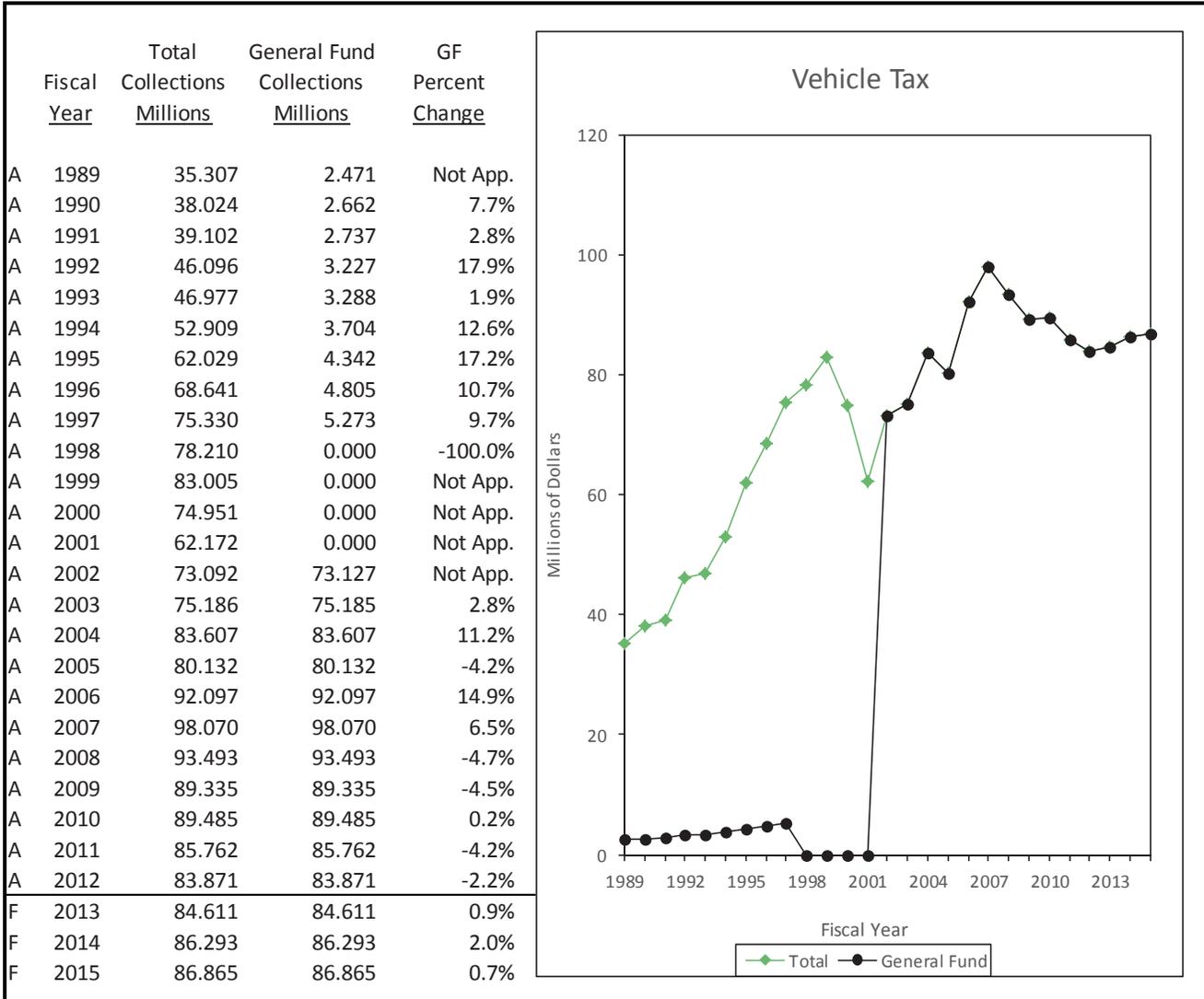
GF Tax = Total Tax

# Legislative Fiscal Division

## Revenue Estimate Profile

### Vehicle Tax

#### Revenue Projection:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Coal Severance Tax

**Revenue Description:** For large producers, the coal severance tax is imposed on all coal production in excess of 20,000 tons per company per calendar year. However, producers of 50,000 tons or less in any calendar year are exempt from the tax.

**Statutory Reference:**

Tax Rate (MCA) – 15-35-103

Tax Distribution (MCA) – Montana Constitution, Article IX, Section 5; 15-35-108; 17-5-703

Date Due – the report to the Department of Revenue and tax is due 30 days following the close of the quarter (15-35-104)

**Applicable Tax Rate(s):**

- 10.0% - on the value of surfaced mined coal with a heating quality < 7,000 BTU
- 15.0% - on the value surfaced mined coal with a heating quality ≥ 7,000 BTU
- 3.0% - on the value underground mined coal with a heating quality < 7,000 BTU
- 4.0% - on the value underground mined coal with a heating quality ≥ 7,000 BTU
- 3.75% - on the value of auger mined coal with a heating quality < 7,000 BTU
- 5.0 % - on the value of auger mined coal with a heating quality ≥ 7,000 BTU

**Distribution:**

Coal Severance Tax Distribution						
Account Name	FY 1998-1999	FY 2000-2002	FY 2003	FY 2004-2005	FY 2006-2007	FY 2008-2013*
Permanent Trust	25.0%	0.0%	0.0%	12.5%	0.0%	0.0%
Treasure State Endowment	25.0%	37.5%	37.5%	25.0%	25.0%	25.0%
TSEP Regional Water	0.0%	12.5%	12.5%	12.5%	12.5%	12.5%
Big Sky Economic Development	0.0%	0.0%	0.0%	0.0%	12.5%	12.5%
LRBP-Cash Account	12.0%	12.0%	10.0%	12.0%	12.0%	12.0%
Coal Natural Resource *	0.0%	0.0%	0.0%	0.0%	2.9%	5.8%*
Shared Account **	8.4%	8.4%	6.0%	7.8%	5.5%	5.5%
Park Acquisition Trust	1.3%	1.3%	0.0%	1.3%	1.3%	1.3%
Water Development	1.0%	1.0%	1.0%	1.0%	1.0%	1.0%
Cultural Trust	0.0%	0.6%	0.0%	0.6%	0.6%	0.6%
Coal & Uranium	0.0%	0.0%	0.0%	0.0%	0.0%	\$250,000
LRBP-Debt Service	1.3%	0.0%	0.0%	0.0%	0.0%	0.0%
Cultural & Aesthetic Projects	0.9%	0.0%	0.0%	0.0%	0.0%	0.0%
General Fund	25.3%	26.8%	33.0%	27.4%	26.8%	Remainder

\* Allocation reduced to 2.90% after September 30, 2013

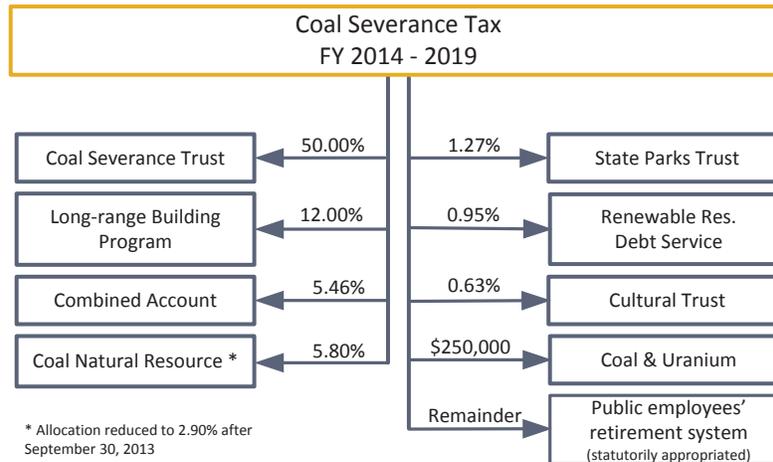
\*\* Used for Growth Through Agriculture, State Library, Conservation Districts, Coal Board (before FY 2006), and County Land Planning (before FY 2004)

# Legislative Fiscal Division

## Revenue Estimate Profile

### Coal Severance Tax

#### Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** The coal severance tax is due 30 days after the end of the quarter.

#### % of Total General Fund Revenue:

FY 2004 – 0.63%	FY 2007 – 0.59%	FY 2010 – 0.63%
FY 2005 – 0.67%	FY 2008 – 0.61%	FY 2011 – 0.72%
FY 2006 – 0.56%	FY 2009 – 0.72%	FY 2012 – 0.66%

#### Revenue Estimate Methodology:

The coal severance tax is applied to the value of coal produced. The coal severance tax estimate is developed by estimating the annual contract sales price and production for each producing coal company and any company anticipated to be producing within the 3-year period in question. From these estimates, taxable value can be determined to which the tax rate is applied. Since all production and price information is reported on a calendar year basis, the resulting calendar year estimates are converted into fiscal year estimates.

#### Data

Major coal companies are surveyed for anticipated production levels and general indications of coal prices. In addition, a review is performed of historical trends and current literature on coal prices. Data from quarterly reports produced by DOR provide a history of production and prices for some individual coal companies.

#### Analysis

The taxable value of coal is determined in a three-step process:

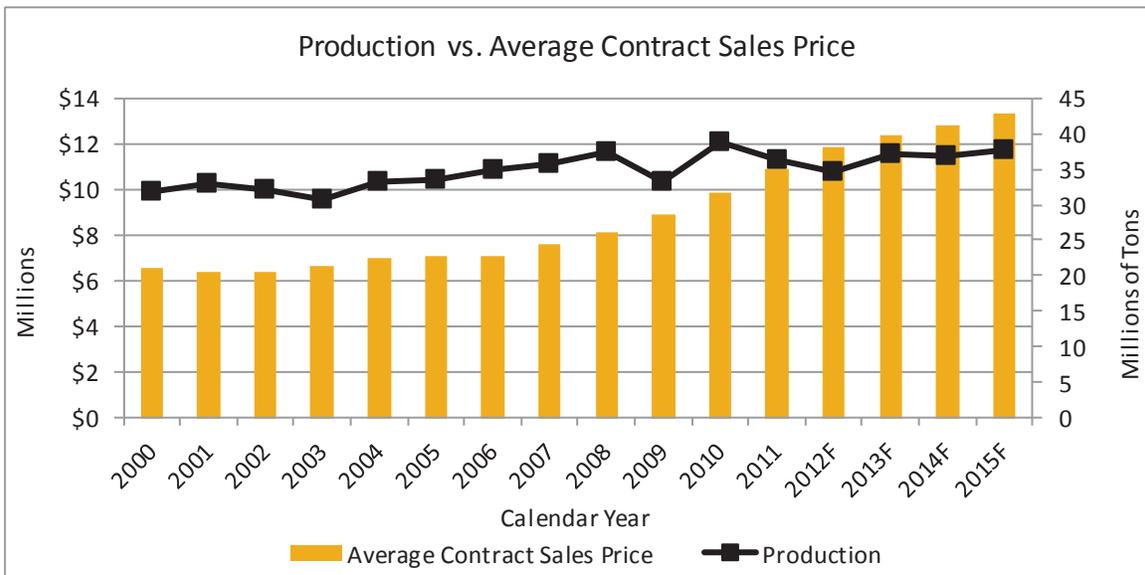
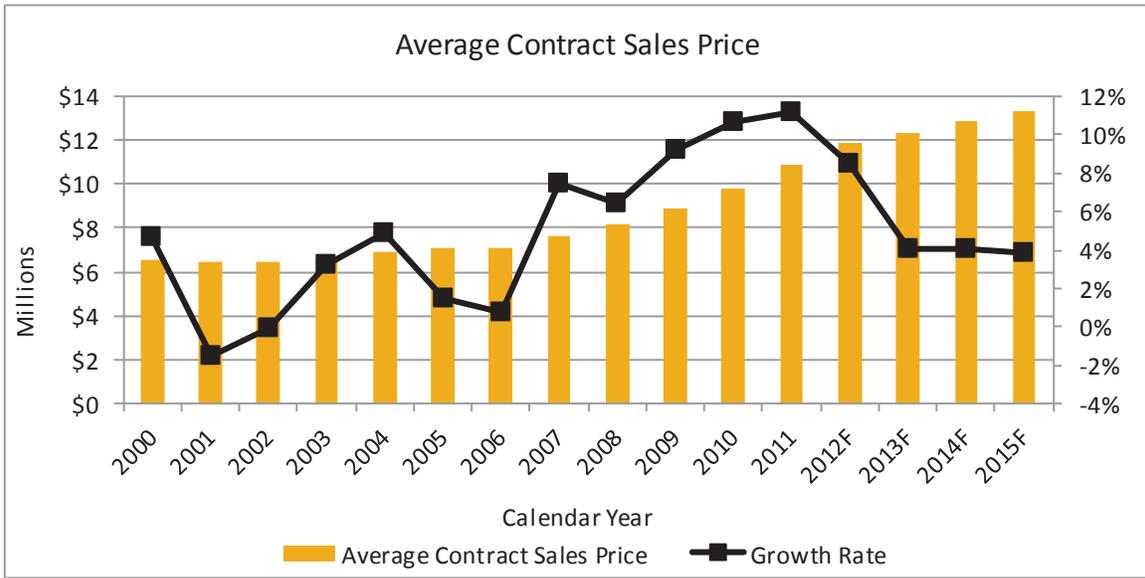
1. The future coal production for each company, as reported on the survey, is reduced by the exempt amount of 20,000 tons to get taxable tons.
2. To determine the future price for each company's coal, the company's average contract sales price for the last year is increased by an average price. The average contract sales price for all companies is shown in the figure below.
3. The estimated production and price for each company are multiplied together and the product for all companies summed to obtain the total taxable value.

The taxable value is multiplied by the applicable tax rate, shown above, to determine total coal severance tax revenue. At this point the total represents estimates for calendar years. To convert the estimates to a fiscal year basis, half the previous calendar year's estimate is added to the half of the current calendar year's estimate.

# Legislative Fiscal Division

## Revenue Estimate Profile

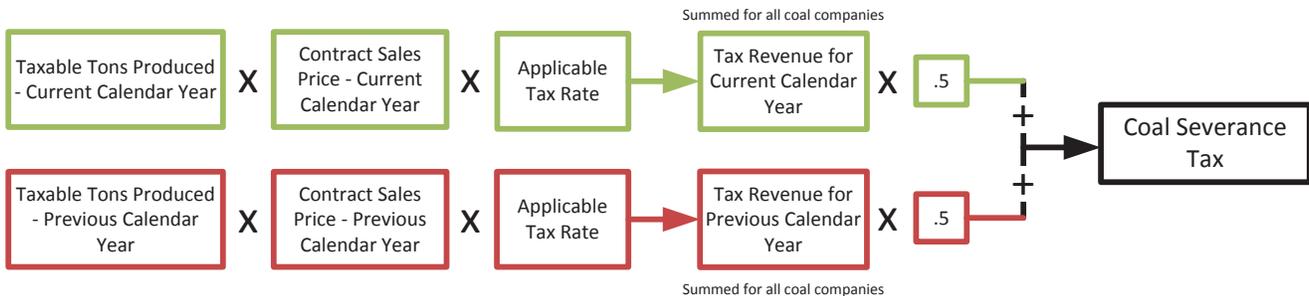
### Coal Severance Tax



#### Adjustments and Distribution

Once total tax revenue for each fiscal year is determined, the applicable distribution percentages are applied.

#### Forecast Methodology:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Coal Severance Tax

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	<u>t</u>	<u>Total Tax</u>	<u>GF Tax</u>	<u>GF Allocation</u>	<u>Tons (FY)</u>	<u>CSP (FY)</u>	<u>Fiscal</u>	<u>Coal/</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Percent</u>	<u>Millions</u>	<u>Dollars</u>	<u>Effective</u>	<u>Uranium</u>
							<u>Rate</u>	<u>Millions</u>
Actual	2002	31.614	8.469	0.0%	33.149	6.380	14.9%	
Actual	2003	29.424	9.722	33.0%	30.246	6.487	15.0%	
Actual	2004	31.545	8.643	27.4%	31.834	7.218	13.7%	
Actual	2005	37.635	10.312	27.4%	34.191	6.993	15.7%	
Actual	2006	35.822	9.597	26.8%	34.107	7.005	15.0%	
Actual	2007	40.759	10.919	26.8%	34.611	7.552	15.6%	0.000
Actual	2008	45.332	11.894	26.2%	37.404	8.133	14.5%	0.250
Actual	2009	49.564	13.028	26.3%	35.263	8.851	14.7%	0.250
Actual	2010	44.177	10.322	23.4%	35.921	9.861	14.0%	0.250
Actual	2011	54.971	12.883	23.4%	37.505	10.906	13.3%	0.250
Actual	2012	52.743	12.350	23.4%	35.407	11.851	12.9%	0.250
Forecast	2013	54.891	12.864	23.9%	35.774	12.356	12.4%	0.250
Forecast	2014	57.964	14.857	26.1%	37.001	12.845	12.2%	0.250
Forecast	2015	60.310	15.906	26.8%	37.309	13.333	12.1%	0.250

	<u>t</u>	<u>Tons (CY)</u>	<u>CSP (CY)</u>	<u>Tax</u>	<u>Tax</u>	<u>Calendar</u>	<u>Calendar</u>
	<u>Cal</u>	<u>Millions</u>	<u>Dollars</u>	<u>Rate</u>	<u>Rate</u>	<u>Tax</u>	<u>Effective</u>
							<u>Rate</u>
Actual	2002	31.981	6.583	15.0%	10.0%	31.442	14.9%
Actual	2003	30.802	6.681	15.0%	10.0%	30.701	14.9%
Actual	2004	33.365	7.234	15.0%	10.0%	36.030	14.9%
Actual	2005	33.632	6.889	15.0%	10.0%	34.553	14.9%
Actual	2006	34.904	7.339	15.0%	10.0%	37.919	14.8%
Actual	2007	35.638	7.949	15.0%	10.0%	42.153	14.9%
Actual	2008	37.373	8.326	15.0%	10.0%	46.255	14.9%
Actual	2009	33.153	9.443	15.0%	10.0%	45.768	14.6%
Actual	2010	38.690	10.219	15.0%	10.0%	53.376	13.5%
Actual	2011	36.321	11.639	15.0%	10.0%	55.478	13.1%
Actual	2012	34.493	12.074	15.0%	10.0%	52.632	12.6%
Forecast	2013	37.056	12.618	15.0%	10.0%	57.150	12.2%
Forecast	2014	36.946	13.072	15.0%	10.0%	58.777	12.2%
Forecast	2015	37.671	13.588	15.0%	10.0%	61.843	12.1%

$$\text{Total Tax} = \text{Tons(FY)} \times \text{CSP(FY)} \times \text{Fiscal Effective}$$

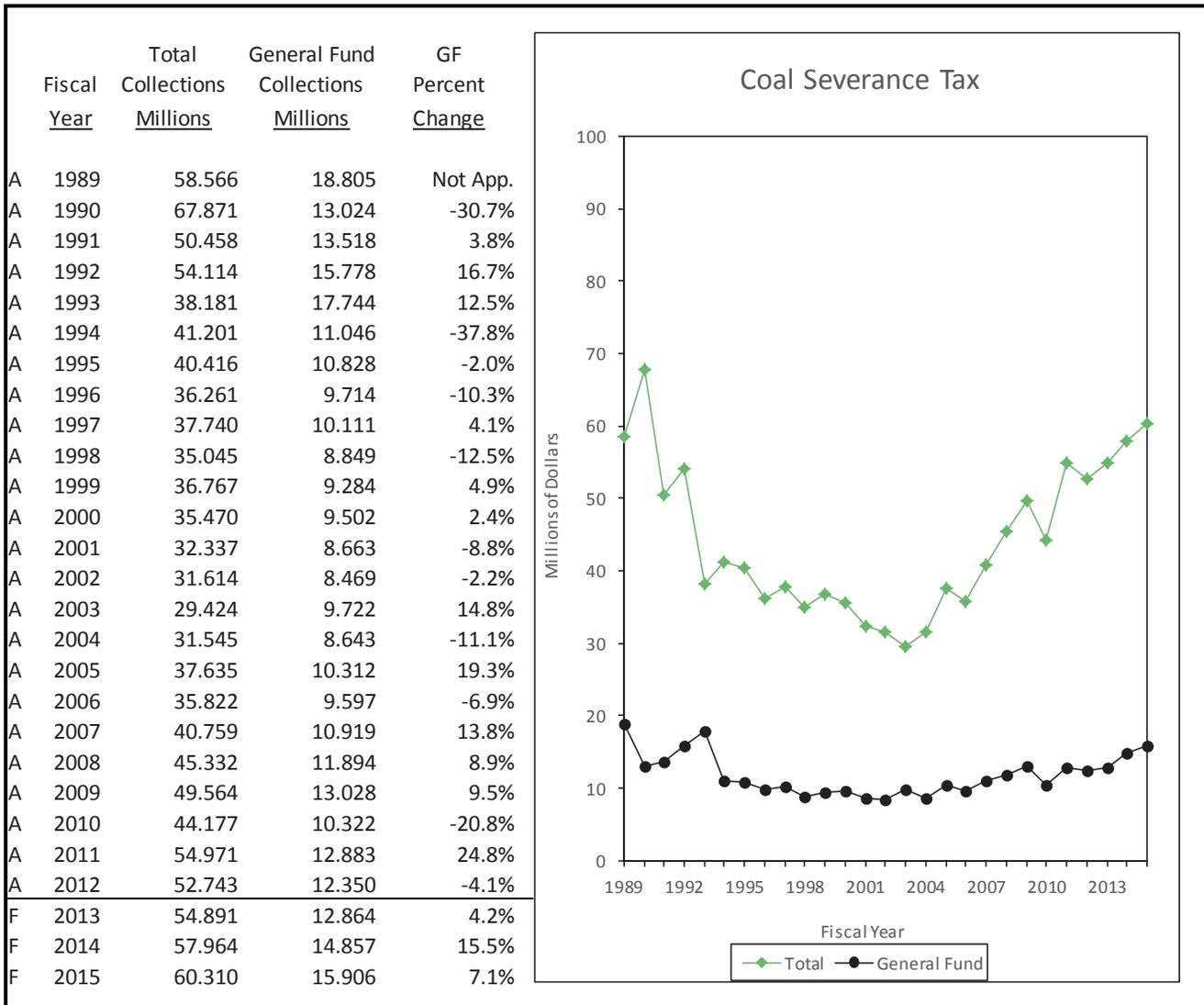
$$\text{GF Tax} = (\text{Tons(FY)} \times \text{CSP(FY)} \times \text{Fiscal Effective} - \text{Coal/Uranium}) \times \text{GF Allocation}$$

# Legislative Fiscal Division

## Revenue Estimate Profile

### Coal Severance Tax

#### Revenue Projection:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Electrical Energy Tax

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**Revenue Description:** The electrical energy license tax is imposed on each person or organization engaged in generating, manufacturing or producing electrical energy in Montana. This tax is in addition to the wholesale energy transaction tax enacted by the 1999 legislature (HB 174).

**Statutory Reference:**

Tax Rate (MCA) – 15-51-101

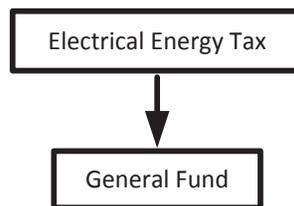
Tax Distribution (MCA) – 17-2-124(2), 15-51-103

Date Due – 30 days after the calendar quarter (15-51-101, 15-51-102)

**Applicable Tax Rate(s):** The tax of \$0.0002 per kilowatt-hour (or \$0.20 per megawatt-hour) is levied against all electrical energy produced within the state. A deduction is allowed for "actual and necessary" energy use by the plant for the production of the energy.

**Distribution:** All proceeds are deposited into the general fund.

Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** The electrical energy tax is due 30 days after the end of the quarter.

**% of Total General Fund Revenue:**

FY 2004 – 0.34%

FY 2007 – 0.25%

FY 2010 – 0.29%

FY 2005 – 0.27%

FY 2008 – 0.26%

FY 2011 – 0.24%

FY 2006 – 0.27%

FY 2009 – 0.27%

FY 2012 – 0.24%

**Revenue Estimate Methodology:**

The electrical energy tax is applied to the number of kilowatt hours of electricity produced. The estimate for the tax revenue is derived by estimating the annual taxable kilowatt hours produced by each company and any company anticipated to be producing within the 3-year period in question. From these production estimates, the tax rate is applied.

Data

All electrical energy producing companies were surveyed for anticipated kilowatt hours produced, anticipated new production, and anticipated downtime or reduced production. Although the accuracy of the survey can be questionable, the raw data is used to develop growth rates only, which can then be applied to a base year production. Data from quarterly reports produced by DOR provide a history of kilowatt hours produced for each individual company.

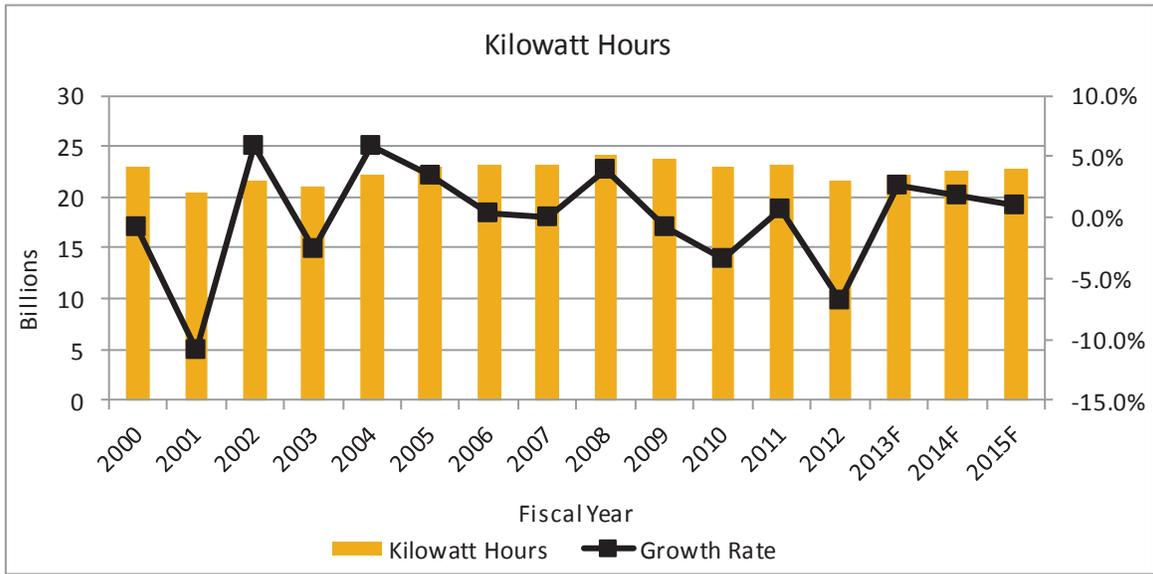
Analysis

A growth rate based on the change in total yearly production from the actual/estimated year to the amount provided by the surveys was applied to the previous production amount. Taxable kilowatt hours are then multiplied by the tax rate to produce total revenue from this source.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Electrical Energy Tax



#### Adjustments and Distribution

Once total tax revenue for each fiscal year is determined, the applicable distribution percentage, 100% to the general fund, is applied.

#### Forecast Methodology:



#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t	Total Tax	GF Tax	KWH Fiscal	Credits	Tax
	Fiscal	Millions	Millions	Millions	Millions	Rate
Actual	2002	4.197	4.197	21,642.219	0.000	0.02%
Actual	2003	4.130	4.130	21,068.970	0.000	0.02%
Actual	2004	4.661	4.661	22,310.179	0.000	0.02%
Actual	2005	4.074	4.074	23,065.262	0.000	0.02%
Actual	2006	4.645	4.645	23,156.213	0.000	0.02%
Actual	2007	4.564	4.564	23,159.175	0.000	0.02%
Actual	2008	5.179	5.179	24,081.011	0.000	0.02%
Actual	2009	4.825	4.825	23,872.111	0.000	0.02%
Actual	2010	4.713	4.713	23,078.519	0.000	0.02%
Actual	2011	4.332	4.332	23,221.915	0.000	0.02%
Actual	2012	4.481	4.481	21,624.098	0.000	0.02%
Forecast	2013	4.442	4.442	22,207.522	0.000	0.02%
Forecast	2014	4.521	4.521	22,604.971	0.000	0.02%
Forecast	2015	4.565	4.565	22,824.278	0.000	0.02%

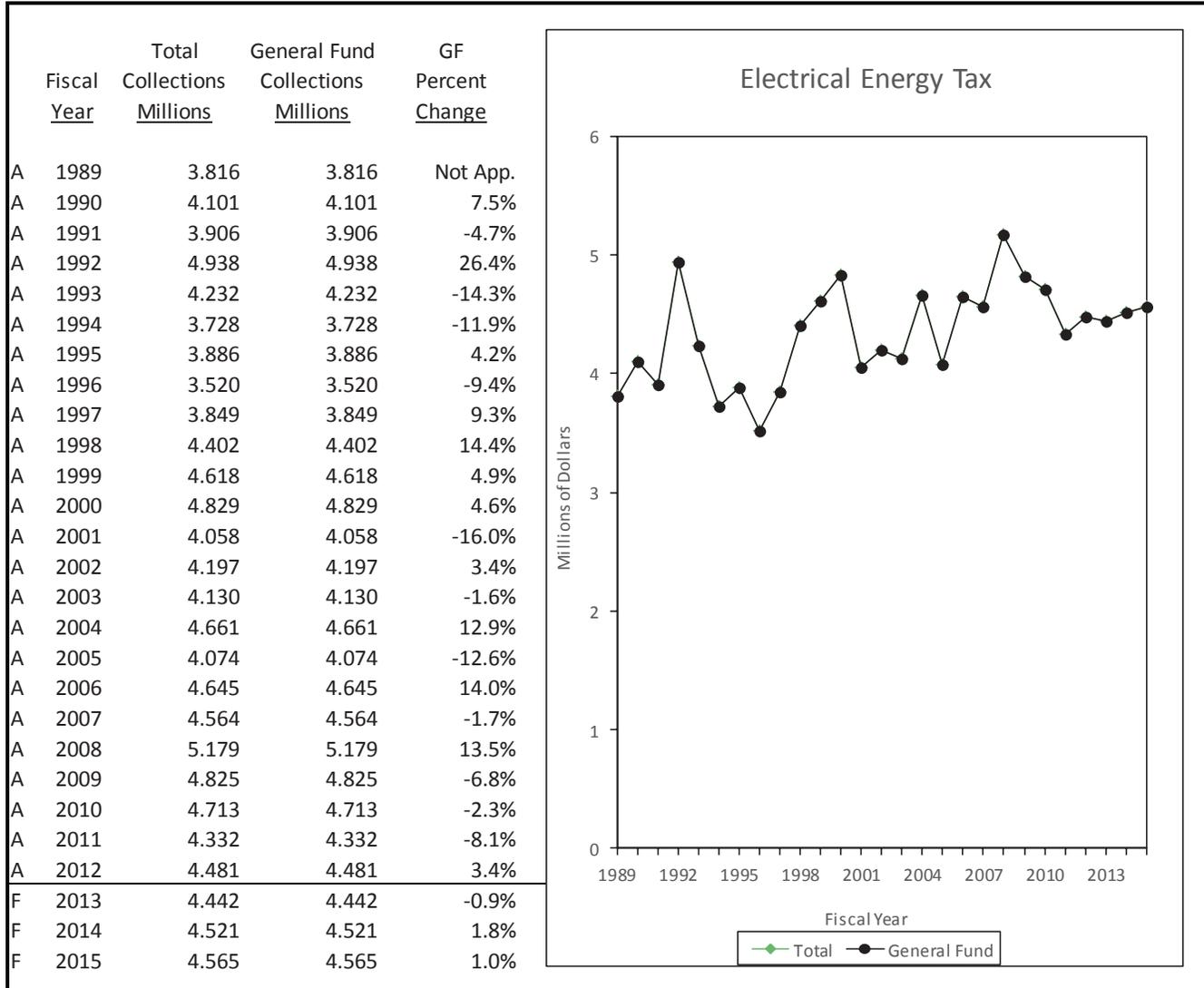
Total Tax = KWH Fiscal × Tax Rate - Credits  
 GF Tax = Total Tax

# Legislative Fiscal Division

## Revenue Estimate Profile

### Electrical Energy Tax

#### Revenue Projection:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Federal Forest Receipts

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**Revenue Description:** Federal forest receipts are payments from the federal government in lieu of revenues from the sale of forest products of federal land. The federal government authorizes logging operations on forest lands located within the borders of Montana. The sale of timber generates revenue that the federal government shares with the state in the following year. The state sends the money to the county treasurer of the county in which the receipts were generated. Within thirty days, the county treasurer distributes the money to various county and state accounts.

**Statutory Reference:**

Tax Rate – NA

Tax Distribution (MCA) – 17-3-211, 17-3-212

Date Due – the state treasurer distributes the funds within 30 days after receiving full payment

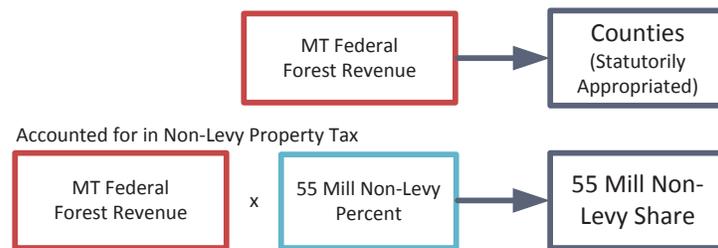
**Applicable Tax Rate(s):** N/A

**Distribution:** The county treasurer apportions federal forest receipts in the following manner:

- 66 2/3% to the road fund of the county
- 33 1/3% to the following county wide accounts, based on the mill ratios of each to total mills in the current year:
  - the county equalization accounts (55 mills)
  - the county transportation account
  - the county retirement accounts

This revenue source represents one component used to calculate total non-levy property tax revenue.

Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** Twice annually (usually October and December)

**% of Total General Fund Revenue:** Non-levy is included in “Property Tax: 55 mills”.

**Revenue Estimate Methodology:** Federal forest receipts are receipts from the federal government in lieu of revenues from the sale of forest products on federal land. By state law, two-thirds of this revenue is distributed to the county road fund in the counties with federal forestland and the remaining one-third is distributed to the county equalization mills and the county retirement and transportation mills. The share distributed to the 55 mills is the proportion that 55 mills is to all countywide mills in the prior year. The proportion that the 55 mills is to all countywide mills is multiplied times 1/3 of the federal forest receipts. As before, not more than 20% but at least 15% must be used by county governments for projects on federal lands.

The previous formula for distributing federal forest payments to counties was sunset in FY 2008. In the Emergency Economic Stabilization Act of 2008, a new formula for the distribution of forest receipts was enacted. The formula for FY 2009 through 2013 considers acres of federal land within an eligible county, the average 3 highest 25% payments made to each eligible state for each eligible county, and an income adjustment based on the per capita personal income for each county. Beginning in FY 2014, because the federal law will sunset, it is assumed that the old method of distributing these monies will prevail – 25% of the value of timber sold averaged over the prior 3 years. As a result, the state share of federal forest receipts distributed to the 55 mills is expected to decline.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Federal Forest Receipts

#### Forecast Methodology:



#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t	Total Tax	GF Tax	CPI Percent	50% CPI %	Secure Rural Schools
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Change</u>	<u>Change</u>	<u>Millions</u>
Actual	2002	13.475	0.000	1.6%		
Actual	2003	12.479	0.000	2.3%	0.8%	
Actual	2004	12.491	0.000	2.7%	1.1%	
Actual	2005	12.431	0.000	3.4%	1.3%	
Actual	2006	12.800	0.000	3.2%	1.7%	
Actual	2007	12.935	0.000	2.8%	1.6%	
Actual	2008	13.028	0.000	3.9%	1.4%	
Actual	2009	28.175	0.000	-0.3%	1.9%	
Actual	2010	24.619	0.000	1.6%	-0.2%	
Forecast	2011	23.345	0.000	3.1%	0.8%	
Forecast	2012	20.487	0.000	2.1%	1.6%	
Forecast	2013	18.101	0.000	1.4%	1.0%	
Forecast	2014	2.284	0.000	1.7%	0.7%	
Forecast	2015	2.138	0.000	1.6%	0.9%	

Total Tax = Secure Rural Schools Act - Federal Legislation

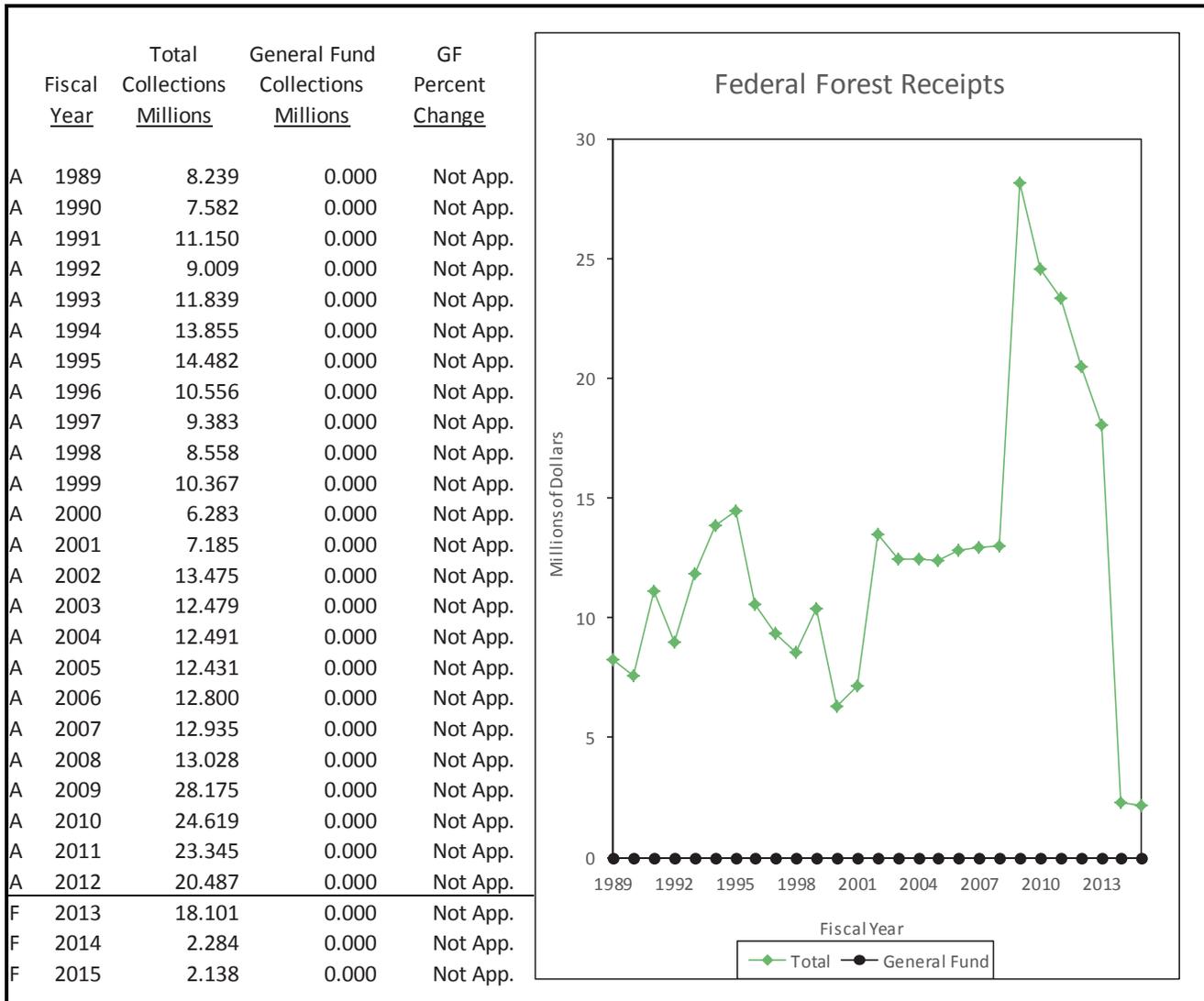
Total Tax = Total Tax Previous Year × (1+50% CPI %)

# Legislative Fiscal Division

## Revenue Estimate Profile

### Federal Forest Receipts

#### Revenue Projection:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Metalliferous Mines Tax

**Revenue Description:** The metalliferous mines license tax is imposed on the production of metals, gems or stones in the state. The tax rate is applied to the gross value of the product, which is defined as the market value of the commodity multiplied by the quantity produced. Senate Bill 30, enacted in the August 2002 special legislative session, revised the payment of taxes from once to twice a year. The first \$250,000 of value is exempt from taxation. A company taxed at both rates can claim both exemptions.

**Statutory Reference:**

Tax Rate (MCA) – 15-37-103

Tax Distribution (MCA) –15-37-117, 17-2-124(2)

Date Due – August 15<sup>th</sup> for period January through June, March 31<sup>st</sup> for period July through December (15-37-105)

**Applicable Tax Rate(s):** The tax rate for a 6-month period is as follows:

Gross value is defined as monetary amounts or refined metal received for the products less:

1. Basic treatment and refinery charges
2. Transportation costs from the mine to a mill or other processor
3. Quantity and price deductions
4. Interest
5. Penalty metal, impurity and moisture deductions

Metalliferous Mines Tax Rates		
	Gross Value	Tax Rate
For concentrates shipped to a smelter, mill or reduction work:	\$0-\$250,000	Exempt
	\$250,000+	1.81%
For gold, silver, or any platinum group metal that is dore*, bullion, or matte* and that is shipped to a refinery:	\$0-\$250,000	Exempt
	\$250,000+	1.6%

**Distribution:** The distribution of the metal mines tax has been altered several times since the 1990s. Prior to the 2005 Legislature, the most recent change had been enacted by the 2001 Legislature in Senate Bill 484 (effective July 1, 2002) that created a hard-rock mining reclamation debt service fund to pay debt service on the \$8.0 million of bonds authorized for state costs related to hard-rock mining reclamation, operation, and maintenance. The 8.5% allocation of metalliferous mines tax revenue previously allocated to the orphan share account was allocated to the hard-rock mining reclamation debt service fund. The 2005 Legislature increased the allocation to counties from 24% to 25% and decreased the general fund allocation from 58% to 57%. The table below shows recent historical distributions of the tax revenue.

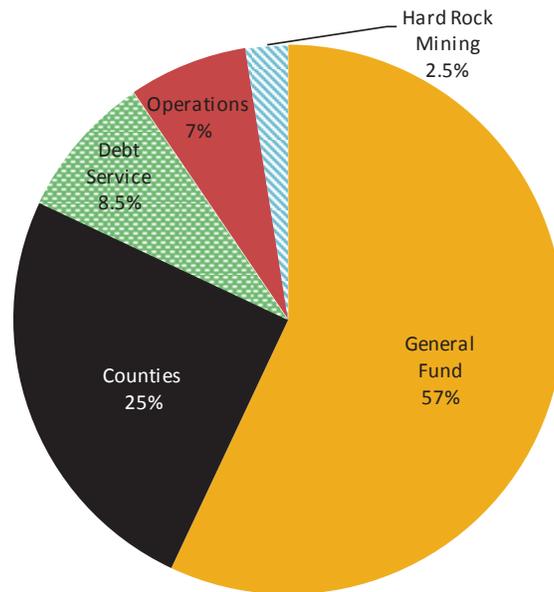
Metalliferous Mines Tax Distribution						
Account Name	FY 1998-1999	FY 2000-2002	FY 2003	FY 2004-2005	FY 2006-2007	FY 2008 & Beyond
General Fund	58.0%	58.0%	58.0%	65.0%	58.0%	57.0%
Counties *	25.0%	25.0%	24.0%	24.0%	24.0%	25.0%
Hard Rock Reclamation Debt Service	0.0%	0.0%	0.0%	8.5%	8.5%	8.5%
Natural Resources Operations**	0.0%	4.8%	7.0%	0.0%	7.0%	7.0%
Hard Rock Mining	1.5%	1.5%	2.5%	2.5%	2.5%	2.5%
RIT Trust	15.5%	0.0%	0.0%	0.0%	0.0%	0.0%
Groundwater Assessment	0.0%	2.2%	0.0%	0.0%	0.0%	0.0%
Abandoned Mines	0.0%	8.5%	0.0%	0.0%	0.0%	0.0%
Orphan Share	0.0%	0.0%	8.5%	0.0%	0.0%	0.0%
	<u>100.0%</u>	<u>100.0%</u>	<u>100.0%</u>	<u>100.0%</u>	<u>100.0%</u>	<u>100.0%</u>
* Statutorily appropriated						
**Name changed by HB 116 in the 2007 session						

# Legislative Fiscal Division

## Revenue Estimate Profile

### Metalliferous Mines Tax

Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** Biannually

**% of Total General Fund Revenue:**

FY 2004 – 0.23%	FY 2007 – 0.49%	FY 2010 – 0.40%
FY 2005 – 0.34%	FY 2008 – 0.55%	FY 2011 – 0.45%
FY 2006 – 0.41%	FY 2009 – 0.33%	FY 2012 – 0.54%

**Revenue Estimate Methodology:**

The metalliferous mines tax is applied to the taxable gross value of production. The metalliferous mines tax estimate is developed by estimating the annual sales price for each type of metal produced and the anticipated production quantity of each metal by company. From these estimates, taxable gross value can be determined to which an effective tax rate is applied. Since all production and price information is reported on a calendar year basis, the resulting calendar year estimates are converted into fiscal year estimates.

Data

Mining companies are surveyed for anticipated production levels. Historical and future prices are obtained from various sources, including COMEX, NYMEX, and KITCO, depending on the metal. In addition, a review is performed of historical trends, current literature on metals and metal prices, and companies’ 10-Q reports. Data from biannual reports produced by DOR provide a history of production and prices by commodity and taxable gross value for each mining company.

Analysis

The taxable value of metals is determined in a four-step process:

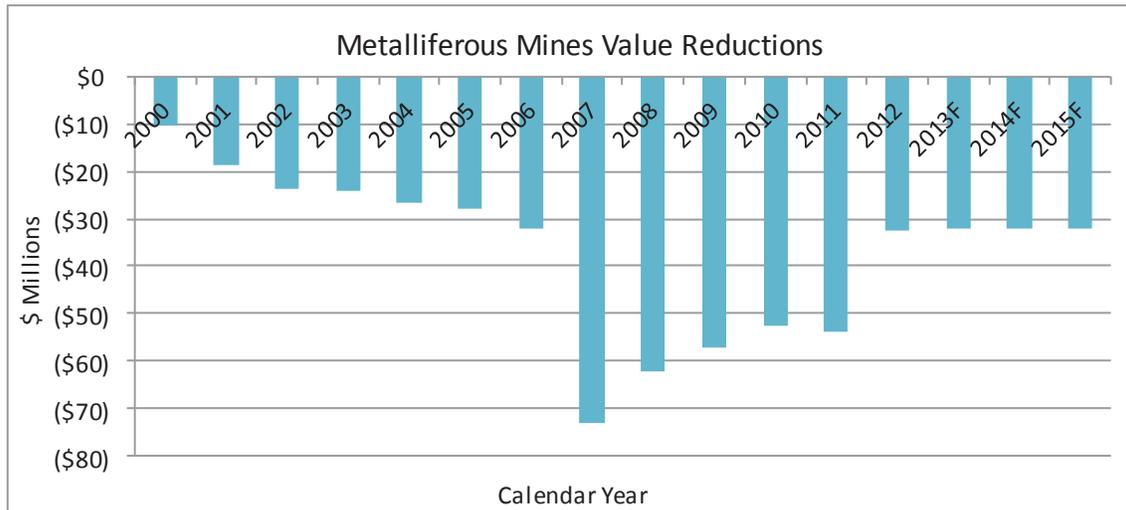
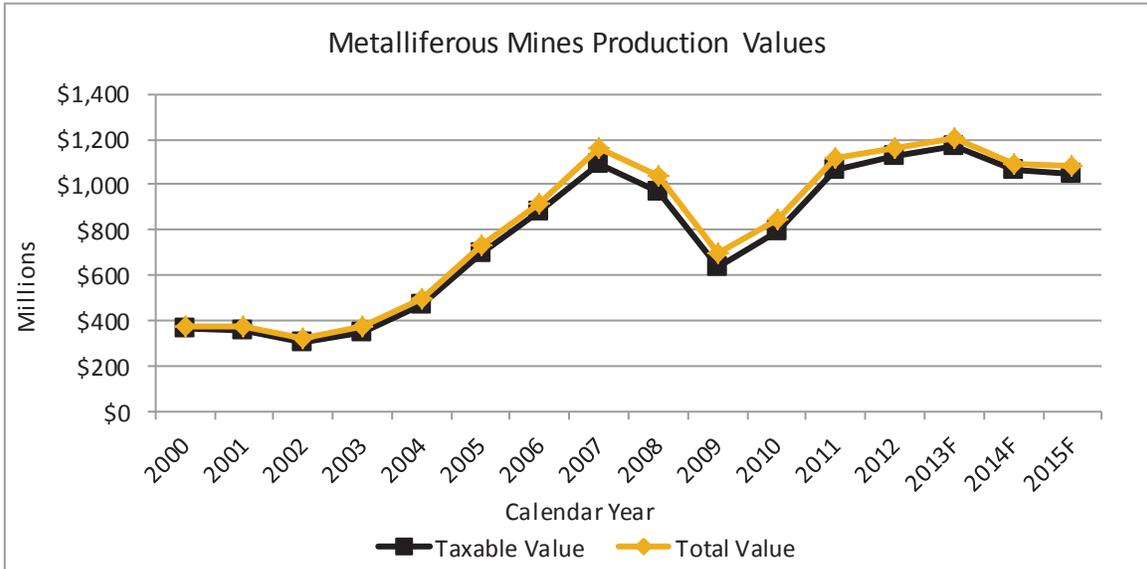
- As reported on the survey, future metals production for each company is summed by commodity. Amounts may be adjusted to fit with historical trends or if major changes are expected from historical production.
- To determine the future price for each metal, different techniques are used depending on the commodity and the reasonableness of future prices based on research of the literature and directions of future markets.
  - Gold – the future prices are used for all the forecast years
  - Copper, silver – the most current futures price is multiplied by the ratio of Montana’s price for the last known or forecast year to the most current futures price
  - Molybdenum – the current market price is carried forward for all forecast years
  - Lead, Zinc – the price from 2008 is carried forward for all forecast years
  - Palladium, platinum, rhodium, nickel – the price for the last known calendar year is used for all future years.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Metalliferous Mines Tax

- The estimated production amount for each metal for all companies is summed and multiplied by the estimated price for that metal. This is done for each metal and the products summed to yield a total gross value.
- Total taxable value is obtained by reducing the total gross value by: a) the tax exempt amount of \$250,000/year for each company; and b) allowable treatment, refinery, transportation, and other costs.



Taxable value is multiplied by an effective tax rate. Since a company's taxable value could be subject to two tax rates—1.81% for concentrates shipped to a smelter, mill or reduction work and 1.6% for dore, bullion, or matte that is shipped to a refinery—an effective tax rate is used to capture both these rates.

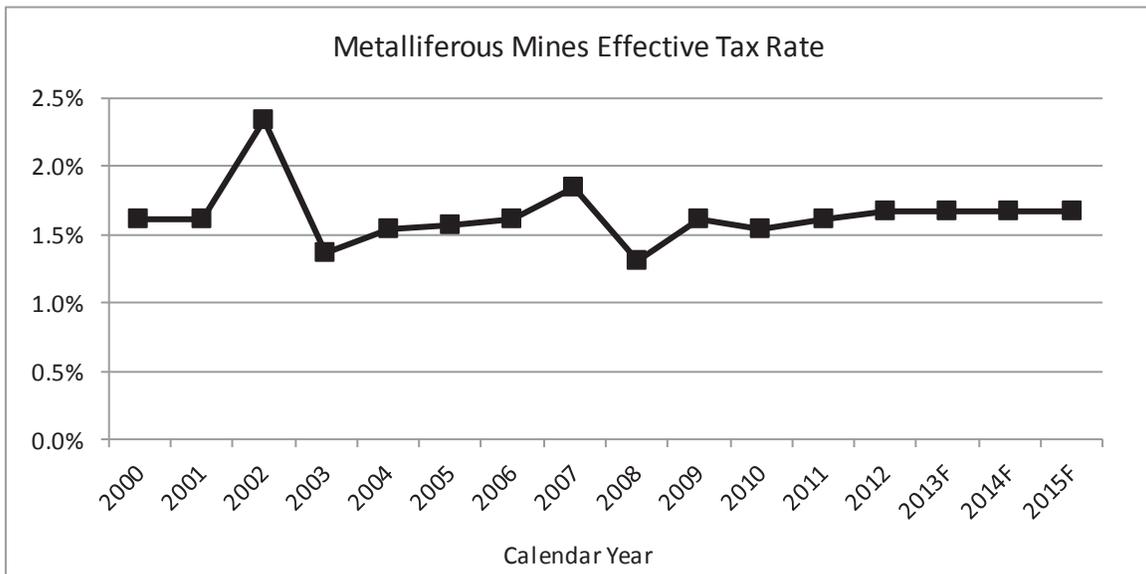
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# Legislative Fiscal Division

## Revenue Estimate Profile

### Metalliferous Mines Tax

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The calendar year estimate is obtained by multiplying the total taxable value by the effective tax rate. To convert the estimates to a fiscal year basis, half the previous calendar year's estimate is added to the half of the current calendar year's estimate.

#### Adjustments and Distribution

Once total tax revenue for each fiscal year is determined, the applicable distribution percentages are applied.

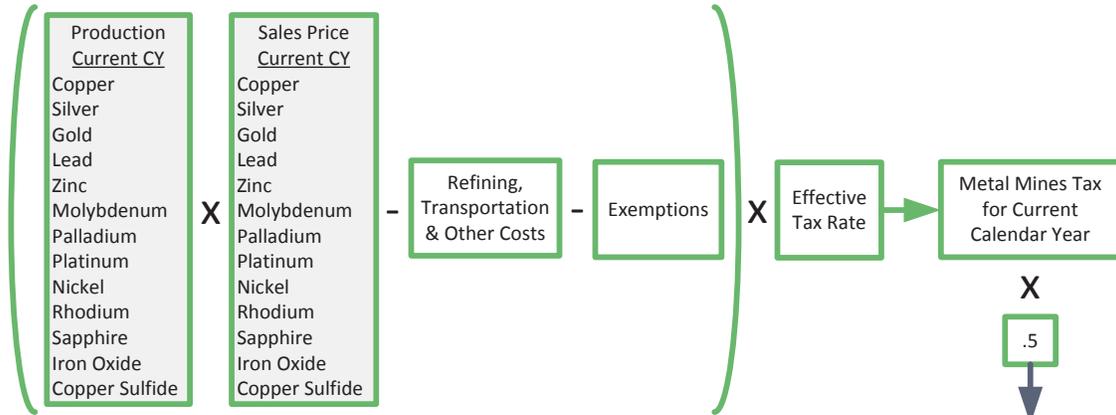
# Legislative Fiscal Division

## Revenue Estimate Profile

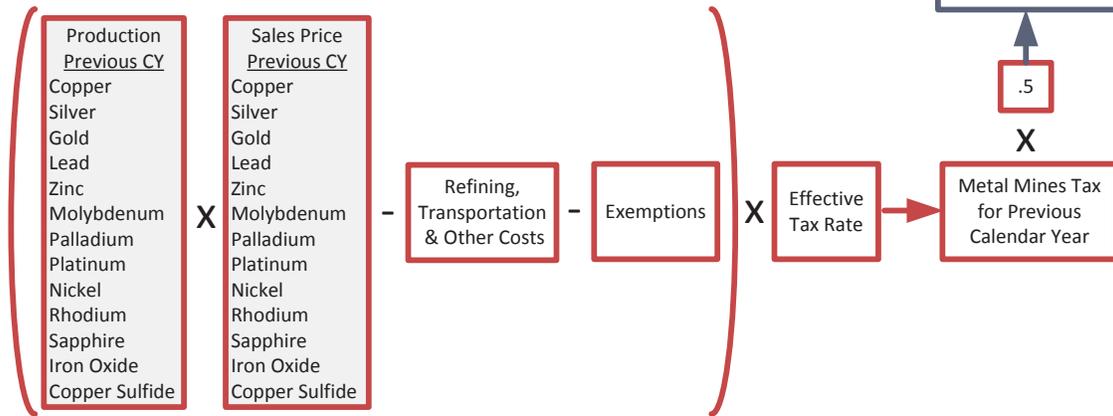
### Metalliferous Mines Tax

#### Forecast Methodology:

Summed for Each Mining Company



Summed for Each Mining Company



# Legislative Fiscal Division

## Revenue Estimate Profile

### Metalliferous Mines Tax

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t	Total Tax	GF Tax	Tax Value CY	Effective CY	GF Allocation
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Rate</u>	<u>Percent</u>
Actual	2002	5.740	3.329	303.045		58.0%
Actual	2003	7.056	4.586	347.630		65.0%
Actual	2004	5.572	3.232	472.985	1.7%	58.0%
Actual	2005	9.076	5.264	702.353	1.7%	58.0%
Actual	2006	12.435	7.028	880.571	1.7%	56.5%
Actual	2007	15.774	8.991	1087.728	1.7%	57.0%
Actual	2008	18.902	10.774	970.936	1.7%	57.0%
Actual	2009	10.514	5.993	638.071	1.7%	57.0%
Actual	2010	11.476	6.541	791.496	1.7%	57.0%
Actual	2011	14.204	8.097	1061.164	1.7%	57.0%
Actual	2012	17.562	10.010	1127.344	1.7%	57.0%
Forecast	2013	19.129	10.904	1168.536	1.7%	57.0%
Forecast	2014	18.588	10.595	1062.376	1.7%	57.0%
Forecast	2015	17.613	10.039	1051.499	1.7%	57.0%

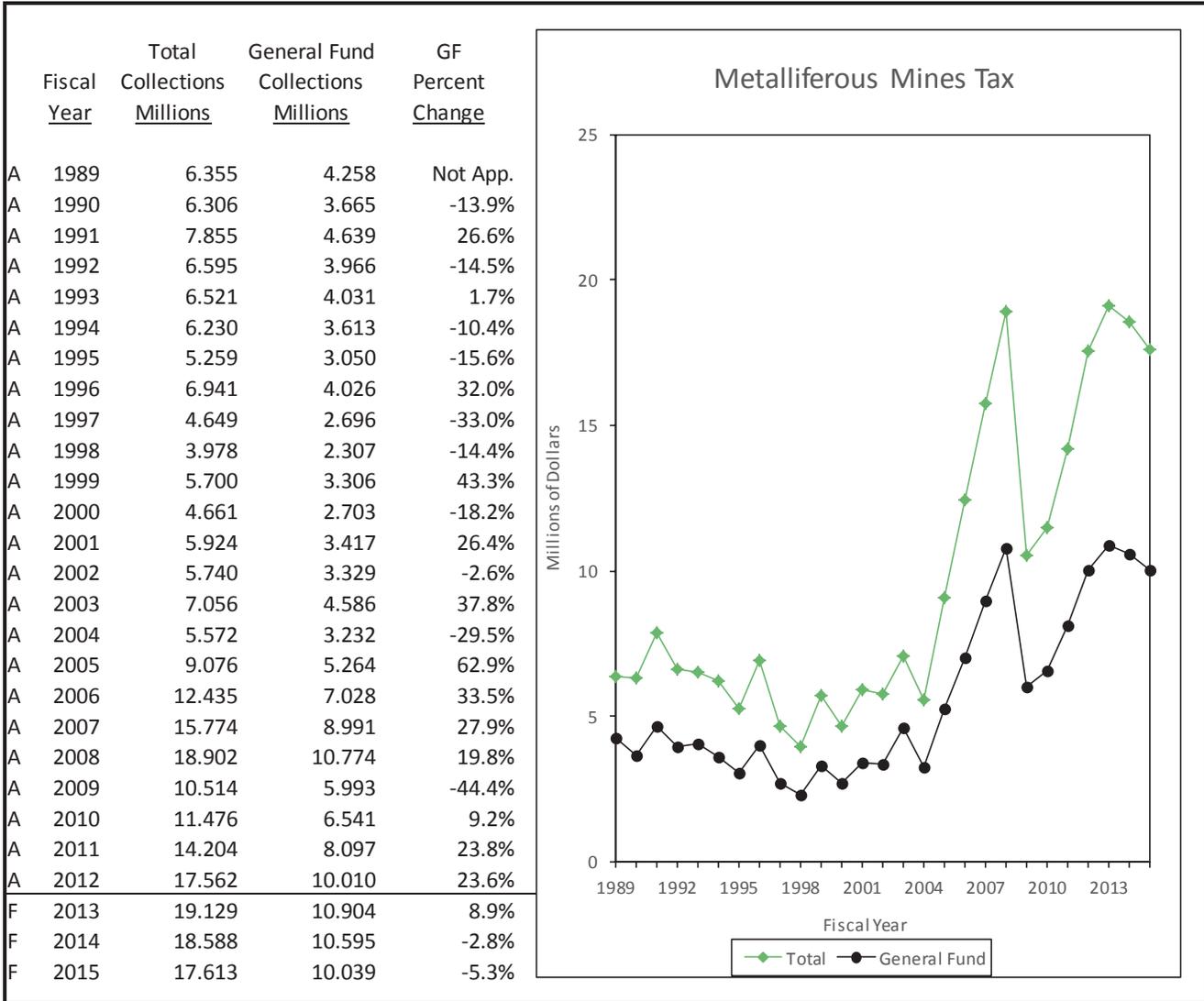
$$\begin{aligned} \text{Total Tax} &= (\text{Copper Prod.} \times \text{Copper Price} + \text{Silver Prod.} \times \text{Silver Price} + \text{Gold Prod.} \times \text{Gold Price} + \\ &\quad \text{Lead Prod.} \times \text{Lead Price} + \text{Zinc Prod.} \times \text{Zinc Price} + \text{Moly Prod.} \times \text{Moly Price} + \\ &\quad \text{Palladium Prod.} \times \text{Palladium Price} + \text{Platinum Prod.} \times \text{Platinum Price} + \text{Nickel Prod.} \times \text{Nickel Price} + \\ &\quad \text{Rodium Prod.} \times \text{Rodium Price} + \text{Deduction} + \text{Refining}) \times \text{Effective CY Rate} \\ \text{GF Tax} &= (\text{Previous Cal. Total Tax} + \text{Current Cal. Total Tax}) \times .5 \times \text{GF Allocation} \end{aligned}$$

# Legislative Fiscal Division

## Revenue Estimate Profile

### Metalliferous Mines Tax

#### Revenue Projection:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### US Mineral Royalty

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**Revenue Description:** Under the federal Mineral Lands Leasing Act (30 USC, Section 191), 50.0% of all sales, bonuses, royalties, and rentals received from federal lands in Montana must be paid to the state. However due to federal legislation, from October 2007 through the current year, state shares were 48.0%. Based on statements by Office of Natural Resources Revenue personnel, the reduced rate is assumed to continue. The money is to be used as the legislature may direct, giving priority to those subdivisions of the state socially or economically impacted by development of minerals leased under the federal act. The revenue produced on federal public lands includes royalties and bonuses from oil, gas, coal, and other mineral exploration and extraction.

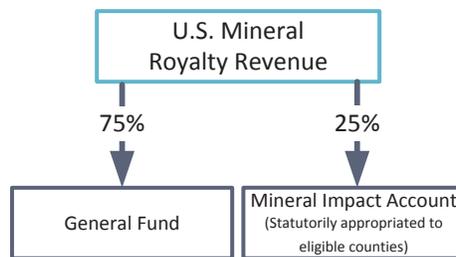
**Statutory Reference:**

Tax Rate – NA  
Distribution – 17-3-240, MCA

**Applicable Tax Rate(s):** N/A

**Distribution:** With the enactment of Senate Bill 212 by the 2005 Legislature, receipts are deposited to the general fund and the state special revenue mineral impact account. Money in the mineral impact account is statutorily appropriated for distribution to eligible counties in which the minerals were extracted. An additional 25% or \$10 million, whichever is greater, will be diverted from the general fund portion through 2020 with HB218 for the purpose of an oil and gas impact account.

Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** Monthly

**% of Total General Fund Revenue:**

FY 2004 – 2.08%	FY 2007 – 1.54%	FY 2010 – 1.86%
FY 2005 – 1.78%	FY 2008 – 1.85%	FY 2011 – 1.79%
FY 2006 – 1.72%	FY 2009 – 1.75%	FY 2012 – 1.66%

**Revenue Estimate Methodology:**

The estimate for Montana’s share of mineral royalties and other mineral related income from its federal lands is produced by estimating each of the major sources of revenue, applying the applicable royalty rate for each, and multiplying by Montana’s share of the revenue.

Data

Data from which to base estimates for this revenues source have been sparse and incomplete. Up until October 2001, the Office of Natural Resources Revenue of the U.S. Department of Interior had provided data used to make the estimate. However, lawsuits and court orders have since stifled the flow of data. Only recently has yearly data been available for federal fiscal years through 2009. The current estimates rely on these data, future prices of oil and natural gas, and coal production on federal land obtained from a survey of Montana’s coal companies.

Analysis

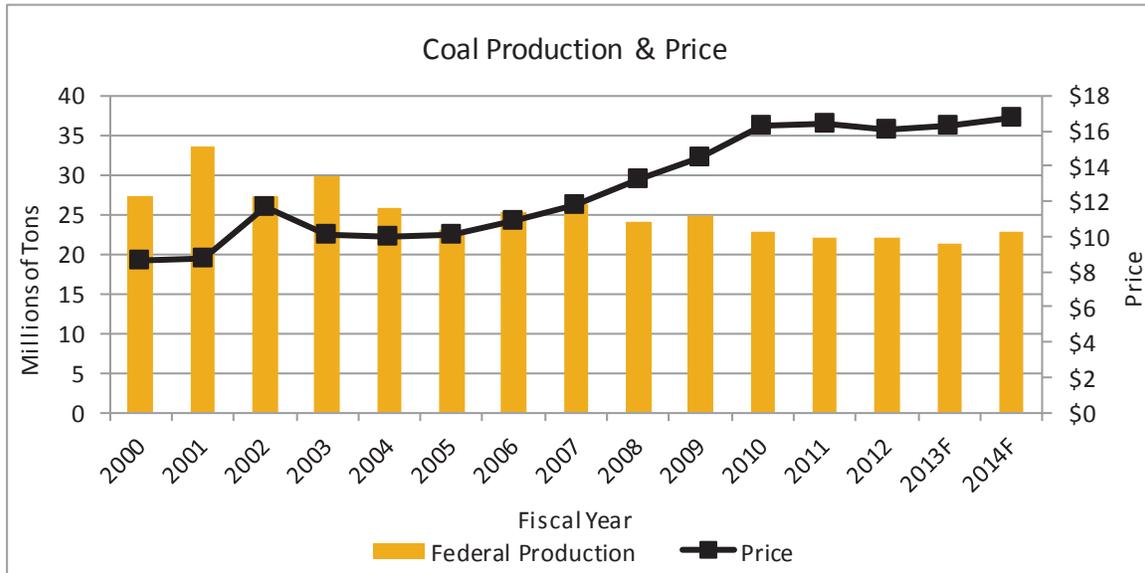
The estimate is derived by first estimating the individual revenue components. The estimate for mineral royalties is obtained by multiplying together estimates for production, price, the applicable royalty rate, and Montana’s percentage share.

# Legislative Fiscal Division

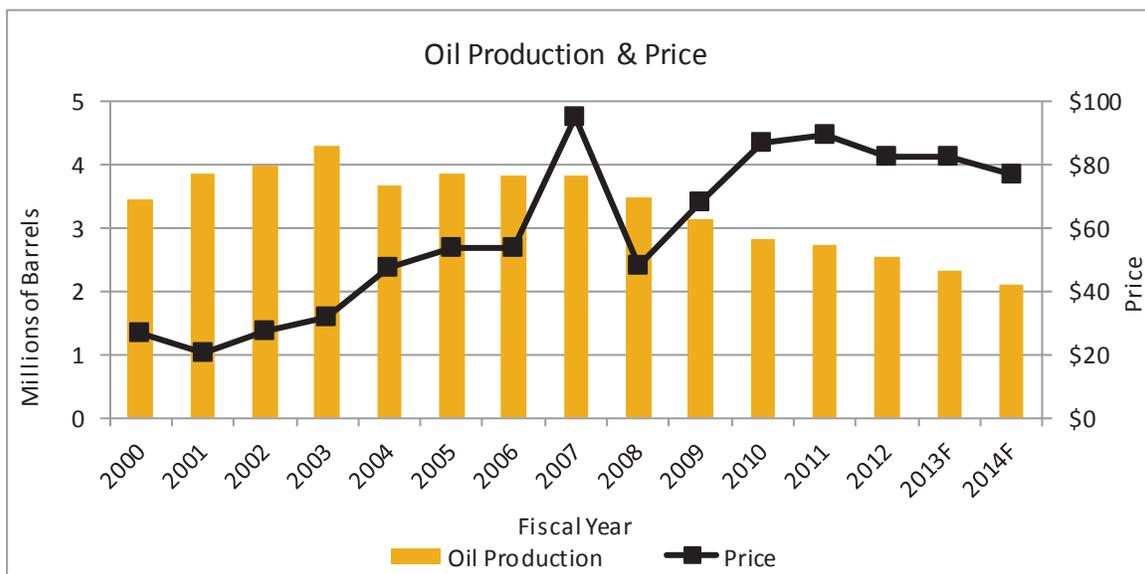
## Revenue Estimate Profile

### US Mineral Royalty

- Coal—Calendar year production is estimated by multiplying the calendar year production reported by each company on the coal survey by the percent of production each anticipated to be from federal lands multiplied by a federal fiscal year conversion factor. Price is determined by calculating a federal fiscal year growth by converting the calendar year Montana contract sales price into a federal fiscal year price and determining the growth between the current and previous years. Production multiplied by price yields value. The value is then multiplied by the royalty rate for the last known federal fiscal year. This royalty rate is used for all estimated years. Of the total calculated royalty, Montana receives 48%.



- Oil—Federal fiscal year production is estimated by multiplying the current year’s amount by the growth between it and the previous year. Yearly prices are determined by first averaging quarterly future prices of West Texas Intermediate oil as forecast by IHS, based on the federal fiscal year, for the current and previous year. Price for the current federal fiscal year is determined by multiplying current year’s IHS price by the ratio of the previous year’s estimated (or actual) price to IHS price for the previous year. Production multiplied by price yields value. The value is then multiplied by the royalty rate. The actual royalty rate for federal FY 2009 is used for all estimated years. Of the total calculated royalty, Montana receives 48%.

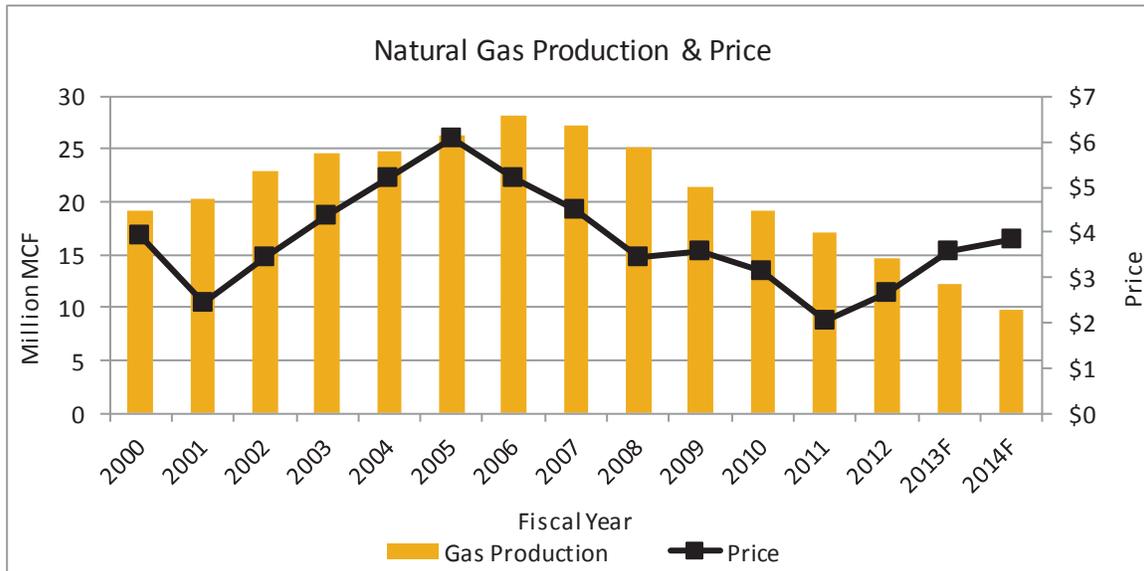


# Legislative Fiscal Division

## Revenue Estimate Profile

### US Mineral Royalty

- Natural Gas—Calendar year production is estimated by multiply the previous year’s production by the growth rate of the two previous years. Yearly prices are determined by first averaging quarterly future prices of well head natural gas as forecast by IHS, based on the federal fiscal year, for the current and previous year. The current year price is then multiplied by the ratio of the previous year’s price to the previous year’s estimated (or actual) price. Production multiplied by price yields value. The value is then multiplied by the royalty rate. The actual royalty rate for federal FY 2009 is used for all estimated years. Of the total calculated royalty, Montana receives 48%.



- Natural Gas Liquid—Federal fiscal year production is estimated by changing the previous year’s amount by the percentage change in the last two years for all of the estimated years. Yearly prices are determined by first averaging quarterly future prices of well head natural gas as forecast by IHS, based on the federal fiscal year, for the current and previous year. The current year price is then multiplied by the ratio of the previous year’s price to the previous year’s estimated (or actual) price. Production multiplied by price yields value. The value is then multiplied by the royalty rate. The actual royalty rate for federal FY 2009 is used for all estimated years. Of the total calculated royalty, Montana receives 48%.
- Methane—Federal fiscal year production is estimated by changing the 2009 amount and each forecast year by the average annual change between 2005 and 2009. Yearly prices are determined by first averaging quarterly future prices of national well head natural gas as forecast by IHS, based on the federal fiscal year, for the current and previous year. The current year price is then multiplied by the ratio of the previous year’s price to the previous year’s estimated (or actual) price. Production multiplied by price yields value. The value is then multiplied by the royalty rate. The actual royalty rate for federal FY 2009 is used for all estimated years. Of the total calculated royalty, Montana 48%.
- Rents, Bonuses, and Other—The amounts from actual federal FY 2009 are used for all estimated years. Montana’s portion is 48%.

#### Adjustments and Distribution

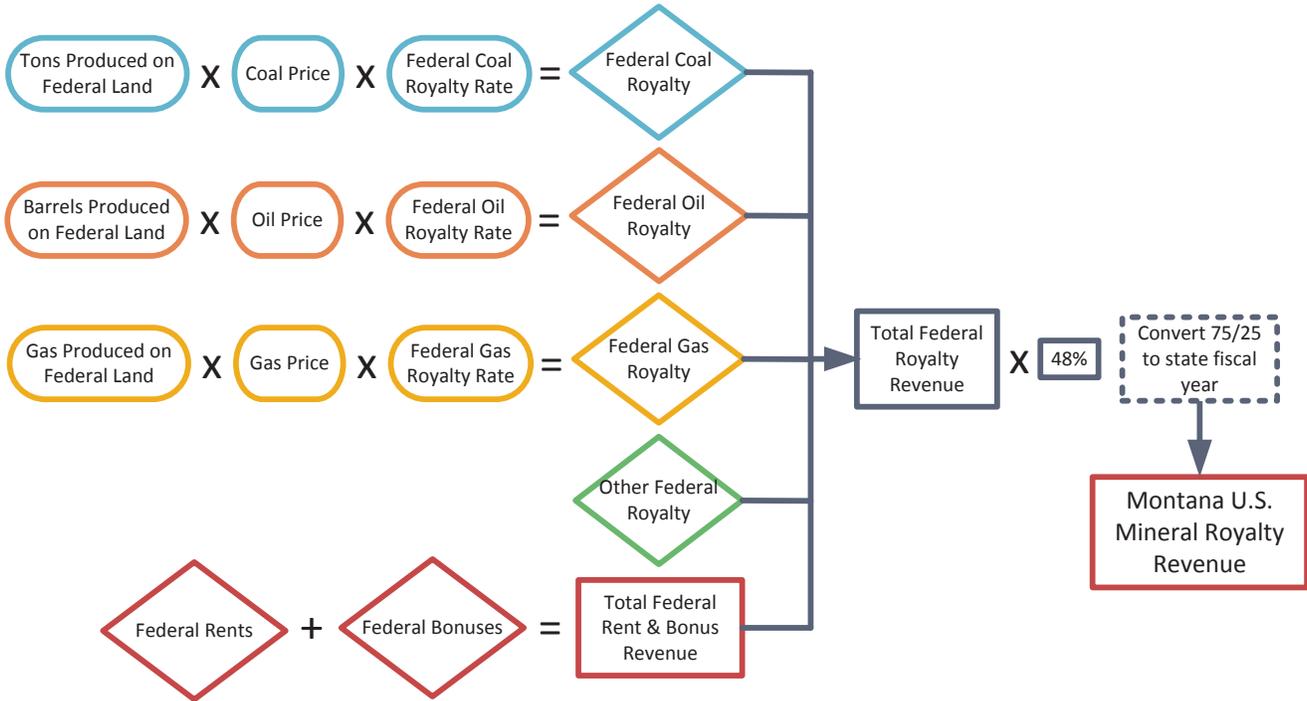
Since the estimates are based on the federal fiscal year a 25/75 split is used to convert to a state fiscal year. The total amount of anticipated revenue is distributed 75% to the general fund and 25% to the state special revenue fund.

# Legislative Fiscal Division

## Revenue Estimate Profile

### US Mineral Royalty

#### Forecast Methodology:



# Legislative Fiscal Division

## Revenue Estimate Profile

### US Mineral Royalty

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t	Total Rev.	GF Rev.	One-Time	Mineral	GF Allocation
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Settlement</u>	<u>Impact</u>	<u>Percent</u>
				<u>Millions</u>	<u>Millions</u>	
Actual	2002	19.772	19.772	0.000		100.0%
Actual	2003	25.990	25.990	0.000		100.0%
Actual	2004	28.736	28.736	0.000		100.0%
Actual	2005	36.392	27.294	0.000	9.098	75.0%
Actual	2006	39.071	29.304	0.000	9.768	75.0%
Actual	2007	37.628	28.221	0.000	9.407	75.0%
Actual	2008	48.518	36.389	0.000	12.130	75.0%
Actual	2009	42.098	31.573	0.000	10.524	75.0%
Actual	2010	40.384	30.288	0.000	10.096	75.0%
Actual	2011	42.564	31.923	0.000	10.641	75.0%
Actual	2012	41.409	31.057	0.000	10.352	75.0%
Forecast	2013	49.319	36.989	0.000	12.330	75.0%
Forecast	2014	41.271	30.953	0.000	10.318	75.0%
Forecast	2015	38.678	29.009	0.000	9.670	75.0%

	t	Oil	Coal	Gas	Oil	Coal	Gas
	<u>Cal</u>	<u>Barrels</u>	<u>Tons</u>	<u>MCF's</u>	<u>Price</u>	<u>Price</u>	<u>Price</u>
		<u>Millions</u>	<u>Millions</u>	<u>Millions</u>			
Actual	2002	3.863	33.491	20.392	20.66	8.79	2.42
Actual	2003	3.975	27.206	23.003	27.51	11.71	3.45
Actual	2004	4.296	29.781	24.538	31.98	10.05	4.36
Actual	2005	3.679	25.938	24.767	47.47	10.04	5.21
Actual	2006	3.845	23.192	26.324	53.70	10.12	6.09
Actual	2007	3.836	25.440	28.181	53.82	10.94	5.19
Actual	2008	3.820	26.286	27.199	95.08	11.74	4.49
Actual	2009	3.483	23.985	25.138	47.72	13.28	3.43
Actual	2010	3.138	24.940	21.489	68.26	14.47	3.58
Actual	2011	2.832	22.842	19.090	86.67	16.31	3.16
Actual	2012	3.113	26.756	16.604	85.65	16.41	2.41
Forecast	2013	2.740	22.147	14.364	80.03	16.07	3.27
Forecast	2014	2.566	21.259	11.911	78.30	16.38	4.18
Forecast	2015	2.391	22.720	9.458	73.51	16.82	4.44

# Legislative Fiscal Division

## Revenue Estimate Profile

### US Mineral Royalty

	<u>t</u>	<u>Oil</u>	<u>Coal</u>	<u>Gas</u>	<u>Oil</u>	<u>Coal</u>	<u>Gas</u>
	<u>Cal</u>	<u>Roy. Rate</u>	<u>Roy. Rate</u>	<u>Roy. Rate</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Revenue</u>
					<u>Millions</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	11.5%	11.6%	12.4%	9.052	34.182	6.121
Actual	2003	11.3%	11.8%	12.4%	12.385	37.486	9.803
Actual	2004	11.3%	11.4%	12.1%	15.336	34.201	12.884
Actual	2005	11.2%	12.2%	11.7%	18.877	31.761	15.082
Actual	2006	10.8%	12.2%	11.2%	22.979	28.687	17.962
Actual	2007	11.1%	12.1%	11.1%	22.984	33.709	16.196
Actual	2008	11.1%	12.2%	16.4%	38.614	37.539	20.085
Actual	2009	10.6%	12.0%	11.0%	17.550	38.197	9.483
Actual	2010	10.6%	11.6%	11.0%	23.165	41.926	8.499
Actual	2011	10.8%	11.6%	11.1%	26.417	43.261	6.697
Actual	2012	10.8%	11.0%	12.8%	33.159	48.145	5.104
Forecast	2013	12.4%	11.0%	12.8%	27.272	39.024	5.987
Forecast	2014	12.4%	11.0%	12.8%	24.983	38.190	6.355
Forecast	2015	12.4%	11.0%	12.8%	21.859	41.886	5.360

	<u>t</u>	<u>Other</u>	<u>Rent&amp;Bonus</u>	<u>Other</u>	<u>Total</u>	<u>State</u>	<u>State</u>
	<u>Cal</u>	<u>Royalty</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Share</u>	<u>Share</u>
		<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Percent</u>
Actual	2002	0.681	3.183	0.293	53.512	26.334	49.2%
Actual	2003	1.018	7.105	1.572	69.369	32.178	46.4%
Actual	2004	0.505	5.009	1.800	69.736	33.427	47.9%
Actual	2005	4.413	4.752	0.976	75.861	36.234	47.8%
Actual	2006	4.014	4.616	1.097	79.355	37.446	47.2%
Actual	2007	2.342	4.318	2.106	81.655	39.323	48.2%
Actual	2008	16.752	7.857	-0.521	120.325	57.903	48.1%
Actual	2009	1.894	8.036	-0.462	74.698	36.007	48.2%
Actual	2010	2.190	13.533	0.148	89.462	43.215	48.3%
Actual	2011	1.745	11.501	6.082	95.704	46.290	48.4%
Actual	2012	1.091	21.264	0.236	108.998	52.319	48.0%
Forecast	2013	1.161	26.984	0.236	100.664	48.319	48.0%
Forecast	2014	1.116	10.208	0.236	81.087	38.922	48.0%
Forecast	2015	0.860	10.208	0.236	80.409	38.597	48.0%

Total Rev. = (Oil Barrels × Oil Price × Oil Roy. Rate + Coal Tons × Coal Price × Coal Roy. Rate +  
Gas MCF's × Gas Price × Gas Roy. Rate + Other Royalty + Rent&Bonus Revenue + Other Revenue) ×  
State Share

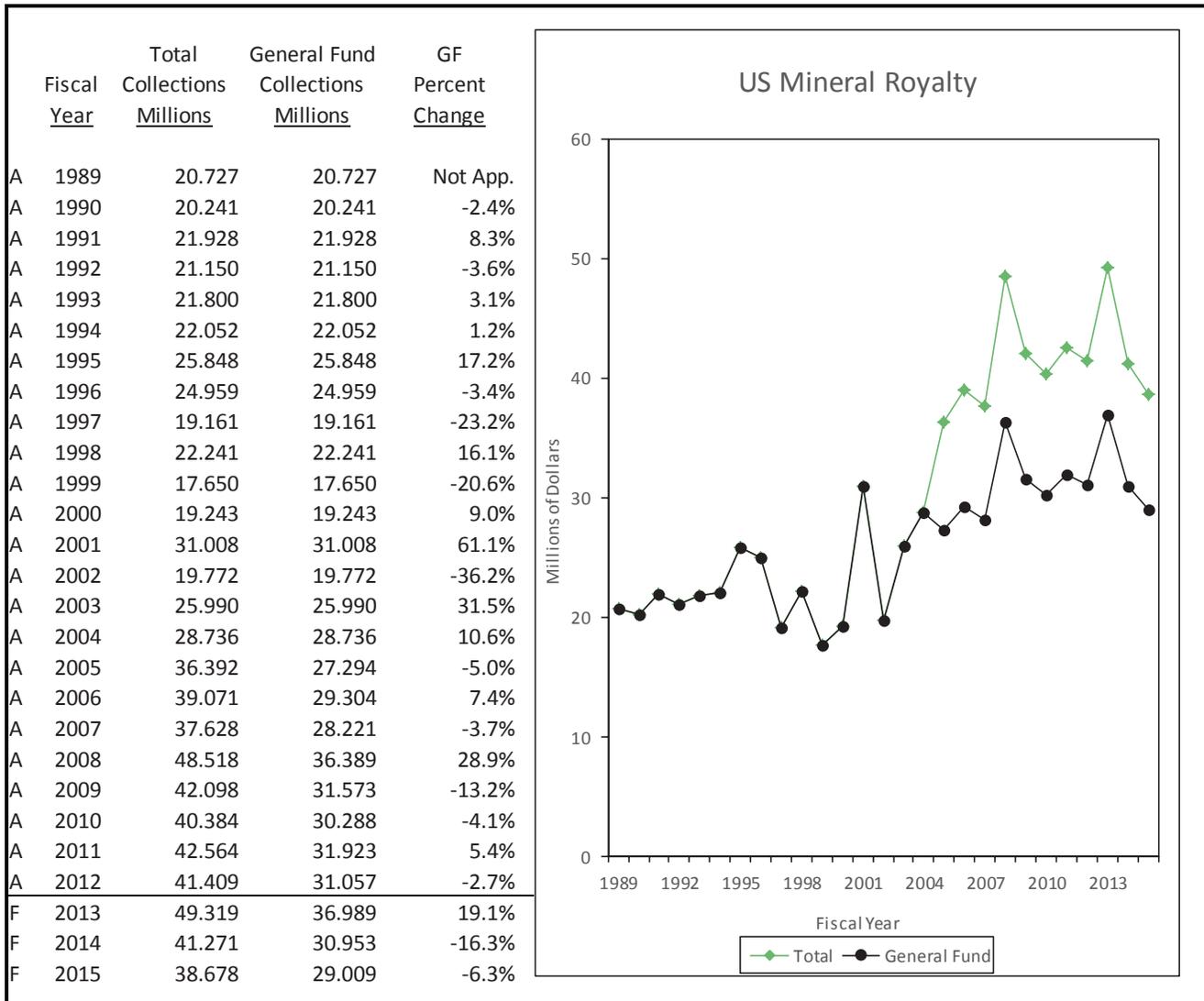
GF Rev. = Total Rev × GF Allocation

# Legislative Fiscal Division

## Revenue Estimate Profile

### US Mineral Royalty

#### Revenue Projection:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Oil and Natural Gas Production Tax

**Revenue Description:** The oil and natural gas production tax is imposed on the production of petroleum and natural gas in the state. Gross taxable value of oil and natural gas production is based on the type of well and type of production. A portion of the revenue from the tax may be returned to Indian tribes per agreements between the Department of Revenue and the tribes.

**Statutory Reference:**

Tax Rate (MCA) – 15-36-304. Privilege and license tax – 82-11-131, Administrative Rules 36.72.1242  
 Tax Distribution (MCA) – 15-36-331(4), 15-36-332(2&3) (to taxing units)  
 Date Due – within 60 days after the end of the calendar quarter (15-36-311(1))

**Applicable Tax Rate(s):** The oil and natural gas production tax has numerous tax rates depending on several factors. These factors include whether the oil or gas is produced from a stripper well, a stripper incentive well, from a well initially drilled before 1999 or after, from a well newly drilled within the last year or 18 months, and whether the interest being taxed is the working interest or the royalty interest. The Board of Oil and Gas Conservation imposes an additional privilege and license (P & L) tax on all oil and natural gas tax rates. The following table shows tax rate percentages for each type of pre-1999 oil and post-1999 oil, excluding the P & L tax and the local impact tax. The quarterly tax rates on stripper production and on incremental production are lower than that for regular production unless the price of West Texas Intermediate averages above \$30 for the quarter. Similarly, the quarterly tax rate for stripper well exemption production (1-3 barrels a day) is lower than that for regular production unless the price of West Texas Intermediate averages above \$38 for the quarter.

Oil Tax Rates 15-36-304(5), MCA	
<u>Working Interest</u>	
Primary recovery production	
First 12 months of qualifying production	0.5%
After 12 months:	
pre-1999 wells	12.5%
post-1999 wells	9.0%
Stripper oil production (>3 and < 15 barrels/day if oil <\$30)	
1 through 10 barrels a day production	5.5%
>10 through 14 barrels a day production	9.0%
Stripper oil production (>3 and < 15 barrels/day if oil >=\$30)	*
Stripper wells (3 barrels or less/day)	
Stripper well exemption production (if oil <\$38)	0.5%
Stripper well bonus production (if oil >=\$38)	6.0%
Horizontally completed well production	
First 18 months of qualifying production	0.5%
After 18 months	
pre-1999 wells	12.5%
post-1999 wells	9.0%
Incremental production (if oil <\$30/barrel)	
New or expanded secondary recovery production	8.5%
New or expanded tertiary production	5.8%
Incremental production (if oil >=\$30/barrel)	
Pre-1999 wells	12.5%
Post-1999 wells	9.0%
Horizontally recompleted well	
First 18 months	5.5%
After 18 months	
pre-1999 wells	12.5%
post-1999 wells	9.0%
<u>Nonworking Interest</u>	14.8%
* No stripper tax rate. Taxed at primary recovery rates. See 15-36-303(22a)	

**Legislative Fiscal Division**  
**Revenue Estimate Profile**  
**Oil and Natural Gas Production Tax**

Natural Gas Tax Rates	
15-36-304(2), MCA	
<u>Working Interest</u>	
Qualified production	
First 12 months	0.5%
After 12 months	
pre-1999 wells	14.8%
post-1999 wells	9.0%
Stripper natural gas pre-1999 wells	11.0%
Horizontally completed well production	
First 18 months of qualifying production	0.5%
After 18 months	9.0%
<u>Nonworking Interest</u>	14.8%

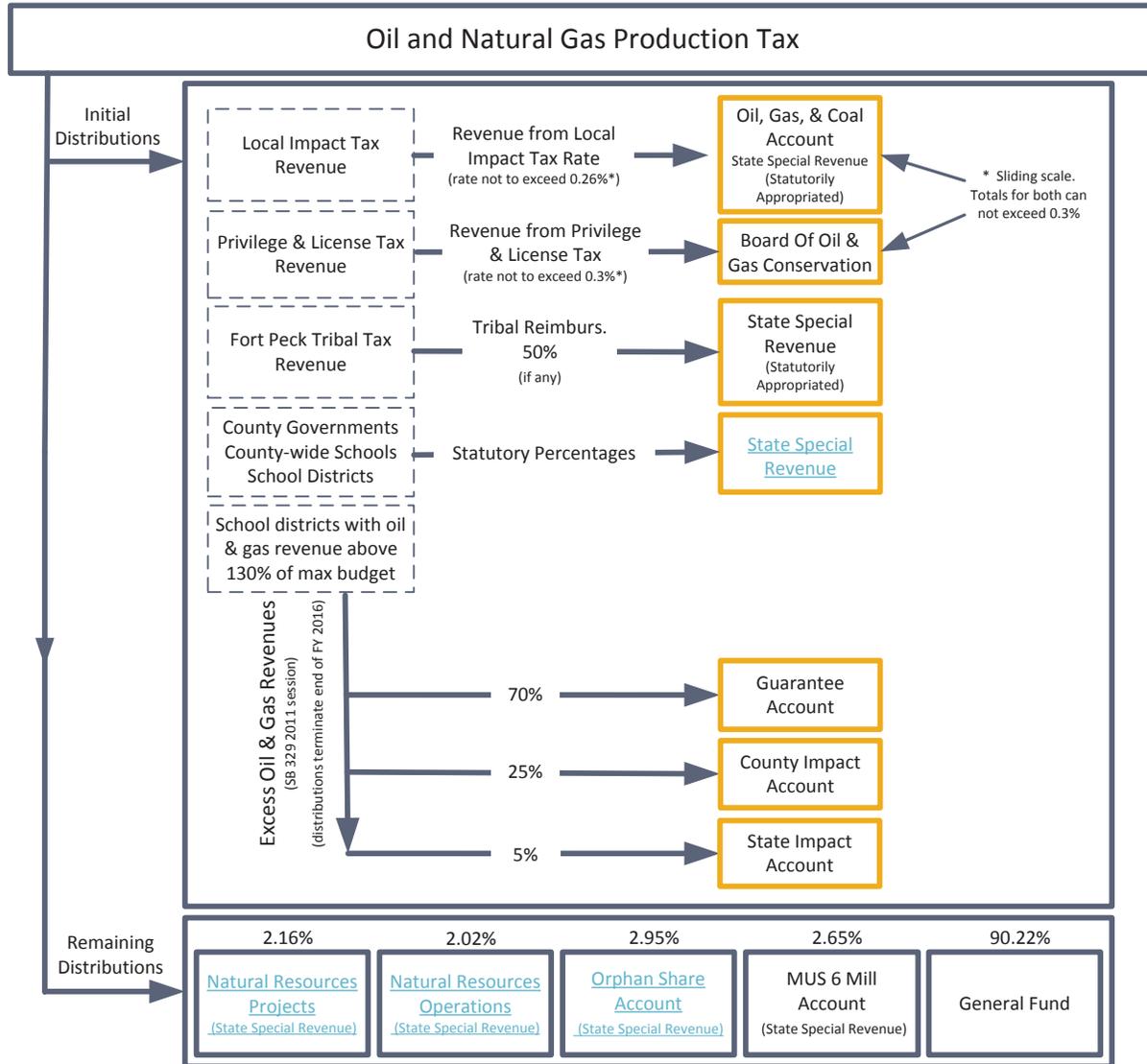
**Distribution:** Once the oil and natural gas production taxes have been collected, the revenue is first distributed based on the amounts collected from the P & L and Local Impact taxes. The amounts from the P & L tax are distributed to the Board of Oil and Gas Conservation. The amounts from the Local Impact tax are distributed to the oil and gas natural resource state special revenue account. The amounts received by the Board and the oil and gas natural resource account vary based on a sliding tax scale based on the P & L tax set by the Board. Counties producing oil and natural gas receive the next share of total revenue with each county having its own statutory distribution percentage of total revenue, including the revenue generated by the P & L and Local Impact taxes. A portion of the revenue may be returned to Indian tribes per agreements between the Department of Revenue and the tribes. The remainder of the revenue is distributed to other state accounts, shown in the distribution chart below. The distributions of county shares and the amount of oil and natural gas production tax revenue deposited in the oil and gas natural resource account are statutorily appropriated and are based on the statutorily set percentages for each county.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Oil and Natural Gas Production Tax

Distribution Chart:



Oil & Natural Gas Production Tax Allocation		
Based on FY 2012 Amounts		
General fund	\$97,560,324	46.3%
Local	83,611,488	39.7%
Guarantee fund	12,335,596	5.9%
Local Impact	3,754,061	1.8%
Orphan	3,190,013	1.5%
University	2,865,605	1.4%
Nat. Res. Proj.	2,335,738	1.1%
Nat. Res. Ops.	2,184,348	1.0%
Bd. Of Oil & Gas	1,987,666	0.9%
County Impact fund	682,935	0.3%
State Impact fund	136,587	0.1%
Coal Bed Meth.	-	0.0%

Because the exact distribution of oil & natural gas tax revenue varies depending on various factors, the table only reflects last complete fiscal year actual distributions. Please see the distribution graph for exact distribution percentages.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Oil and Natural Gas Production Tax

**Summary of Legislative Action:**

House Bill 39 – The legislation changes the distribution of school district unreserved fund balances to the state and counties. Monies that are allocated to the State School Oil and Gas Impact Account and the County School Oil and Gas Impact Fund under current law will be allocated to the School Facility and Technology Account under HB 39. There is no impact on the state general fund.

Senate Bill 175 – This legislation revises K-12 funding and the funding formula. This bill redirects a portion of the oil and natural gas production tax revenue to a newly created state special fund, but has no effect on general fund revenue.

The bill contains a one-time transfer of \$22.95 million from the general fund to a newly created state special revenue account prior to the end of FY 2013. Half of these funds, \$11.5 million, is then to be transferred after the beginning of each of the next fiscal years to the Guarantee Account to fund the ongoing costs of restructuring the K-12 funding formula basic entitlement. These costs will then fall to the general fund in the 2017 biennium as proceeds from the one-time transfer will have been depleted.

From July 1, 2013, through June 30, 2016, SB 175 redirects oil and natural gas production tax revenue from school districts from the Guarantee Account to the newly created state special revenue State Oil and Natural Gas Distribution Account to fund distributions as follows:

- 1) To school districts in the same unified school system as the district that would have initially received the Oil and Natural Gas Production Taxes revenue, up to 130% of the receiving school district’s maximum general fund budget;
- 2) To school districts that are immediately contiguous to the district that would have initially received the production tax revenue, up to 130% of the receiving school district’s maximum general fund budget;
- 3) To school districts that are in the same county as the district that would have initially received the production tax revenue, up to 130% of the receiving school district’s maximum general fund budget; and
- 4) To school districts located in counties contiguous to the district that would have initially received the production tax revenue and have had a horizontally completed well drilled in the prior three years, up to 130% of the receiving school district’s maximum general fund budget.

Oil & Natural Gas Production Tax – Legislation Passed by 63rd Legislature			
General Fund Impact (\$ Millions)			
Bill Number and Short Title	FY 2013	FY 2014	FY 2015
HB0039 Revise school finance laws to correct implementation problems	\$0.000	\$0.000	\$0.000
SB0175 Generally revise public education funding	0.000	0.000	0.000
<b>Total General Fund Impact</b>	<b>\$0.000</b>	<b>\$0.000</b>	<b>\$0.000</b>

**Collection Frequency:** Quarterly; the oil and natural gas production tax is due 60 days after the end of the production quarter

**% of Total General Fund Revenue:**

FY 2004 – 2.99%	FY 2007 – 5.25%	FY 2010 – 5.87%
FY 2005 – 4.09%	FY 2008 – 7.64%	FY 2011 – 5.60%
FY 2006 – 5.42%	FY 2009 – 5.56%	FY 2012 – 5.21%

**Revenue Estimate Methodology:**

The estimate for oil and natural gas revenue is produced from estimating the price and specific production subject to varying tax rates from which value can be obtained. Specific statutory tax rates are used for the types of oil and natural gas that are taxed differently.

Data

Data from the Board of Oil and Gas Conservation are used extensively to isolate monthly historical production of oil and natural gas by field and by individual well. IHS provides future estimates of West Texas Intermediate oil and national well head natural gas prices. Production, price, value, and revenue collections, by oil type, are provided on a quarterly basis by DOR.

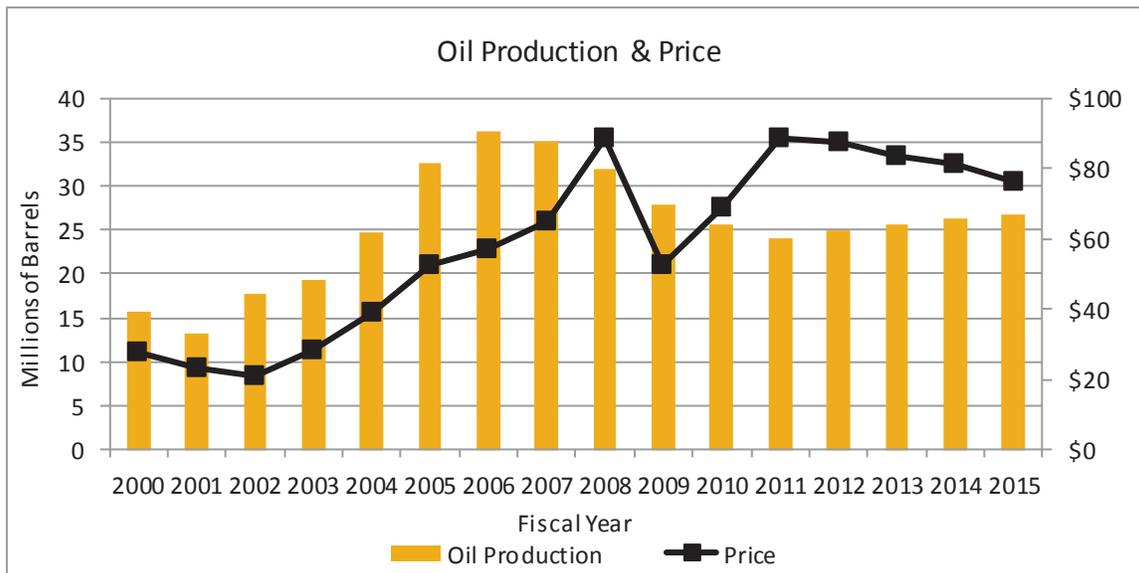
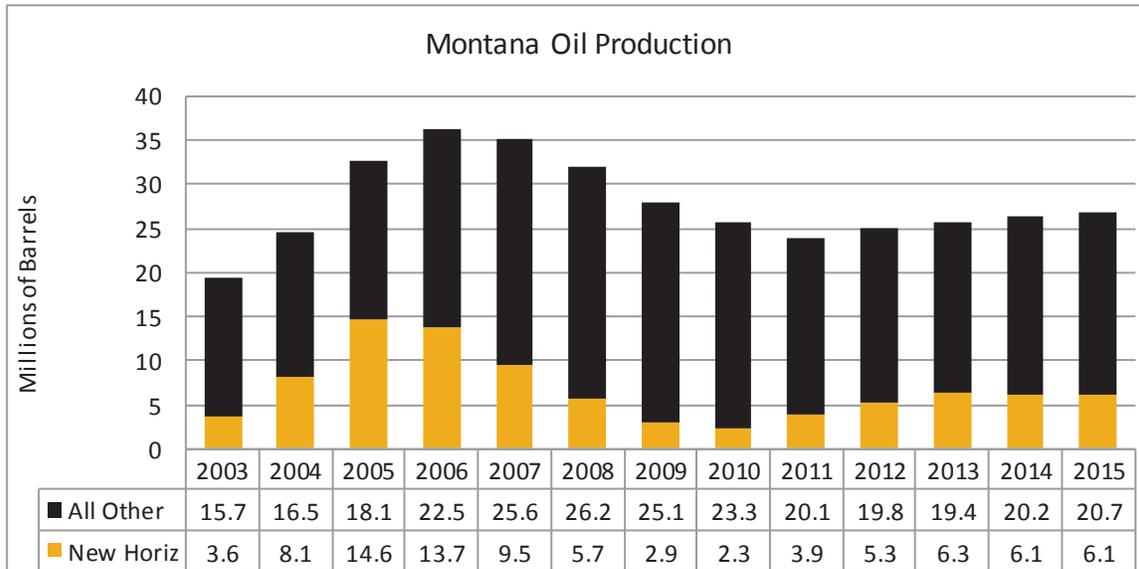
# Legislative Fiscal Division

## Revenue Estimate Profile

### Oil and Natural Gas Production Tax

#### Oil Analysis

- Production—The estimate is developed on a quarterly basis with production from horizontal wells separate from all other production. The majority of the increased production is from horizontal wells, as illustrated in the figure below.



Existing horizontal wells will follow a production decline curve unique to the characteristics of these wells. Future production from completed wells can be estimated by developing a normalized production decline curve from the producing wells. In doing so, the difficulty of having different starting time for each well can be eliminated by averaging each well's production from a common time point. The result is a curve that represents the average production of horizontal wells by month of production. Production from future wells can be estimated by applying the production curve coefficients to an estimate of future spudded wells. Knowing monthly production from each well and the date it was placed into production is essential for estimating oil tax revenue because tax rates vary based on the length of time a well has been in production. The dynamics in the timing of when wells enter and fall out of the various tax rates and the changes in production at the various stages is complex, but needs to be modeled to ensure accurate estimates.

Production from all other wells is also estimated on an annual basis and by the different taxation types. For each year, the estimate is derived by multiplying the previous year by the ratio of the results of a regression analysis for the current and the previous year. The results for each tax type are then summed by year.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Oil and Natural Gas Production Tax

- Price—The price for each quarter is estimated by adjusting the IHS West Texas Intermediate oil price for that quarter by the ratio of the previous three year average Montana price to the three year average of the IHS price.

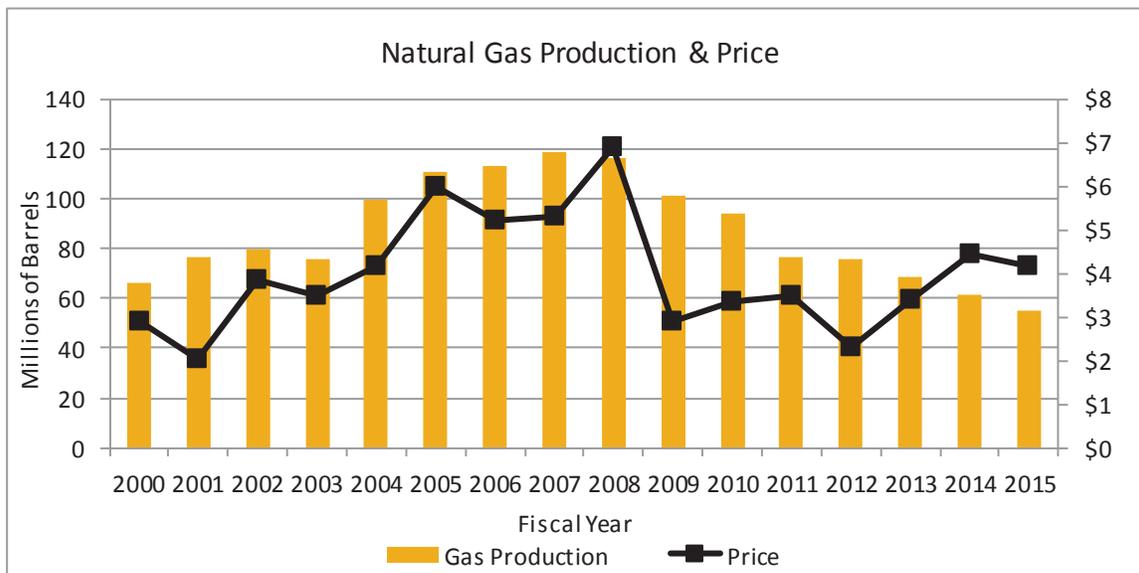
Once production and prices have been estimated, the value can be calculated by the product of the two. The quarterly value of each tax type is then multiplied by the applicable tax rate to obtain the estimate. The sum of the revenue from all tax types for each fiscal year determines the oil production revenue estimate.

#### Natural Gas Analysis

- Production—The estimate is developed on quarterly basis with data from the Board of Oil and Gas Conservation. Existing wells will follow a production decline curve unique to the characteristics of these wells. Future production from completed wells can be estimated by developing a normalized production decline curve from the producing wells. In doing so, the difficulty of having different starting time for each well can be eliminated by averaging each well’s production from a common time point. The result is a curve that represents the average production of wells by month of production. Production from future wells can be estimated by applying the production curve coefficients to an estimate of future spudded wells. Knowing monthly production from each well and the date it was placed into production is essential for estimating gas tax revenue because tax rates vary based on the length of time a well has been in production. The dynamics in the timing of when wells enter and fall out of the various tax rates and the changes in production at the various stages is complex, but needs to be modeled to ensure accurate estimates.

Production from all wells is estimated on an annual basis and by the different taxation types. For each year, the estimate is derived by multiplying the previous year by the ratio of the results of a regression analysis for the current and the previous year. The results for each tax type are then summed by year.

- Price—The price for each quarter is estimated by adjusting the IHS West Texas national well head price for that quarter by the ratio of the previous three year average Montana price to the three year average of the IHS price.



Once production and prices have been estimated, the value can be calculated by the product of the two. The quarterly value of each tax type is then multiplied by the applicable tax rate to obtain the revenue. The sum of the revenue from all tax types for each fiscal year determines the natural gas revenue estimate.

#### Adjustments and Distribution

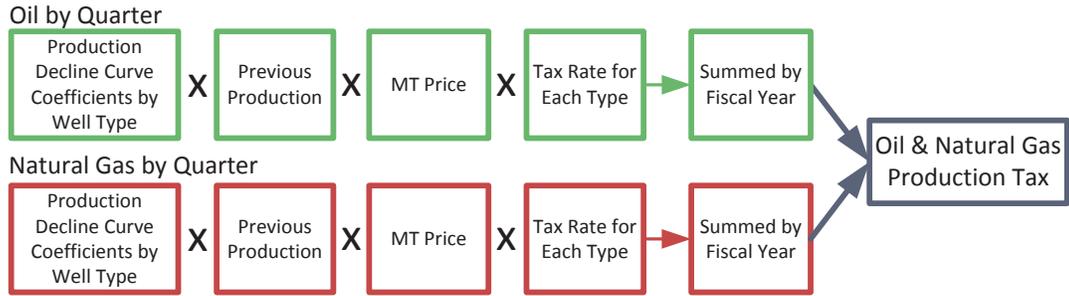
Once the oil and natural gas estimates have been summed, the distribution formula is applied with the amounts to the Board of Oil and Gas and to local governments distributed first and the remainder subject to statutory percentages.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Oil and Natural Gas Production Tax

#### Forecast Methodology:



#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	<u>t</u>	<u>Total Tax</u>	<u>GF Tax</u>	<u>GF Allocation</u>	<u>Audits</u>	<u>Total Tax</u>	<u>Total Tax</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Percent</u>	<u>Millions</u>	<u>Oil</u>	<u>Gas</u>
						<u>Millions</u>	<u>Millions</u>
Actual	2002	50.304	12.902	25.6%			
Actual	2003	73.389	29.086	39.6%	2.436		
Actual	2004	92.676	41.324	44.6%	1.688		
Actual	2005	137.754	62.626	45.5%	1.127		
Actual	2006	203.681	92.563	45.4%	1.429	140.641	51.586
Actual	2007	209.946	96.335	45.9%	1.242	174.193	98.418
Actual	2008	324.311	149.994	46.3%	3.168	227.099	172.201
Actual	2009	218.425	100.491	46.0%	5.221	203.277	138.836
Actual	2010	206.286	95.491	46.3%	1.395	160.377	86.005
Actual	2011	215.130	99.764	46.4%	1.254	188.114	82.479
Actual	2012	210.644	97.560	46.3%	0.737	199.433	45.953
Forecast	2013	216.873	98.750	45.5%	0.737	196.063	20.073
Forecast	2014	218.165	99.336	45.5%	0.737	193.365	24.063
Forecast	2015	213.955	97.427	45.5%	0.737	189.955	23.264

**Legislative Fiscal Division**  
**Revenue Estimate Profile**  
**Oil and Natural Gas Production Tax**

<u>Oil</u>	<u>t</u>	<u>Barrels</u>	<u>Price</u>	<u>Gross Value</u>	<u>Effective</u>	<u>Tax</u>	<u>Non-Tax</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Per Barrel</u>	<u>Millions</u>	<u>Tax Rate</u>	<u>Millions</u>	<u>Value</u>
							<u>Millions</u>
Actual	2002						
Actual	2003						
Actual	2004						
Actual	2005						
Actual	2006	34.438	55.06	1896.214	7.6%	140.641	48.525
Actual	2007	35.654	60.89	2170.999	8.2%	174.193	54.924
Actual	2008	33.501	76.22	2553.434	9.1%	227.099	65.224
Actual	2009	29.929	71.92	2152.399	9.7%	203.277	56.681
Actual	2010	26.790	60.47	1620.102	10.2%	160.377	43.691
Actual	2011	24.781	78.58	1947.329	9.9%	188.114	51.144
Actual	2012	24.481	88.34	2162.770	9.5%	199.433	55.781
Forecast	2013	25.333	85.79	2173.380	9.3%	196.063	56.405
Forecast	2014	25.998	82.11	2134.594	9.3%	193.365	55.399
Forecast	2015	26.575	78.35	2082.194	9.4%	189.955	54.039

<u>Gas</u>	<u>t</u>	<u>MCF's</u>	<u>Price</u>	<u>Gross Value</u>	<u>Effective</u>	<u>Tax</u>	<u>Non-Tax</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Per MCF</u>	<u>Millions</u>	<u>Tax Rate</u>	<u>Millions</u>	<u>Value</u>
							<u>Millions</u>
Actual	2002						
Actual	2003						
Actual	2004						
Actual	2005						
Actual	2006	111.998	5.60	627.347	8.6%	51.586	29.763
Actual	2007	234.732	5.28	1238.692	8.3%	98.418	55.536
Actual	2008	352.190	6.09	2145.639	8.4%	172.201	93.519
Actual	2009	326.653	5.03	1643.268	8.8%	138.836	73.265
Actual	2010	293.915	3.12	917.906	9.8%	86.005	42.807
Actual	2011	256.336	3.42	875.937	9.9%	82.479	39.789
Actual	2012	152.638	3.20	488.856	9.9%	45.953	22.489
Forecast	2013	71.991	2.91	209.756	10.0%	20.073	9.636
Forecast	2014	64.930	3.85	250.101	10.1%	24.063	11.489
Forecast	2015	58.273	4.19	244.174	10.0%	23.264	11.217

# Legislative Fiscal Division

## Revenue Estimate Profile

### Oil and Natural Gas Production Tax

<u>Oil</u>	<u>t</u>	<u>Barrels</u>	<u>Price</u>	<u>Gross Value</u>	<u>Effective</u>	<u>Total Tax</u>	<u>Non-Tax</u>
	<u>Cal</u>	<u>Millions</u>	<u>Per Barrel</u>	<u>Millions</u>	<u>Tax Rate</u>	<u>Millions</u>	<u>Value</u>
							<u>Millions</u>
Actual	2002						
Actual	2003						
Actual	2004						
Actual	2005	32.679	52.76	1,724.104	7.5%	125.296	43.861
Actual	2006	36.196	57.14	2,068.324	7.7%	155.985	53.189
Actual	2007	35.112	64.75	2,273.674	8.7%	192.402	56.659
Actual	2008	31.890	88.84	2,833.194	9.5%	261.795	73.789
Actual	2009	27.967	52.62	1,471.605	10.1%	144.759	39.573
Actual	2010	25.613	69.05	1,768.599	10.2%	175.995	47.808
Actual	2011	23.949	88.78	2,126.059	9.7%	200.233	54.480
Actual	2012	25.014	87.93	2,199.481	9.3%	198.633	57.083
Forecast	2013	25.652	83.71	2,147.279	9.3%	193.492	55.728
Forecast	2014	26.344	80.55	2,121.909	9.3%	193.238	55.069
Forecast	2015	26.806	76.19	2,042.479	9.4%	186.672	53.008

<u>Gas</u>	<u>t</u>	<u>MCF's</u>	<u>Price</u>	<u>Gross Value</u>	<u>Effective</u>	<u>Total Tax</u>	<u>Non-Tax</u>
	<u>Cal</u>	<u>Millions</u>	<u>Per MCF</u>	<u>Millions</u>	<u>Tax Rate</u>	<u>Millions</u>	<u>Value</u>
							<u>Millions</u>
Actual	2002						
Actual	2003						
Actual	2004						
Actual	2005	110.440	6.00	662.994	8.7%	55.016	31.675
Actual	2006	113.555	5.21	591.700	8.5%	48.156	27.851
Actual	2007	355.908	5.30	1885.685	8.2%	148.680	83.221
Actual	2008	348.471	6.90	2405.593	8.5%	195.721	103.817
Actual	2009	304.834	2.89	880.944	9.8%	81.950	42.713
Actual	2010	282.996	3.37	954.868	9.9%	90.060	42.901
Actual	2011	229.676	3.47	797.005	9.9%	74.899	36.677
Actual	2012	75.601	2.39	180.707	9.9%	17.007	8.301
Forecast	2013	68.381	3.49	238.805	10.2%	23.140	10.970
Forecast	2014	61.478	4.25	261.397	10.0%	24.986	12.008
Forecast	2015	55.068	4.12	226.951	9.9%	21.541	10.426

Total Tax = Barrels × Price × Tax Rate + MCF's × Price × Tax Rate + Audits

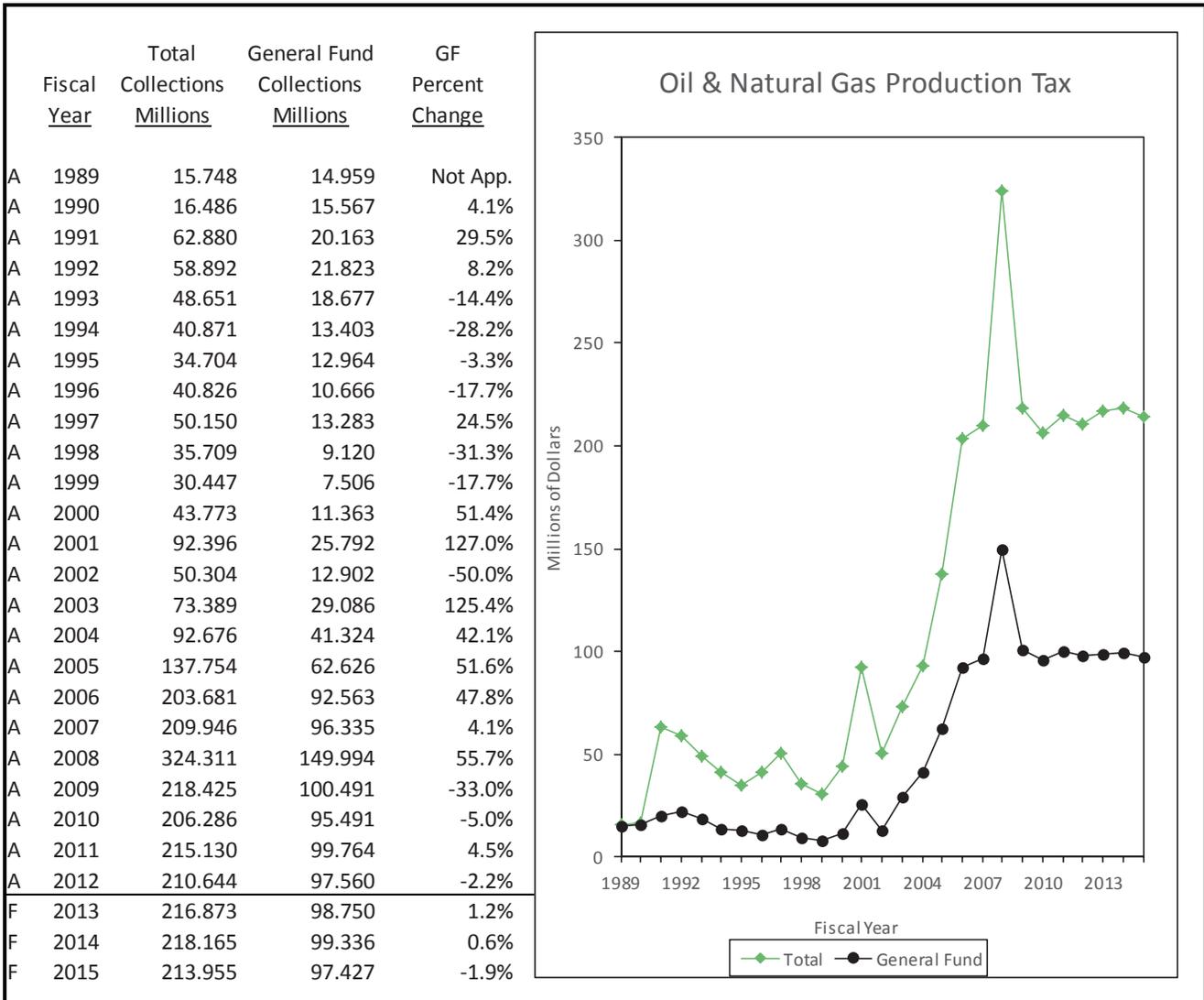
GF Rev = Total Tax × GF Allocation + Audits

# Legislative Fiscal Division

## Revenue Estimate Profile

### Oil and Natural Gas Production Tax

**Revenue Projection:**



# Legislative Fiscal Division

## Revenue Estimate Profile

### Resource Indemnity Tax

**Revenue Description:** The state imposes a resource indemnity and ground water assessment (RIGWA) tax on the gross value of coal (based on the contract sales price), as well as most minerals, but not gravel, metals, oil, and natural gas. Prior to July 1, 2002 when the Governor by executive order certified to the Secretary of State that the resource indemnity trust balance had reached \$100 million, a portion of oil and natural gas taxes had been distributed under the same methodology as the RIGWA tax. Once the RIT balance reached \$100 million, this portion of oil and natural gas taxes no longer has a connection to the RIGWA tax. The RIGWA tax on all other production is specific to each resource as described below.

**Statutory Reference:**

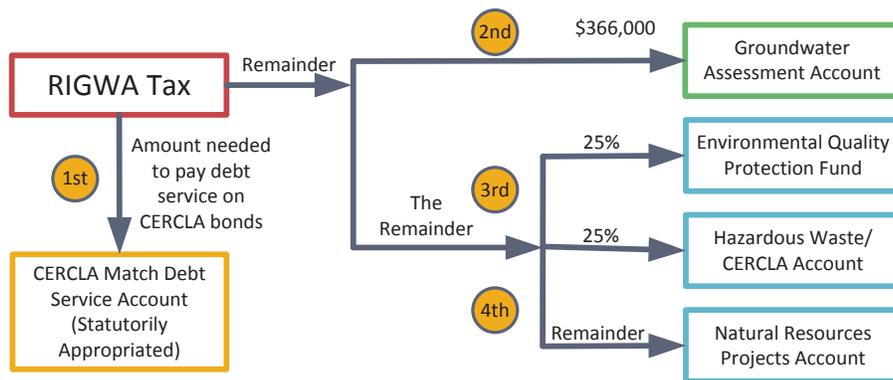
- Tax Rate (MCA) – 15-38-104
- Tax Distribution (MCA) – 15-38-106
- Date Due from metal producers – March 31st following the end of the calendar year (15-38-105, 15-38-106(1))
- Date Due from mineral producers – 60 days following the end of the calendar year (15-38-105, 15-38-106(1))

**Applicable Tax Rate(s):** The applicable rates are as follows:

- Coal: \$25 plus 0.4% of the gross value of coal produced in the preceding year in excess of \$6,250
- Minerals: \$25 plus 0.5% of the gross value of minerals (excluding gravel and metals, and excluding oil and natural gas since the resource indemnity trust has reached \$100 million) produced in the preceding year in excess of \$5,000
- Talc: \$25 plus 0.4% of the gross value of talc produced in the preceding year in excess of \$625
- Vermiculite: \$25 plus 2.0% of the gross value of vermiculite produced in the preceding year in excess of \$1,250
- Limestone: \$25 plus 10.0% of the gross value of limestone produced in the preceding year in excess of \$250
- Garnets: \$25 plus 1.0% of the gross value of garnets produced in the preceding year in excess of \$2,500

**Distribution:** Beginning FY 2004, the amount needed to cover debt service on CERCLA bonds (after amounts transferred from the CERCLA cost recovery account) is deposited to the CERCLA match debt service account, 1<sup>st</sup>. Money is then apportioned in steps 2-4 as shown in the distribution chart.

Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** The tax is paid annually on or before March 31 of the year following the production year.

**% of Total General Fund Revenue:** N/A

**Revenue Estimate Methodology:**

Data

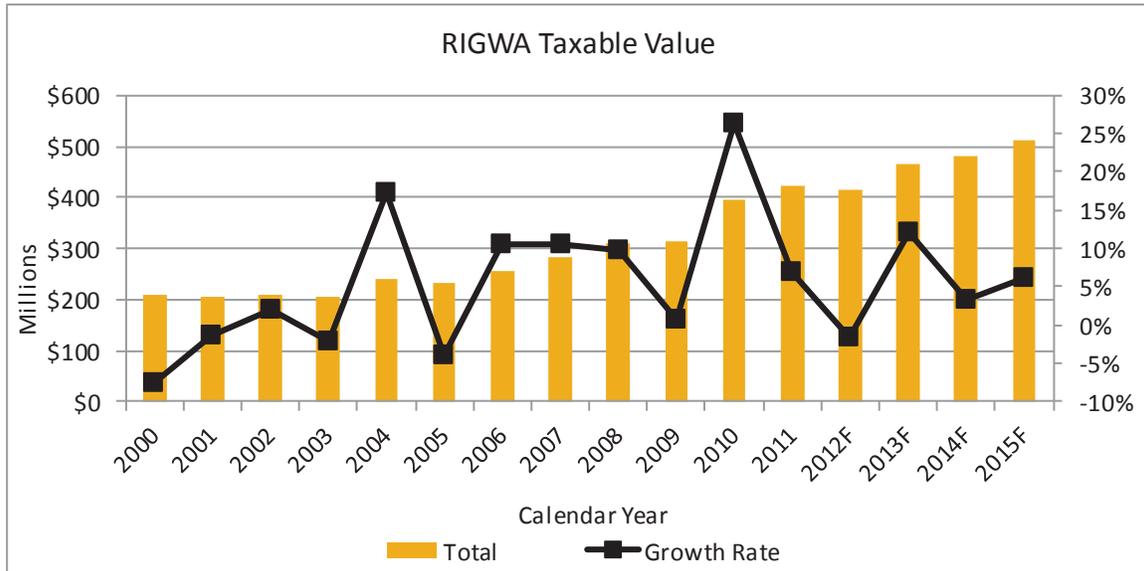
The data used to estimate the resource indemnity and groundwater assessment (RIGWA) tax are obtained from the coal severance tax source, the property tax source, and the state accounting system (SABHRS).

# Legislative Fiscal Division

## Revenue Estimate Profile Resource Indemnity Tax

### Analysis

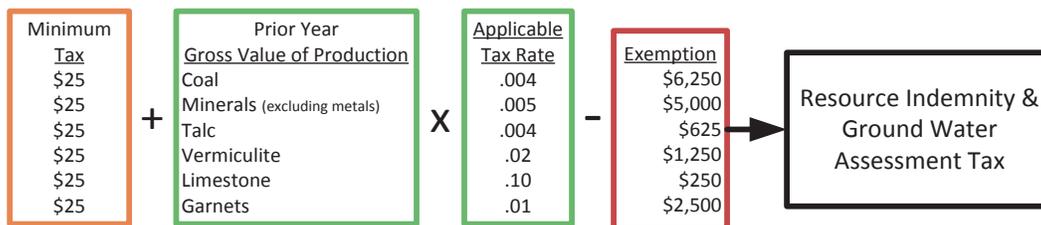
The RIGWA tax is imposed on the gross taxable value from the production of coal and miscellaneous mines. Before FY 2002, when Governor Martz certified that the resource indemnity trust had reached the required principal amount of \$100 million, oil and natural gas production was also taxed under RIGWA, but the oil and natural gas component of the tax ended when the trust reached the limit. The gross value estimates prepared for the coal severance tax and class 1 property tax (miscellaneous minerals) are used in the estimate for the RIGWA tax.



The future taxable value of coal, produced by all mines, is estimated in the coal severance tax source. The future taxable value of other mineral production is estimated at the amount of the last known year.

To develop the estimates for RIGWA tax collections, the tax rates are applied to the production value of each of the components, coal and other minerals. The tax estimates for the two components are summed to produce the total estimate of the RIGWA tax.

### Forecast Methodology:



# Legislative Fiscal Division

## Revenue Estimate Profile Resource Indemnity Tax

### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t	Total Tax	GF Tax	Oil	Natural Gas	Coal	Metals	Other
	<u>Fiscal</u>	<u>Millions</u>						
Actual	2002	2.201	0.000	0.976	0.000	0.999	0.000	0.225
Actual	2003	1.226	0.000	0.000	0.000	1.005	0.000	0.220
Actual	2004	1.251	0.000	0.002	0.000	0.966	0.000	0.285
Actual	2005	1.436	0.000	0.000	0.000	1.118	0.000	0.318
Actual	2006	1.456	0.000	0.000	0.000	1.087	0.000	0.370
Actual	2007	1.647	0.000	0.000	0.000	1.212	0.000	0.435
Actual	2008	1.926	0.000	0.000	0.000	1.346	0.000	0.580
Actual	2009	2.054	0.000	0.000	0.000	1.465	0.000	0.589
Actual	2010	1.712	0.000	0.000	0.000	1.459	0.000	0.253
Actual	2011	2.147	0.000	0.000	0.000	1.785	0.000	0.362
Actual	2012	2.344	0.000	0.000	0.000	1.915	0.000	0.429
Forecast	2013	2.210	0.000	0.000	0.000	1.781	0.000	0.429
Forecast	2014	2.541	0.000	0.000	0.000	2.112	0.000	0.429
Forecast	2015	2.620	0.000	0.000	0.000	2.190	0.000	0.429

	t	Trust Other	Trust Metal	Renewable	Ground	Reclamation	Orphan
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	1.589	0.000	0.000	0.300	0.156	0.156
Actual	2003	0.000	0.000	0.000	0.366	0.430	0.280
Actual	2004	0.000	0.000	0.000	0.366	0.442	0.442
Actual	2005	0.252	0.000	0.000	0.114	0.535	0.442
Actual	2006	0.000	0.000	0.000	0.366	0.451	0.451
Actual	2007	0.000	0.000	0.000	0.366	0.509	0.509
Actual	2008	0.000	0.000	0.000	0.366	0.000	0.000
Actual	2009	0.000	0.000	0.000	0.366	0.000	0.000
Actual	2010	0.000	0.000	0.000	0.366	0.000	0.000
Actual	2011	0.000	0.000	0.000	0.366	0.000	0.000
Actual	2012	0.000	0.000	0.000	0.366	0.000	0.000
Forecast	2013	0.000	0.000	0.000	0.366	0.000	0.000
Forecast	2014	0.000	0.000	0.000	0.366	0.000	0.000
Forecast	2015	0.000	0.000	0.000	0.366	0.000	0.000

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# Legislative Fiscal Division

## Revenue Estimate Profile

### Resource Indemnity Tax

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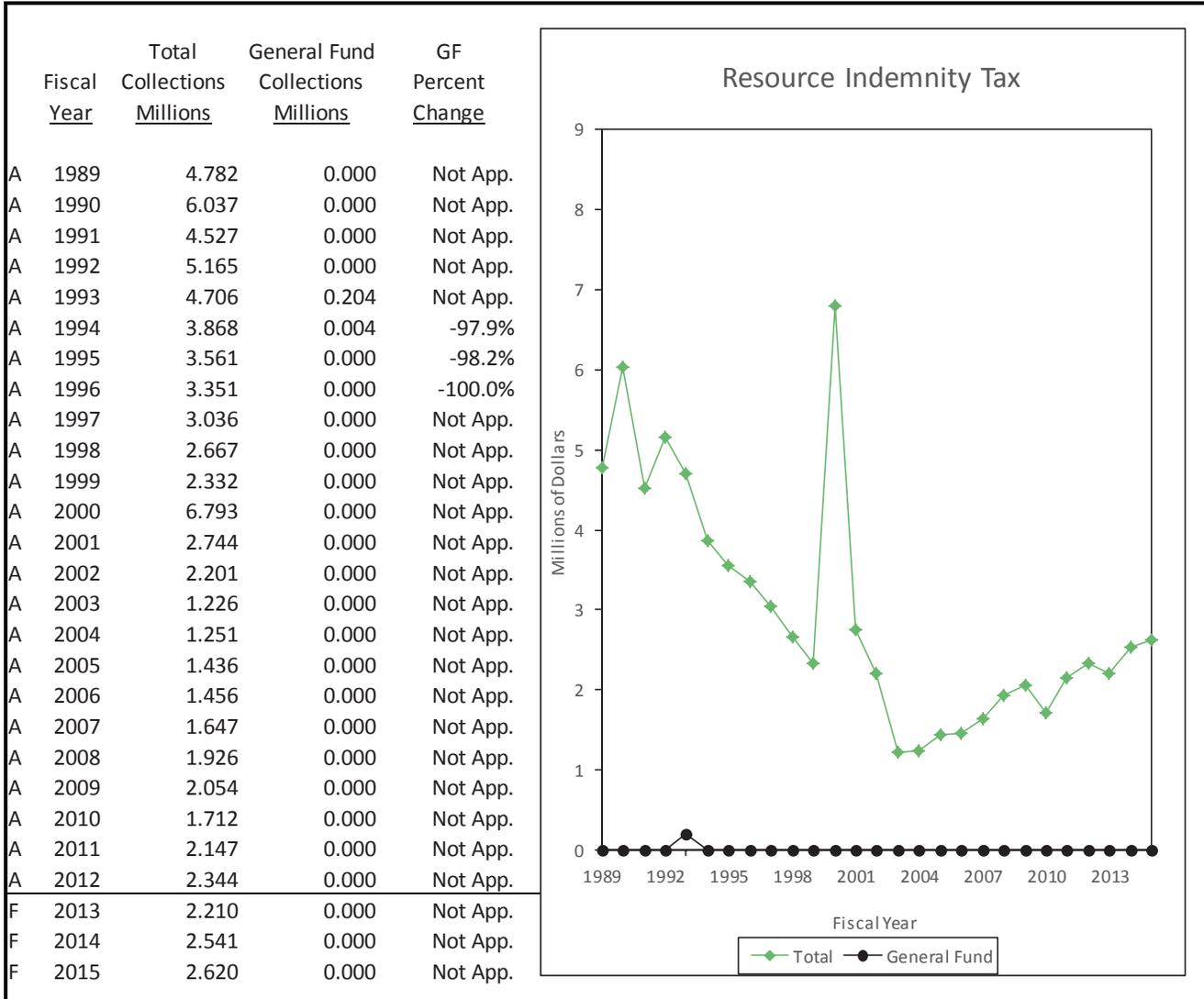
	<u>t</u>	<u>Scholarship</u>	<u>Debt</u>	<u>Water</u>	<u>Protection</u>	<u>CERCLA</u>	<u>Projects</u>	<u>Trust</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Service</u>	<u>Storage</u>	<u>Fund</u>	<u>Account</u>	<u>Account</u>	<u>Balance</u>
			<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	0.000	0.000	0.000	0.000	0.000	0.000	102.066
Actual	2003	0.150	0.000	0.000	0.000	0.000	0.000	100.001
Actual	2004	0.000	0.000	0.000	0.000	0.000	0.000	100.002
Actual	2005	0.094	0.000	0.000	0.000	0.000	0.000	100.255
Actual	2006	0.000	0.188	0.000	0.000	0.000	0.000	100.023
Actual	2007	0.000	0.264	0.000	0.000	0.000	0.000	100.023
Actual	2008	0.000	0.273	0.150	0.284	0.284	0.568	100.023
Actual	2009	0.000	0.272	0.000	0.354	0.354	0.708	100.023
Actual	2010	0.000	0.272	0.150	0.231	0.231	0.462	100.023
Actual	2011	0.000	0.274	0.000	0.377	0.377	0.753	100.023
Actual	2012	0.000	0.267	0.150	0.390	0.390	0.780	100.023
Forecast	2013	0.000	0.296	0.000	0.387	0.387	0.774	100.023
Forecast	2014	0.000	0.296	0.000	0.470	0.470	0.939	100.023
Forecast	2015	0.000	0.296	0.000	0.489	0.489	0.979	100.023

Total Tax = Coal + Other

# Legislative Fiscal Division

## Revenue Estimate Profile Resource Indemnity Tax

### Revenue Projection:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Wholesale Energy Tax

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**Revenue Description:** The wholesale energy transaction tax, enacted by the 1999 Legislature (HB 174) is imposed on the amount of electricity transmitted by a transmission services provider in the state.

**Statutory Reference:**

Tax Rate (MCA) – 15-72-104(1)

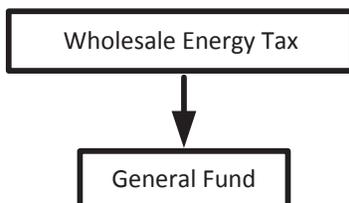
Tax Distribution (MCA) – 15-72-106(3)

Date Due – 30<sup>th</sup> day of the month following the end of the calendar quarter (15-72-110)

**Applicable Tax Rate(s):** The tax rate of 0.015 cent is applied to the number of kilowatt hours transmitted (or \$0.15 per megawatt). If the electricity is produced in-state and sold out-of-state, the taxpayer is the person(s) owning the electrical generation property, and the tax is collected by the transmission services provider. If the electricity is produced in-state for delivery in-state, or is produced outside the state for delivery in-state, the taxpayer is the distribution services provider, and the tax is collected by the transmission services provider. The tax does not apply to: 1) electricity that is transmitted through the state that is neither produced nor consumed in the state; 2) electricity generated in the state by an agency of the federal government for delivery outside the state; 3) electricity delivered to a distribution services provider that is a municipal utility or a rural electric cooperative which opts out of competition under HB 390 (1997 legislature); 4) electricity delivered to a purchaser that received its power directly from a transmission or distribution facility owned by an entity of the US government; 5) electricity meeting certain contractual requirements that is delivered by a distribution services provider that was first served by a public utility after December 31, 1996; 6) electricity that has been subject to the transmission tax in another state; and 7) a 5% line loss exemption for transmission of electricity produced in the state for delivery outside of the state.

**Distribution:** All proceeds are deposited into the general fund.

Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** Quarterly

**% of Total General Fund Revenue:**

FY 2004 – 0.24%

FY 2007 – 0.20%

FY 2010 – 0.22%

FY 2005 – 0.22%

FY 2008 – 0.20%

FY 2011 – 0.22%

FY 2006 – 0.22%

FY 2009 – 0.21%

FY 2012 – 0.18%

**Revenue Estimate Methodology:**

The wholesale energy transaction tax is applied to the number of kilowatt hours transmitted less 5% for line loss on out-of-state transmissions. The forecast for the tax revenue is developed by estimating the annual taxable kilowatt hours transmitted for each company and any company anticipated to be transmitting within the forecast period. The tax rate is applied to the estimated number of kilowatt hours to produce calendar revenue estimates, which are then converted into fiscal year estimates.

Data

All energy transmitting companies are surveyed for anticipated kilowatt hours transmitted, anticipated new transmissions, anticipated downtime or reduced transmission, and a percentage split between in-state and out-of-state transmissions; these data used to develop growth rates. Data from quarterly reports produced by DOR provide a history of in-state and out-of-state kilowatt hours transmitted by each company.

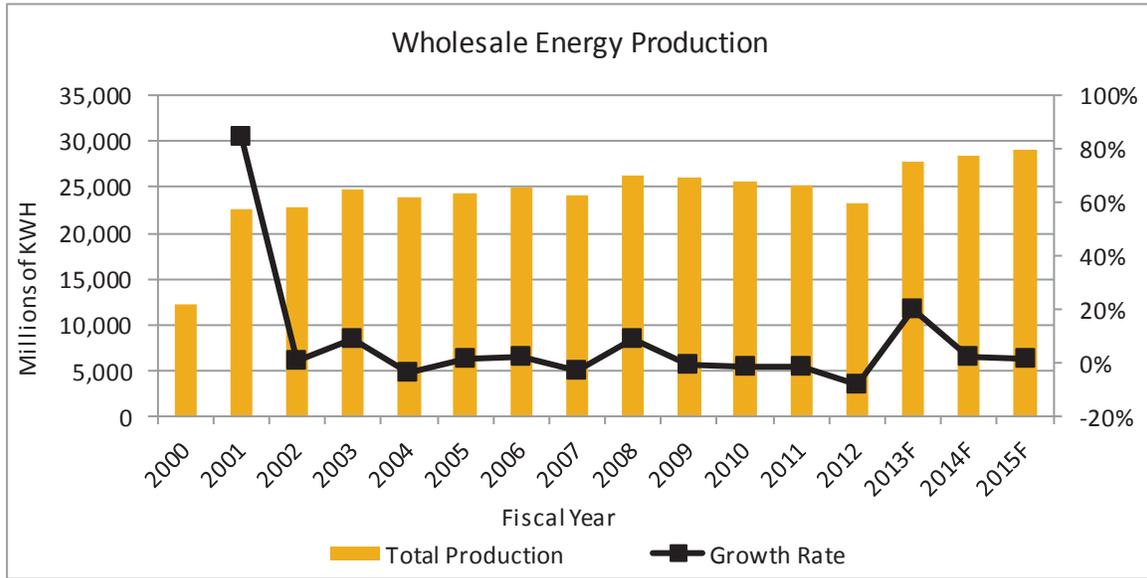
# Legislative Fiscal Division

## Revenue Estimate Profile

### Wholesale Energy Tax

#### Analysis

A growth rate based on the change in total yearly production from the actual/estimated year to the amount provided by the surveys was applied to the previous gross production amount. The totals are added for each year and allowable line loss is calculated and subtracted from the yearly total. Net taxable kilowatt hours are multiplied by the tax rate to produce total revenue from this source.



#### Adjustments and Distribution

Once total tax revenue for each fiscal year is determined, the applicable distribution percentage, 100% to the general fund, is applied.

#### Forecast Methodology:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Wholesale Energy Tax

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#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	<u>t</u>	<u>Total Tax</u>	<u>GF Tax</u>	<u>KWH Fiscal</u>	<u>Line</u>	<u>Credits</u>	<u>Tax</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Loss Fiscal</u>	<u>Millions</u>	<u>Rate</u>
					<u>Millions</u>		
Actual	2002	2.906	2.906	22,775.158	697.796	0.000	0.015%
Actual	2003	3.532	3.532	24,780.402	730.789	0.000	0.015%
Actual	2004	3.293	3.293	23,961.126	725.187	0.000	0.015%
Actual	2005	3.370	3.370	24,326.536	749.863	0.000	0.015%
Actual	2006	3.813	3.813	24,870.822	758.471	0.000	0.015%
Actual	2007	3.651	3.651	24,070.521	709.589	0.000	0.015%
Actual	2008	3.856	3.856	26,192.843	796.685	0.000	0.015%
Actual	2009	3.865	3.865	26,004.638	783.005	0.000	0.015%
Actual	2010	3.556	3.556	25,546.398	774.161	0.000	0.015%
Actual	2011	3.946	3.946	25,240.578	759.051	0.000	0.015%
Actual	2012	3.427	3.427	23,182.689	663.193	0.000	0.015%
Forecast	2013	4.038	4.038	27,762.064	840.774	0.000	0.015%
Forecast	2014	4.140	4.140	28,461.344	861.952	0.000	0.015%
Forecast	2015	4.217	4.217	28,992.297	878.032	0.000	0.015%

Total Tax = (KWH Fiscal - Line Loss Fiscal) × Tax Rate - Credits

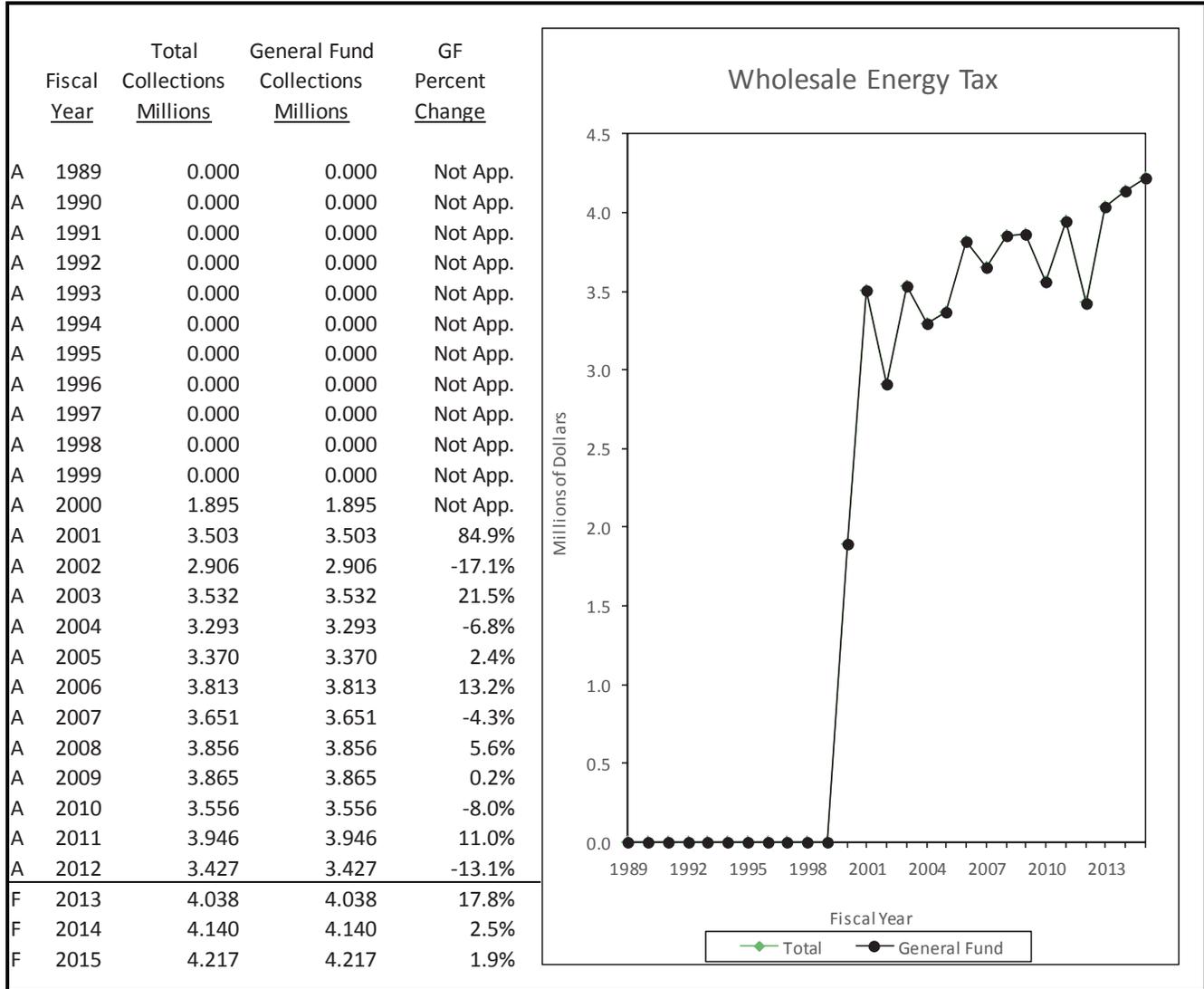
GF Tax = Total Tax

# Legislative Fiscal Division

## Revenue Estimate Profile

### Wholesale Energy Tax

#### Revenue Projection:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Capital Land Grant Interest and Income

**Revenue Description:** The capital land grant fund is a fund set up for public buildings at the state capital for construction, repair, renovation, and other permanent improvements of state building. Capital land grant funds can also be used for the acquisition of land for such buildings, as well as the payment of principal and interest on bonds issued for any of these purposes. The funds for this come from lands granted by the federal government to the state, which generate income from a variety of sources, as well as interest from principle in the account. Section 12 of the *Enabling Act* requires that income generated on certain sections of federally granted land be used for this purpose.

Non-permanent sources of revenue generated from capital land grant lands include: grazing fees, agricultural fees, miscellaneous fees and rentals, and oil and natural gas leases and penalties. Senate Bill 65, enacted by the 2009 Legislature, allows an amount up to 25% of distributable revenue to be diverted to the trust land administration account to fund DNRC administrative costs. Permanent sources of revenue generated from capital land grant lands include timber sales and oil and natural gas royalties. All sources of revenue are subject for diversion to DNRC for administration.

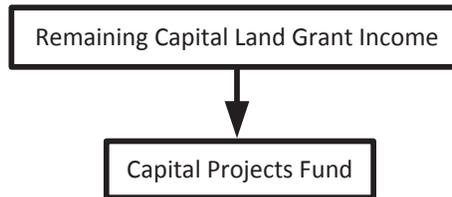
**Statutory Reference:**

- Tax Rate – NA
- Tax Distribution (MCA) – 18-2-107
- Enabling Act, Sections 10, 12 & 17
- Other (MCA) – DNRC trust land administration diversion (77-1-108 & 109)  
DNRC land bank administration diversion (77-2-362)

**Applicable Tax Rate(s):** N/A

**Distribution:** After diversions for DNRC administration, all remaining capital land grant income is deposited into a capital projects fund to be used for projects on the state capital complex in accordance with the provisions of Section 12 of the *Enabling Act*.

Distribution Chart:



**Summary of Legislative Action:**

Senate Bill 369 – This legislation requires the Board of Land Commissioners to sell the cabin and home sites on capital land grant lands by July 2035. Revenue from the capital land grant lands is used for public buildings at the state capitol.

Capital Land Grant Interest and Income – Legislation Passed by 63rd Legislature			
State Special Revenue Impact (\$ Millions)			
Bill Number and Short Title	FY 2013	FY 2014	FY 2015
SB0369 Revise state cabin site leasing laws	\$0.000	(\$0.017)	(\$0.025)
<b>Total State Special Revenue Impact</b>	<b>\$0.000</b>	<b>(\$0.017)</b>	<b>(\$0.025)</b>

# Legislative Fiscal Division

## Revenue Estimate Profile

### Capital Land Grant Interest and Income

**Collection Frequency:** Monthly

**% of Total General Fund Revenue:** N/A

#### Revenue Estimate Methodology:

The estimate for interest and income from the capital land grant trust determines the net amount of revenue that will be distributed to the trust beneficiary. This means that in addition to estimating the various revenues from the capital land grant trust, estimates of the diversion for DNRC administration costs that reduce the amount of revenue deposited to the capital program fund must also be estimated. Therefore, the estimated amounts shown for this revenue source are not total revenues, but are net of diversions. Since all of the trust income is distributed, the trust has no monetary corpus.

#### Data

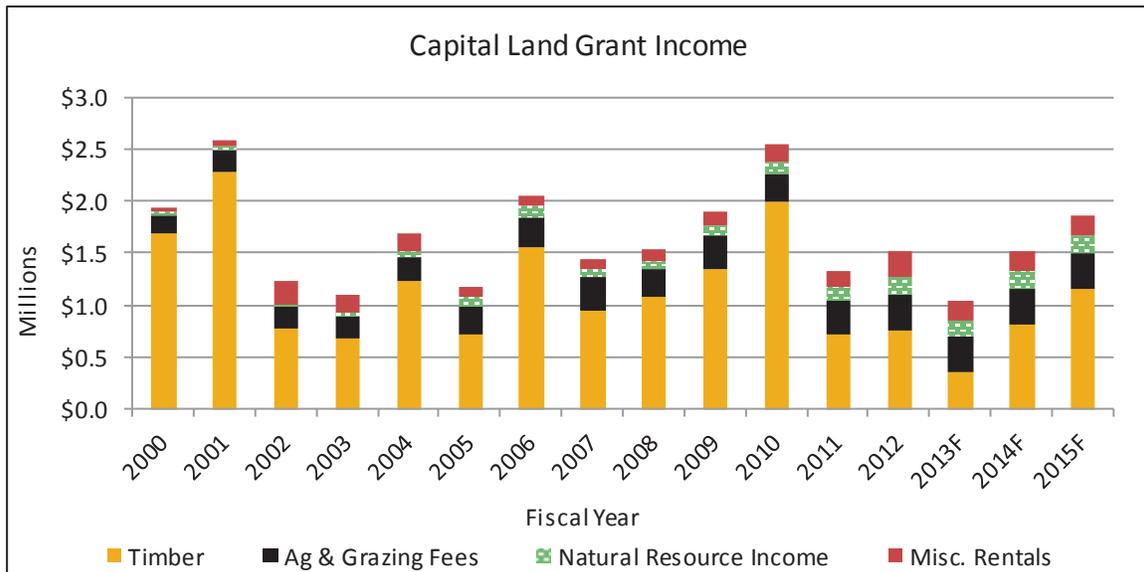
Data from SABHRS provide a history of each individual interest and income revenue component. Department of Natural Resources and Conservation (DNRC) annual reports and other data provide additional information such as mineral prices and production. Budget submissions on the state budgeting system (MBARS) provide anticipated diversions.

#### Analysis

The estimate is produced by estimating the revenue components and then subtracting estimated diversion amount.

#### Revenue Components

1. Timber – Estimates of timber harvest from capital land grant trust lands are taken directly from DNRC estimates.
2. Grazing Fees – Rates are tied to the price of cattle.



3. Miscellaneous Rentals – These are small income components that are combined and estimated together. For each fiscal year estimated, the estimate is based on the average of the previous four years.
4. Agricultural Fees – Fees are based on a crop share basis.
5. Oil & Gas Bonuses – Estimates continue the amount received in the previous fiscal year.
6. Oil & Gas Leases – For each fiscal year estimated, the estimate is the average of the previous nine years with the highest and lowest years discarded.
7. Mineral Royalties – Mineral royalties are received from oil and natural gas. Royalties are estimated by increasing the previous fiscal year’s production by the growth rate obtained from the average annual growth from for the previous 15 years with the highest and lowest years discarded.
8. Oil & Gas Penalties – For each fiscal year estimated, the estimate is the average of the previous two years.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Capital Land Grant Interest and Income

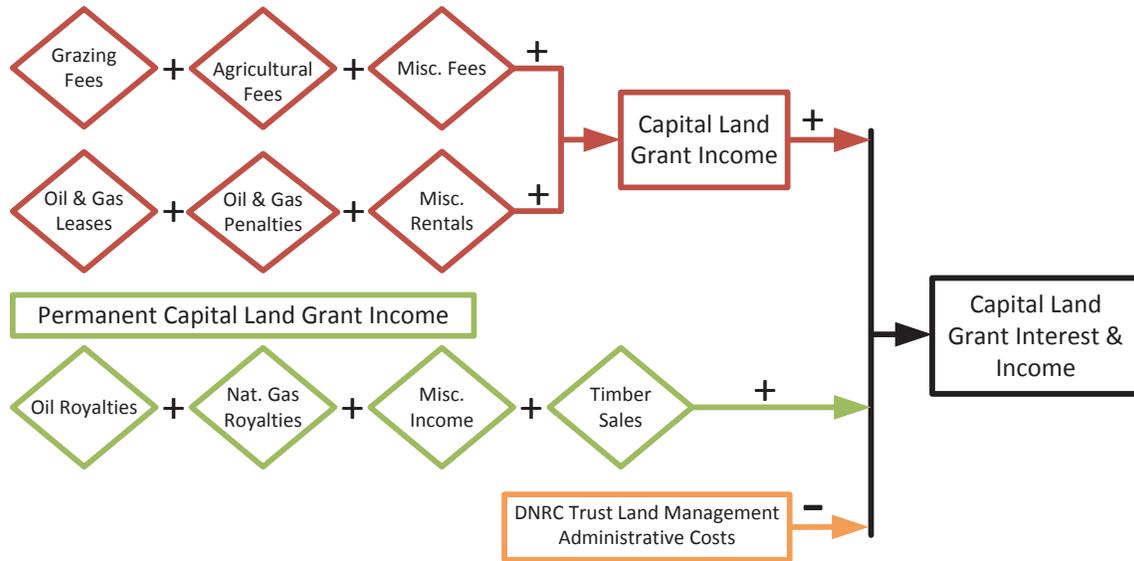
**Diversion**

The diversion amount funds operational costs in DNRC, but reduces the amount of revenue distributed to the trust beneficiaries (see the figure below). To determine future diversion amounts, DNRC's estimated amounts are used.

**Adjustments and Distribution**

Once total revenue and total diversions have been estimated, the net amounts are distributed to the capital project fund.

**Forecast Methodology:**



**Revenue Estimate Assumptions:**

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t	Total Rev.	GF Rev.	TFBP	STIP	Capital
	Fiscal	Millions	Millions	Interest	Interest	Land Share
				Millions	Millions	T&L
Actual	2002	1.065	0.000	29.627	0.103	0.000
Actual	2003	0.809	0.000	29.147	0.068	0.000
Actual	2004	1.977	0.000	30.087	0.054	0.000
Actual	2005	0.853	0.000	28.106	0.270	0.000
Actual	2006	1.590	0.000	24.428	0.408	0.000
Actual	2007	0.871	0.000	26.207	0.268	0.000
Actual	2008	0.983	0.000	25.160	0.129	0.000
Actual	2009	1.078	0.000	22.711	0.066	0.000
Actual	2010	1.635	0.000	22.916	0.018	0.000
Actual	2011	0.581	0.000	23.194	0.033	0.000
Actual	2012	0.610	0.000	24.175	0.028	0.000
Forecast	2013	0.232	0.000	23.209	0.415	0.000
Forecast	2014	0.664	0.000	24.129	0.464	0.000
Forecast	2015	1.022	0.000	25.164	0.583	0.000

**Legislative Fiscal Division**  
**Revenue Estimate Profile**  
**Capital Land Grant Interest and Income**

	t	Trust Income New Deposit	Trust Land Admin.	New Deposit Long Term	Non Pool STIP	Non Pool STIP Bal
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Rate</u>	<u>Rate</u>	<u>Millions</u>
Actual	2002	2.348	-0.151	6.2%	2.6%	7.334
Actual	2003	2.363	-0.305	5.7%	1.4%	6.242
Actual	2004	2.972	-0.099	5.4%	1.3%	7.050
Actual	2005	1.458	-0.173	5.2%	2.4%	12.107
Actual	2006	1.425	-0.063	5.2%	4.1%	3.863
Actual	2007	7.174	-0.115	5.4%	4.7%	14.954
Actual	2008	3.102	-0.085	5.3%	3.1%	2.461
Actual	2009	4.126	-0.104	5.1%	1.0%	4.161
Actual	2010	10.710	0.000	4.8%	0.2%	11.340
Actual	2011	22.233	0.000	4.4%	0.1%	15.565
Actual	2012	31.517	0.000	3.8%	0.1%	11.492
Forecast	2013	26.766	0.000	3.4%	0.1%	11.492
Forecast	2014	27.198	0.000	3.8%	0.1%	11.492
Forecast	2015	30.366	0.000	4.2%	0.2%	11.492

	t	Grazing	Agriculture	Misc.	O&G Lease	O&G Bonus	O&G Penalty	Misc.
	<u>Fiscal</u>	<u>Millions</u>						
Actual	2002	0.174	0.031	0.000	0.018	0.002	0.004	0.215
Actual	2003	0.170	0.043	0.000	0.018	0.001	0.004	0.174
Actual	2004	0.132	0.088	0.000	0.018	0.000	0.005	0.183
Actual	2005	0.197	0.074	0.000	0.019	0.019	0.009	0.110
Actual	2006	0.210	0.063	0.000	0.019	0.051	0.010	0.092
Actual	2007	0.239	0.093	0.000	0.024	0.004	0.016	0.101
Actual	2008	0.206	0.067	0.000	0.021	0.000	0.018	0.115
Actual	2009	0.208	0.115	0.000	0.023	0.021	0.014	0.152
Actual	2010	0.185	0.087	0.000	0.027	0.032	0.014	0.157
Actual	2011	0.190	0.143	0.000	0.028	0.076	0.013	0.165
Actual	2012	0.240	0.103	0.000	0.032	0.109	0.011	0.258
Forecast	2013	0.240	0.103	0.000	0.023	0.109	0.012	0.183
Forecast	2014	0.240	0.103	0.000	0.024	0.109	0.011	0.191
Forecast	2015	0.240	0.103	0.000	0.024	0.109	0.012	0.199

**Legislative Fiscal Division**  
**Revenue Estimate Profile**  
**Capital Land Grant Interest and Income**

	<u>t</u>	<u>Int. Land</u>	<u>Int. STIP</u>	<u>Int. Trust</u>	<u>Res. Dev.</u>	<u>Lease Total</u>	<u>Timber Cost</u>	<u>TLMD Adm.</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	0.000	0.000	0.000	-0.009	0.436		
Actual	2003	0.000	0.000	0.000	-0.009	0.401	0.000	
Actual	2004	0.000	0.000	0.000	-0.013	0.414	-0.448	
Actual	2005	0.000	0.000	0.000	-0.009	0.419	-0.169	
Actual	2006	0.000	0.000	0.000	-0.013	0.432	-0.412	
Actual	2007	0.000	0.000	0.000	-0.014	0.464	-0.445	
Actual	2008	0.000	0.000	0.000	-0.013	0.415	-0.457	
Actual	2009	0.000	0.000	0.000	-0.015	0.518	-0.709	
Actual	2010	0.000	0.000	0.000	0.000	0.502	0.000	-0.915
Actual	2011	0.000	0.000	0.000	0.000	0.615	0.000	-0.769
Actual	2012	0.000	0.000	0.000	0.000	0.752	0.000	-0.905
Forecast	2013	0.000	0.000	0.000	0.000	0.669	0.000	-0.815
Forecast	2014	0.000	0.000	0.000	0.000	0.677	0.000	-0.854
Forecast	2015	0.000	0.000	0.000	0.000	0.686	0.000	-0.845

	<u>t</u>	<u>Oil Roy.</u>	<u>Gas Roy.</u>	<u>Timber</u>	<u>Misc.</u>	<u>Perm. Total</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	0.003	0.002	0.769	0.006	0.781
Actual	2003	0.004	0.013	0.672	0.023	0.713
Actual	2004	0.003	0.028	1.231	0.847	1.661
Actual	2005	0.005	0.028	0.712	0.030	0.607
Actual	2006	0.005	0.033	1.558	0.036	1.220
Actual	2007	0.007	0.018	0.934	0.008	0.522
Actual	2008	0.008	0.023	1.072	0.006	0.652
Actual	2009	0.007	0.030	1.333	0.007	0.667
Actual	2010	0.017	0.024	1.990	0.017	2.048
Actual	2011	0.006	0.006	0.701	0.009	0.722
Actual	2012	0.016	0.005	0.742	0.016	0.778
Forecast	2013	0.007	0.017	0.342	0.012	0.378
Forecast	2014	0.007	0.018	0.803	0.013	0.841
Forecast	2015	0.007	0.019	1.143	0.013	1.181

Total Rev. = Grazing + Agriculture + O&G Lease + O&G Bonus + O&G Penalty + Misc. +  
 Int. Land + Int. Stip + Int. Trust + Timber + Res. Dev. + Oil Roy. + Gas Roy. + Timber + Misc. +  
 Timber Cost + Trust Land Admin. + TLMD Adm.

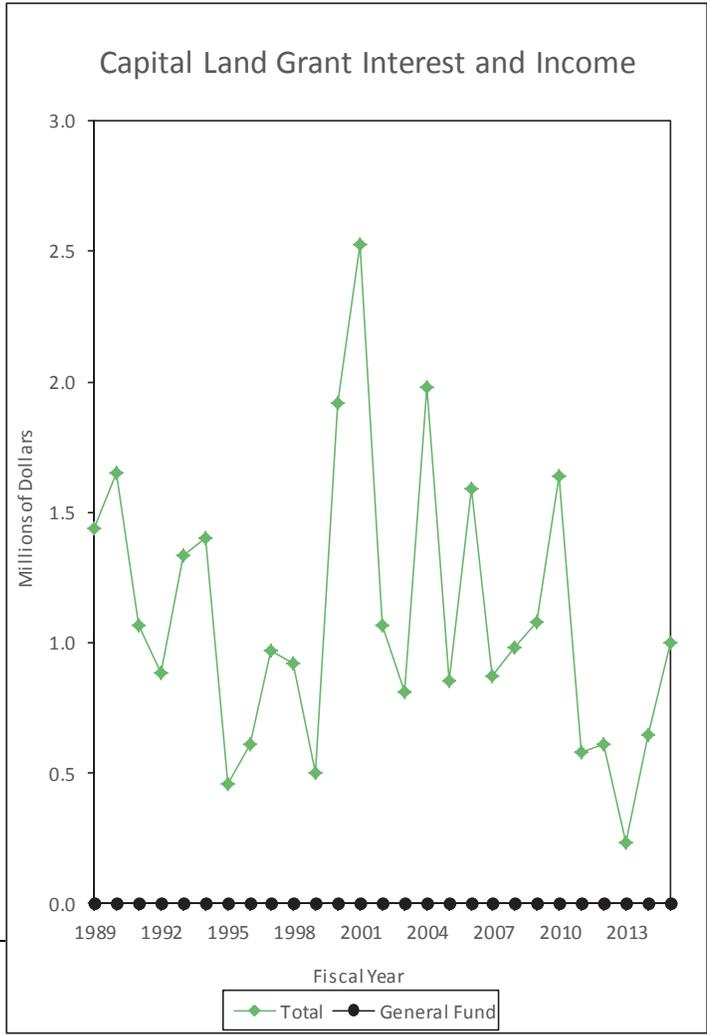
# Legislative Fiscal Division

## Revenue Estimate Profile

### Capital Land Grant Interest and Income

**Revenue Projection:**

Fiscal Year	Total Collections Millions	General Fund Collections Millions	GF Percent Change
A 1989	1.440	0.000	Not App.
A 1990	1.649	0.000	Not App.
A 1991	1.066	0.000	Not App.
A 1992	0.887	0.000	Not App.
A 1993	1.335	0.000	Not App.
A 1994	1.403	0.000	Not App.
A 1995	0.456	0.000	Not App.
A 1996	0.611	0.000	Not App.
A 1997	0.972	0.000	Not App.
A 1998	0.923	0.000	Not App.
A 1999	0.500	0.000	Not App.
A 2000	1.921	0.000	Not App.
A 2001	2.527	0.000	Not App.
A 2002	1.065	0.000	Not App.
A 2003	0.809	0.000	Not App.
A 2004	1.977	0.000	Not App.
A 2005	0.853	0.000	Not App.
A 2006	1.590	0.000	Not App.
A 2007	0.871	0.000	Not App.
A 2008	0.983	0.000	Not App.
A 2009	1.078	0.000	Not App.
A 2010	1.635	0.000	Not App.
A 2011	0.581	0.000	Not App.
A 2012	0.610	0.000	Not App.
F 2013	0.232	0.000	Not App.
F 2014	0.647	0.000	Not App.
F 2015	0.997	0.000	Not App.



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Coal Trust Interest

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**Revenue Description:** This revenue source represents the interest gained on the Coal Trust. The Coal Trust is one of several trusts set up with money from the Coal Severance Tax. The interest money from this fund is for a variety of purposes (shown in the distribution chart) with the majority going to fund the Public Employees Retirement System.

Article IX, Section 5 of the Montana Constitution requires that 50% of all coal severance tax revenue be deposited in a permanent coal trust fund and that the principal of the trust "shall forever remain inviolate unless appropriated by a three-fourths vote of each house". Coal severance tax funds flowing into the trust fund are first used to secure and subsidize state bonds issued to finance water resource and renewable resource development projects and activities. With the enactment of House Bill 249 by the 2005 Legislature, beginning FY 2006 the remaining funds are then split 50% (25% of total revenue) to the treasure state endowment trust fund, 25% (12.5% of total revenue) to the treasure state endowment regional water system trust fund, and 25% (12.5% of total revenue) to the big sky economic development trust fund. The permanent trust fund no longer receives coal severance tax revenue. By statute, interest earned on the coal severance tax permanent trust that is not earmarked to other programs is deposited to the general fund. When calculating interest earnings, the impact of loans made from the trust, such as the in-state investment program, is taken into account. With the enactment of HB 454 by the 2013 Legislature, amounts distributed to the treasure state endowment trust fund and the treasure state endowment regional water system trust fund terminate on June 30, 2016. After this date, amounts that had been distributed to the two treasure state trust funds will be distributed to the permanent fund and earn additional interest.

As of October 1, 1995, all fixed-income investments held by the state's major trust funds were transferred to a newly-created trust fund bond pool (TFBP). The majority of permanent coal tax trust funds are invested as part of the TFBP. Some funds, however, are invested on a short-term basis in the state's short-term investment pool (STIP). In addition, state law provides that trust funds may be used for in-state commercial loans to stimulate economic development. The state Constitution prohibits the investment of the permanent trust in common stock.

#### Statutory Reference:

Tax Rate - NA

Distribution (MCA) - Montana Constitution, Article IX, Section 5; 17-5-704; 15-35-108

Date Due - NA

**Applicable Tax Rate(s):** N/A

**Distribution:** Interest earned on the coal severance tax permanent trust fund that is deposited to the general fund is statutorily appropriated as follows:

#### FY 2014 – FY 2019

Up to \$21,000,000 to the Public Employees' Retirement System defined benefit plan trust fund

\$1,275,000 – to the research and commercialization state special revenue account

\$625,000 – for the growth through agriculture program

\$425,000 – to the Department of Commerce for certified regional development corporations

\$300,000 – to the Department of Commerce for export trade enhancement

\$200,000 – to the Department of Commerce for the Montana manufacturing extension center at MSU-Bozeman

\$125,000 – to the Department of Commerce for a small business development center

\$65,000 – to the Cooperative Development Center

\$50,000 – to the Department of Commerce for a small business innovative research program

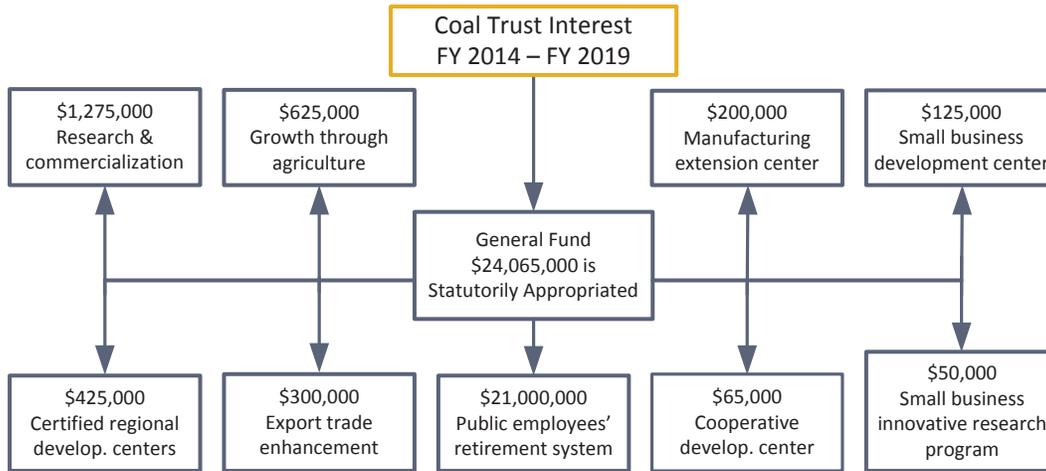
Total: \$24,065,000

# Legislative Fiscal Division

## Revenue Estimate Profile

### Coal Trust Interest

#### Distribution Chart:



#### Summary of Legislative Action:

Senate Bill 136 – The legislation provides for an additional \$15 million from the permanent coal tax trust fund to fund loans to first-time eligible veteran home buyers. The money is from investments by the Board of Investments from the permanent coal tax trust fund. The program is administered by the Board of Housing. Interest earned from the permanent fund investments and deposited to the general fund is reduced after the bill becomes effective July 1, 2013.

Coal Trust Interest – Legislation Passed by 63rd Legislature			
General Fund Impact (\$ Millions)			
Bill Number and Short Title	FY 2013	FY 2014	FY 2015
SB0136 Revise veterans home loan program laws	\$0.000	(\$0.070)	(\$0.149)
<b>Total General Fund Impact</b>	<b>\$0.000</b>	<b>(\$0.070)</b>	<b>(\$0.149)</b>

**Collection Frequency:** Monthly

#### % of Total General Fund Revenue:

FY 2004 – 2.53%	FY 2007 – 1.76%	FY 2010 – 1.65%
FY 2005 – 2.40%	FY 2008 – 1.47%	FY 2011 – 1.5%
FY 2006 – 1.82%	FY 2009 – 1.49%	FY 2012 – 1.38%

#### Revenue Estimate Methodology:

##### Data

The data used to estimate interest earnings from the coal trust are obtained from the Board of Investments (BOI), IHS, and the state accounting system (SABHRS). The BOI provides information on historic interest rates as well as the gains and losses from the sale of securities. Projections of future interest rates are provided by IHS and historic interest collections are obtained from SABHRS.

##### Analysis

The coal trust was created from distributions of the coal severance tax. While the Constitution requires that 50% of the coal severance tax collections be distributed into the coal trust, in early the 1990's the first sub-trust was created and two more were subsequently formed. Currently, the required coal tax revenue flows into the three sub-trusts and none of the tax revenue is deposited into the permanent coal trust.

# Legislative Fiscal Division

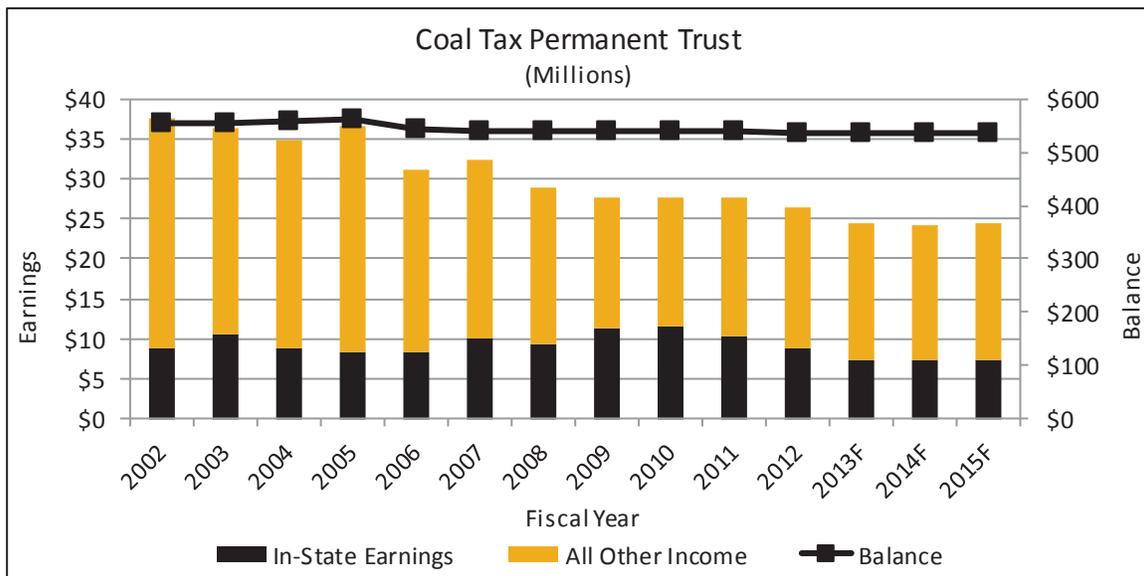
## Revenue Estimate Profile

### Coal Trust Interest

To forecast the coal trust interest earnings, four interest/income components are estimated independently and summed. The interest/income components include:

- Trust funds bond pool (TFBP)
- In-state investments
- Short-term investment pool (STIP)
- Payback interest

The TFBP was formed in 1995 to manage the fixed investments held in the state's major trust funds. Each trust owns "shares" of the pool and interest earnings are paid to each trust on a per-share basis. TFBP earnings are the largest source of earnings for the trust, as shown in the top bar of the figure below. To estimate TFBP earnings, the base year rate of return generated by the pool, as reported by the BOI, is adjusted during the forecast period for maturing securities. The applicable new long-term rate for these securities is based on an average of four long-term rates projected by IHS.



As seen in the figure above, earnings from in-state investments are the second largest source of income to the coal tax trust. The BOI is required by statute to invest 25% of the coal tax trust in the Montana economy. Investments must be made to maximize the long-term benefit to the Montana economy. In-state investments primarily consist of loans to Montana business entities and earnings are equal to the interest charged on the loans. The in-state balance is held constant throughout the biennium because no new flow of revenue is expected.

STIP interest (including other interest) is earned on cash, prior to investment in long-term investments. Funds are acquired from new deposits and/or maturing securities in the forecast period. Funds are held in STIP until the BOI determines that conditions are favorable for investment in the TFBP. To estimate future STIP earnings, an average short-term interest rate is developed based on IHS projections of three short-term investments. The average of these rates is then converted to a fiscal year basis.

Payback interest earnings result from a loan of \$46.4 million to the common school trust fund, approved in SB 495 during the 2003 session, was re-paid at the end of FY 2010. Interest on the loan was required to equal the rate of return generated by the TFBP. Additional income was derived from payment of the loan principal. Principal repayments were temporarily placed into STIP and earn interest until invested in the TFBP. Loan interest paid into the trust declined as the outstanding principal was repaid.

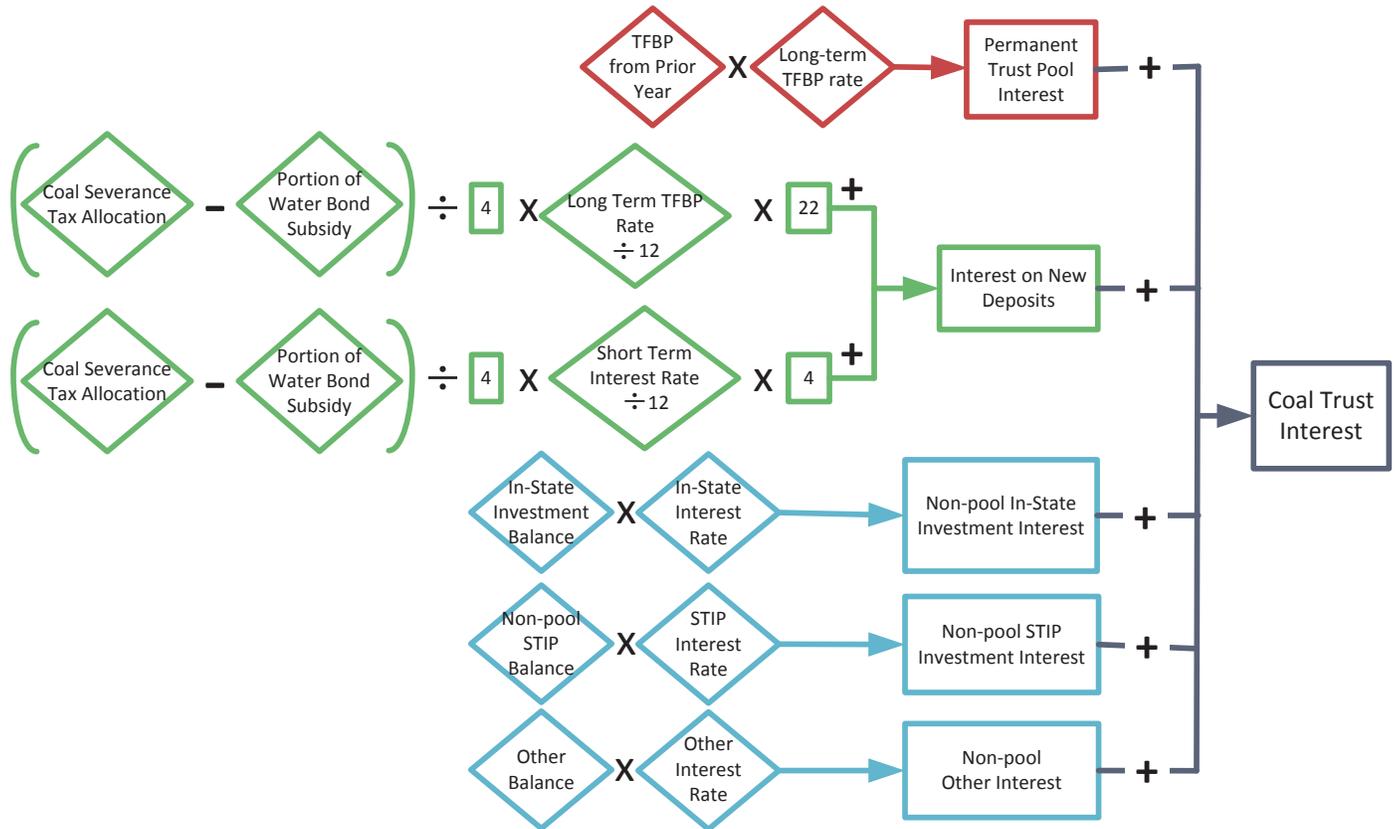
After the estimates are calculated, the projected earnings from the four sources are combined to reach total coal trust interest revenue, and the revenues are distributed as described above.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Coal Trust Interest

#### Forecast Methodology:



#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t	Total Rev.	GF Rev.	TFBP	In_State	Other	STIP	Payback
	Fiscal	Millions	Millions	Interest	Interest	Interest	Interest	Interest
				Millions	Millions	Millions	Millions	Millions
Actual	2002	37.605	37.605	23.318	8.765	0.402	1.097	3.370
Actual	2003	36.298	36.298	21.079	10.501	0.028	0.388	3.307
Actual	2004	34.907	34.907	22.274	8.722	0.055	0.451	3.405
Actual	2005	36.752	36.752	21.419	8.231	2.310	0.691	3.006
Actual	2006	31.106	31.106	16.718	8.338	0.346	2.117	2.256
Actual	2007	32.335	32.335	17.616	10.085	1.220	1.378	1.505
Actual	2008	28.855	28.855	17.570	9.346	0.154	1.501	0.283
Actual	2009	26.958	26.958	16.071	11.264	0.572	0.229	0.000
Actual	2010	26.914	26.914	16.102	11.454	0.119	0.060	0.000
Actual	2011	26.783	26.783	16.687	10.416	0.585	0.053	0.000
Actual	2012	25.840	25.840	17.618	8.701	0.128	0.041	0.000
Forecast	2013	24.451	24.451	17.219	7.213	-0.131	0.035	0.000
Forecast	2014	24.424	24.424	17.219	7.213	-0.159	0.036	0.000
Forecast	2015	24.411	24.411	17.219	7.213	-0.189	0.053	0.000

# Legislative Fiscal Division

## Revenue Estimate Profile

### Coal Trust Interest

	t	Net Coal Tax New Deposit	Bond Subsidy	New Deposit Long Term	Non Pool STIP	Non Pool In State	Non Pool Loan	Gains
	Fiscal	Millions	Millions	Rate	Rate	Rate	Rate	Millions
Actual	2002	0.000	0.265	6.2%	2.6%	5.6%	7.3%	0.654
Actual	2003	0.000	0.780	5.7%	1.4%	6.2%	7.0%	0.994
Actual	2004	3.943	1.474	5.4%	1.3%	5.4%	7.3%	0.000
Actual	2005	4.704	1.294	5.2%	2.4%	5.4%	7.3%	0.857
Actual	2006	0.000	0.417	5.2%	4.1%	5.4%	7.3%	1.332
Actual	2007	0.000	0.000	5.4%	4.7%	5.6%	6.2%	0.531
Actual	2008	0.000	0.000	5.3%	3.1%	4.9%	5.7%	0.000
Actual	2009	0.000	0.803	5.1%	1.0%	5.9%	5.1%	(0.381)
Actual	2010	0.000	0.085	4.8%	0.2%	5.8%	5.1%	0.000
Actual	2011	0.000	2.704	4.4%	0.1%	5.7%	5.0%	0.000
Actual	2012	0.000	1.043	3.8%	0.1%	5.6%	4.9%	0.000
Forecast	2013	0.000	0.000	3.4%	0.1%	5.2%	4.9%	0.000
Forecast	2014	0.000	0.000	3.8%	0.1%	5.2%	4.9%	0.000
Forecast	2015	0.000	0.000	4.2%	0.2%	5.2%	4.9%	0.000

	t	Non Pool STIP Bal	Non Pool In-State Bal	Non Pool Loan Bal	SB495 Loan Payment	Invested Balance	Average Return	SB69 Impacts
	Fiscal	Millions	Millions	Millions	Millions	Millions	Rate	Millions
Actual	2002	26.722	168.249	46.367				
Actual	2003	37.107	169.738	46.367				
Actual	2004	41.478	156.146	46.367				
Actual	2005	48.814	150.708	44.546	1.821	552.184	6.6%	
Actual	2006	50.510	160.850	41.896	2.650	541.170	5.7%	
Actual	2007	33.159	199.324	31.047	10.849	548.455	5.9%	
Actual	2008	15.911	182.302	11.574	19.473	538.681	5.4%	
Actual	2009	20.176	201.284	0.000	11.574	528.974	5.2%	(0.292)
Actual	2010	17.745	194.937	0.000	0.000	537.040	5.2%	(0.584)
Actual	2011	16.065	168.605	0.000	0.000	527.685	5.3%	(0.301)
Actual	2012	13.821	139.779	0.000	0.000	523.115	5.1%	0.115
Forecast	2013	13.821	139.779	0.000	0.000	523.115	4.7%	0.115
Forecast	2014	13.821	139.779	0.000	0.000	523.115	4.7%	0.115
Forecast	2015	13.821	139.779	0.000	0.000	523.115	4.7%	0.115

Total Rev. = Invested Balance × Average Return

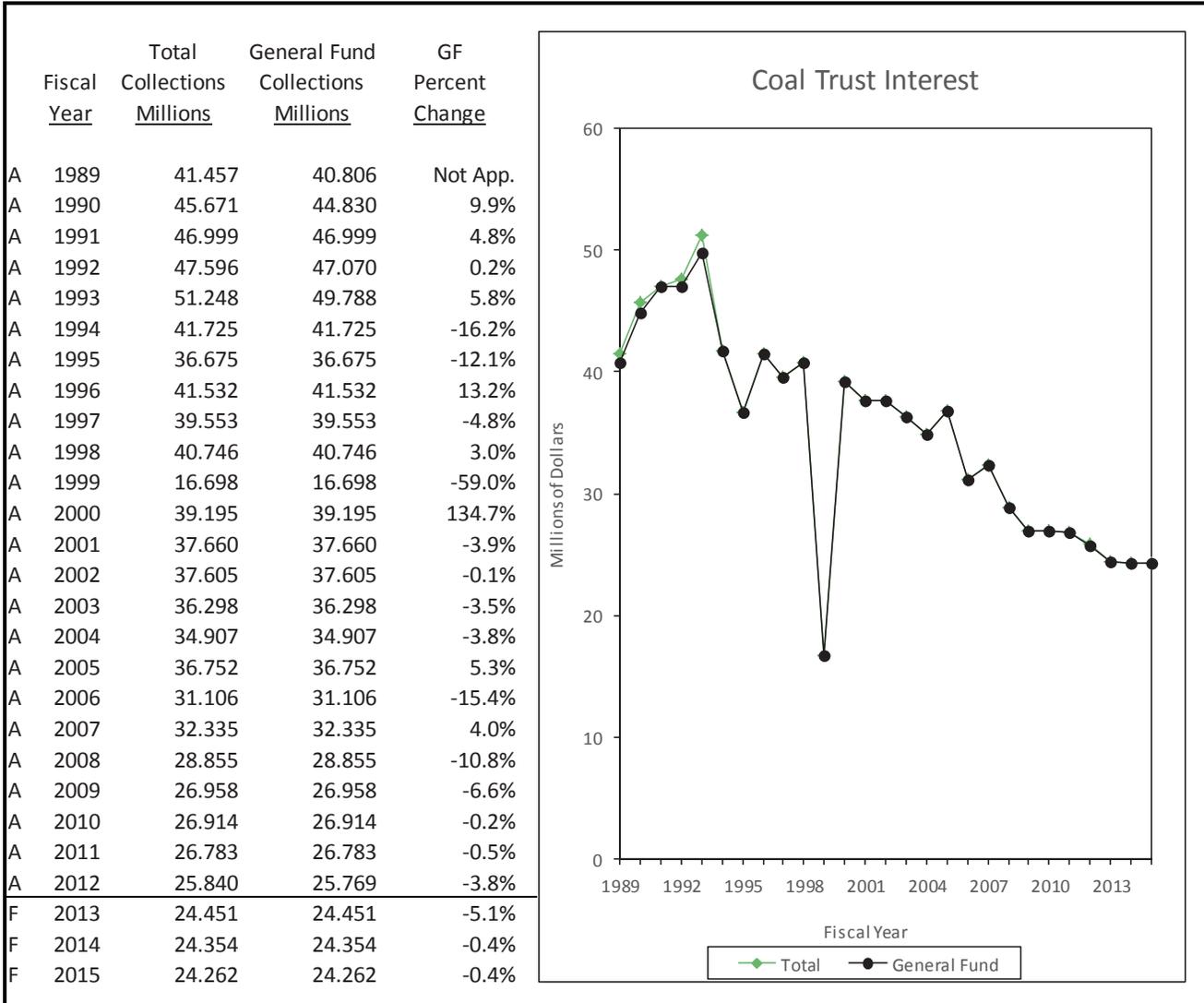
GF Rev. = Total Rev.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Coal Trust Interest

#### Revenue Projection:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Common School Interest and Income

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**Revenue Description:** The Common School trust is a fund set up for the support of schools using income generated from state land and the subsequent interest on the account.

Lands granted by the federal government to the state for the benefit of public schools generate income. The common school trust is actually part of the trust and legacy trust fund that includes nine other trusts. Prior to FY 1996, interest and income from the common school trust was deposited in the state equalization account. Beginning in FY 1996, this interest and income was deposited in the general fund, as mandated by SB 83, passed by the 1995 Legislature. Beginning FY 2003, House Bill 7 from the August 2002 special legislative session changed the deposit to the state special revenue guarantee account and statutorily appropriated the money for schools. The estimates show the amount of revenue deposited to the guarantee account and are net of amounts diverted for DNRC administration costs and those deposited directly to the school facility and technology account. With the enactment of Senate Bill 65 by the 2009 Legislature, diverted revenue can be derived from: 1) distributable revenue; 2) sale of easements; 3) timber, except from public school and Montana university system lands; 4) mineral royalties; and 5) fees from sales of state lands except lands granted by the Morrill Act. The amount of the permanent revenue (mineral royalties and easements) diverted from the common school trust reduces the growth of the trust fund balance and, hence, reduces the amount of future distributable interest earnings.

With the enactment of HB 152 by the 2009 Legislature, revenue from the value of timber over 18 million board feet and revenue from power site rents are no longer deposited to the guarantee account, but are deposited to the school facility and technology account. Mineral royalty revenue required to pay interest and principal on the SB 495 loan is not included since the loan was repaid in FY 2008. All net (excluding amounts for administration) mineral royalty revenue is deposited to the guarantee account for transfer to the school facility and technology account. These items are explained below.

Common school lands produce two kinds of revenue: 1) distributable income such as interest earnings, agricultural rents or crop shares, and timber sale revenue; and 2) permanent income that is returned to the trust such as income from the sale of minerals (see the effects of Senate Bill 495 from the 2003 legislative session below), land, and easements. Excluding the amount of revenue diverted for DNRC administration (Senate Bill 65 enacted by the 2009 Legislature) and to the school facility and technology account (House Bill 152 enacted by the 2009 Legislature), 95% of certain distributable revenue is available to fund public schools. Timber revenue is allocated: 1) 5% to the permanent school trust; 2) revenue received from production over 18 million board feet is deposited to the school facility and technology account; and 3) any remainder to the guarantee account for the support of public schools.

As of October 1, 1995, all fixed-income investments held by the state's major trust funds (which include the trust and legacy fund of which the common school trust is a part), were transferred to a newly-created Trust Funds Bond Pool (TFBP). The majority of common school trust funds are invested as part of the TFBP. Some funds, however, are invested on a short-term basis in the state's Short Term Investment Pool (STIP). The state Constitution prohibits the investment of common school trust funds in common stock. Interest income is distributed 95% to the guarantee account and 5% to the trust.

Senate Bill 495 (enacted by the 2001 Legislature) authorized DNRC to purchase the mineral production rights (with a loan from the coal severance trust) from the common school trust. The department subsequently purchased \$138.9 million of net future mineral royalties from the school trust for \$46.4 million. Since these royalties will no longer be deposited to the trust, interest earnings from the trust corpus are lessened. It is estimated that the trust balance will be at least \$92.5 million less after all the \$138.9 million has been distributed. The net mineral royalties are first used to pay the principal and interest of the \$46.4 million loan with the remainder deposited to the guarantee account to fund base aid. Since the loan was paid off in FY 2008, SB 2 (May 2007 special session) directs that all net mineral royalties (until the total amount of \$138.9 million that was purchased is received) are to be deposited to the guarantee account and then transferred to the school facility improvement account (changed to the facility and technology account in HB 152 enacted by the 2009 Legislature). The amount of \$138.9 million in net mineral royalties was achieved at the end of FY 2010. After FY 2010, all mineral royalties (except those diverted for administration costs under SB 65 enacted by the 2009 Legislature) will be deposited to the permanent school trust fund. For further information and analysis on Senate Bill 495 contact the Legislative Fiscal Division for a copy of the two-part report: "Senate Bill 495-Implementation, Impacts and Implications."

# Legislative Fiscal Division

## Revenue Estimate Profile

### Common School Interest and Income

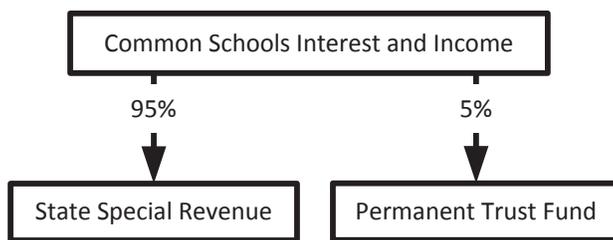
**Statutory Reference:**

Tax Rate – NA  
 Distribution (MCA) – Montana Constitution Article X, Section 5; 20-9-342 (school technology); 20-9-622 (guarantee account)  
     Enabling Act, Section 10  
 Other (MCA) – DNRC trust land administration diversion (77-1-108 & 77-1-109)  
     DNRC land bank administration diversion (77-2-362)  
 Date Due - the last business day of February following the calendar year in which the money was received (20-9-342).

**Applicable Tax Rate(s):** N/A

**Distribution:** As described above, 95% of interest and income from the common school permanent trust fund (excluding a portion of timber sale revenue and after amounts diverted for DNRC administration) is distributed to the state special revenue guarantee account and is statutorily appropriated for schools. The remaining 5% is deposited to the permanent trust fund. The amount of timber sale revenue over 18 million board feet is deposited to the school facility and technology account. Up until the total of \$138.9 million of purchased royalties was reached, the portion of mineral royalties not used administration was deposited to the guarantee account and, with the enactment of SB 2 (May 2007 special session), transferred to the school facility and technology account (renamed in HB 152 enacted by the 2009 Legislature). Since the \$138.9 million was reached late in FY 2010, mineral royalties will again be deposited to the common school permanent trust fund and will generate additional distributable income. The amounts deposited to the guarantee account are shown in this revenue source.

Distribution Chart:



**Summary of Legislative Action:**

Senate Bill 369 – The legislation requires the Board of Land Commissioners to sell the cabin and home sites on school trust lands by July 2035. Distributable revenue from common school trust lands is deposited to the guarantee account and used to fund schools.

Common School Interest and Income – Legislation Passed by 63rd Legislature			
State Special Revenue Impact (\$ Millions)			
Bill Number and Short Title	FY 2013	FY 2014	FY 2015
SB0369 Revise state cabin site leasing laws	\$0.000	(\$0.089)	(\$0.137)
<b>Total State Special Revenue Impact</b>	<b>\$0.000</b>	<b>(\$0.089)</b>	<b>(\$0.137)</b>

**Collection Frequency:** Revenue is received monthly. However, distribution to the state special revenue fund takes place three times per year.

**% of Total General Fund Revenue:** N/A

# Legislative Fiscal Division

## Revenue Estimate Profile

### Common School Interest and Income

#### Revenue Estimate Methodology:

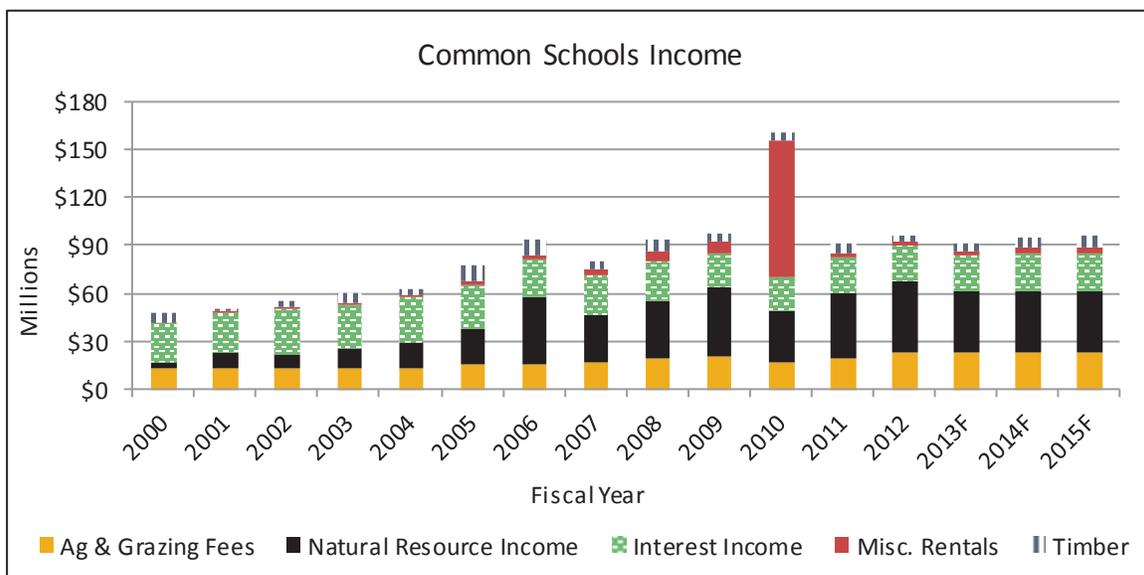
The estimate for interest and income from the common school trust determines the net amount of revenue that will be deposited to the guarantee account. This means that in addition to estimating the various revenues from the common school trust, estimates of the diversions for DNRC administration costs that reduce the amount of revenue deposited to the guarantee account must also be estimated. Therefore, the estimated amounts shown for this revenue source are not total revenues, but are net of diversions.

#### Data

Data from the state accounting system (SABHRS) provide a history of each individual interest and income revenue component from which estimates can be made. Department of Natural Resources and Conservation (DNRC) annual reports and other data provide additional information such as mineral prices and production. DNRC provided data for easement sales and timber harvest volumes. IHS provides future estimates of West Texas Intermediate oil and national well head natural gas prices.

#### Analysis

The estimate is derived by first estimating the revenue components and then estimating the amounts of the diversions.



#### Revenue Components

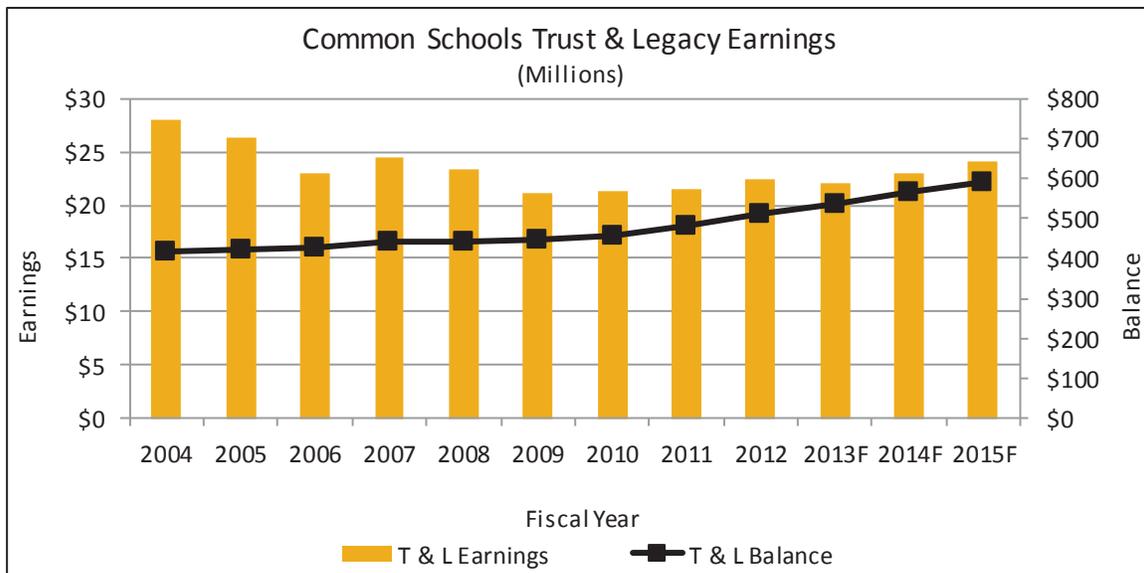
1. Agricultural Fees – Fees are based on a crop share basis. The estimates assume that fees will be the same as the most recent fiscal year for all forecast years.
2. Timber – Estimates of timber harvest revenue from common school trust lands are taken directly from DNRC estimates.
3. Oil & Gas Bonuses – With record highs in energy prices in the past and increased competition to obtain mineral leases, bonus payments have varied substantially. This can cause problems in estimating, which is dealt with primarily by taking a six year average of past bonus payments.
4. Grazing Fees – Rates are tied to the price of cattle, which is expected to be similar to the base year. The amount of fees received in the most recent fiscal year is used in all forecast years.
5. Oil & Gas Leases – For each fiscal year estimated, an average annual growth rate over the previous eight year period was applied.
6. Oil & Gas Penalties – For each fiscal year estimated, the ratio of the previous year’s penalties to the previous year’s oil and gas lease revenue was multiplied by that year’s estimate for oil and gas lease revenue.
7. Miscellaneous Rentals – Due to historical anomalies (FY 2008-2010 due to the Avista river bed lease and the agreement of Arch Coal to pay for the mineral rights to Otter Creek Coal), the amount collected in most recent fiscal year is used for all forecast years.
8. Short-term Investment Pool (STIP) – Because revenue initially deposited in the common school trust is invested on a short-term basis (about one month) before being invested in the T & L fund, a short-term rate is used to calculate the earnings. The short-term rate is a composite of IHS forecasts for the 3-month commercial paper, 3-month treasury bill, and 6-month treasury bill rates.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Common School Interest and Income

9. Mineral Royalties – Mineral royalties are received from the mining of oil, natural gas, coal, sand and gravel, and other smaller sources. Since the effects of SB 495 (enacted by the 2001 Legislature effective FY 2002) ended late in FY 2010, mineral royalties are again deposited to the common school trust and become part of the trust corpus. The additional corpus will generate additional earnings. The estimate for mineral royalties is obtained by multiplying together estimates for production, price, and the applicable royalty rate.
- Production – Oil and natural gas production is estimated by increasing the previous fiscal year’s production by the growth rate obtained from a two-year average of the estimates for statewide oil and natural gas production (see the Oil and Natural Gas Production Tax profile). Coal production on state lands comes primarily from a single coal company with minor amounts from another company. Calendar year information on projected production and percentage of production on state lands was obtained by surveying coal companies, including the companies producing on state lands, from which the amount of production on state lands is derived. Fiscal year production is obtained by averaging production for the current and previous calendar years. All other mineral production was held constant at the amount of gravel royalty collection in the base year.
  - Price – Oil prices are calculated by increasing the previous year’s Montana price by the growth between the average West Texas Intermediate price estimates obtained from IHS for the four quarters of the same fiscal years. The same methodology is used for natural gas with the driving factor being the IHS estimated national well head price. Coal price is determined by increasing the previous fiscal year’s price by a growth rate obtained from a two-year average of the calendar year estimates for Montana coal prices (see the Coal Severance Tax profile).
10. Trust and Legacy Earnings – The monetary assets of the common school trust are pooled with monetary assets of other land trusts (termed “Trust and Legacy”) and invested by the Board of Investment in the trust funds bond pool. Based on the number of shares each trust owns, a share of the earnings is deposited in each trust. For the common school trust, the previous fiscal year share used. The pool balance grows when permanent revenue is deposited from the various land trust, including the common school trust. However, due to the ending of SB 495 in FY 2010, mineral royalties (permanent revenue) once again are added to the balance. The estimation of the total pool earnings is a three stage process:
- Earnings from new deposits – This additional money initially earns interest at the short-term rate before it is invested in a longer term investment. Also included in these calculations are short-term earnings from the average balance in the common school Land Bank Trust Fund.
  - Earnings from existing balance – The majority of these funds have been invested in bonds purchased over the past several years.
  - Non-portfolio earnings – Money not invested in the trust funds bond pool earns interest at the short-term rate.
- Once the total amount of the pool earnings has been estimated by summing the above three items, the common school is applied.



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Common School Interest and Income

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#### Diversions

Diversions fund operational costs in DNRC, but reduce the amount of permanent and distributable revenue that would have been deposited to the common school trust or distributed to the trust beneficiaries. To determine future diversion amounts, estimates provided by DNRC were used. These estimates relied entirely on distributable revenue to fund the costs (See the trust land administration account below).

- Trust Land Administration Account – The total expenditures requested to be made from this account can be funded from distributable revenue, permanent revenue, or a combination of the two. It is up to the DNRC to decide. If permanent revenue is chosen, the corpus of the trust will not grow as rapidly as it would have and interest earnings from the trust will be less. If distributable revenue is chosen, the amount deposited to the guarantee account to fund public schools will be less, thus requiring more funding from the general fund.

#### Adjustments and Distribution

Once total revenue and total diversions have been estimated, the amounts are distributed:

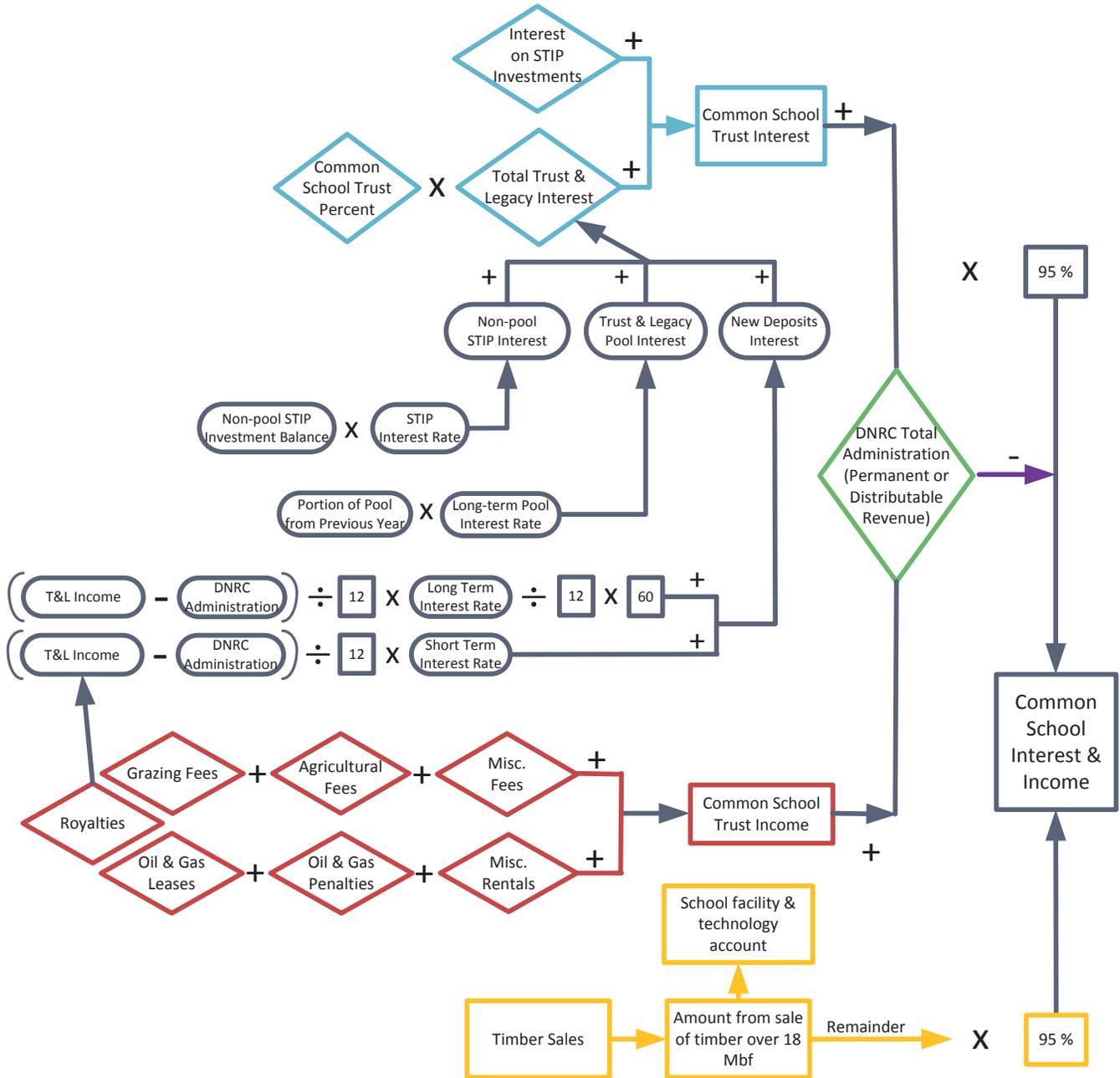
- 95% of the distributable interest and income (excluding a portion of timber revenue) net of diversions is deposited to the guarantee account and the remaining 5% is returned to the permanent trust fund. The money deposited to the guarantee account is used to fund public schools.
- The value received from timber sales over 18 million board feet is distributed to the school facility and technology account. The amount of money distributed to the account in one year is spent in the next year.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Common School Interest and Income

**Forecast Methodology:**



# Legislative Fiscal Division

## Revenue Estimate Profile

### Common School Interest and Income

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	<u>t</u>	<u>Total Rev.</u>	<u>GF Rev.</u>	<u>TFBP</u>	<u>STIP</u>	<u>Common</u>	<u>SB495</u>	<u>Trust Land</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Interest</u>	<u>Interest</u>	<u>School Share</u>	<u>Loan Pay.</u>	<u>Expense</u>
				<u>Millions</u>	<u>Millions</u>	<u>T&amp;L</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	50.875	48.938	29.627	0.103	0.933		
Actual	2003	48.977	0.000	29.147	0.068	0.931	0.000	-3.551
Actual	2004	55.663	0.000	30.087	0.054	0.929	-1.821	-3.312
Actual	2005	68.036	0.000	28.106	0.270	0.927	-2.650	-3.680
Actual	2006	82.606	0.000	24.428	0.408	0.928	-10.849	-3.905
Actual	2007	70.429	0.000	26.207	0.268	0.927	-19.473	-3.130
Actual	2008	83.026	0.000	25.160	0.129	0.926	-11.574	-3.809
Actual	2009	61.821	0.000	22.711	0.066	0.926	0.000	-9.943
Actual	2010	133.315	0.000	22.916	0.018	0.932	0.000	-8.674
Actual	2011	60.144	0.000	23.194	0.033	0.929	0.000	-8.837
Actual	2012	102.391	0.000	24.175	0.028	0.930	0.000	-8.717
Forecast	2013	68.129	0.000	23.209	0.029	0.930	0.000	-9.107
Forecast	2014	65.698	0.000	24.129	0.030	0.930	0.000	-9.085
Forecast	2015	61.956	0.000	25.164	0.044	0.930	0.000	-9.073

	<u>t</u>	<u>Trust Income</u>	<u>New Deposit</u>	<u>Non Pool</u>	<u>Non Pool</u>	<u>SB495</u>	<u>Oil&amp;Gas</u>
	<u>Fiscal</u>	<u>New Deposit</u>	<u>Long Term</u>	<u>STIP</u>	<u>STIP Bal</u>	<u>Interest</u>	<u>From Schools</u>
		<u>Millions</u>	<u>Rate</u>	<u>Rate</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	2.348	6.2%	2.6%	7.334		
Actual	2003	2.363	5.7%	1.4%	6.242		
Actual	2004	2.972	5.4%	1.3%	7.050		
Actual	2005	1.458	5.2%	2.4%	12.107	-3.006	
Actual	2006	1.425	5.2%	4.1%	3.863	-2.256	
Actual	2007	7.174	5.4%	4.7%	14.954	-1.505	
Actual	2008	3.102	5.3%	3.1%	2.461	-0.283	
Actual	2009	4.126	5.1%	1.0%	4.161	0.000	
Actual	2010	10.710	4.8%	0.2%	11.340	0.000	
Actual	2011	22.233	4.4%	0.1%	15.565	0.000	
Actual	2012	31.517	3.8%	0.1%	11.492	0.000	12.336
Forecast	2013	26.766	3.4%	0.1%	11.492	0.000	8.917
Forecast	2014	27.198	3.8%	0.1%	11.492	0.000	8.203
Forecast	2015	30.366	4.2%	0.2%	11.492	0.000	7.306

**Legislative Fiscal Division**  
**Revenue Estimate Profile**  
**Common School Interest and Income**

	<u>t</u>	<u>Grazing</u>	<u>Agriculture</u>	<u>Misc.</u>	<u>O&amp;G Lease</u>	<u>O&amp;G Bonus</u>	<u>O&amp;G Penalty</u>	<u>Misc.</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	5.467	6.999	0.000	1.540	0.478	0.335	1.244
Actual	2003	5.243	7.975	0.000	1.575	0.301	0.399	1.349
Actual	2004	4.971	8.051	0.000	1.649	0.871	0.534	2.156
Actual	2005	5.918	8.816	0.000	1.893	3.827	0.641	2.057
Actual	2006	6.277	9.453	0.000	2.331	13.005	0.864	2.193
Actual	2007	7.057	9.408	0.000	2.506	2.102	1.067	2.510
Actual	2008	6.408	12.282	0.000	2.701	2.154	0.812	6.418
Actual	2009	6.470	14.081	0.000	2.760	11.828	0.541	6.795
Actual	2010	5.861	10.985	0.000	2.873	7.243	0.615	85.247
Actual	2011	5.984	13.464	0.000	2.937	13.234	1.008	2.840
Actual	2012	7.471	15.009	0.000	3.672	15.104	1.411	3.162
Forecast	2013	7.471	15.009	0.000	4.037	11.205	1.551	3.162
Forecast	2014	7.471	15.009	0.000	4.366	7.627	1.677	3.162
Forecast	2015	7.471	15.009	0.000	4.726	7.627	1.816	3.162

	<u>t</u>	<u>Int. Land</u>	<u>Int. STIP</u>	<u>Int. Trust</u>	<u>Timber</u>	<u>Res. Dev.</u>	<u>Commercial</u>	<u>Avista</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Lease</u>	<u>Millions</u>
							<u>Millions</u>	
Actual	2002	0.000	0.305	27.775	3.625	-0.504		
Actual	2003	0.020	0.189	27.202	3.606	-0.499		
Actual	2004	0.003	0.200	27.991	0.667	-0.518		
Actual	2005	0.026	0.408	26.306	3.652	-0.686	-0.067	
Actual	2006	0.000	0.642	23.048	2.879	-1.003	-0.068	
Actual	2007	0.000	0.733	24.541	1.929	-0.722	-0.057	
Actual	2008	0.000	0.606	23.428	2.251	-0.786	-0.057	
Actual	2009	0.000	0.293	21.094	1.855	-1.129	-0.096	
Actual	2010	0.000	0.063	21.370	2.990	0.000	0.000	
Actual	2011	0.000	0.042	21.570	2.713	0.000	0.000	
Actual	2012	0.000	0.053	22.515	1.886	0.000	0.000	
Forecast	2013	0.000	0.031	21.977	2.438	0.000	0.000	4.327
Forecast	2014	0.000	0.030	22.879	2.753	0.000	0.000	4.401
Forecast	2015	0.000	0.043	23.952	2.793	0.000	0.000	0.000

# Legislative Fiscal Division

## Revenue Estimate Profile

### Common School Interest and Income

	<u>t</u>	<u>Total</u> <u>Timber</u> <u>Millions</u>	<u>Timber</u> <u>Sales Pgm.</u> <u>Millions</u>	<u>School</u> <u>Technology</u> <u>Millions</u>	<u>Oil</u> <u>Royalties</u> <u>Millions</u>	<u>Gas</u> <u>Royalties</u> <u>Millions</u>	<u>Coal</u> <u>Royalties</u> <u>Millions</u>	<u>Other</u> <u>Royalties</u> <u>Millions</u>
Actual	2002	3.625	0.000	1.822	2.390	1.523	2.837	0.144
Actual	2003	5.508	-1.829	0.000	3.682	1.995	3.877	0.148
Actual	2004	2.968	-1.941	3.179	4.852	2.718	4.677	0.170
Actual	2005	10.602	-2.536	4.414	7.966	4.330	4.240	0.194
Actual	2006	10.227	-2.707	4.641	14.759	6.317	4.180	0.356
Actual	2007	5.398	-2.573	0.896	15.133	5.083	3.729	0.148
Actual	2008	7.317	-3.117	1.949	19.367	5.660	5.865	0.156
Actual	2009	5.457	-2.901	0.701	14.809	4.738	7.841	0.485
Actual	2010	5.381	0.000	2.391	12.478	2.841	4.984	0.488
Actual	2011	6.412	0.000	3.699	12.621	2.329	8.497	0.285
Actual	2012	3.583	0.000	1.697	14.371	1.468	7.400	0.894
Forecast	2013	4.568	0.000	2.130	14.120	0.743	7.554	0.137
Forecast	2014	6.790	0.000	4.037	14.195	0.929	8.280	0.137
Forecast	2015	7.699	0.000	4.906	13.725	0.945	12.155	0.137

	<u>t</u>	<u>Oil</u> <u>Barrels</u> <u>Millions</u>	<u>Gas</u> <u>MCF's</u> <u>Millions</u>	<u>Coal</u> <u>Tons</u> <u>Millions</u>	<u>Oil</u> <u>Price</u> <u>\$/Barrel</u>	<u>Gas</u> <u>Price</u> <u>\$/MCF</u>	<u>Coal</u> <u>Price</u> <u>\$/Ton</u>	<u>Excess</u> <u>Royalties</u> <u>To Trust</u>
Actual	2002	0.911	5.892	2.758	20.32	1.91	11.80	
Actual	2003	1.017	5.381	3.689	28.14	3.20	9.59	
Actual	2004	1.123	5.720	4.183	31.02	3.95	8.60	
Actual	2005	1.400	7.240	3.914	44.69	5.09	9.12	
Actual	2006	2.024	7.878	4.213	57.24	6.64	8.63	
Actual	2007	2.012	7.708	3.006	55.85	5.13	9.55	
Actual	2008	1.809	7.752	4.720	88.87	6.12	10.87	
Actual	2009	1.662	6.710	5.604	60.16	4.66	11.97	-5.542
Actual	2010	1.571	5.306	2.680	60.74	3.36	12.09	-1.398
Actual	2011	1.242	4.527	4.813	80.30	3.25	13.13	19.733
Actual	2012	1.292	3.989	4.175	84.38	2.57	13.94	20.134
Forecast	2013	1.337	1.881	4.093	80.12	2.76	14.52	18.554
Forecast	2014	1.372	1.697	4.312	78.48	3.82	15.10	19.541
Forecast	2015	1.403	1.523	6.100	74.23	4.33	15.67	22.962

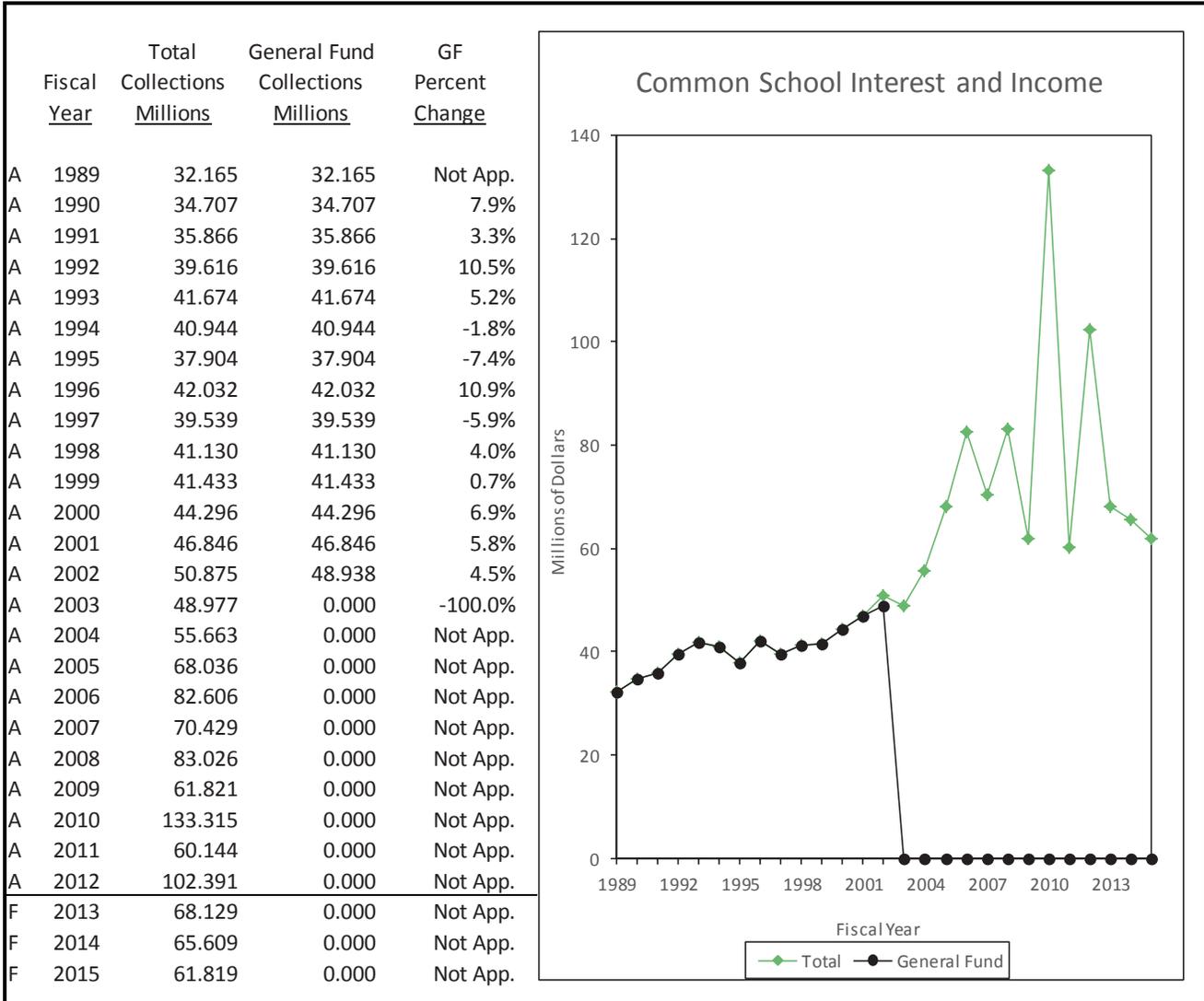
Total Rev. = (Grazing + Agriculture + O&G Lease + O&G Bonus + O&G Penalty + Misc. + Int. Land +  
Int. Stip + Int. Trust + Timber + Res. Dev. + Commercial Lease) × .95 + Oil Roy. + Gas Roy +  
Coal Roy. + Other Roy. + School Technology + Trust Land Admin. - Excess Royalties To Trust

# Legislative Fiscal Division

## Revenue Estimate Profile

### Common School Interest and Income

**Revenue Projection:**



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Cultural Trust Interest

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**Revenue Description:** This revenue source represents the interest gained on the Cultural Trust. The Cultural Trust is one of several trusts set up with money from the Coal Severance Tax. The interest money from this fund is used primarily for works of art in the capitol and for other cultural and aesthetic projects.

Beginning in FY 1976, a portion of coal severance tax revenue was deposited into the Parks Acquisition and Arts Protection trust fund. The 1991 Legislature split the principal of this trust into two separate trusts, the Parks Acquisition trust and the Arts Protection trust (cultural trust), with coal severance taxes allocated to each one. The 1997 Legislature appropriated \$3.9 million from the cultural trust fund for the immediate purchase of Virginia and Nevada City properties. This action resulted in a loss of trust interest revenue that otherwise would be used to fund cultural and aesthetic (C&A) projects in the state during the 1999 biennium. Thus, beginning July 1, 1997, and ending June 30, 1999, 0.87% in coal severance tax revenue was allocated to an account in the state special revenue fund to compensate for the lost interest earnings and the previous 0.63% distribution of coal severance tax to the cultural trust was eliminated. Except for FY 2003, beginning July 1, 1999, the amount of 0.63% is once again statutorily allocated to the cultural trust, the interest from which is to be used for the purpose of protection of works of art in the capitol and for other cultural and aesthetic projects. The August 2002 special legislative session eliminated the allocation for FY 2003 only. In HB 9, the 2005 Legislature transferred \$3,412,500 from the general fund to the trust and the 2007 Legislature transferred \$1,500,000 from the general fund to the trust. Both these actions increase the earnings from the trust.

#### Statutory Reference:

Tax Rate - NA

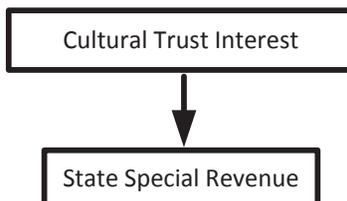
Distribution (MCA) - 15-35-108(6), 22-2-305

Date Due - NA

**Applicable Tax Rate(s):** N/A

**Distribution:** All income from the trust is deposited in a state special revenue fund to be appropriated for protection of works of art in the state capitol and for other cultural and aesthetic projects.

#### Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** Monthly

**% of Total General Fund Revenue:** N/A

#### Revenue Estimate Methodology:

##### Data

The data used to estimate the interest and earnings of the cultural trust are collected from the Board of Investments (BOI), IHS, and the state accounting system (SABHRS). The BOI provides historic interest earnings from the trust as well as the gains and losses from the sale of investment instruments. Projections of interest rates are provided by IHS, and historic earnings are provided from SABHRS. No adjustments are required on the raw data in preparation for analysis.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Cultural Trust Interest

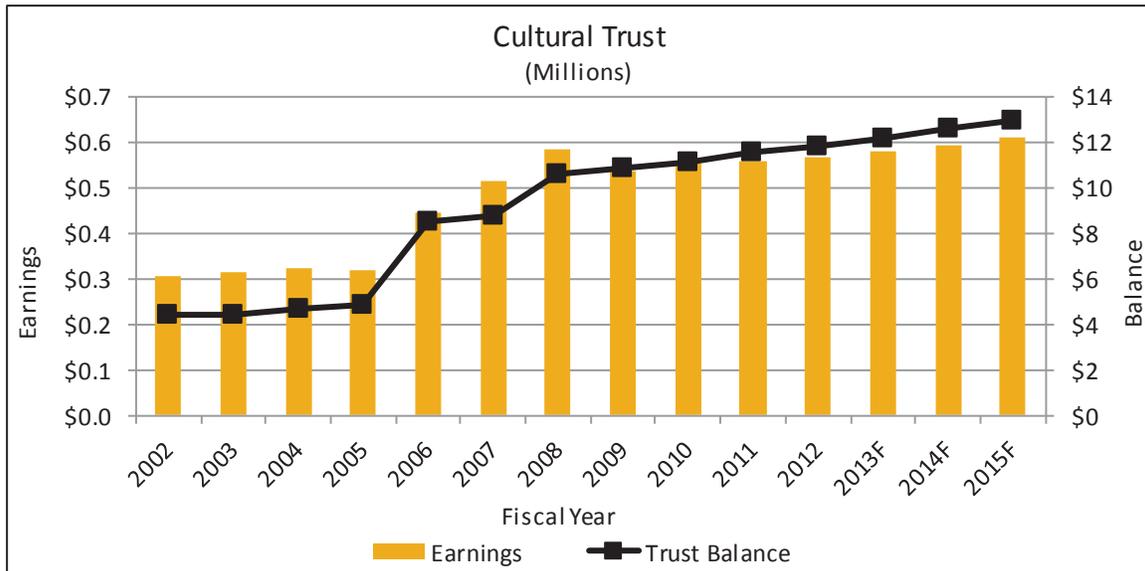
#### Analysis

The cultural trust, formed in the late 1970's, was created from distributions of the coal severance tax. The cultural trust receives coal tax distributions at the rate of 0.63% of the total tax. In several years of budget stress, the coal tax distribution to the cultural trust was temporarily eliminated or reduced. The principal of the trust was reduced by \$3.9 million in FY 1997 and the funds were used for the purchase of Virginia and Nevada Cities. In FY 2006, the trust was reimbursed for \$3.4 million, substantially increasing the principal of the trust, as shown in the figure below.

To forecast the cultural trust interest earnings, each of three interest/income components are estimated independently and combined. The estimated interest/income components include:

- The trust funds bond pool (TFBP)
- The short term investment pool (STIP)
- New trust deposits

The TFBP was formed in 1995 to manage the fixed investments held in the state's major trust funds. TFBP earnings are the largest source of earnings for the trust. The TFBP earnings are estimated by applying a long-term interest rate to the projected TFBP balance. The applicable long term rate is an average of four rates projected by IHS: the corporation Aaa bond rate, the corporate Baa bond rate, the rate on 10-year treasury bonds, and the rate on 30-year treasury bonds.



STIP interest is earned on the temporary investment of trust funds. Funds are acquired from activities such as new deposits and investment sales. Funds are held in STIP until the BOI determines that conditions are favorable for deposit in the TFBP. To estimate future STIP earnings, an average short-term interest rate is developed, based on IHS projections of the interest rates on three and six-month corporate loans and three and six-month treasury bills.

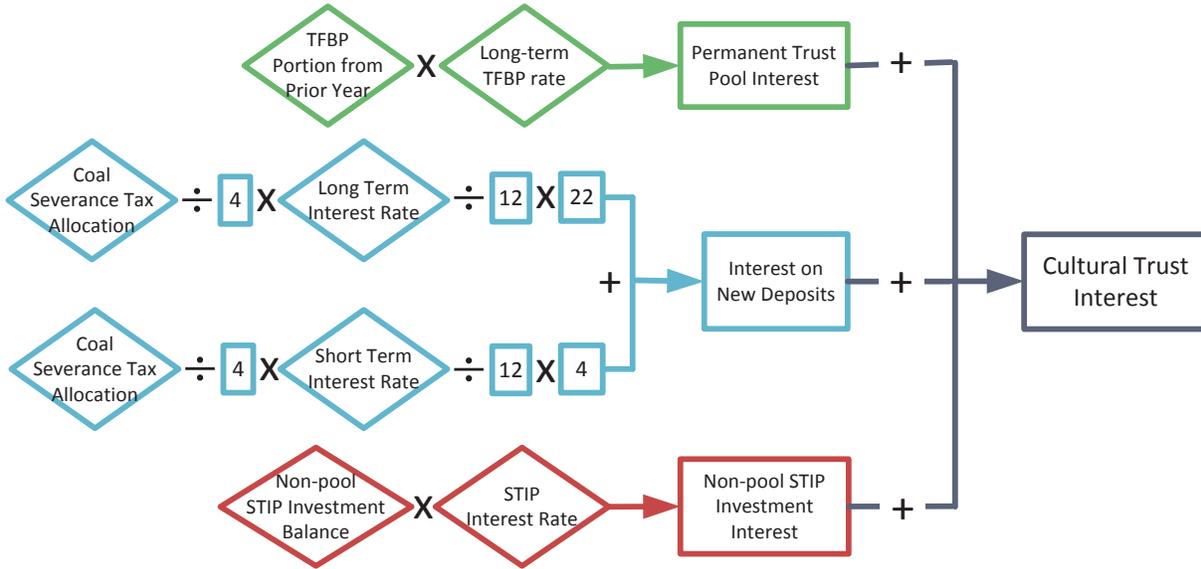
The 0.63% coal severance tax distribution to the cultural trust is considered new deposits. New deposits are transferred to the trust on a quarterly basis. When the BOI receives the coal tax transfer, the funds are immediately invested in STIP. Funds are expected to remain in STIP for one month before being invested in the TFBP. The interest earned on new deposits is estimated by summing STIP earnings for one month with TFBP earnings for the remainder of the year.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Cultural Trust Interest

#### Forecast Methodology:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Cultural Trust Interest

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	<u>t</u>	<u>Total Rev.</u>	<u>GF Rev.</u>	<u>TFBP</u>	<u>STIP</u>	<u>Invested</u>	<u>Average</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Interest</u>	<u>Interest</u>	<u>Balance</u>	<u>Return</u>
				<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Rate</u>
Actual	2002	0.305	0.000	0.304	0.001		
Actual	2003	0.314	0.000	0.310	0.001	4.518	7.0%
Actual	2004	0.326	0.000	0.325	0.001	4.693	6.9%
Actual	2005	0.318	0.000	0.316	0.002	4.932	6.5%
Actual	2006	0.447	0.000	0.421	0.026	8.478	5.3%
Actual	2007	0.516	0.000	0.513	0.003	8.785	5.9%
Actual	2008	0.584	0.000	0.573	0.011	10.595	5.5%
Actual	2009	0.535	0.000	0.534	0.001	10.862	4.9%
Actual	2010	0.553	0.000	0.553	0.000	11.096	5.0%
Actual	2011	0.561	0.000	0.559	0.000	11.436	4.9%
Actual	2012	0.568	0.000	0.567	0.001	11.786	4.8%
Forecast	2013	0.580	0.000	0.574	0.006	12.132	4.8%
Forecast	2014	0.593	0.000	0.586	0.007	12.497	4.7%
Forecast	2015	0.608	0.000	0.600	0.008	12.877	4.7%

	<u>t</u>	<u>Net Coal Tax</u>	<u>New Deposit</u>	<u>Non Pool</u>	<u>Non Pool</u>
	<u>Fiscal</u>	<u>New Deposit</u>	<u>Long Term</u>	<u>STIP</u>	<u>STIP Bal</u>
		<u>Millions</u>	<u>Rate</u>	<u>Rate</u>	<u>Millions</u>
Actual	2002	0.199	6.2%	2.6%	0.102
Actual	2003	0.000	5.7%	1.4%	0.063
Actual	2004	0.199	5.4%	1.3%	0.088
Actual	2005	0.237	5.2%	2.4%	0.092
Actual	2006	0.226	5.2%	4.1%	0.063
Actual	2007	0.257	5.4%	4.7%	0.060
Actual	2008	0.286	5.3%	3.1%	0.191
Actual	2009	0.312	5.1%	1.0%	0.137
Actual	2010	0.278	4.8%	0.2%	0.071
Actual	2011	0.346	4.4%	0.1%	0.006
Actual	2012	0.332	3.8%	0.1%	0.076
Forecast	2013	0.346	3.4%	0.1%	0.076
Forecast	2014	0.365	3.8%	0.1%	0.076
Forecast	2015	0.380	4.2%	0.2%	0.076

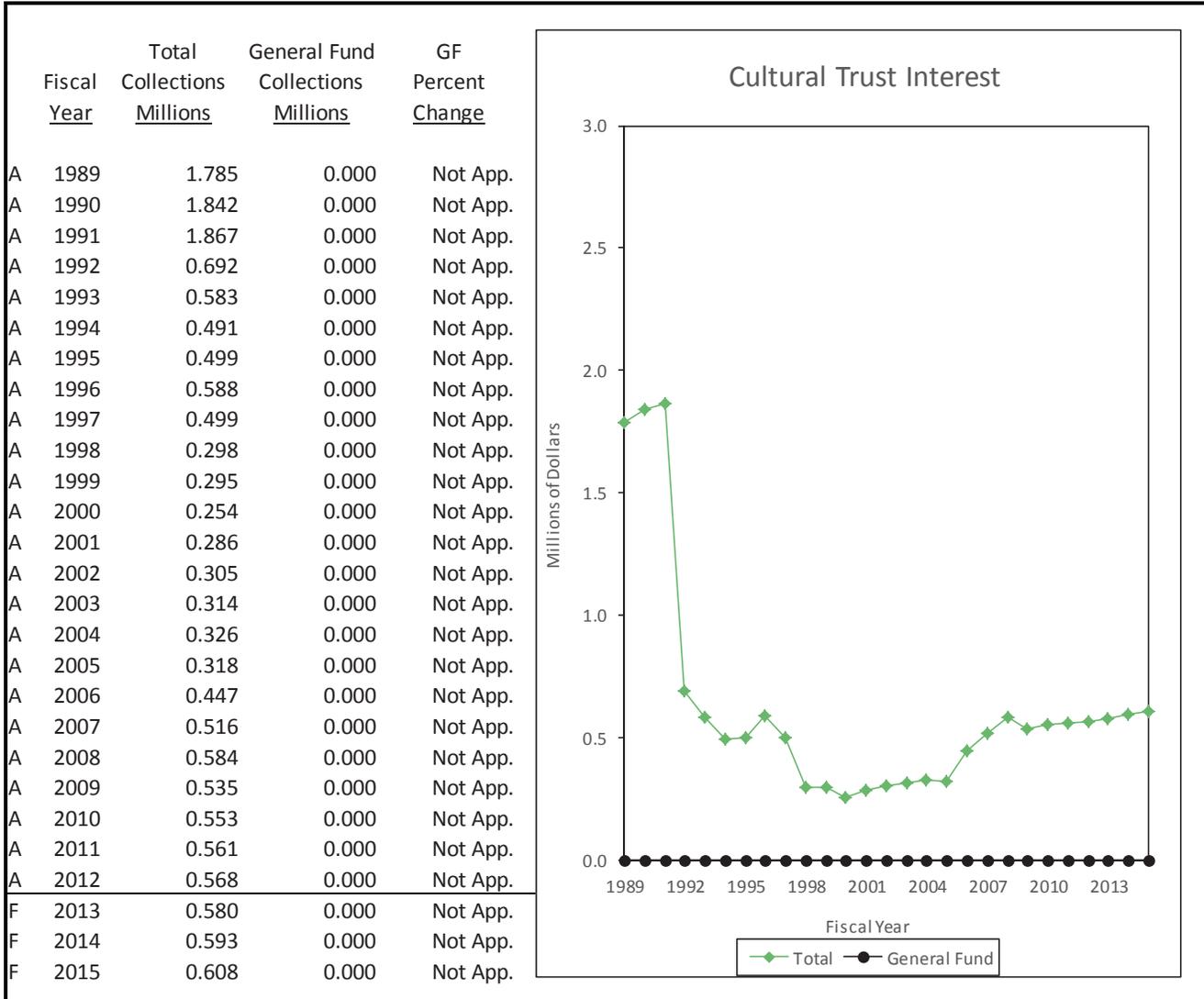
$$\text{Total Rev.} = \text{Invested Balance} \times \text{Average Return}$$

# Legislative Fiscal Division

## Revenue Estimate Profile

### Cultural Trust Interest

#### Revenue Projection:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Deaf and Blind Trust Interest and Income

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**Revenue Description:** The Deaf and Blind trust is a fund set up for the support of the School for the Deaf and Blind using income generated from state land and the subsequent interest on the account.

Lands granted by the federal government to the state for the benefit of public schools and various state institutions generate income. These lands produce revenue through rents or crop shares for agricultural purposes, royalties from the sale of mineral rights, and sales of timber. Income from certain portions of public school/institution lands has been designated for support of the School for the Deaf and Blind. Thus, some of these funds are deposited into a component of the trust and legacy trust fund referred to as the Deaf and Blind trust, which generates interest earnings for the state. As of October 1, 1995, all fixed-income investments held by the state's major trust funds were transferred to a newly-created Trust Funds Bond Pool (TFBP). The majority of trust and legacy trust funds are invested as part of the TFBP. Some funds, however, are invested on a short-term basis in the state's Short Term Investment Pool (STIP). The state constitution prohibits the investment of the permanent trust in common stock.

With the enactment of SB 65 by the 2009 Legislature, up to 25% of Deaf and Blind trust revenue can be diverted to the trust land administration account to fund Department of Natural Resources and Conservation (DNRC) administration costs. This revenue can include distributable revenue, mineral royalties, and timber revenue. Diversions reduce the amount of revenue distribute to the trust beneficiaries. Revenue diverted from the Deaf and Blind permanent trust fund reduces the growth of the trust balance and, hence, reduces the amount of distributable interest earnings. The legislation was effective July 1, 2009.

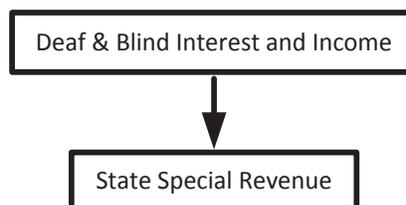
#### Statutory Reference:

Tax Rate – NA  
Distribution (MCA) – 20-8-110  
Enabling Act, Sections 11 & 17  
Other (MCA) – DNRC trust land administration diversion (77-1-108 & 109)  
DNRC land bank administration diversion (77-2-362)

**Applicable Tax Rate(s):** N/A

**Distribution:** Interest and income from the trust, net of amounts to fund DNRC administration, are allocated to the School for the Deaf and Blind.

#### Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** Monthly

**% of Total General Fund Revenue:** N/A

#### Revenue Estimate Methodology:

The estimate for interest and income from the Deaf and Blind trust determines the net revenue that will be distributed to the trust beneficiary. This means that in addition to estimating the various distributable revenues from the trust, estimates of the diversions that reduce the amount of distributable or permanent revenue must also be estimated. Therefore, the estimated amounts shown for this revenue source are not total revenues, but are net of diversions. Permanent revenue (revenue that is not distributed, but remains in the trust such as from mineral royalties), is estimated as part of the entire Trust and Legacy account (T & L) and earnings are apportioned to this trust according to the number of shares owned.

# Legislative Fiscal Division

## Revenue Estimate Profile

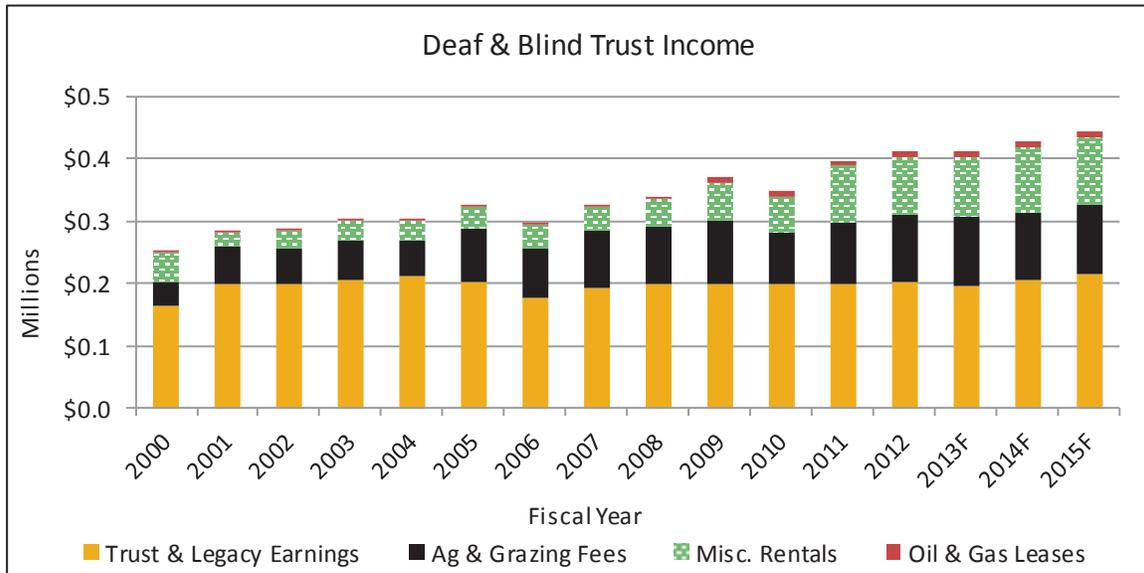
### Deaf and Blind Trust Interest and Income

#### Data

Data from the state accounting system (SABHRS) provide a history of each individual interest and income revenue component from which estimates can be made. Department of Natural Resources and Conservation (DNRC) annual reports and other data provide additional information such as mineral production and timber estimates. Estimates for diversion amounts were provided by DNRC and used for the forecast years.

#### Analysis

The estimate is derived by first estimating the distributable revenue components and then estimating the amounts of the diversions.



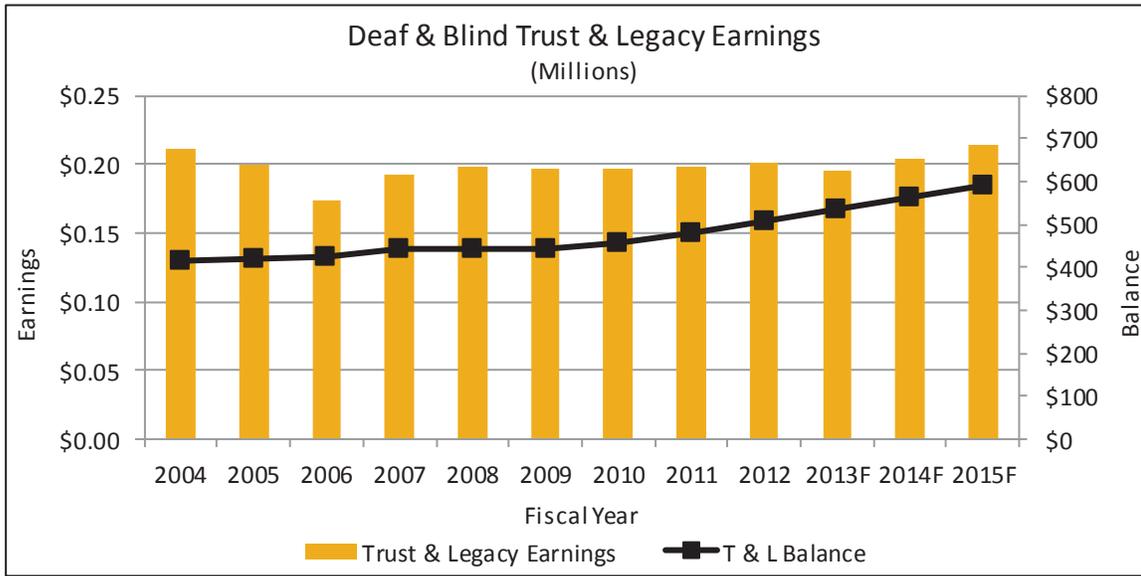
#### Revenue Components

- Trust and Legacy Earnings (see the figure below) – The monetary assets of the trust are pooled with monetary assets of other land trusts in the T & L and invested by the Board of Investment in the trust funds bond pool. Based on the number of share each trust owns, a share of the earnings is deposited in each trust. The Deaf and Blind trust share is 0.8%. The total pool earnings is a sum of the following:
  - Earnings from new deposits – New deposits in the pool initially earn interest at the short-term rate before it is invested in a longer term investment.
  - Earnings from existing balance – The majority of these funds have been invested in bonds purchased over the past several years.
  - Non-portfolio earnings – Money not invested in the trust funds bond pool earns interest at the short-term rate.
Once the total amount of the pool earnings has been estimated by summing the above three items, the Deaf and Blind trust share of 0.8% is applied.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Deaf and Blind Trust Interest and Income



2. Grazing Fees – Rates are tied to the price of cattle, which is expected to be similar to the most recent fiscal year. Therefore, the amount of fees received in in the base year is used in all forecast years.
3. Miscellaneous Rentals - These are small income components that are combined and estimated together. For each fiscal year estimated, the estimate is based on a 10-year average annual growth rate.
4. Agricultural Fees – Fees are based on a crop share basis. Commodity prices are expected to be similar to the most recent fiscal year; therefore, the fees received in the base year are used in all forecast years.
5. Oil & Gas Leases – For each fiscal year estimated, the estimate is the average of the previous two years.

#### Diversions

1. Diversions fund administration costs in DNRC, but reduce the amount of revenue distributed to the trust beneficiaries or permanent revenue deposited to the trust fund. To determine future diversion amounts, estimates from the DNRC were used for all forecast years. All the costs are funded with distributable revenue.

#### Adjustments and Distribution

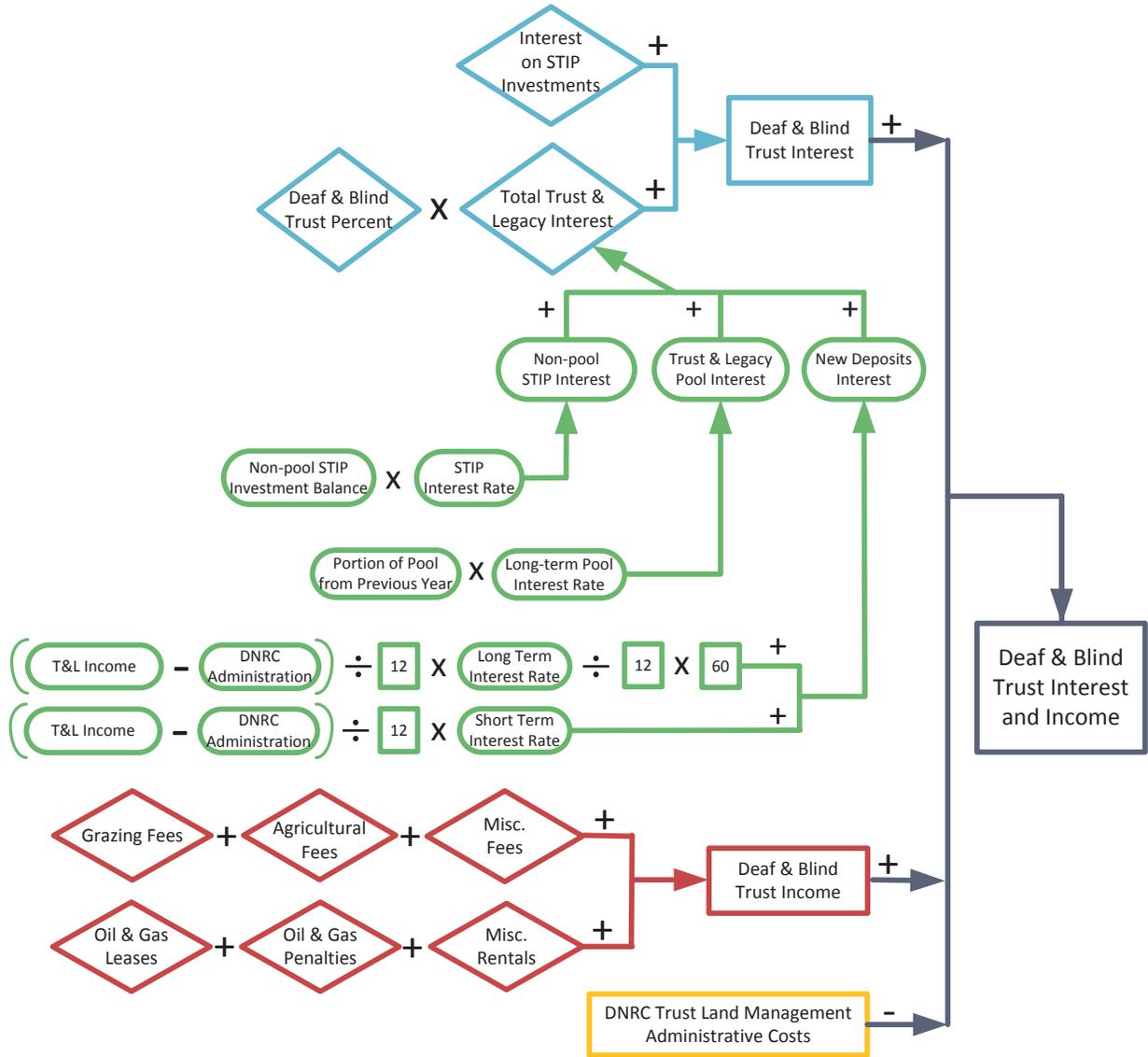
Once total revenue and total diversions have been estimated, the net amounts are distributed to the state special revenue fund.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Deaf and Blind Trust Interest and Income

**Forecast Methodology:**



# Legislative Fiscal Division

## Revenue Estimate Profile

### Deaf and Blind Trust Interest and Income

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	<u>t</u>	<u>Total Rev.</u>	<u>GF Rev.</u>	<u>TFBP</u>	<u>STIP</u>	<u>Deaf &amp;</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Interest</u>	<u>Interest</u>	<u>Blind Share</u>
				<u>Millions</u>	<u>Millions</u>	<u>T&amp;L</u>
Actual	2002	0.284	0.000	29.627	0.103	0.007
Actual	2003	0.300	0.000	29.147	0.068	0.007
Actual	2004	0.299	0.000	30.087	0.054	0.007
Actual	2005	0.319	0.000	28.106	0.270	0.007
Actual	2006	0.291	0.000	24.428	0.408	0.007
Actual	2007	0.323	0.000	26.207	0.268	0.007
Actual	2008	0.334	0.000	25.160	0.129	0.008
Actual	2009	0.373	0.000	22.711	0.066	0.009
Actual	2010	0.265	0.000	22.916	0.018	0.009
Actual	2011	0.327	0.000	23.194	0.033	0.009
Actual	2012	0.242	0.000	24.175	0.028	0.008
Forecast	2013	0.288	0.000	23.209	0.415	0.008
Forecast	2014	0.246	0.000	24.129	0.464	0.008
Forecast	2015	0.264	0.000	25.164	0.583	0.008

	<u>t</u>	<u>Trust Income</u>	<u>Trust Land</u>	<u>New Deposit</u>	<u>Non Pool</u>	<u>Non Pool</u>
	<u>Fiscal</u>	<u>New Deposit</u>	<u>Admin.</u>	<u>Long Term</u>	<u>STIP</u>	<u>STIP Bal</u>
		<u>Millions</u>	<u>Millions</u>	<u>Rate</u>	<u>Rate</u>	<u>Millions</u>
Actual	2002	2.348	0.000	6.2%	2.6%	7.334
Actual	2003	2.363	0.000	5.7%	1.4%	6.242
Actual	2004	2.972	0.000	5.4%	1.3%	7.050
Actual	2005	1.458	0.000	5.2%	2.4%	12.107
Actual	2006	1.425	0.000	5.2%	4.1%	3.863
Actual	2007	7.174	0.000	5.4%	4.7%	14.954
Actual	2008	3.102	0.000	5.3%	3.1%	2.461
Actual	2009	4.126	0.000	5.1%	1.0%	4.161
Actual	2010	10.710	0.000	4.8%	0.2%	11.340
Actual	2011	22.233	0.000	4.4%	0.1%	15.565
Actual	2012	31.517	0.000	3.8%	0.1%	11.492
Forecast	2013	26.766	0.000	3.4%	0.1%	11.492
Forecast	2014	27.198	0.000	3.8%	0.1%	11.492
Forecast	2015	30.366	0.000	4.2%	0.2%	11.492

**Legislative Fiscal Division**  
**Revenue Estimate Profile**  
**Deaf and Blind Trust Interest and Income**

	<u>t</u> <u>Fiscal</u>	<u>Grazing</u> <u>Millions</u>	<u>Agriculture</u> <u>Millions</u>	<u>Misc.</u> <u>Millions</u>	<u>O&amp;G Lease</u> <u>Millions</u>	<u>O&amp;G Bonus</u> <u>Millions</u>	<u>O&amp;G Penalty</u> <u>Millions</u>	<u>Misc.</u> <u>Millions</u>
Actual	2002	0.041	0.015	0.000	0.002	0.000	0.000	0.030
Actual	2003	0.043	0.023	0.000	0.002	0.000	0.000	0.032
Actual	2004	0.039	0.016	0.000	0.002	0.000	0.000	0.033
Actual	2005	0.048	0.039	0.000	0.002	0.000	0.000	0.033
Actual	2006	0.051	0.030	0.000	0.002	0.000	0.000	0.037
Actual	2007	0.061	0.029	0.000	0.002	0.000	0.003	0.040
Actual	2008	0.056	0.036	0.000	0.002	0.000	0.003	0.043
Actual	2009	0.062	0.042	0.000	0.009	0.008	0.003	0.060
Actual	2010	0.056	0.027	0.000	0.009	0.000	0.003	0.057
Actual	2011	0.057	0.042	0.000	0.008	0.000	0.001	0.091
Actual	2012	0.066	0.043	0.000	0.010	0.042	0.000	0.092
Forecast	2013	0.066	0.043	0.000	0.009	0.000	0.000	0.098
Forecast	2014	0.066	0.043	0.000	0.009	0.000	0.000	0.104
Forecast	2015	0.066	0.043	0.000	0.009	0.000	0.000	0.110

	<u>t</u> <u>Fiscal</u>	<u>Int. Land</u> <u>Millions</u>	<u>Int. STIP</u> <u>Millions</u>	<u>Int. Trust</u> <u>Millions</u>	<u>Timber</u> <u>Millions</u>	<u>Res. Dev.</u> <u>Millions</u>	<u>TLMD Adm.</u> <u>Millions</u>
Actual	2002	0.000	0.000	0.199	0.000	-0.003	
Actual	2003	0.000	0.000	0.203	0.000	-0.003	
Actual	2004	0.000	0.000	0.212	0.000	-0.003	
Actual	2005	0.000	0.000	0.201	0.000	-0.004	
Actual	2006	0.000	0.000	0.175	0.000	-0.003	
Actual	2007	0.000	0.000	0.193	0.000	-0.004	
Actual	2008	0.000	0.000	0.199	0.000	-0.004	
Actual	2009	0.000	0.000	0.197	0.000	-0.005	
Actual	2010	0.000	0.000	0.198	0.000	0.000	-0.085
Actual	2011	0.000	0.000	0.198	0.000	0.000	-0.207
Actual	2012	0.000	0.000	0.201	0.000	0.000	-0.142
Forecast	2013	0.000	0.000	0.196	0.000	0.000	-0.124
Forecast	2014	0.000	0.000	0.204	0.000	0.000	-0.179
Forecast	2015	0.000	0.000	0.214	0.000	0.000	-0.178

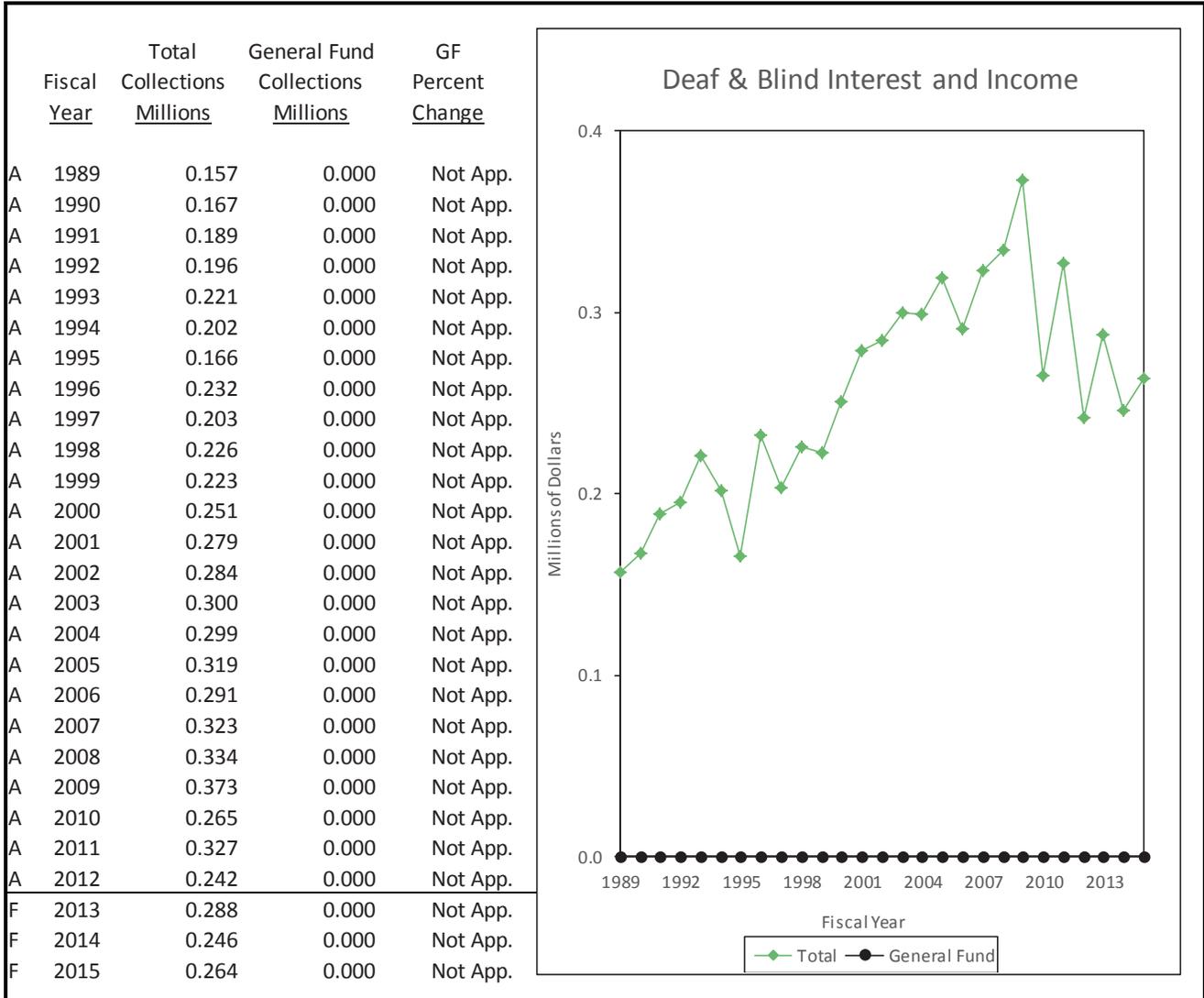
Total Rev. = Grazing + Agriculture + O&G Lease + O&G Bonus + O&G Penalty + Misc. +  
Int. Land + Int. Stip + Int. Trust + Timber + Res. Dev. + TLMD Adm.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Deaf and Blind Trust Interest and Income

**Revenue Projection:**



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Economic Development Trust Interest

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**Revenue Description:** This revenue source represents the interest gained on the Economic Development Trust. The Economic Development Trust is one of several trusts set up with money from the Coal Severance Tax. The interest money from this fund is used primarily for economic development by local governments and certified regional and economic development organizations.

Article IX, Section 5 of the Montana Constitution requires that 50% of all coal severance tax revenue be deposited in a permanent coal trust fund and that the principal of the trust "shall forever remain inviolate unless appropriated by a three-fourths vote of each house". Coal severance tax funds flowing into the trust fund are first used to secure and subsidize state bonds issued to finance water resource and renewable resource development projects and activities. With the enactment of House Bill 249 by the 2005 Legislature, beginning FY 2006 the remaining funds are then split 50% (25% of total revenue) to the Treasure State Endowment trust fund, 25% (12.5% of total revenue) to the Treasure State Endowment Regional Water System trust fund, and 25% (12.5% of total revenue) to the Big Sky Economic Development trust fund. The permanent trust fund no longer receives coal severance tax revenue.

As of October 1, 1995, all fixed-income investments held by the state's major trust funds were transferred to a newly-created trust funds bond pool (TFBP). The majority of permanent coal tax trust funds are invested as part of the TFBP. Some funds, however, are invested on a short-term basis in the state's short-term investment pool (STIP). In addition, state law provides that trust funds may be used for in-state commercial loans to stimulate economic development. The deposits of coal severance tax revenue to this fund terminate at the end of FY 2025.

#### Statutory Reference:

Tax Rate – NA  
Distribution (MCA) – 17-5-703 (5b); use of earnings (90-1-205)  
Date Due (MCA) – monthly (17-5-703(5b))

**Applicable Tax Rate(s):** N/A

**Distribution:** Interest earnings are deposited to a state special revenue fund and are statutorily appropriated to the Department of Commerce to pay administrative expenses with the remainder for:

1. 75% to local governments to be used for job creation; and
2. 25% to certified regional development corporations and economic development organizations

#### Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** Monthly

**% of Total General Fund Revenue:** N/A

#### Revenue Estimate Methodology:

##### Data

The data used to estimate interest earnings from the big sky economic trust are obtained from the Board of Investments (BOI), IHS, and the state accounting system (SABHRS). The BOI provides information on historic interest rates as well as the gains and losses from the sale of securities. Projections of future interest rates are provided by IHS and historic interest collections are obtained from SABHRS.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Economic Development Trust Interest

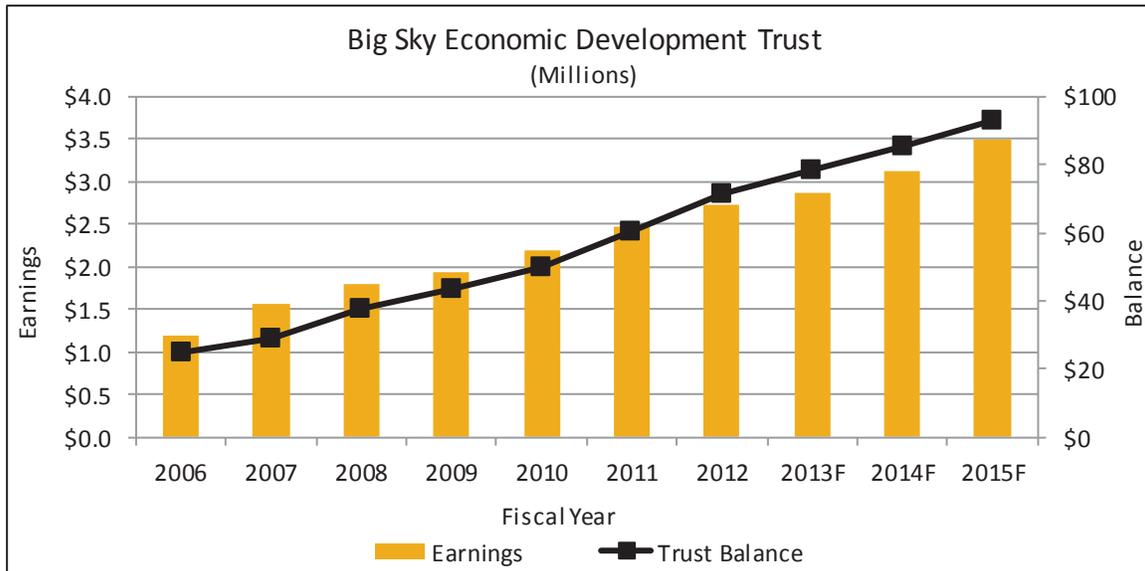
#### Analysis

The economic trust was created from distributions of the coal severance tax. The economic trust was formed in FY 2006 as a sub-trust to the permanent coal trust. The Constitution requires that 50% of the coal severance tax collections be distributed to the coal trust, and 25% of that distribution (after the water bond debt service obligation is met) or 12.5% of total coal severance tax revenues is distributed to the Big Sky Economic Development trust.

To forecast the economic trust interest earnings, each of the following three interest/income components are estimated independently and combined:

- Trust funds bond pool (TFBP)
- Short-term investment pool (STIP)
- New trust deposits

The TFBP was formed in 1995 to manage the fixed investments held in the state’s major trust funds. Each trust owns “shares” of the pool and interest earnings are paid to each trust on a per-share basis. TFBP earnings are the largest source of earnings for the trust, as shown in the figure below. To estimate TFBP earnings, the base year rate of return generated by the pool, as reported by the BOI, is adjusted during the forecast period for maturing securities. The applicable new long-term rate for these securities is based on an average of four long-term rates projected by IHS.



STIP interest (including other interest) is earned on cash, prior to investment in long-term investments. Funds are acquired from new deposits and/or maturing securities in the forecast period. Funds are held in STIP until the BOI determines that conditions are favorable for investment in the TFBP. To estimate future STIP earnings, an average short-term interest rate is developed, based on IHS projections of three short-term investments.

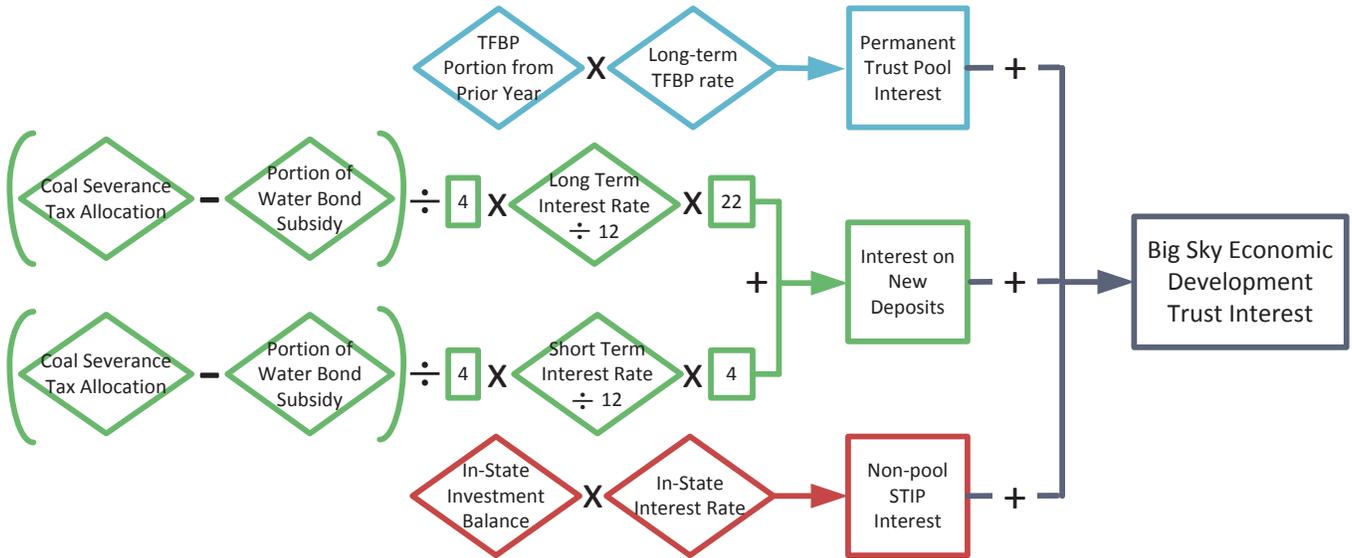
Coal severance tax distributions to the trust are considered new deposits. New deposits are transferred to the trust on a quarterly basis. When the BOI receives the coal tax transfer, the funds are immediately invested in STIP. Funds are expected to remain in STIP for one month before being invested in the TFBP. The interest earned on new deposits is estimated by summing STIP earnings for one month with TFBP earnings for the remainder of the year.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Economic Development Trust Interest

**Forecast Methodology:**



# Legislative Fiscal Division

## Revenue Estimate Profile

### Economic Development Trust Interest

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	<u>t</u>	<u>Total Rev.</u>	<u>GF Rev.</u>	<u>TFBP</u>	<u>STIP</u>	<u>Loan</u>	<u>Invested</u>	<u>Average</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Interest</u>	<u>Interest</u>	<u>Interest</u>	<u>Balance</u>	<u>Return</u>
				<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Rate</u>
Actual	2002	0.000	0.000	0.000	0.000	0.000	0.000	0.0%
Actual	2003	0.000	0.000	0.000	0.000	0.000	0.000	0.0%
Actual	2004	0.000	0.000	0.000	0.000	0.000	0.000	0.0%
Actual	2005	0.000	0.000	0.000	0.000	0.000	0.000	0.0%
Actual	2006	1.194	0.000	1.174	0.019	0.000	23.608	5.1%
Actual	2007	1.559	0.000	1.526	0.033	0.000	29.122	5.4%
Actual	2008	1.801	0.000	1.738	0.063	0.000	37.684	4.8%
Actual	2009	1.925	0.000	1.867	0.059	0.000	43.191	4.5%
Actual	2010	2.196	0.000	2.185	0.011	0.000	49.755	4.4%
Actual	2011	2.472	0.000	2.459	0.013	0.000	57.961	4.3%
Actual	2012	2.731	0.000	2.711	0.020	0.000	66.950	4.1%
Forecast	2013	2.858	0.000	2.728	0.130	0.000	73.811	3.9%
Forecast	2014	3.113	0.000	2.964	0.149	0.000	81.057	3.8%
Forecast	2015	3.419	0.000	3.240	0.179	0.000	88.596	3.9%

	<u>t</u>	<u>Net Coal Tax</u>	<u>New Deposit</u>	<u>Non Pool</u>	<u>Non Pool</u>
	<u>Fiscal</u>	<u>New Deposit</u>	<u>Long Term</u>	<u>STIP</u>	<u>STIP Bal</u>
		<u>Millions</u>	<u>Rate</u>	<u>Rate</u>	<u>Millions</u>
Actual	2002	0.000	6.2%	2.6%	0.000
Actual	2003	0.000	5.7%	1.4%	0.000
Actual	2004	0.000	5.4%	1.3%	0.000
Actual	2005	0.000	5.2%	2.4%	0.000
Actual	2006	4.478	5.2%	4.1%	0.609
Actual	2007	5.095	5.4%	4.7%	0.273
Actual	2008	5.666	5.3%	3.1%	3.215
Actual	2009	6.196	5.1%	1.0%	2.172
Actual	2010	5.522	4.8%	0.2%	2.976
Actual	2011	6.871	4.4%	0.1%	4.462
Actual	2012	6.593	3.8%	0.1%	8.401
Forecast	2013	6.861	3.4%	0.1%	8.401
Forecast	2014	7.246	3.8%	0.1%	8.401
Forecast	2015	7.539	4.2%	0.2%	8.401

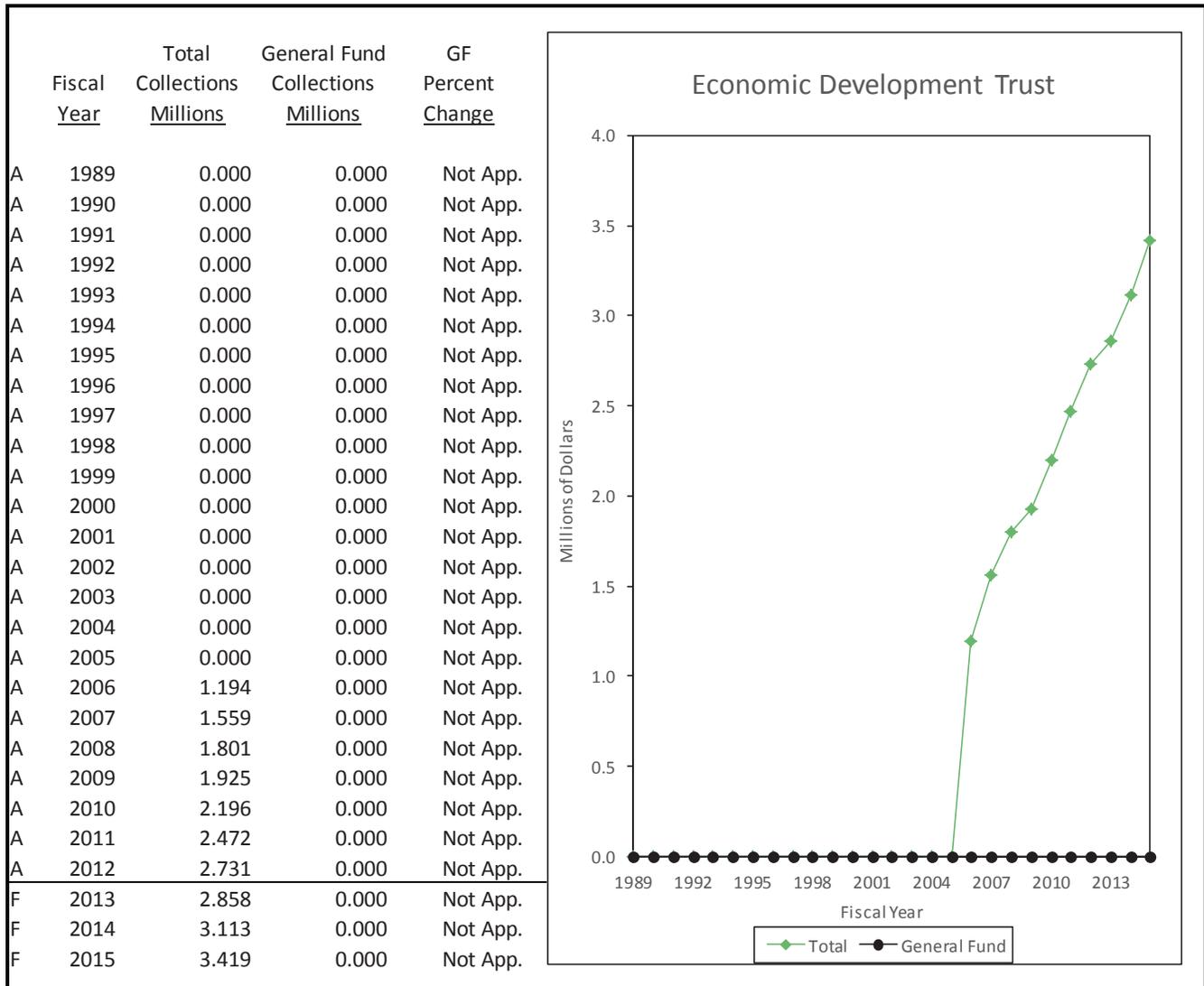
$$\text{Total Rev.} = \text{Invested Balance} \times \text{Average Return}$$

# Legislative Fiscal Division

## Revenue Estimate Profile

### Economic Development Trust Interest

#### Revenue Projection:

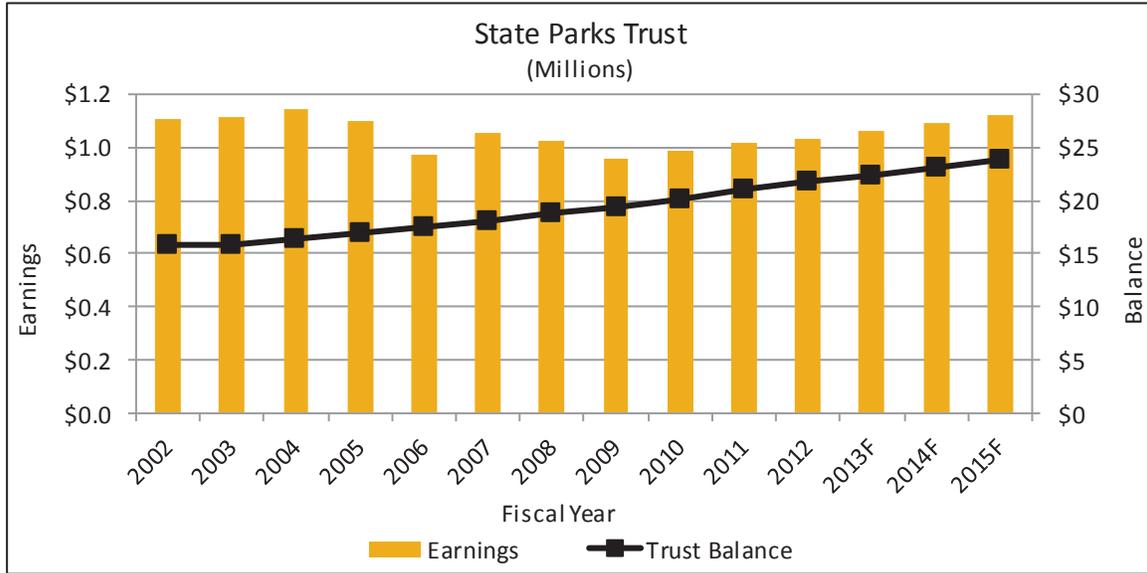


# Legislative Fiscal Division

## Revenue Estimate Profile

### Parks Trust Interest

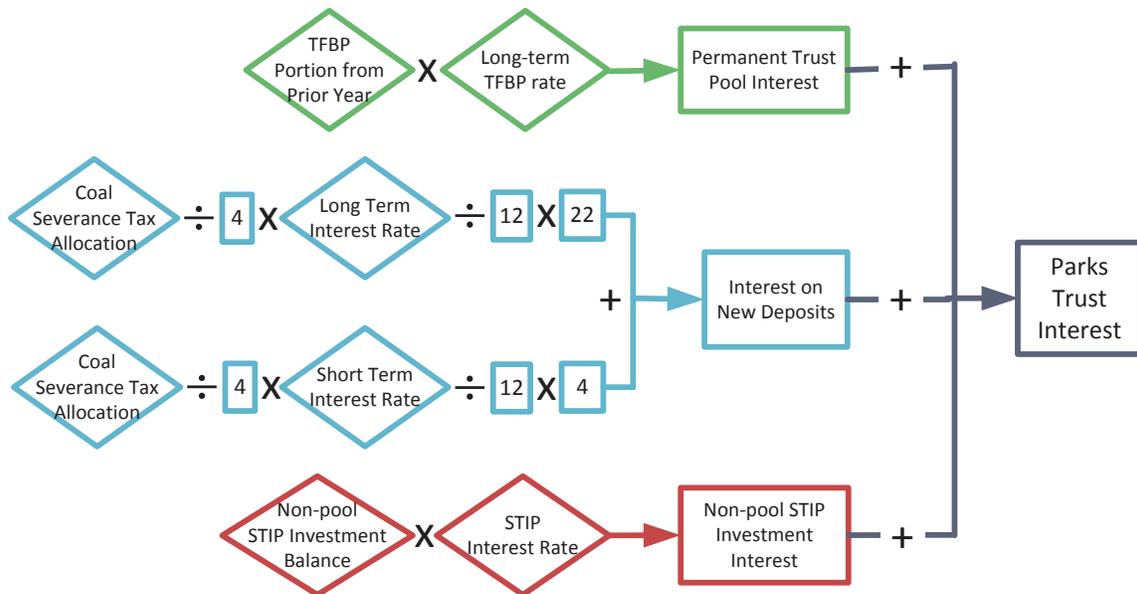
The TFBP was formed in 1995 to manage the fixed investments held in the state’s major trust funds. Each trust owns “shares” of the pool and interest earnings are paid to each trust on a per-share basis. TFBP earnings are the largest source of earnings for the trust, as shown in the figure below. To estimate TFBP earnings, the base year rate of return generated by the pool, as reported by the BOI, is adjusted during the forecast period for maturing securities. The applicable long-term rate for these securities is based on an average of four long-term rates projected by IHS.



STIP interest (including other interest) is earned on cash, prior to investment in long-term investments. Funds are acquired from new deposits and/or maturing securities in the forecast period. Funds are held in STIP until the BOI determines that conditions are favorable for investment in the TFBP. To estimate future STIP earnings, an average short-term interest rate is developed, based on IHS projections of three short-term investments.

The 1.27% coal severance tax distribution to the parks trust is considered new deposits. New deposits are transferred to the trust on a quarterly basis. When the BOI receives the coal tax transfer, the funds are immediately invested in STIP. Funds are expected to remain in STIP for one month before being invested in the TFBP. The interest earned on new deposits is estimated by summing STIP earnings for one month with TFBP earnings for the remainder of the year.

#### Forecast Methodology:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Parks Trust Interest

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t	Total Rev.	GF Rev.	TFBP	STIP	Invested	Average
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Balance</u>	<u>Return</u>
						<u>Millions</u>	<u>Rate</u>
Actual	2002	1.106	0.000	1.100	0.006		
Actual	2003	1.115	0.000	1.101	0.003		
Actual	2004	1.140	0.000	1.138	0.002	16.189	7.0%
Actual	2005	1.100	0.000	1.095	0.005	16.772	6.6%
Actual	2006	0.972	0.000	0.957	0.015	17.305	5.6%
Actual	2007	1.055	0.000	1.034	0.021	17.950	5.9%
Actual	2008	1.025	0.000	1.008	0.017	18.569	5.5%
Actual	2009	0.954	0.000	0.951	0.003	19.284	4.9%
Actual	2010	0.989	0.000	0.989	0.001	19.953	5.0%
Actual	2011	1.014	0.000	1.013	0.001	20.803	4.9%
Actual	2012	1.034	0.000	1.033	0.001	21.590	4.8%
Forecast	2013	1.063	0.000	1.051	0.012	22.287	4.8%
Forecast	2014	1.089	0.000	1.075	0.014	23.023	4.7%
Forecast	2015	1.119	0.000	1.103	0.016	23.789	4.7%

	t	Net Coal Tax	New Deposit	Non Pool	Non Pool
	<u>Fiscal</u>	<u>New Deposit</u>	<u>Long Term</u>	<u>STIP</u>	<u>STIP Bal</u>
		<u>Millions</u>	<u>Rate</u>	<u>Rate</u>	<u>Millions</u>
Actual	2002	0.401	6.2%	2.6%	0.309
Actual	2003	0.000	5.7%	1.4%	0.140
Actual	2004	0.401	5.4%	1.3%	0.328
Actual	2005	0.478	5.2%	2.4%	0.236
Actual	2006	0.455	5.2%	4.1%	0.469
Actual	2007	0.518	5.4%	4.7%	0.514
Actual	2008	0.576	5.3%	3.1%	0.133
Actual	2009	0.629	5.1%	1.0%	0.138
Actual	2010	0.561	4.8%	0.2%	0.242
Actual	2011	0.698	4.4%	0.1%	0.252
Actual	2012	0.670	3.8%	0.1%	0.289
Forecast	2013	0.697	3.4%	0.1%	0.289
Forecast	2014	0.736	3.8%	0.1%	0.289
Forecast	2015	0.766	4.2%	0.2%	0.289

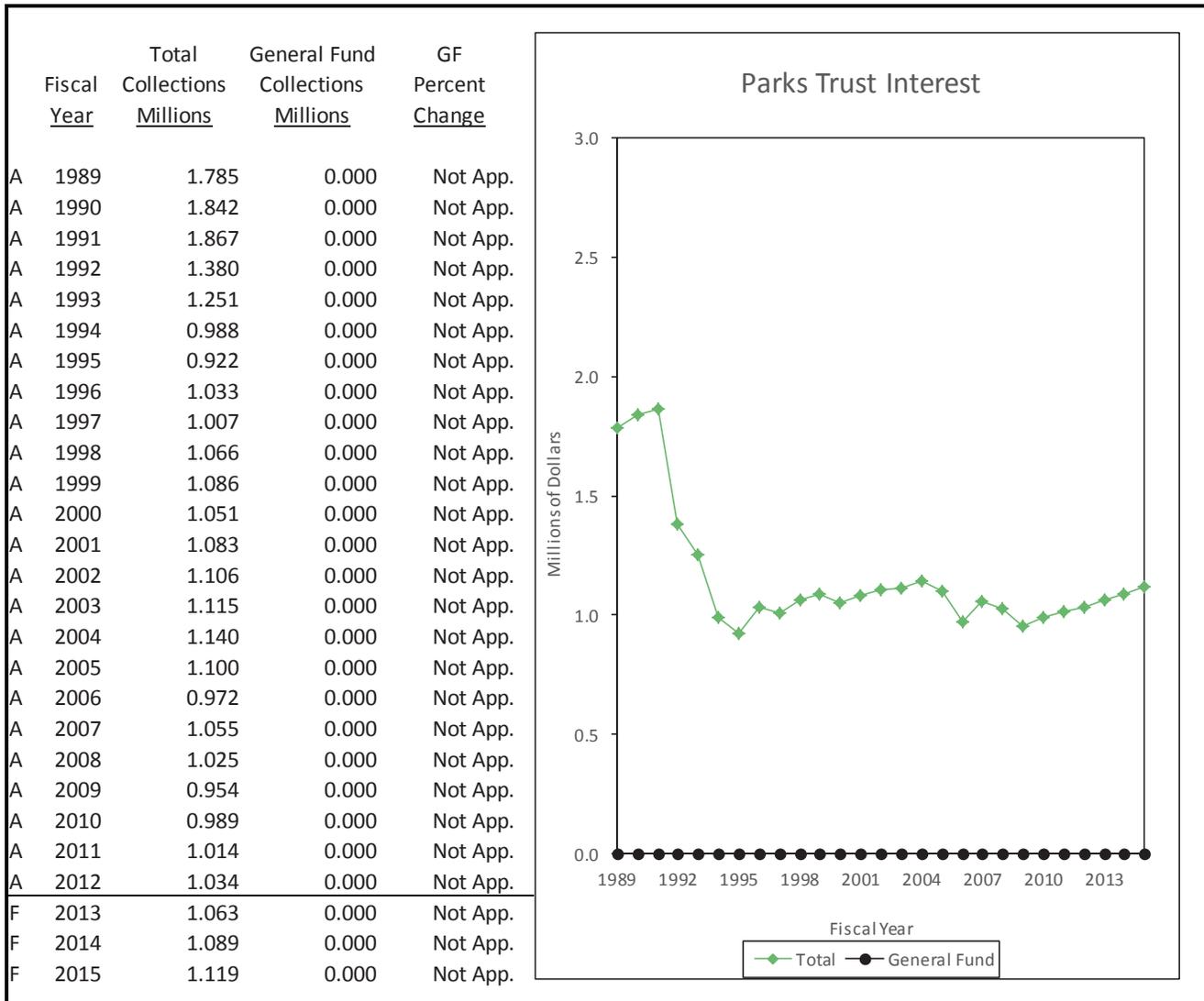
$$\text{Total Rev.} = \text{Invested Balance} \times \text{Average Return}$$

# Legislative Fiscal Division

## Revenue Estimate Profile

### Parks Trust Interest

#### Revenue Projection:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Pine Hills Interest and Income

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**Revenue Description:** The Pine Hills trust is a fund set up for the support of the Pine Hills youth correctional facility using income generated from state land and the subsequent interest on the account.

Lands granted by the federal government to the state for the benefit of public schools and various state institutions generate income. These lands produce revenue through rents or crop shares for agricultural purposes, royalties from the sale of mineral rights, and sales of timber. Income from certain portions of public school/institution lands has been designated for the support of the Pine Hills youth correctional facility. Thus, some of these funds are deposited into a component of the trust and legacy trust fund referred to as the Pine Hills trust, which generates interest earnings for the state. As of October 1, 1995, all fixed-income investments held by the state's major trust funds were transferred to a newly-created Trust Funds Bond Pool (TFBP). The majority of trust and legacy trust funds are invested as part of the TFBP. Some funds, however, are invested on a short-term basis in the state's Short Term Investment Pool (STIP). The state constitution prohibits the investment of the permanent trust in common stock.

With the enactment of SB 65 by the 2009 Legislature, up to 25% of Pine Hills revenue can be diverted to the trust land administration account to fund Department of Natural Resources and Conservation (DNRC) administration costs. This revenue can include distributable revenue, mineral royalties, and timber revenue. Diversions reduce the amount of revenue distribute to the trust beneficiaries. Revenue diverted from the Pine Hills permanent trust fund reduces the growth of the trust balance and, hence, reduces the amount of distributable interest earnings. The legislation was effective July 1, 2009.

#### Statute:

Tax Rate – NA

Distribution (MCA) – 17-3-1003

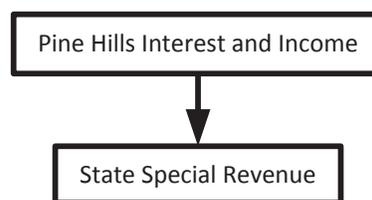
Enabling Act, Sections 11 & 17

Other (MCA) – DNRC trust land administration diversion (77-1-108 & 109)  
DNRC land bank administration diversion (77-2-362)

**Applicable Tax Rate(s):** N/A

**Distribution:** Interest and income from the trust, net of amounts to fund DNRC administration, is allocated to the Department of Corrections for support of the Pine Hills youth correctional facility.

#### Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** Monthly

**% of Total General Fund Revenue:** N/A

#### Revenue Estimate Methodology:

The estimate for interest and income from the Pine Hills trust determines the net amount of revenue that will be distributed to the trust beneficiary. This means that in addition to estimating the various distributable revenues from the Pine Hills land grant trust, estimates of the diversions that reduce the amount of distributable revenue must also be estimated. Therefore, the estimated amounts shown for this revenue source are not total revenues, but are net of diversions. Permanent revenue (revenue that is not distributed, but remains in the trust such as from timber and mineral royalties), is estimated as part of the entire Trust and Legacy account (T & L) and earnings are portioned to this trust according to the number of shares owned.

# Legislative Fiscal Division

## Revenue Estimate Profile

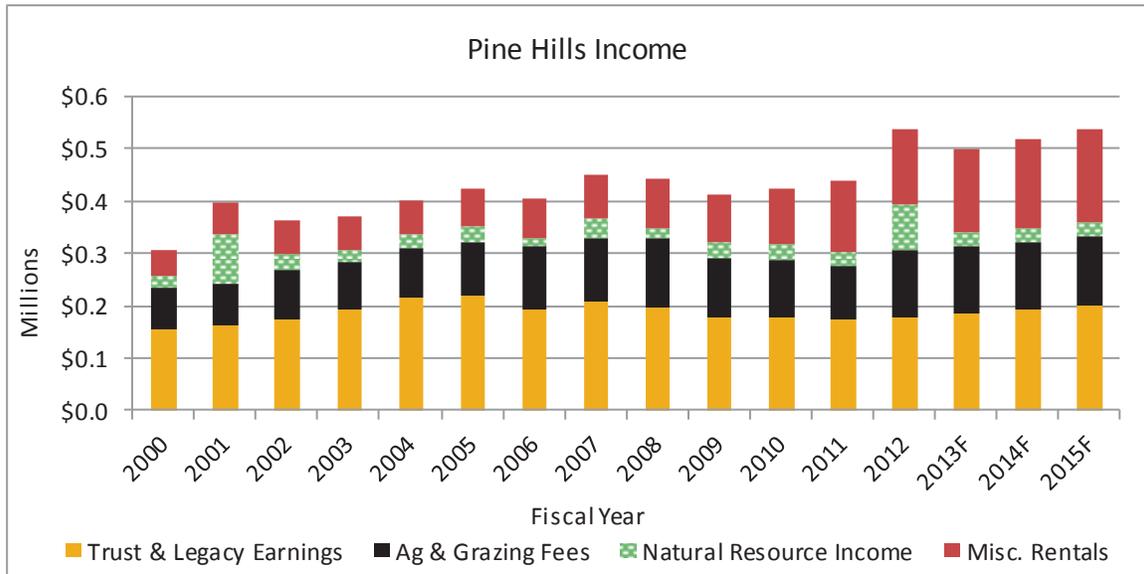
### Pine Hills Interest and Income

#### Data

Data from SABHRS provide a history of each individual interest and income revenue component. Department of Natural Resources and Conservation (DNRC) annual reports and other data provide additional information such as production and timber estimates.

#### Analysis

The estimate is produced by estimating the distributable revenue components and then subtracting the diversions.



#### Revenue Components

1. Trust and Legacy Earnings (see the figure below) – The monetary assets of the trust are pooled with monetary assets of other land trusts in the T & L and invested by the Board of Investment in the trust funds bond pool. Based on the number of share each trust owns, a share of the earnings is deposited in each trust. For the Pine Hills trust, the share is 0.8%. Total pool earnings is a sum of the following:

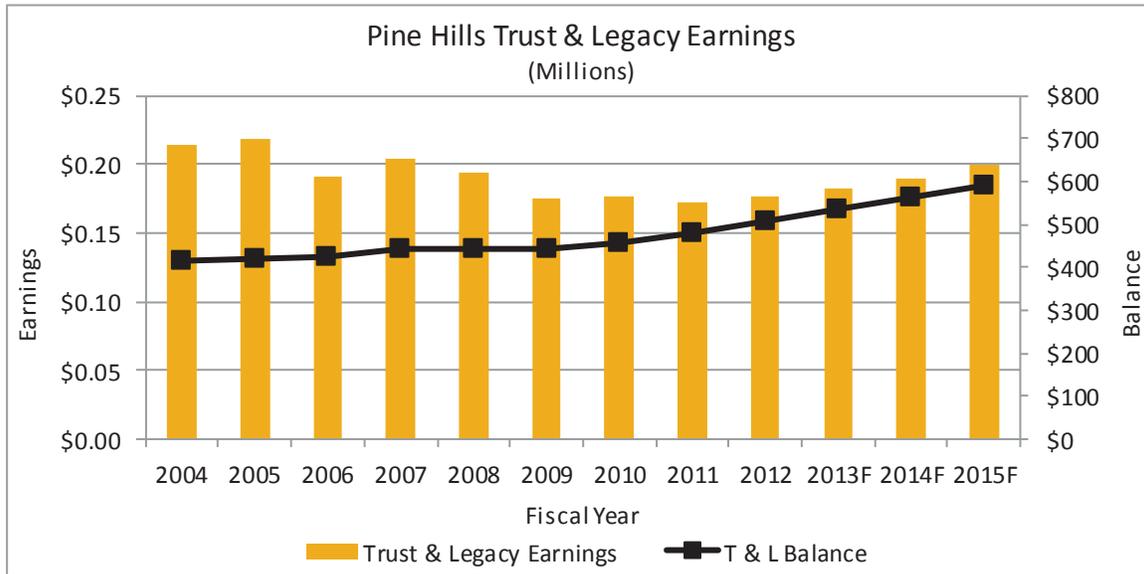
- Earnings from new deposits – New deposits initially earns interest at the short-term rate before it is invested in a longer term investment.
- Earnings from existing balance – The majority of these funds have been invested in bonds purchased over the past several years and average a return rate of 5.2%.
- Non-portfolio earnings – Money not invested in the trust funds bond pool earns interest at the short-term rate.

Once the total amount of the pool earnings has been estimated by summing the above three items, the Pine Hills trust share of 0.8% is applied.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Pine Hills Interest and Income



2. Grazing Fees – Rates are tied to the price of cattle, which is expected to be similar to the most recent fiscal year. Therefore, the amount of fees received in the base year is used for all forecast years.
3. Miscellaneous Rentals – These are small income components that are combined and estimated together. For each fiscal year estimated, the estimate is based on a 10-year average growth rate.
4. Agricultural Fees – Fees are based on a crop share basis. Commodity prices are expected to be about the same as the most recent fiscal year, resulting in similar returns. Therefore, fees received in the base year are used for all forecast years.
5. Oil & Gas Leases – For each fiscal year estimated, the estimate is the average of the previous two years.
6. Oil & Gas Bonuses & Penalties – No bonuses are anticipated in the forecast period. Future penalties are estimated at the same level of the most recent fiscal year.

#### Diversions

Diversions fund operational costs in DNRC, but reduce the amount of revenue distributed to the trust beneficiaries. To determine future diversion amounts, DNRC estimates are for all forecast years are used. All the costs are funded with distributable revenue.

#### Adjustments and Distribution

Once total revenue and total diversions have been estimated, the net amounts are distributed to the state special revenue fund.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Pine Hills Interest and Income

#### Forecast Methodology:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Pine Hills Interest and Income

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	<u>t</u>	<u>Total Rev.</u>	<u>GF Rev.</u>	<u>TFBP</u>	<u>STIP</u>	<u>Pine</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Interest</u>	<u>Interest</u>	<u>Hills Share</u>
				<u>Millions</u>	<u>Millions</u>	<u>T&amp;L</u>
Actual	2002	0.355	0.000	29.627	0.103	0.006
Actual	2003	0.364	0.000	29.147	0.068	0.007
Actual	2004	0.394	0.000	30.087	0.054	0.007
Actual	2005	0.415	0.000	28.106	0.270	0.008
Actual	2006	0.397	0.000	24.428	0.408	0.008
Actual	2007	0.443	0.000	26.207	0.268	0.008
Actual	2008	0.435	0.000	25.160	0.129	0.008
Actual	2009	0.437	0.000	22.711	0.066	0.008
Actual	2010	0.263	0.000	22.916	0.018	0.008
Actual	2011	0.326	0.000	23.194	0.033	0.008
Actual	2012	0.393	0.000	24.175	0.028	0.008
Forecast	2013	0.302	0.000	23.209	0.415	0.008
Forecast	2014	0.370	0.000	24.129	0.464	0.008
Forecast	2015	0.392	0.000	25.164	0.583	0.008

	<u>t</u>	<u>Trust Income</u>	<u>Trust Land</u>	<u>New Deposit</u>	<u>Non Pool</u>	<u>Non Pool</u>
	<u>Fiscal</u>	<u>New Deposit</u>	<u>Admin.</u>	<u>Long Term</u>	<u>STIP</u>	<u>STIP Bal</u>
		<u>Millions</u>	<u>Millions</u>	<u>Rate</u>	<u>Rate</u>	<u>Millions</u>
Actual	2002	2.348	0.000	6.2%	2.6%	7.334
Actual	2003	2.363	0.000	5.7%	1.4%	6.242
Actual	2004	2.972	0.000	5.4%	1.3%	7.050
Actual	2005	1.458	0.000	5.2%	2.4%	12.107
Actual	2006	1.425	0.000	5.2%	4.1%	3.863
Actual	2007	7.174	0.000	5.4%	4.7%	14.954
Actual	2008	3.102	0.000	5.3%	3.1%	2.461
Actual	2009	4.126	0.000	5.1%	1.0%	4.161
Actual	2010	10.710	0.000	4.8%	0.2%	11.340
Actual	2011	22.233	0.000	4.4%	0.1%	15.565
Actual	2012	31.517	0.000	3.8%	0.1%	11.492
Forecast	2013	26.766	0.000	3.4%	0.1%	11.492
Forecast	2014	27.198	0.000	3.8%	0.1%	11.492
Forecast	2015	30.366	0.000	4.2%	0.2%	11.492

# Legislative Fiscal Division

## Revenue Estimate Profile

### Pine Hills Interest and Income

	<u>t</u>	<u>Grazing</u>	<u>Agriculture</u>	<u>Misc.</u>	<u>O&amp;G Lease</u>	<u>O&amp;G Bonus</u>	<u>O&amp;G Penalty</u>	<u>Misc.</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	0.078	0.017	0.064	0.022	0.000	0.007	0.000
Actual	2003	0.071	0.019	0.065	0.021	0.000	0.002	0.000
Actual	2004	0.072	0.022	0.065	0.024	0.000	0.002	0.000
Actual	2005	0.085	0.015	0.071	0.023	0.001	0.009	0.000
Actual	2006	0.093	0.027	0.077	0.007	0.003	0.004	0.000
Actual	2007	0.105	0.017	0.086	0.013	0.017	0.007	0.000
Actual	2008	0.093	0.039	0.097	0.012	0.000	0.008	0.000
Actual	2009	0.093	0.021	0.092	0.022	0.000	0.010	0.000
Actual	2010	0.084	0.024	0.106	0.025	0.000	0.005	0.000
Actual	2011	0.080	0.023	0.135	0.024	0.000	0.002	0.000
Actual	2012	0.100	0.030	0.147	0.033	0.047	0.005	0.000
Forecast	2013	0.100	0.030	0.157	0.023	0.000	0.005	0.000
Forecast	2014	0.100	0.030	0.167	0.023	0.000	0.005	0.000
Forecast	2015	0.100	0.030	0.178	0.023	0.000	0.005	0.000

	<u>t</u>	<u>Int. Land</u>	<u>Int. STIP</u>	<u>Int. Trust</u>	<u>Timber</u>	<u>Res. Dev.</u>	<u>TLMD Adm.</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	0.000	0.000	0.174	0.000	-0.005	
Actual	2003	0.000	0.000	0.192	0.000	-0.005	
Actual	2004	0.000	0.000	0.214	0.000	-0.006	
Actual	2005	0.000	0.000	0.218	0.000	-0.006	
Actual	2006	0.000	0.000	0.192	0.000	-0.006	
Actual	2007	0.000	0.000	0.205	0.000	-0.007	
Actual	2008	0.000	0.000	0.194	0.000	-0.007	
Actual	2009	0.000	0.000	0.175	0.000	-0.008	
Actual	2010	0.000	0.000	0.177	0.000	0.000	-0.158
Actual	2011	0.000	0.000	0.173	0.000	0.000	-0.112
Actual	2012	0.000	0.000	0.176	0.000	0.000	-0.115
Forecast	2013	0.000	0.000	0.182	0.000	0.000	-0.195
Forecast	2014	0.000	0.000	0.190	0.000	0.000	-0.145
Forecast	2015	0.000	0.000	0.199	0.000	0.000	-0.144

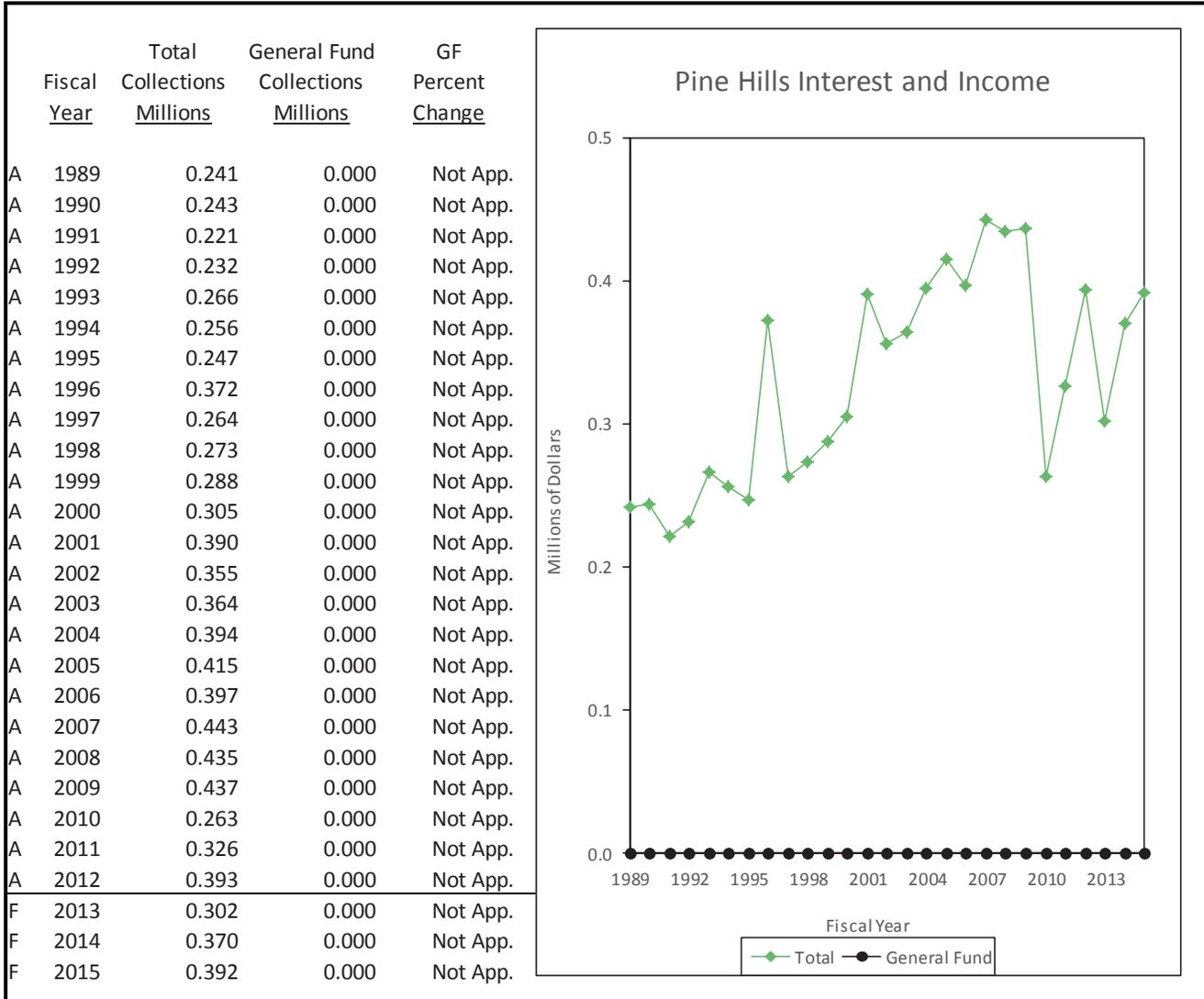
Total Rev. = Grazing + Agriculture + O&G Lease + O&G Bonus + O&G Penalty + Misc. +  
Int. Land + Int. Stip + Int. Trust + Timber + Res. Dev. + TLMD Adm.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Pine Hills Interest and Income

#### Revenue Projection:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Regional Water Trust Interest

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**Revenue Description:** This revenue source represents the interest gained on the Regional Water Trust. The Regional Water Trust is one of several trusts set up with money from the Coal Severance Tax. The interest money from this fund is used primarily to provide matching funds to plan and construct regional drinking water systems.

The 1999 Legislature (Senate Bill 220) created the Treasure State Endowment (TSE) Regional Water System Fund within the permanent coal tax trust fund. The fund receives 12.5% of total coal severance tax collections through June 2016. Interest earned on the fund is used to provide matching funds to plan and construct regional drinking water systems in Montana and fund state and local entity administrative expenses. Except for administrative expenses, each state dollar must be matched equally by local funds. The funds in the account are further restricted to finance regional drinking water systems from the waters of the Tiber reservoir and the Missouri River within specific geographic areas. The deposit of coal severance tax revenue to this fund terminates the end of FY 2020.

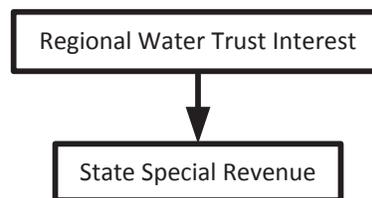
#### **Statutory Reference:**

Tax Rate – NA  
Distribution (MCA) – 17-5-703 (4b); use of earnings (90-6-715)  
Date Due (MCA) – monthly (17-5-703(4d))

**Applicable Tax Rate(s):** NA

**Distribution:** Interest earnings are deposited to a state special revenue fund and appropriated to the Department of Natural Resources and Conservation to fund eligible projects and pay administrative expenses.

#### Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** Monthly

**% of Total General Fund Revenue:** N/A

#### **Revenue Estimate Methodology:**

##### Data

The data used to estimate interest earnings from the regional water trust are obtained from the Board of Investments (BOI), IHS, and the state accounting system (SABHRS). The BOI provides information on historic interest rates as well as the gains and losses from the sale of securities. Projections of future interest rates are provided by IHS and historic interest collections are obtained from SABHRS.

##### Analysis

The regional water trust was created from distributions of the coal severance tax. The regional water trust was formed in 2000 as a sub-trust to the permanent coal trust. The Constitution requires that 50% of the coal severance tax collections be distributed to the coal trust, and 25% of that distribution (after the water bond debt service obligation is met) or 12.5% of total coal severance tax revenues is distributed to the regional water trust.

# Legislative Fiscal Division

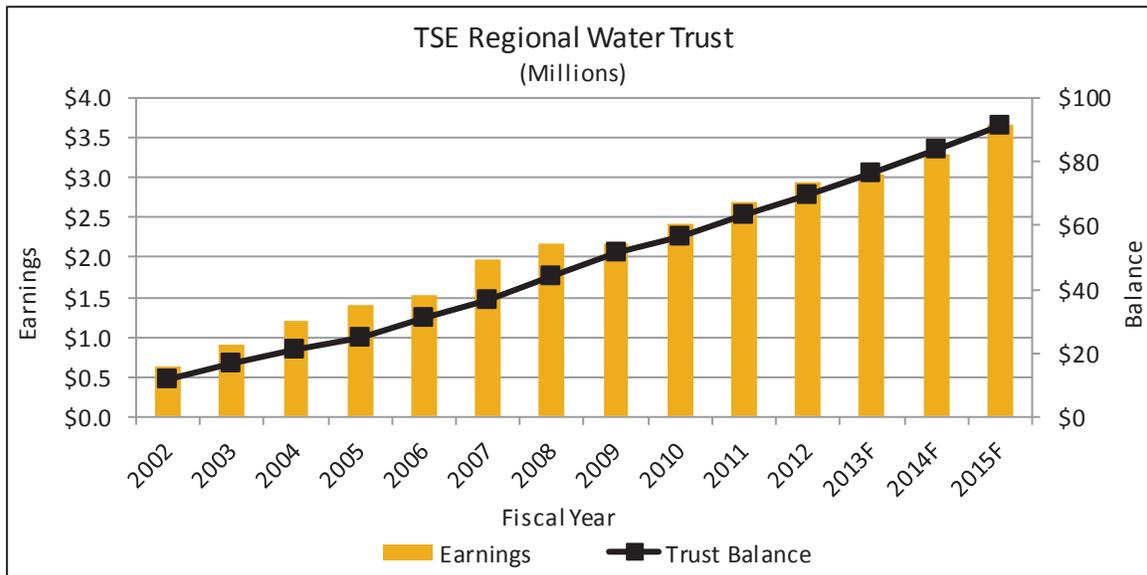
## Revenue Estimate Profile

### Regional Water Trust Interest

To forecast the regional water trust interest earnings, each of three interest/income components are estimated independently and combined. The estimated interest/income components include:

- Trust fund bond pool (TFBP)
- Short-term investment pool (STIP)
- New trust deposits

The TFBP was formed in 1995 to manage the fixed investments held in the state’s major trust funds. Each trust owns “shares” of the pool and interest earnings are paid to each trust on a per-share basis. TFBP earnings are the largest source of earnings for the trust, as shown in the figure below. To estimate TFBP earnings, the base year rate of return generated by the pool, as reported by the BOI, is adjusted during the forecast period for maturing securities. The applicable long-term rate for these securities is based on an average of four long-term rates projected by IHS.



STIP interest (including other interest) is earned on cash, prior to investment in long-term investments. Funds are acquired from new deposits and/or maturing securities forecast period. Funds are held in STIP until the BOI determines that conditions are favorable for investment in the TFBP. To estimate future STIP earnings, an average short-term interest rate is developed, based on IHS projections of three short-term investments.

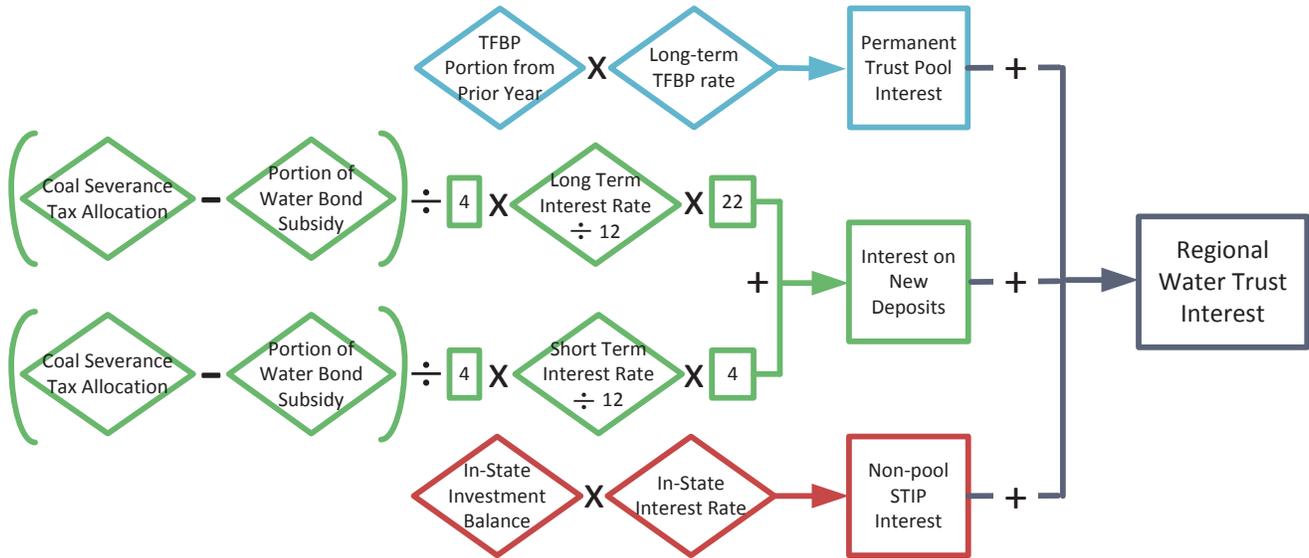
Coal severance tax distributions to the regional water trust are considered new deposits. New deposits are transferred to the trust on a quarterly basis. When the BOI receives the coal tax transfer, the funds are immediately invested in STIP. Funds are expected to remain in STIP for one month before being invested in the TFBP. The interest earned on new deposits is estimated by summing STIP earnings for one month with TFBP earnings for the remainder of the year.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Regional Water Trust Interest

#### Forecast Methodology:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Regional Water Trust Interest

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	<u>t</u>	<u>Total Rev.</u>	<u>GF Rev.</u>	<u>TFBP</u>	<u>STIP</u>	<u>Loan</u>	<u>Invested</u>	<u>Average</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Interest</u>	<u>Interest</u>	<u>Interest</u>	<u>Balance</u>	<u>Return</u>
				<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Rate</u>
Actual	2002	0.643	0.000	0.611	0.033	0.000		
Actual	2003	0.894	0.000	0.865	0.030	0.000		
Actual	2004	1.201	0.000	1.174	0.027	0.000	20.942	5.7%
Actual	2005	1.396	0.000	1.340	0.056	0.000	24.913	5.6%
Actual	2006	1.527	0.000	1.391	0.137	0.000	30.573	5.0%
Actual	2007	1.979	0.000	1.772	0.206	0.000	36.505	5.4%
Actual	2008	2.175	0.000	1.970	0.205	0.000	43.858	5.0%
Actual	2009	2.179	0.000	2.073	0.105	0.000	51.593	4.2%
Actual	2010	2.419	0.000	2.393	0.025	0.000	56.060	4.3%
Actual	2011	2.685	0.000	2.664	0.021	0.000	64.480	4.2%
Actual	2012	2.937	0.000	2.913	0.019	0.000	69.540	4.2%
Forecast	2013	3.032	0.000	2.905	0.127	0.000	76.401	4.0%
Forecast	2014	3.287	0.000	3.141	0.146	0.000	83.647	3.9%
Forecast	2015	3.591	0.000	3.417	0.175	0.000	91.186	3.9%

	<u>t</u>	<u>Net Coal Tax</u>	<u>New Deposit</u>	<u>Non Pool</u>	<u>Non Pool</u>
	<u>Fiscal</u>	<u>New Deposit</u>	<u>Long Term</u>	<u>STIP</u>	<u>STIP Bal</u>
		<u>Millions</u>	<u>Rate</u>	<u>Rate</u>	<u>Millions</u>
Actual	2002	3.952	6.2%	2.6%	1.579
Actual	2003	3.678	5.7%	1.4%	1.894
Actual	2004	3.943	5.4%	1.3%	2.694
Actual	2005	4.704	5.2%	2.4%	2.765
Actual	2006	4.478	5.2%	4.1%	3.826
Actual	2007	5.095	5.4%	4.7%	3.908
Actual	2008	5.666	5.3%	3.1%	5.611
Actual	2009	6.196	5.1%	1.0%	6.786
Actual	2010	5.522	4.8%	0.2%	5.488
Actual	2011	6.871	4.4%	0.1%	7.188
Actual	2012	6.593	3.8%	0.1%	7.198
Forecast	2013	6.861	3.4%	0.1%	7.198
Forecast	2014	7.246	3.8%	0.1%	7.198
Forecast	2015	7.539	4.2%	0.2%	7.198

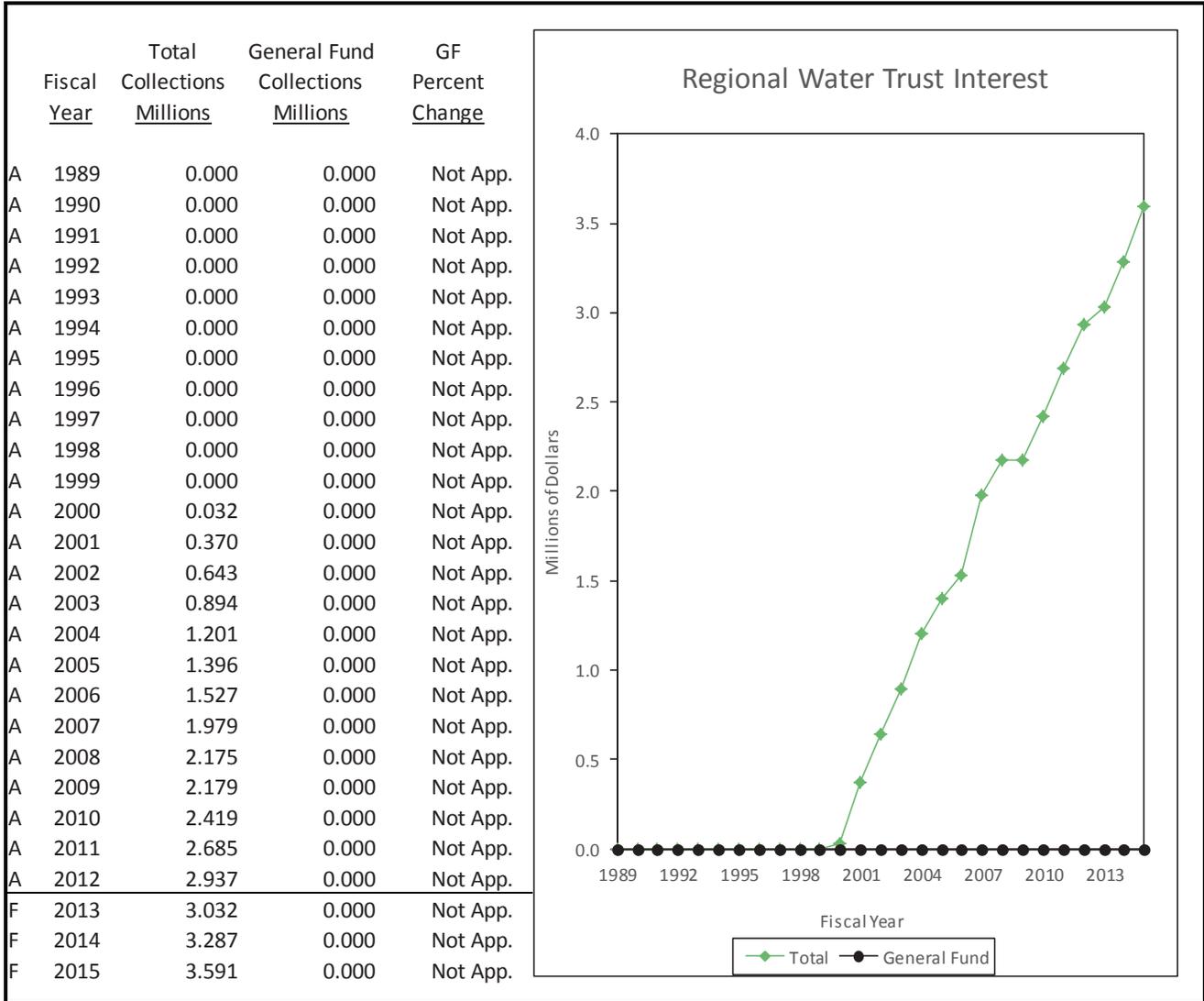
$$\text{Total Rev.} = \text{Invested Balance} \times \text{Average Return}$$

# Legislative Fiscal Division

## Revenue Estimate Profile

### Regional Water Trust Interest

**Revenue Projection:**



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Resource Indemnity Trust Interest

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**Revenue Description:** This revenue source represents the interest gained on the Resource Indemnity Trust. The Resource Indemnity Trust was set up from resource extraction taxes. The interest money from this fund is used for a variety of purposes (seen in the distribution chart) focusing on natural resource and environmental projects.

Article IX, Section 2 of the Montana Constitution and Title 15, Chapter 38, MCA, requires that certain resource extraction taxes, as determined by the legislature, be placed in a trust. The principal of the Resource Indemnity Trust (RIT) "shall forever remain inviolate in an amount of one hundred million dollars (\$100,000,000), guaranteed by the state against loss or diversion." Once the principal of the trust reaches \$100 million, any additional tax deposits may be appropriated. Interest earnings on the RIT are to be spent to improve the total environment and rectify damage to the environment. It is also the legislature's intent that the use of interest earnings for operations of state government be minimized.

On July 1, 2002 the Governor by executive order certified to the Secretary of State that the RIT balance had reached \$100 million. In prior years, the RIT had received revenue from the resource indemnity and ground water assessment tax and the oil and gas tax. Because these allocations of revenue are no longer deposited to the trust, the trust balance will remain constant and interest earnings will be dependent only on the interest rates.

#### **Statutory Reference:**

Tax Rate – NA

Distribution (MCA) – Montana Constitution, Article IX, Section 2; 15-38-202(2), use of earnings (15-38-203)

Date Due – NA

**Applicable Tax Rate(s):** N/A

**Distribution:** Statute allocates RIT interest earnings in the following manner:

- 1) At the beginning of the biennium, an amount not to exceed \$50,000 to the oil and gas mitigation account to bring the balance up to \$200,000. Money in this account is statutorily appropriated to the Board of Oil and Gas Conservation for the cost of plugging wells that have been abandoned and for which no responsible party can be found;
- 2) At the beginning of the biennium, \$500,000 to the water storage state special revenue account to provide loans and grants for water storage projects;
- 3) At the beginning of the biennium, \$175,000 to the environmental contingency fund which is statutorily appropriated upon authorization of the Governor for unanticipated public needs arising from certain disasters and emergencies;
- 4) \$3.5 million annually to the natural resources projects state special revenue account for distribution as grants;
- 5) \$300,000 annually to the ground water assessment account to improve ground water management and protection;
- 6) \$500,000 annually to the future fisheries program for bull trout and cutthroat trout recovery; and
- 7) Of the remaining RIT interest earnings:
  - a) 65% to the natural resources operations state special revenue account for program and administrative costs;
  - b) 26% to the hazardous waste/CERCLA state special revenue account for superfund activities; and
  - c) 9% to the environmental quality protection state special revenue fund for additional clean-up activities.

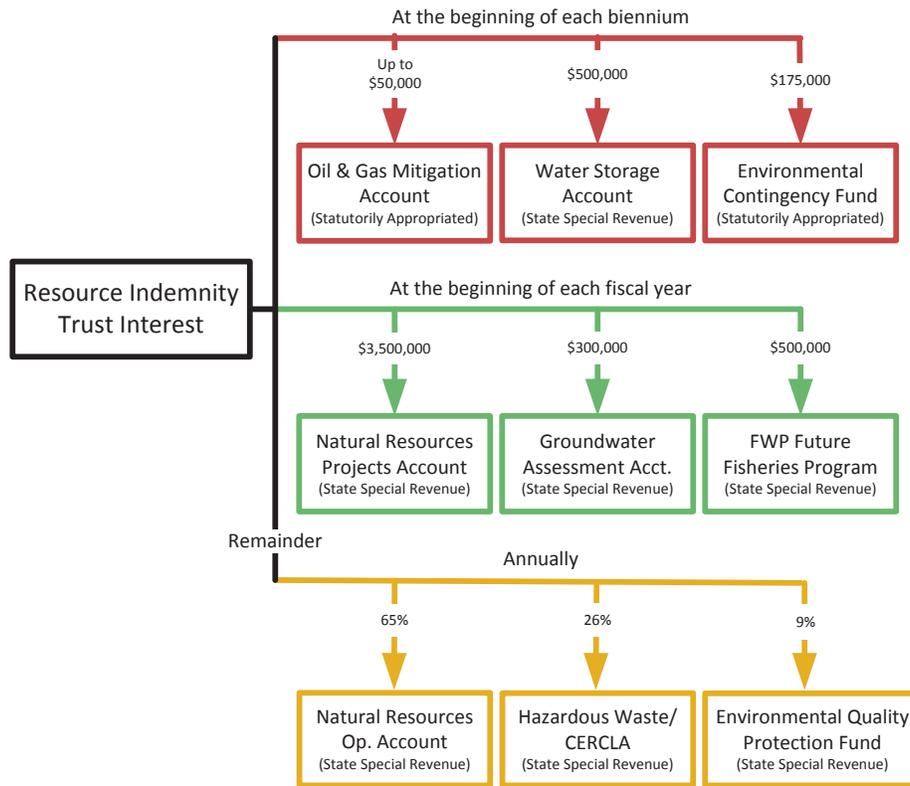
The Department of Natural Resources and Conservation administers two of the RIT interest accounts which are used for grants, loans, and administrative costs: the renewable resource grant and loan program account and the reclamation and development grant account. These accounts also receive funding from other sources. All grants and loans made from these accounts require legislative approval. Grants must also be appropriated.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Resource Indemnity Trust Interest

Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** Monthly

**% of Total General Fund Revenue:** N/A

**Revenue Estimate Methodology:**

Data

The data used to estimate interest earnings from the resource indemnity (RIT) trust are obtained from the Board of Investments (BOI), IHS, and the state accounting system (SABHRS). The BOI provides information on historic interest rates as well as the gains and losses from the sale of securities. Projections of future interest rates are provided by IHS and historic interest collections are obtained from SABHRS.

Analysis

The RIT trust, formed in the mid 1970's, was created from distributions of the resource indemnity and ground water assessment tax (RIGWA) and the oil and gas tax. The resource indemnity trust reached its constitutionally required principal of \$100 million in FY 2002. As a result, the trust no longer receives new income from tax distributions. The principal or corpus of the resource indemnity trust now stands at \$100 million, as shown by the line in the figure below. No new deposits are anticipated for the trust.

To forecast the resource indemnity trust interest earnings, each of the following three interest/income components are estimated independently and combined:

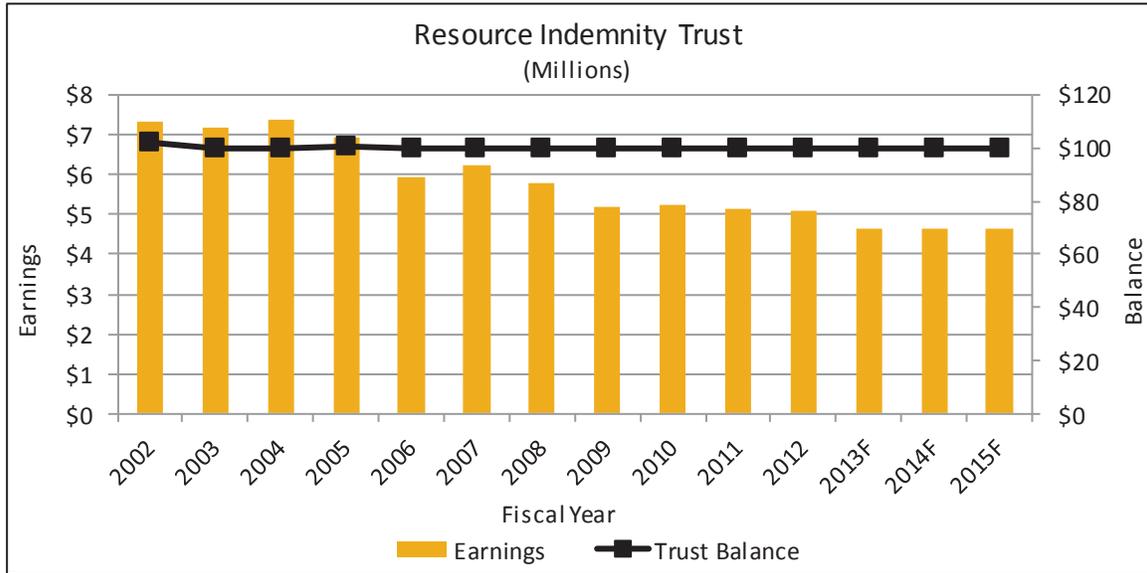
- Trust funds bond pool (TFBP)
- Short-term investment pool (STIP)
- New trust deposits (if anticipated)

# Legislative Fiscal Division

## Revenue Estimate Profile

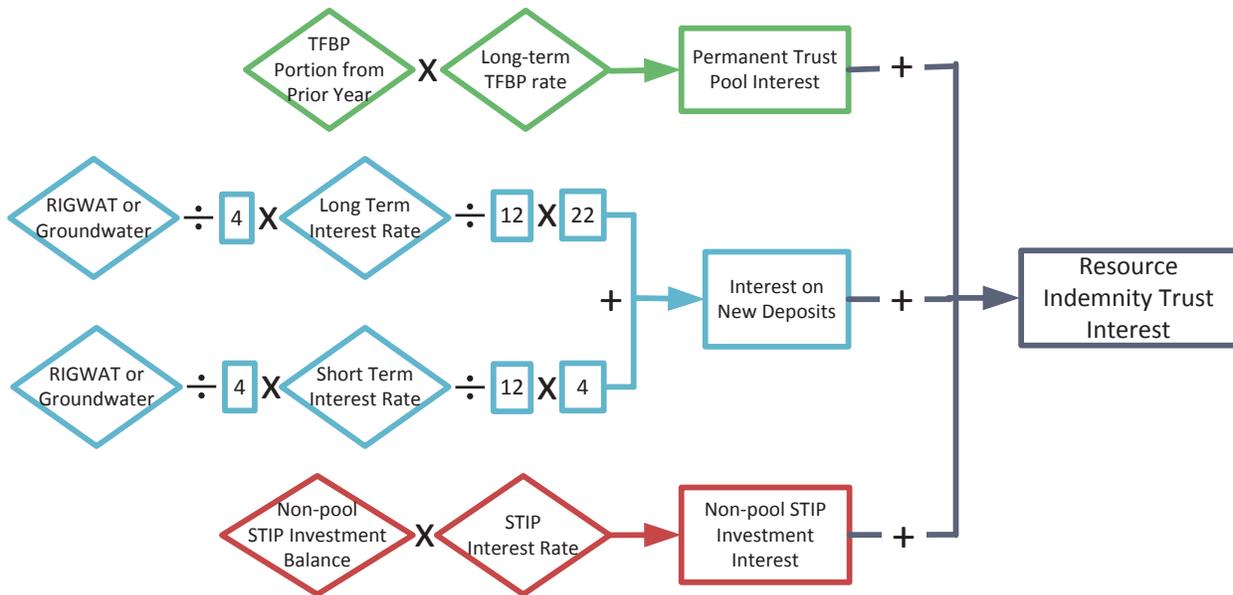
### Resource Indemnity Trust Interest

The TFBP was formed in 1995 to manage the fixed investments held in the state’s major trust funds. Each trust owns “shares” of the pool and interest earnings are paid to each trust on a per-share basis. TFBP earnings are the largest source of earnings for the trust, as shown in the figure below. To estimate TFBP earnings, the base year rate of return generated by the pool, as reported by the BOI, is adjusted during the forecast period for maturing securities. The applicable long-term rate for these securities is based on a two-year average of four long-term rates projected by IHS. The applicable rates are multiplied by the trust balance to determine earnings.



STIP interest (including other interest) is earned on cash, prior to investment in long-term investments. Funds are acquired from new deposits and/or maturing securities in the forecast period. Funds are held in STIP until the BOI determines that conditions are favorable for investment in the TFBP. To estimate future STIP earnings, an average short-term interest rate is developed, based on IHS projections of three short-term investments. Because no new deposits are anticipated for the trust, STIP earnings are projected for only non-pool balances.

#### Forecast Methodology:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Resource Indemnity Trust Interest

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t	Total Rev.	GF Rev.	TFBP	STIP	Invested	Average
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Balance</u>	<u>Return</u>
				<u>Interest</u>	<u>Interest</u>	<u>Millions</u>	<u>Rate</u>
Actual	2002	7.321	0.000	7.286	0.034		
Actual	2003	7.174	0.000	7.161	0.013		
Actual	2004	7.380	0.000	7.375	0.005	100.644	7.3%
Actual	2005	6.247	0.000	6.890	0.012	100.910	6.8%
Actual	2006	5.916	0.000	5.897	0.019	100.506	5.9%
Actual	2007	6.220	0.000	6.198	0.023	100.723	6.2%
Actual	2008	5.801	0.000	5.786	0.015	100.504	5.8%
Actual	2009	5.197	0.000	5.191	0.006	100.484	5.2%
Actual	2010	5.213	0.000	5.212	0.001	100.434	5.2%
Actual	2011	5.135	0.000	5.133	0.001	100.442	5.1%
Actual	2012	5.064	0.000	5.062	0.001	100.420	5.0%
Forecast	2013	4.661	0.000	4.660	0.001	100.420	4.6%
Forecast	2014	4.661	0.000	4.660	0.001	100.420	4.6%
Forecast	2015	4.662	0.000	4.660	0.002	100.420	4.6%

	t	Net Tax	New Deposit	Non Pool	Non Pool
	<u>Fiscal</u>	<u>New Deposit</u>	<u>Long Term</u>	<u>STIP</u>	<u>STIP Bal</u>
		<u>Millions</u>	<u>Rate</u>	<u>Rate</u>	<u>Millions</u>
Actual	2002	1.589	6.2%	2.6%	2.176
Actual	2003	0.000	5.7%	1.4%	0.741
Actual	2004	0.000	5.4%	1.3%	0.644
Actual	2005	0.252	5.2%	2.4%	0.910
Actual	2006	0.000	5.2%	4.1%	0.506
Actual	2007	0.000	5.4%	4.7%	0.723
Actual	2008	0.000	5.3%	3.1%	0.504
Actual	2009	0.000	5.1%	1.0%	0.484
Actual	2010	0.000	4.8%	0.2%	0.434
Actual	2011	0.000	4.4%	0.1%	0.442
Actual	2012	0.000	3.8%	0.1%	0.420
Forecast	2013	0.000	3.4%	0.1%	0.420
Forecast	2014	0.000	3.8%	0.1%	0.420
Forecast	2015	0.000	4.2%	0.2%	0.420

**Legislative Fiscal Division**  
**Revenue Estimate Profile**  
**Resource Indemnity Trust Interest**

	t	Hazardous Waste Millions	Environmental Quality Millions	Renewable Resource Millions	Reclamation Development Millions	Environmental Contingency Millions
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	0.534	0.185	3.357	2.219	0.175
Actual	2003	0.679	0.231	3.027	2.588	0.000
Actual	2004	0.564	0.192	2.894	2.354	0.175
Actual	2005	0.475	0.162	2.790	2.171	0.000
Actual	2006	0.169	0.059	2.435	1.728	0.175
Actual	2007	0.437	0.151	2.744	2.088	0.000
Actual	2008	0.202	0.070	0.000	0.000	0.175
Actual	2009	0.188	0.065	0.000	0.000	0.175
Actual	2010	0.049	0.017	0.000	0.000	0.175
Actual	2011	0.217	0.075	0.000	0.000	0.000
Actual	2012	0.048	0.017	0.000	0.000	0.028
Forecast	2013	0.094	0.032	0.000	0.000	0.000
Forecast	2014	0.000	0.000	0.000	0.000	0.000
Forecast	2015	0.094	0.033	0.000	0.000	0.000

	t	Water Storage Millions	Oil & Gas Receipts Millions	FWP Receipts Millions	Groundwater Receipts Millions	NR Operation Receipts Millions	NR Projects Receipts Millions
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	0.5000	0.0500	0.0000	0.3000	0.0000	0.0000
Actual	2003	0.0000	0.0000	0.3500	0.3000	0.0000	0.0000
Actual	2004	0.5000	0.0500	0.3500	0.3000	0.0000	0.0000
Actual	2005	0.0000	0.0000	0.3500	0.3000	0.0000	0.0000
Actual	2006	0.5000	0.0500	0.5000	0.3000	0.0000	0.0000
Actual	2007	0.0000	0.0000	0.5000	0.3000	0.0000	0.0000
Actual	2008	0.5000	0.0500	0.5000	0.3000	0.5043	3.5000
Actual	2009	0.0000	0.0000	0.5000	0.3000	0.4693	3.5000
Actual	2010	0.5000	0.0500	0.5000	0.3000	0.1222	3.5000
Actual	2011	0.0000	0.0000	0.5000	0.3000	0.5425	3.5000
Actual	2012	0.5000	0.0500	0.5000	0.3000	0.1205	3.5000
Forecast	2013	0.0000	0.0000	0.5000	0.3000	0.2347	3.5000
Forecast	2014	0.4855	0.0000	0.4855	0.2913	0.0000	3.3986
Forecast	2015	0.0000	0.0000	0.5000	0.3000	0.2353	3.5000

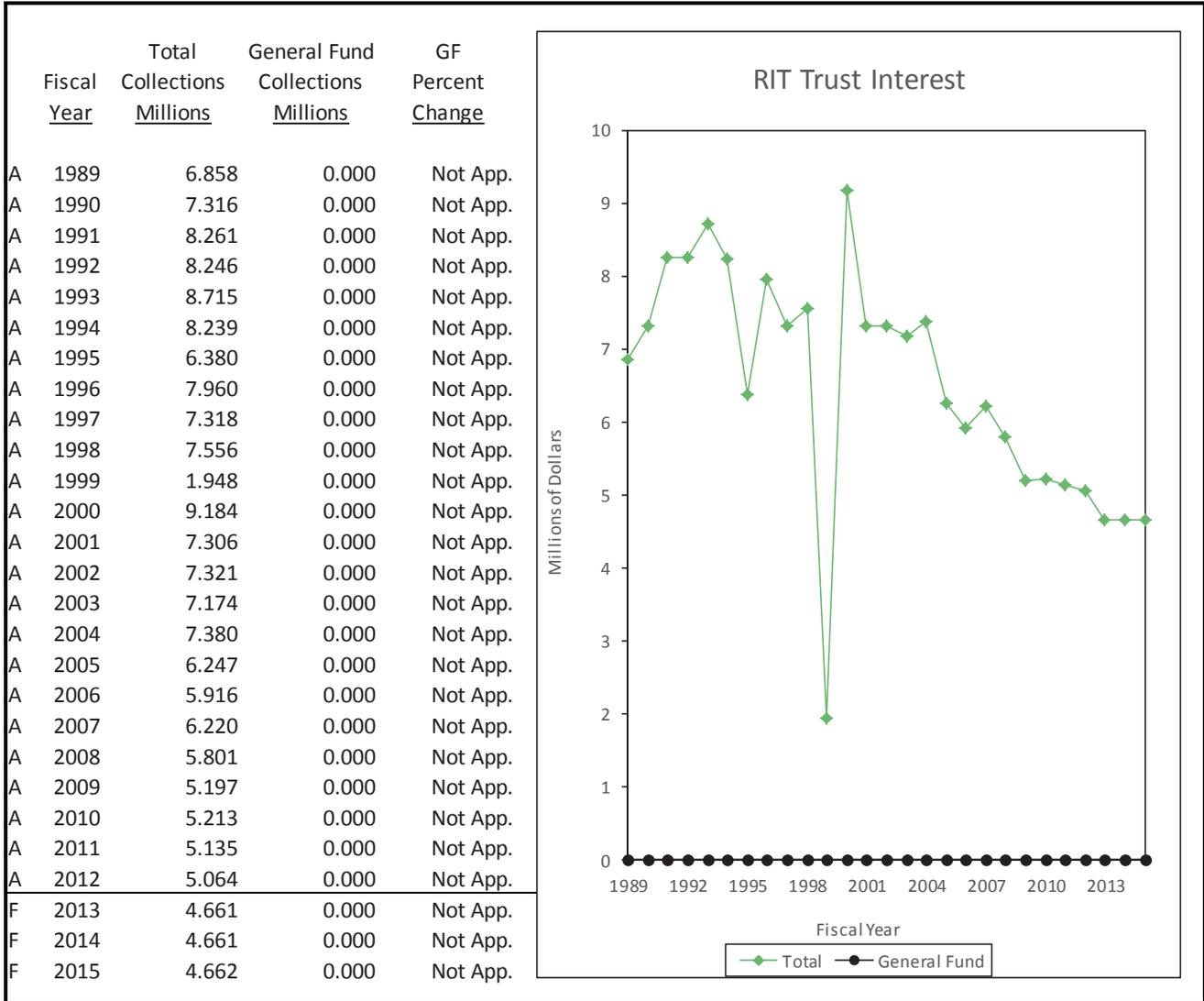
Total Rev. = Invested Balance × Average Return

# Legislative Fiscal Division

## Revenue Estimate Profile

### Resource Indemnity Trust Interest

**Revenue Projection:**



# Legislative Fiscal Division

## Revenue Estimate Profile

### Tobacco Trust Interest

**Revenue Description:** This revenue source is the interest from the Tobacco Trust Fund. The Tobacco Trust Fund is a fund set up with money from the tobacco settlement which included 46 states, Puerto Rico, American Samoa, the U.S. Virgin Islands, the North Mariana Island, Guam and the District of Columbia. This revenue source is only the interest resulting from that account (highlighted in the distribution chart); revenue from continued payments from the tobacco settlement is explained in the Tobacco Settlement section under the Other General Funds section.

Due to passage of Montana Constitutional Amendment 35 by the electorate in November 2000, the legislature is required to dedicate not less than 40% of tobacco settlement money to a permanent trust fund. Initially, the legislature did not determine the exact percentage to be deposited to the trust fund; the revenue estimate assumes 40%. Since the passage of Initiative 146 by the electorate in November 2002, 32% of the tobacco settlement money is to fund tobacco prevention and 17% is to fund the Children's Health Insurance Program. As amended in SB 485 by the 2003 Legislature, money from these allocations can also be used to fund human services programs and to match federal Medicaid funds through FY 2005. The remaining 11% of the money is deposited to the general fund. Interest earnings from the trust can only be used for tobacco disease prevention programs and programs providing benefits, services, or coverage that are related to the health care needs of Montanans. HB 743 enacted by the 2007 Legislature added chronic disease programs to the definition of tobacco disease prevention programs. The earnings cannot be used to replace state or federal money used to fund tobacco disease prevention programs and state programs that existed on December 31, 1999, providing benefits, services, or coverage of the health care needs of Montanans.

#### Statutory Reference:

Tax Rate – NA

Distribution (MCA) – Montana Constitution Article XII, Section 4; 17-6-601; 17-6-603

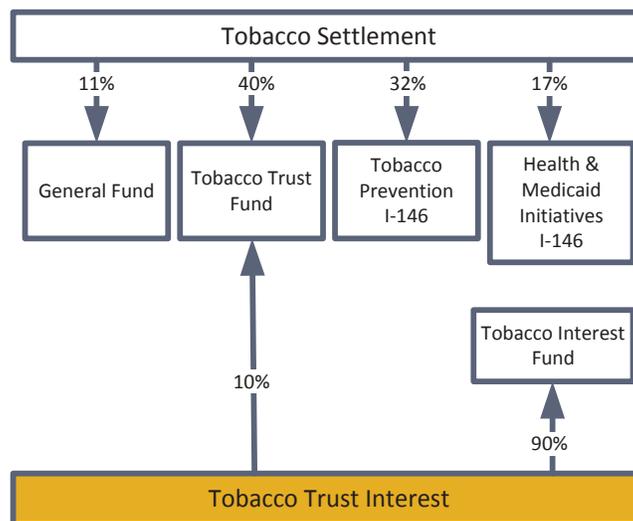
Date Due – Interest deposits are mostly made monthly, but none in July and two in June

**Applicable Tax Rate(s):** NA

**Distribution:** Interest earnings from the trust fund are distributed:

1. 90% to a state special revenue account for appropriation by the legislature for disease prevention programs (includes chronic disease programs) and state programs providing benefits, services, or coverage that are related to the health care needs of the people of Montana; and
2. 10% to the tobacco settlement trust fund.

#### Distribution Chart:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Tobacco Trust Interest

**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** Trust interest earnings are deposited monthly to the state special revenue account and the trust.

**% of Total General Fund Revenue:** N/A

#### Revenue Estimate Methodology:

##### Data

The data used to estimate interest earnings from the tobacco settlement trust are obtained from the Board of Investments (BOI), IHS, and the state accounting system (SABHRS). The BOI provides information on historic interest rates as well as the gains and losses from the sale of securities. Projections of future interest rates are provided by IHS and historic interest collections are obtained from SABHRS.

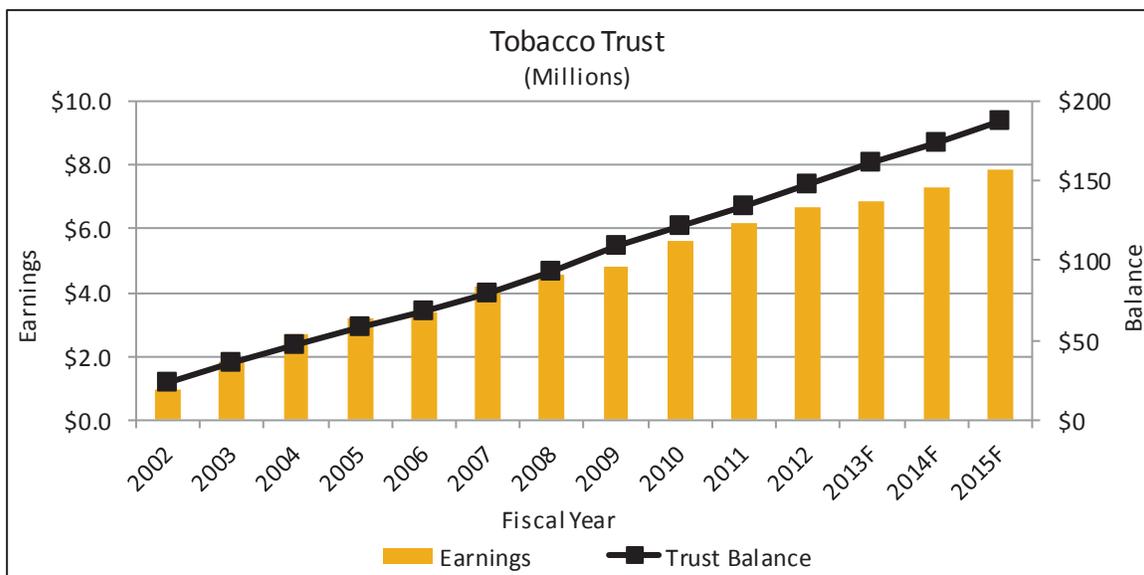
##### Analysis

The tobacco settlement trust, formed in 2000, was created from distributions of the tobacco settlement funds. In 2000, as required by constitutional amendment, the state began depositing 40% of the tobacco settlement funds into a trust. As required in statute, 10% of the trust earnings must be deposited in the trust.

To forecast the tobacco settlement trust interest earnings, each of the following three interest/income components are estimated independently and combined:

- Trust funds bond pool (TFBP)
- Short-term investment pool (STIP)
- New trust deposits

The TFBP was formed in 1995 to manage the fixed investments held in the state's major trust funds. Each trust owns "shares" of the pool and interest earnings are paid to each trust on a per-share basis. TFBP earnings are the largest source of earnings for the trust, as shown in the figure below. To estimate TFBP earnings, the base year rate of return generated by the pool, as reported by the BOI, is adjusted during the forecast period for maturing securities. The applicable new long-term rate for these securities is based on an average of four long-term rates projected by IHS.



STIP interest (including other interest) is earned on cash, prior to investment in long-term investments. Funds are acquired from new deposits and/or maturing securities in the forecast period. Funds are held in STIP until the BOI determines that conditions are favorable for investment in the TFBP. To estimate future STIP earnings, an average short-term interest rate is developed, based on IHS projections of three short-term investments.

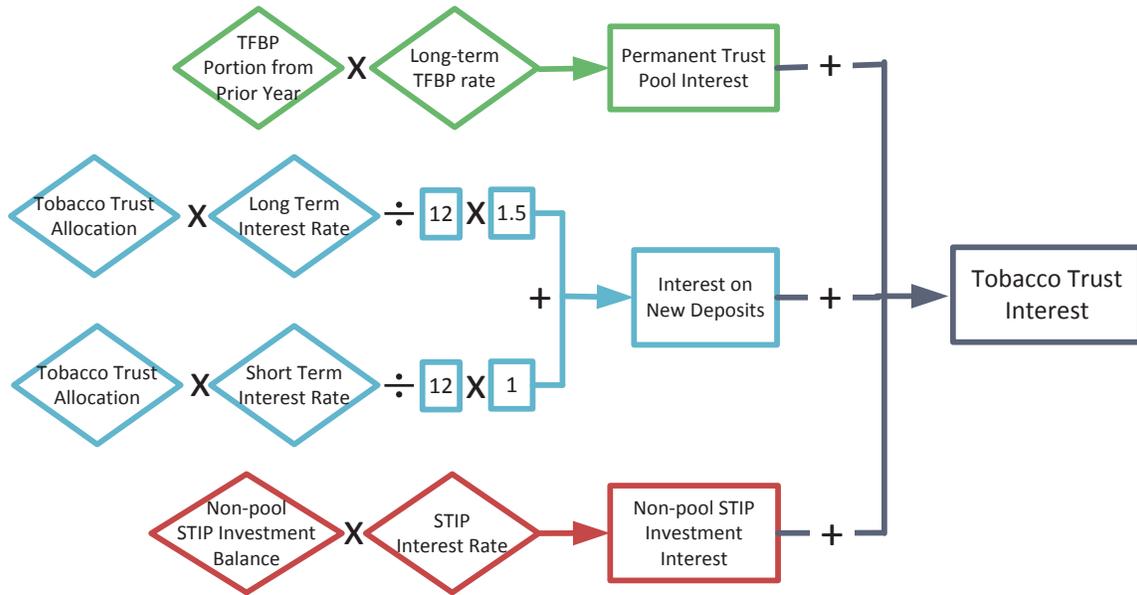
# Legislative Fiscal Division

## Revenue Estimate Profile

### Tobacco Trust Interest

The 40% distribution of tobacco settlement funds and 10% of retained interest earnings are considered new deposits in the tobacco settlement trust. New deposits are transferred to the trust on a quarterly basis. When the BOI receives the tobacco settlement funds, they are immediately invested in STIP. Funds are expected to remain in STIP for one month before being invested in the TFBP. The interest earned on new deposits is estimated by summing STIP earnings for one month with TFBP earnings for the remainder of the year.

#### Forecast Methodology:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Tobacco Trust Interest

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t	Total Rev.	GF Rev.	TFBP	STIP	90 Percent	10 Percent
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Interest</u>	<u>Interest</u>	<u>Interest</u>	<u>Interest</u>
				<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	0.968	0.000	0.955	0.012		
Actual	2003	1.830	0.000	1.816	0.014	1.647	0.183
Actual	2004	2.670	0.000	2.662	0.008	2.403	0.267
Actual	2005	3.202	0.000	3.166	0.037	2.882	0.320
Actual	2006	3.388	0.000	3.321	0.067	3.049	0.339
Actual	2007	4.208	0.000	4.156	0.052	3.787	0.421
Actual	2008	4.546	0.000	4.525	0.021	4.091	0.455
Actual	2009	4.825	0.000	4.817	0.008	4.343	0.483
Actual	2010	5.599	0.000	5.597	0.002	5.039	0.560
Actual	2011	6.173	0.000	6.148	0.001	5.556	0.617
Actual	2012	6.701	0.000	6.615	0.003	6.031	0.670
Forecast	2013	6.825	0.000	6.818	0.007	6.143	0.683
Forecast	2014	7.298	0.000	7.291	0.007	6.568	0.730
Forecast	2015	7.821	0.000	7.811	0.010	7.039	0.782

	t	Tobacco	New Deposit	Non Pool	Non Pool	Invested	Average
	<u>Fiscal</u>	<u>New Deposit</u>	<u>Long Term</u>	<u>STIP</u>	<u>STIP Bal</u>	<u>Balance</u>	<u>Return</u>
		<u>Millions</u>	<u>Rate</u>	<u>Rate</u>	<u>Millions</u>	<u>Millions</u>	<u>Rate</u>
Actual	2002	12.432	6.2%	2.6%	0.585		
Actual	2003	12.466	5.7%	1.4%	0.251		
Actual	2004	10.669	5.4%	1.3%	0.133	46.756	5.7%
Actual	2005	10.828	5.2%	2.4%	2.854	57.902	5.5%
Actual	2006	9.940	5.2%	4.1%	0.917	68.175	5.0%
Actual	2007	10.324	5.4%	4.7%	0.493	79.001	5.3%
Actual	2008	13.846	5.3%	3.1%	0.537	93.294	4.9%
Actual	2009	15.009	5.1%	1.0%	0.098	108.776	4.4%
Actual	2010	12.613	4.8%	0.2%	0.064	121.957	4.6%
Actual	2011	12.410	4.4%	0.1%	0.105	134.421	4.6%
Actual	2012	12.698	3.8%	0.1%	2.109	147.168	4.6%
Forecast	2013	13.586	3.4%	0.1%	2.109	160.754	4.2%
Forecast	2014	13.479	3.8%	0.1%	2.109	174.233	4.2%
Forecast	2015	13.405	4.2%	0.2%	2.109	187.638	4.2%

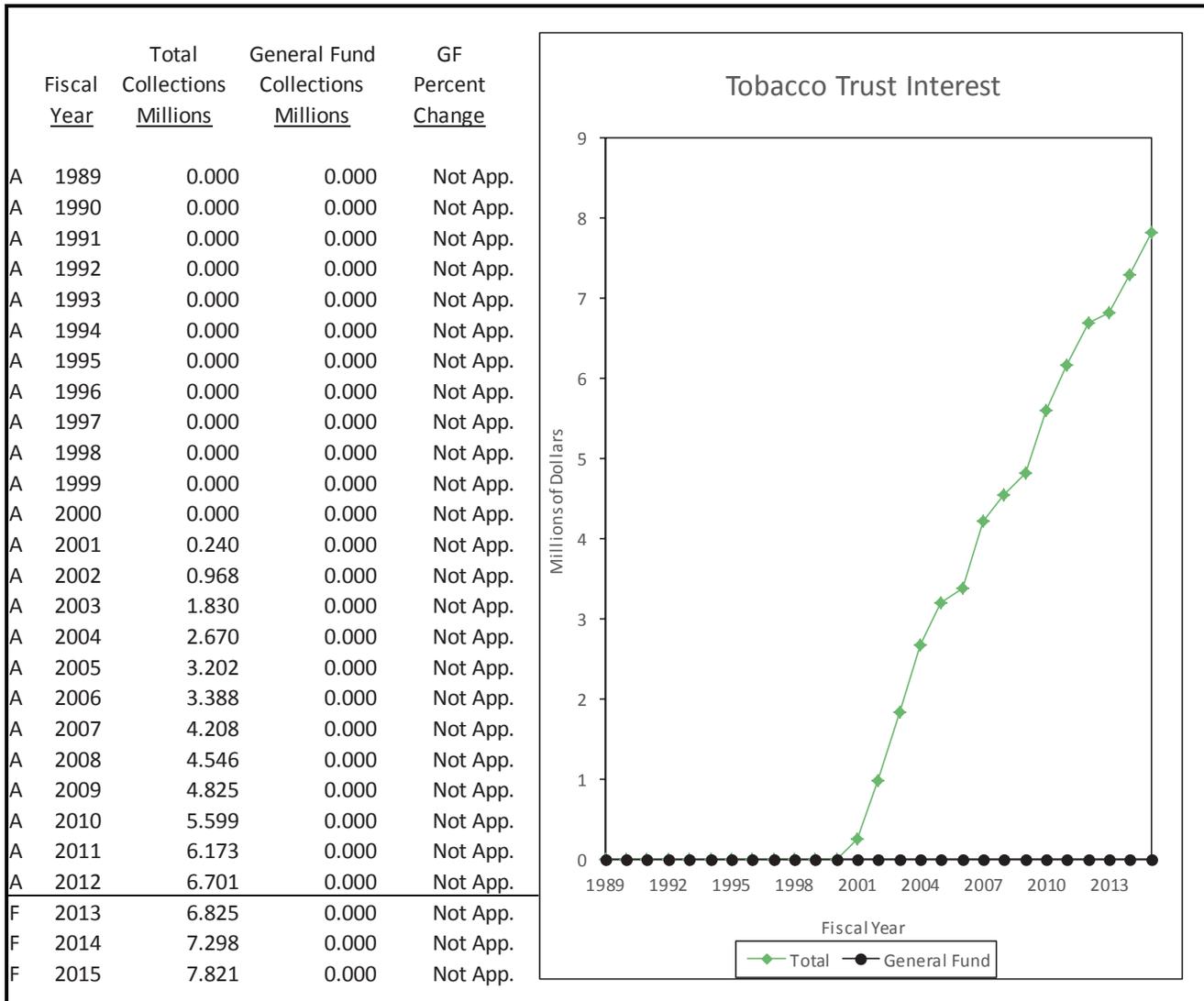
$$\text{Total Rev.} = \text{Invested Balance} \times \text{Average Return}$$

# Legislative Fiscal Division

## Revenue Estimate Profile

### Tobacco Trust Interest

#### Revenue Projection:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Treasury Cash Account Interest

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**Revenue Description:** This revenue source represents the interest gained on the Treasury Cash. The interest comes from excess treasury cash being invested in short and medium-term investments. The interest money from this fund is deposited back into the General Fund.

The Department of Commerce, Board of Investments is responsible for investing all state funds. Title 17, Chapter 6, MCA, provides guidelines under which the funds must be invested. Unless specifically stated by statute, all interest earned on these investments is deposited in the general fund. Treasury cash is invested in a mixture of short and medium-term investments. Consequently, the interest assumptions adopted by the legislature incorporate a blend of short and intermediate-term rates. When needed to address cash flow problems, the state typically issues tax and revenue anticipation notes (TRANS). The legislature would then adopt TRANS issuance assumptions, since this affects the average invested balance. No TRANS issues are anticipated in the 2015 biennium.

**Statutory Reference:**

Tax Rate – NA

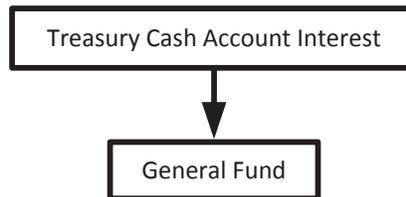
Distribution (MCA) – 17-6-202(2)

Date Due – interest deposits are mostly made monthly, with two in June and none in July

**Applicable Tax Rate(s):** N/A

**Distribution:** All investment earnings on the treasury cash account (TCA) are deposited into the general fund.

Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** On-going

**% of Total General Fund Revenue:**

FY 2004 – 0.46%	FY 2007 – 1.85%	FY 2010 – 0.17%
FY 2005 – 0.66%	FY 2008 – 1.57%	FY 2011 – 0.14%
FY 2006 – 1.09%	FY 2009 – 0.86%	FY 2012 – 0.14%

**Revenue Estimate Methodology:**

Excess cash in the state treasury is deposited to the treasury cash account (TCA) and invested in short and medium-term investments. Earnings are dependent on the investable cash balance and interest rates. Investment earnings are deposited to the general fund.

Data

The Board of Investments provides monthly reports on the treasury cash account balance. The state accounting system (SABHRS) provides information on monthly investment earnings.

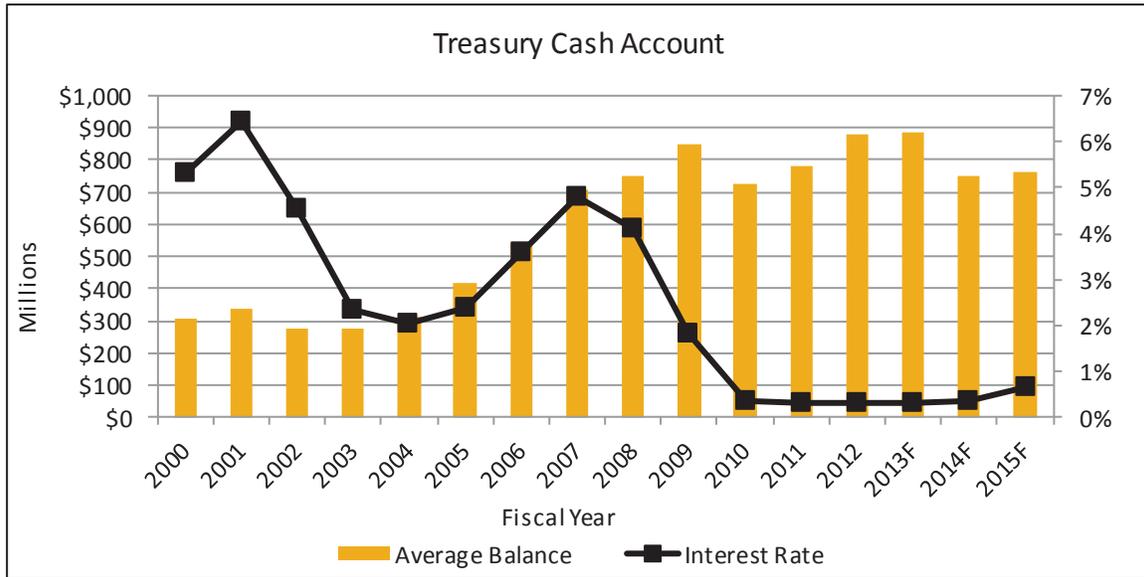
# Legislative Fiscal Division

## Revenue Estimate Profile

### Treasury Cash Account Interest

#### Analysis

- The average balance of the TCA is estimated by increasing the previous year's balance by half the difference between the anticipated general fund balances for the past and current years. When cash flow is insufficient, tax revenue anticipation notes (TRANS) are issued to meet short-term cash flow needs. The term of the loan and amount borrowed are used to determine the amount to be added to the average balance calculations. No TRANS issues are anticipated in the 2015 biennium.

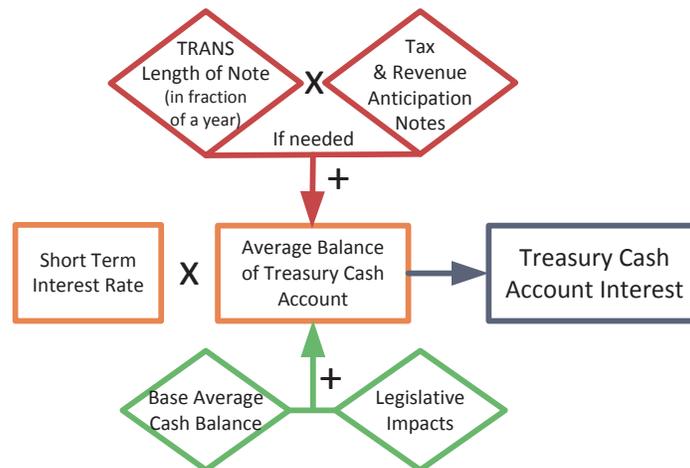


- Short-term interest rates are estimated by based on a composite rate of IHS forecasts for the 3-month commercial paper, 3-month treasury bill, and 6-month treasury bill rates.
- The average TCA balance multiplied by the composite interest rate produces total fiscal year revenue.

#### Adjustments and Distribution

Once total revenue for each fiscal year is determined, the applicable distribution percentage, 100% to the general fund, is applied.

#### Forecast Methodology:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Treasury Cash Account Interest

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	<u>t</u>	<u>Total Rev.</u>	<u>GF Rev.</u>	<u>Avg. Bal.</u>	<u>Interest</u>	<u>Issue</u>	<u>TRANS</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Rate</u>	<u>Rate</u>	<u>Cost</u>
Actual	2002	12.414	12.414	273.343	4.5%	0.0%	0.000
Actual	2003	6.366	6.366	273.929	2.3%	2.6%	1.639
Actual	2004	6.393	6.393	311.478	2.1%	0.2%	0.099
Actual	2005	10.047	10.047	419.349	2.4%	0.0%	0.000
Actual	2006	18.631	18.631	542.420	3.6%	0.0%	0.000
Actual	2007	33.951	33.951	710.102	4.8%	0.0%	0.000
Actual	2008	30.783	30.783	750.831	4.1%	0.0%	0.000
Actual	2009	15.507	15.507	849.208	1.8%	0.0%	0.000
Actual	2010	2.692	2.692	725.341	0.4%	0.0%	0.000
Actual	2011	2.519	2.519	781.879	0.3%	0.0%	0.000
Actual	2012	2.654	2.654	880.340	0.3%	0.0%	0.000
Forecast	2013	2.779	2.779	886.847	0.3%	0.2%	0.000
Forecast	2014	2.346	2.346	753.354	0.3%	0.2%	0.000
Forecast	2015	2.778	2.778	762.300	0.4%	0.2%	0.000

	<u>t</u>	<u>Base Bal.</u>	<u>TRANS</u>	<u>TRANS</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Length</u>
Actual	2002	273.343	0.000	0.000
Actual	2003	212.062	92.800	0.667
Actual	2004	262.545	73.400	0.667
Actual	2005	419.349	0.000	0.000
Actual	2006	542.420	0.000	0.000
Actual	2007	710.102	0.000	0.000
Actual	2008	750.831	0.000	0.000
Actual	2009	849.208	0.000	0.000
Actual	2010	725.341	0.000	0.000
Actual	2011	781.879	0.000	0.000
Actual	2012	880.340	0.000	0.000
Forecast	2013	886.847	0.000	0.000
Forecast	2014	753.354	0.000	0.000
Forecast	2015	762.300	0.000	0.000

Total Rev. = Average Balance × Interest Rate

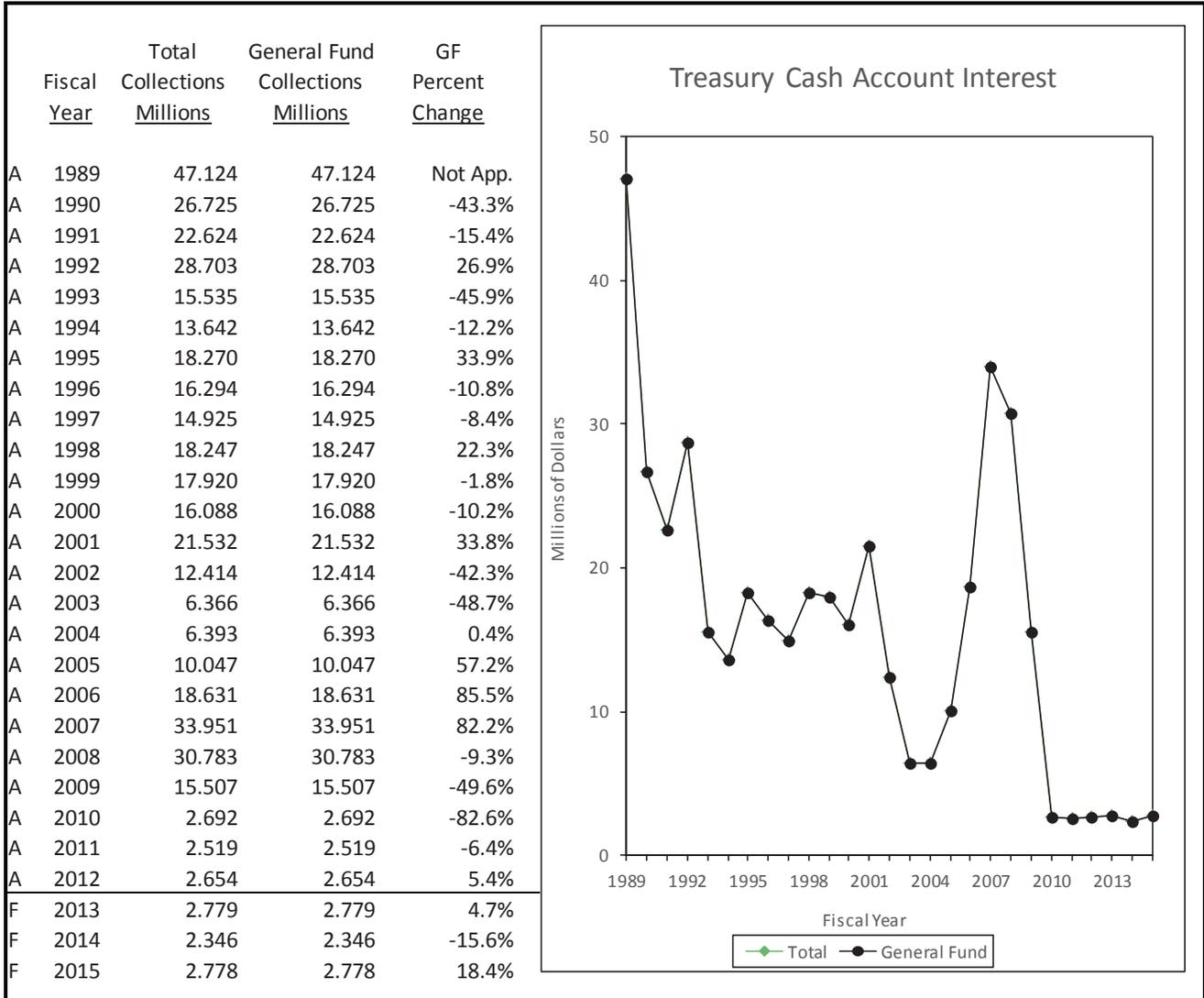
GF Rev = Total Rev.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Treasury Cash Account Interest

**Revenue Projection:**



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Treasure State Endowment Trust Interest

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**Revenue Description:** This revenue source represents the interest gained on the Treasure State Endowment Trust. The Treasure State Endowment Trust is one of several trusts set up with money from the Coal Severance Tax. The interest money from this fund is used primarily for local infrastructure projects.

In the June 1992 election, voters approved a referendum to create the Treasure State Endowment Fund (TSEF) within the permanent coal tax trust fund. The TSEF received a \$10 million grant from the permanent trust principal in FY 1994 and received 37.5% of total coal severance tax collections from July 1999 through June 2003. Beginning FY 2004, the trust receives 25% of total collections. Interest earned on the TSEF is used to finance local infrastructure projects, as prioritized by the departments of Commerce and Natural Resources and Conservation and authorized by the legislature via the Treasure State Endowment Program (TSEP). The deposit of coal severance tax revenue to this fund terminates the end of 2020.

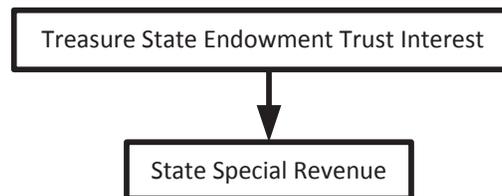
#### Statutory Reference:

Tax Rate – NA  
Distribution (MCA) – 17-5-703 (4c); use of earnings (90-6-701(2))  
Date Due (MCA) – Monthly (17-5-703 (4c))

**Applicable Tax Rate(s):** N/A

**Distribution:** Interest earnings are allocated to the Department of Commerce to fund TSEP.

#### Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** Monthly

**% of Total General Fund Revenue:** N/A

#### Revenue Estimate Methodology:

##### Data

The data used to estimate interest earnings from the treasure state endowment (TSE) trust is obtained from the Board of Investments (BOI), IHS, and the state accounting system (SABHRS). The BOI provides information on historic interest rates as well as the gains and losses from the sale of securities. Projections of future interest rates are provided by IHS and historic interest collections are obtained from SABHRS.

##### Analysis

The TSE trust was created from distributions of the coal severance tax. The TSE trust was formed early in the 1990's as a sub-trust to the permanent coal trust. The Constitution requires that 50% of the coal severance tax collections be distributed to the coal trust, and 50% of that distribution (after the water bond debt service obligation is met) or 25% of total coal severance tax revenues is distributed to the TSE trust.

# Legislative Fiscal Division

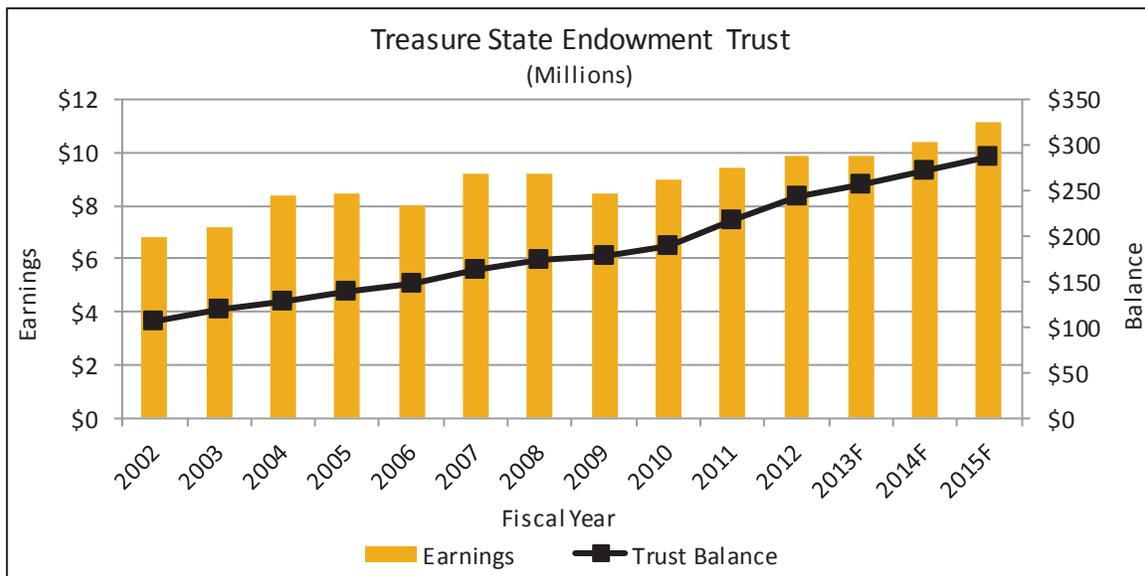
## Revenue Estimate Profile

### Treasure State Endowment Trust Interest

To forecast the TSE trust interest earnings, each of the following four interest/income components are estimated independently and combined:

- Trust funds bond pool (TFBP)
- In-state investments
- Short-term investment pool (STIP)
- New trust deposits

The TFBP was formed in 1995 to manage the fixed investments held in the state’s major trust funds. Each trust owns “shares” of the pool and interest earnings are paid to each trust on a per-share basis. TFBP earnings are the largest source of earnings for the trust, as shown in the figure below. To estimate TFBP earnings, the base year rate of return generated by the pool, as reported by the BOI, is adjusted during the forecast period for maturing securities. The applicable new long-term rate for these securities is based on an average of four long-term rates projected by IHS.



Earnings from in-state investments have historically been the second largest source of income to the TSE trust. The BOI is required by statute to invest 25% of coal tax trust in the Montana economy. Investments must be made to maximize the long-term benefit to the Montana economy. In-state investments primarily consist of loans to Montana business entities and earnings are equal to the interest charged on the loans. For the current forecast, the expected return rates can be seen in the table below.

STIP interest (including other interest) is earned on cash, prior to investment in long-term investments. Funds are acquired from new deposits and/or maturing securities in the forecast period. Funds are held in STIP until the BOI determines that conditions are favorable for investment in the TFBP. To estimate future STIP earnings, an average short-term interest rate is developed, based on IHS projections of three short-term investments.

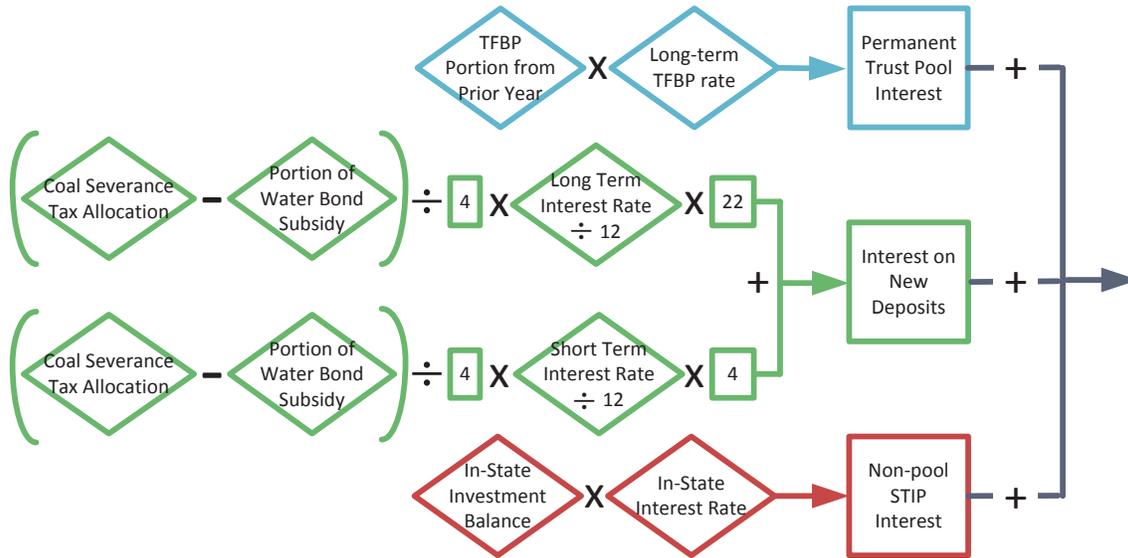
Coal severance tax distributions to the TSE trust are considered new deposits. New deposits are transferred to the trust on a quarterly basis. When the BOI receives the coal tax transfer, the funds are immediately invested in STIP. Funds are expected to remain in STIP for one month before being invested in the TFBP. The interest earned on new deposits is estimated by summing STIP earnings for one month with TFBP earnings for the remainder of the year.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Treasure State Endowment Trust Interest

**Forecast Methodology:**



# Legislative Fiscal Division

## Revenue Estimate Profile

### Treasure State Endowment Trust Interest

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	<u>t</u>	<u>Total Rev.</u>	<u>GF Rev.</u>	<u>TFBP</u>	<u>STIP</u>	<u>Loan</u>	<u>Invested</u>	<u>Average</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Interest</u>	<u>Interest</u>	<u>Interest</u>	<u>Balance</u>	<u>Return</u>
				<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Rate</u>
Actual	2002	6.805	0.000	5.140	0.135	1.531		
Actual	2003	7.175	0.000	5.719	0.092	1.365		
Actual	2004	8.349	0.000	6.930	0.086	1.333	127.176	6.6%
Actual	2005	8.482	0.000	7.272	0.237	0.970	137.336	6.2%
Actual	2006	8.039	0.000	7.001	0.514	0.523	147.151	5.5%
Actual	2007	9.225	0.000	8.102	0.719	0.404	161.366	5.7%
Actual	2008	9.194	0.000	8.296	0.639	0.259	172.310	5.3%
Actual	2009	8.450	0.000	8.131	0.182	0.141	177.724	4.8%
Actual	2010	8.940	0.000	8.799	0.026	0.118	188.798	4.7%
Actual	2011	9.416	0.000	9.287	0.029	0.104	207.687	4.5%
Actual	2012	9.866	0.000	9.742	0.049	0.079	225.263	4.4%
Forecast	2013	9.873	0.000	9.559	0.266	0.051	238.986	4.1%
Forecast	2014	10.383	0.000	10.031	0.304	0.051	253.477	4.1%
Forecast	2015	10.998	0.000	10.582	0.367	0.051	268.555	4.1%

	<u>t</u>	<u>Net Coal Tax</u>	<u>New Deposit</u>	<u>Non Pool</u>	<u>Non Pool</u>	<u>Non Pool</u>	<u>Non Pool</u>
	<u>Fiscal</u>	<u>New Deposit</u>	<u>Long Term</u>	<u>STIP</u>	<u>Loan</u>	<u>STIP Bal</u>	<u>Loan Bal</u>
		<u>Millions</u>	<u>Rate</u>	<u>Rate</u>	<u>Rate</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	11.855	6.2%	2.6%	8.3%	7.427	17.859
Actual	2003	11.034	5.7%	1.4%	7.4%	11.675	18.814
Actual	2004	7.886	5.4%	1.3%	8.3%	10.527	13.435
Actual	2005	9.409	5.2%	2.4%	8.8%	12.141	8.681
Actual	2006	8.955	5.2%	4.1%	7.1%	11.708	6.039
Actual	2007	10.190	5.4%	4.7%	7.5%	14.764	4.750
Actual	2008	11.333	5.3%	3.1%	7.5%	14.042	2.115
Actual	2009	12.391	5.1%	1.0%	7.3%	6.445	1.727
Actual	2010	11.044	4.8%	0.2%	7.1%	5.990	1.561
Actual	2011	13.743	4.4%	0.1%	6.9%	11.411	1.427
Actual	2012	13.186	3.8%	0.1%	6.6%	19.140	0.990
Forecast	2013	13.723	3.4%	0.1%	5.2%	19.140	0.990
Forecast	2014	14.491	3.8%	0.1%	5.2%	19.140	0.990
Forecast	2015	15.078	4.2%	0.2%	5.2%	19.140	0.990

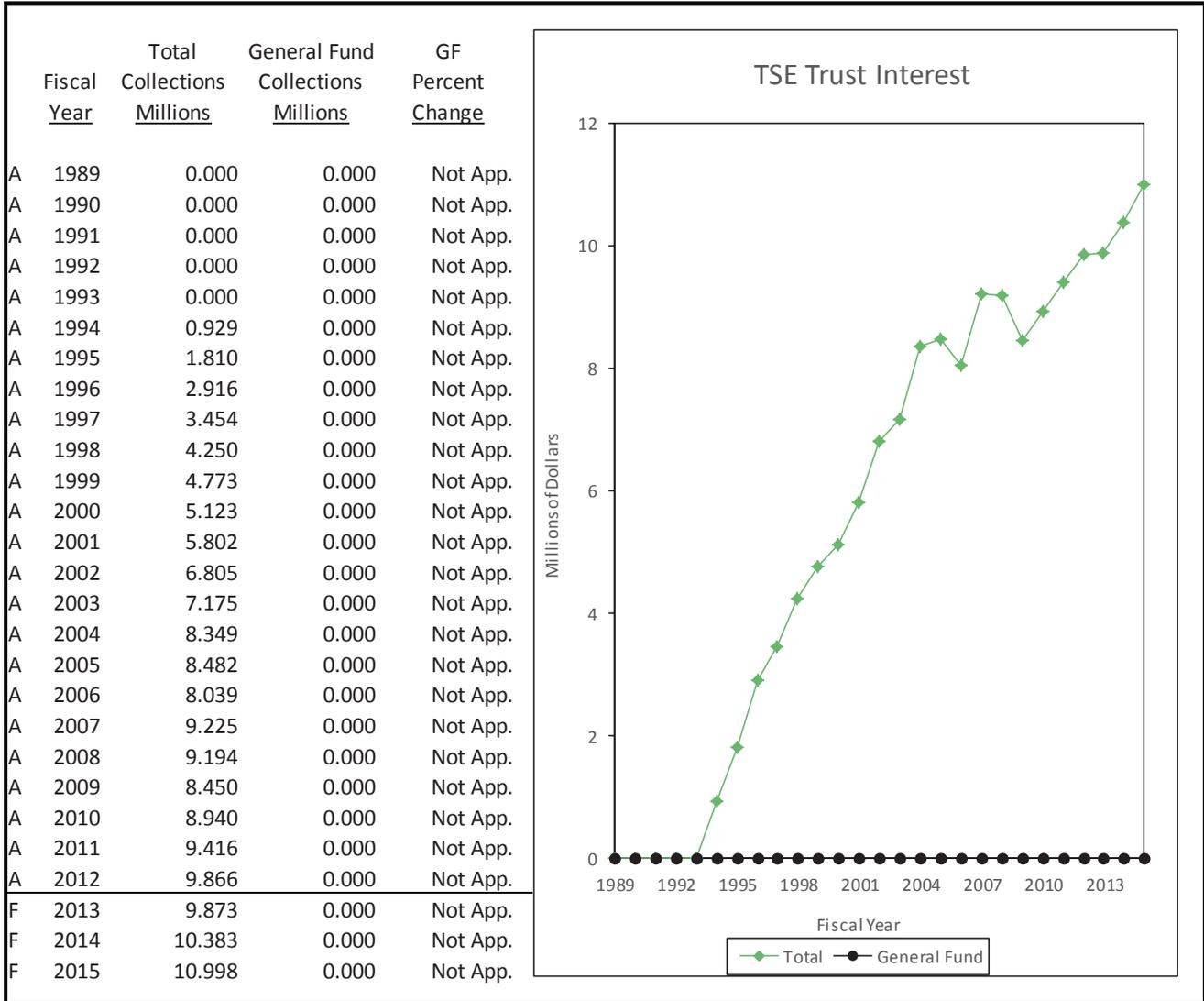
$$\text{Total Rev.} = \text{Invested Balance} \times \text{Average Return}$$

# Legislative Fiscal Division

## Revenue Estimate Profile

### Treasure State Endowment Trust Interest

**Revenue Projection:**



# Legislative Fiscal Division

## Revenue Estimate Profile

### Beer Tax

**Revenue Description:** A tax is levied on each barrel of beer (31 gallons) produced in or imported into Montana based on the amount produced. A portion of the revenue from the beer tax is returned to Native American tribes per an agreement between the Department of Revenue (DOR) and the tribes.

**Statutory Reference:**

Tax Rate (MCA) – 16-1-406

Distribution (MCA) – 16-1-406

Date Due – end of the month and collected in the next month (16-1-406(2))

**Applicable Tax Rate(s):** The per-barrel tax varies based on barrels of production:

up to 5,000 barrels - \$1.30

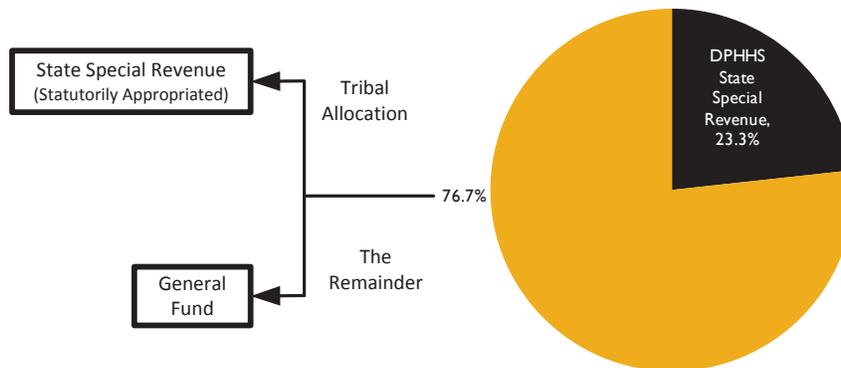
5,001 to 10,000 barrels - \$2.30

10,001 to 20,000 barrels - \$3.30

over 20,000 barrels - \$4.30

**Distribution:** Beer tax revenue is distributed between the general fund and the DPHHS state special revenue alcohol account. The general fund portion is reduced by the amount of the tribal distribution.

Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** Monthly

**% of Total General Fund Revenue:**

FY 2004 – 0.21%

FY 2007 – 0.17%

FY 2010 – 0.19%

FY 2005 – 0.19%

FY 2008 – 0.16%

FY 2011 – 0.17%

FY 2006 – 0.17%

FY 2009 – 0.17%

FY 2012 – 0.16%

**Revenue Estimate Methodology:**

Data

The beer tax estimate is based on data obtained from DOR and the state accounting system (SABHRS). The DOR data provides details of taxes paid at each of the four incremental tax rates and information on tribal distributions. SABHRS data shows total fiscal year tax collections. The DOR data are used to develop an effective tax rate and determine a “proxy” for barrels of beer consumed.

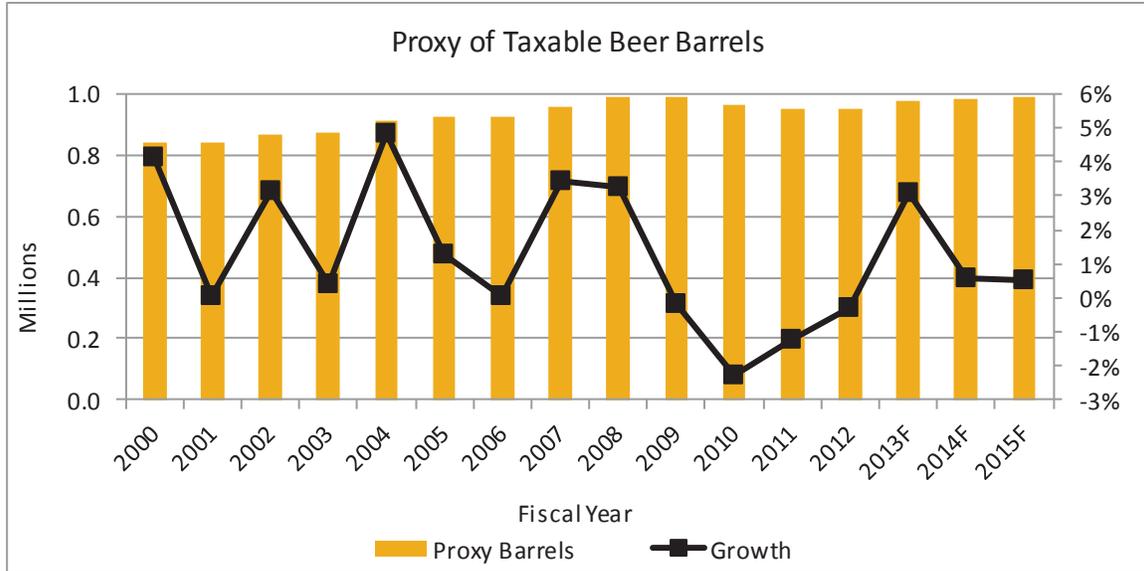
# Legislative Fiscal Division

## Revenue Estimate Profile

### Beer Tax

#### Analysis

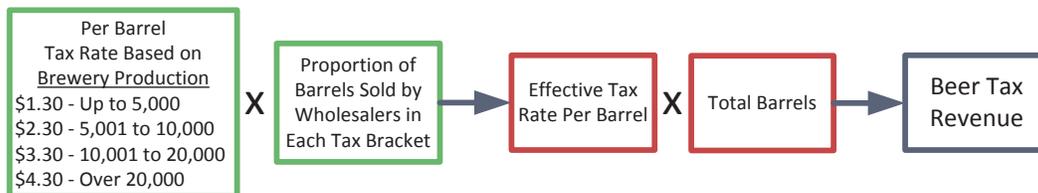
Beer tax data show a constant trend for taxable barrels sold in Montana, as demonstrated in the figure below. The proxy of taxable barrels sold is regressed against Montana retail sales and Montana population over the age of 21 to determine the future taxable barrels of beer that will be sold in Montana.



#### Adjustment and Distribution

Beer taxes are distributed, per the distribution chart, between two funds: the general fund and the DPHHS alcohol state special revenue account. The general fund distribution is reduced by tribal reimbursements. Three of the seven tribal governments—Blackfeet, Fort Belknap and Fort Peck—receive beer tax dollars. These tribal governments adhere to the Montana beer tax laws. The state of Montana collects the tribes’ portion of the beer tax and quarterly distributes those collections based on a formula (per capita beer consumption times tribal membership times the Montana tax rate).

#### Forecast Methodology:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Beer Tax

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t	Total Tax	GF Tax	Barrels	Tax Rate	Effective Tax Rate	GF Allocation	Tribal
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>\$ Per Barrel</u>	<u>\$ Per Barrel</u>	<u>Percent</u>	<u>Millions</u>
Actual	2002	3.674	2.784	0.867	4.30	4.24	76.7%	0.035
Actual	2003	3.681	2.771	0.871	4.30	4.23	76.7%	0.053
Actual	2004	3.852	2.897	0.913	4.30	4.22	76.7%	0.059
Actual	2005	3.903	2.937	0.924	4.30	4.22	76.7%	0.059
Actual	2006	3.866	2.908	0.925	4.30	4.18	76.7%	0.059
Actual	2007	4.031	3.034	0.957	4.30	4.21	76.7%	0.059
Actual	2008	4.151	3.124	0.988	4.30	4.20	76.7%	0.061
Actual	2009	4.141	3.115	0.986	4.30	4.20	76.7%	0.063
Actual	2010	4.032	3.032	0.964	4.30	4.18	76.7%	0.063
Actual	2011	3.963	2.982	0.952	4.30	4.16	76.7%	0.060
Actual	2012	3.935	2.956	0.949	4.30	4.15	76.7%	0.063
Forecast	2013	4.052	3.052	0.977	4.30	4.15	76.7%	0.058
Forecast	2014	4.075	3.067	0.983	4.30	4.15	76.7%	0.060
Forecast	2015	4.098	3.085	0.988	4.30	4.15	76.7%	0.060

Total Tax = Barrels × Effective Tax Rate

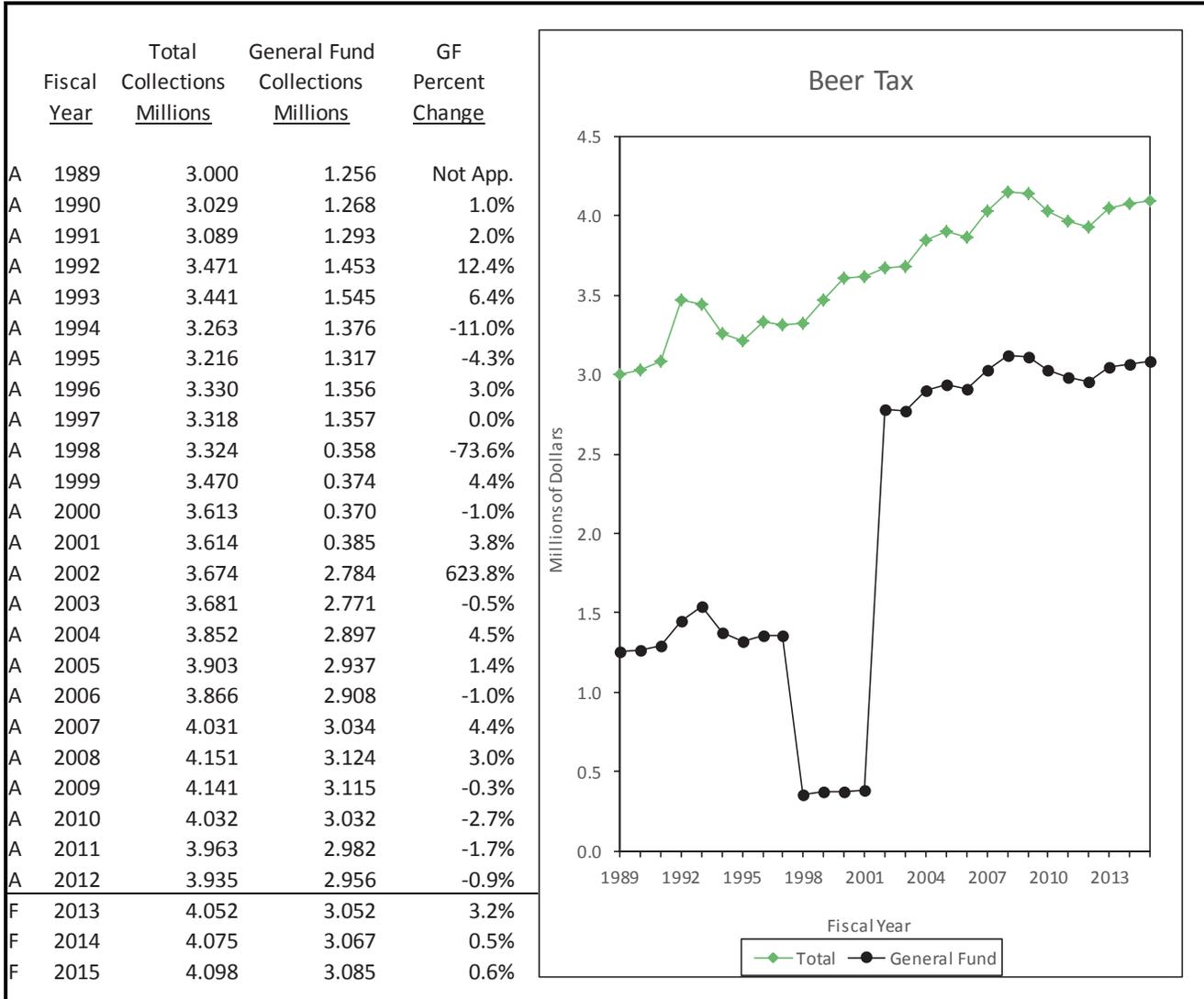
GF Tax = Barrels × Effective Tax Rate × GF Allocation - Tribal

# Legislative Fiscal Division

## Revenue Estimate Profile

### Beer Tax

#### Revenue Projection:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Cigarette Tax

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**Revenue Description:** The cigarette tax is an excise tax imposed on all cigarettes sold or possessed in Montana. The tax is imposed on the retail consumer, but is collected by wholesalers or retailers through the use of tax insignia. The insignias are purchased from the state and affixed to each package of cigarettes. The tax does not apply to quota cigarettes sold on an Indian reservation. In practice, the tax is levied on all cigarettes and the wholesaler receives a refund for the amount within the quota that has been sold within the boundaries of an Indian reservation. Each tribe's quota is equal to 150.0% of Montana's per capita general fund cigarette tax revenue multiplied by the enrolled tribal member population, or any other amount agreed to in a state-tribal agreement. The state has agreements with five tribes in Montana.

Beginning May 1, 2003, the 58<sup>th</sup> Legislature passed SB 407 increasing the tax on cigarettes to \$0.70 per 20-cigarette package, a 289% increase from the previous \$0.18 tax. Shortly thereafter, the electorate approved I-149 that raised the tax on packs of 20 cigarettes by \$1.00 to \$1.70, beginning January 1, 2005, an increase of 143%. Both SB 407 and I-149 changed the distributor percentage discounts, but the amounts that distributors are allowed to retain for administration of the tax stayed relatively constant. SB 407 changed the distribution of the tax revenues to increase the amount deposited into the state general fund. I-149 increased tax revenues for veterans' nursing home operation and maintenance and provided revenue to a new state special revenue fund for health and Medicaid initiatives. The 2009 Legislature enacted HB 213 and established a new 1.2% distribution only for the 2011 biennium to fund a state veterans' home in southwestern Montana. The 2011 Legislature enacted HB 296 which extended the 1.2% distribution through FY 2015. The distribution to the general fund is reduced by 1.2%.

If the money in the veteran's cigarette account at the end of a fiscal year exceeds \$2.0 million, after reductions for budgeted present law amounts for each fiscal year, the excess is transferred to the general fund as a revenue transfer to the "All Other Revenue" source.

#### Statutory Reference:

Tax Rate (MCA) – 16-11-111

Tax Distribution (MCA) – 16-11-119

Date Due – within 30 days after purchase of the insignia (16-11-117)

#### Applicable Tax Rate(s):

- Beginning January 2005, the excise tax on cigarettes is \$1.70 per package of 20 cigarettes, prorated for packages that differ from 20 cigarettes.
- Wholesalers pay a license fee of \$50.00 and each retailer pays a license fee of \$5.00. License fees are renewable each year and are non-transferable. Revenue from these fees is shown in "All Other General Fund Revenue".

**Distribution:** All wholesaler and retailer license fees are deposited in the general fund. After deductions for tribal refunds, the cigarette tax revenue is distributed:

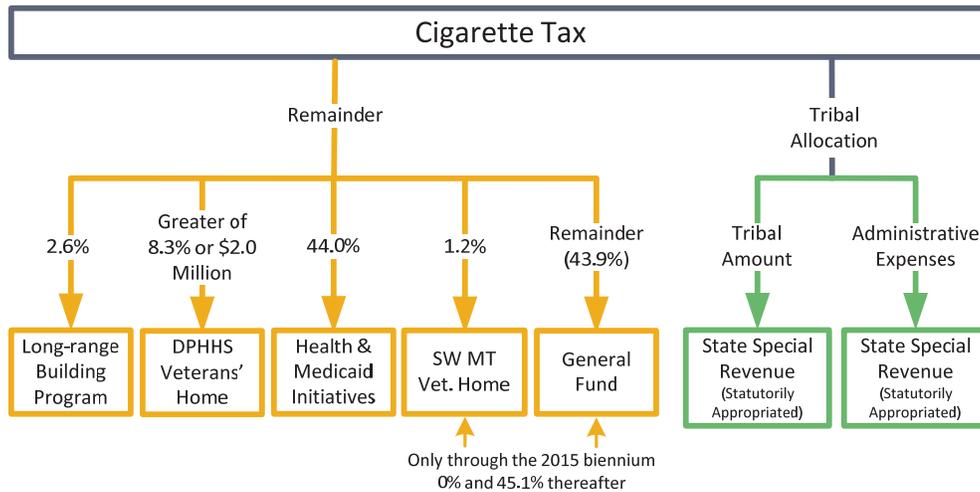
- The greater of 8.3% or \$2.0 million to DPHHS for veterans' nursing home operation and maintenance
- 2.6% to the long-range building program
- 44.0% for health and Medicaid initiatives and children health insurance
- 1.2% for a veterans' home in southwestern Montana, only through FY 2015
- The remainder (43.9%) to the general fund through FY 2015, 45.1% thereafter

# Legislative Fiscal Division

## Revenue Estimate Profile

### Cigarette Tax

#### Distribution Chart



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** Monthly

#### % of Total General Fund Revenue:

FY 2004 – 2.61%	FY 2007 – 1.95%	FY 2010 – 1.98%
FY 2005 – 2.29%	FY 2008 – 1.83%	FY 2011 – 1.74%
FY 2006 – 2.02%	FY 2009 – 1.90%	FY 2012 – 1.68%

#### Revenue Estimate Methodology:

##### Data

Data from the state accounting system (SABHRS) and the Department of Revenue (DOR) are used to forecast cigarette tax revenues. The DOR provides information on the number of cigarette insignias (stamps) sold in each month and the amount of discounts given to cigarette distributors. Historic fiscal year tax collections are available through SABHRS.

DOR provides detailed information on the sales of tax insignias by pack size, company, tribal, and month. To prepare the data for analysis, the total number of insignia sales is reduced by discounts and refunds given to the distributor. The resulting amount serves as a proxy for the number of taxable cigarette packs consumed per year. The actual SABHRS data serves as a check against the number of proxy packs of cigarettes calculated.

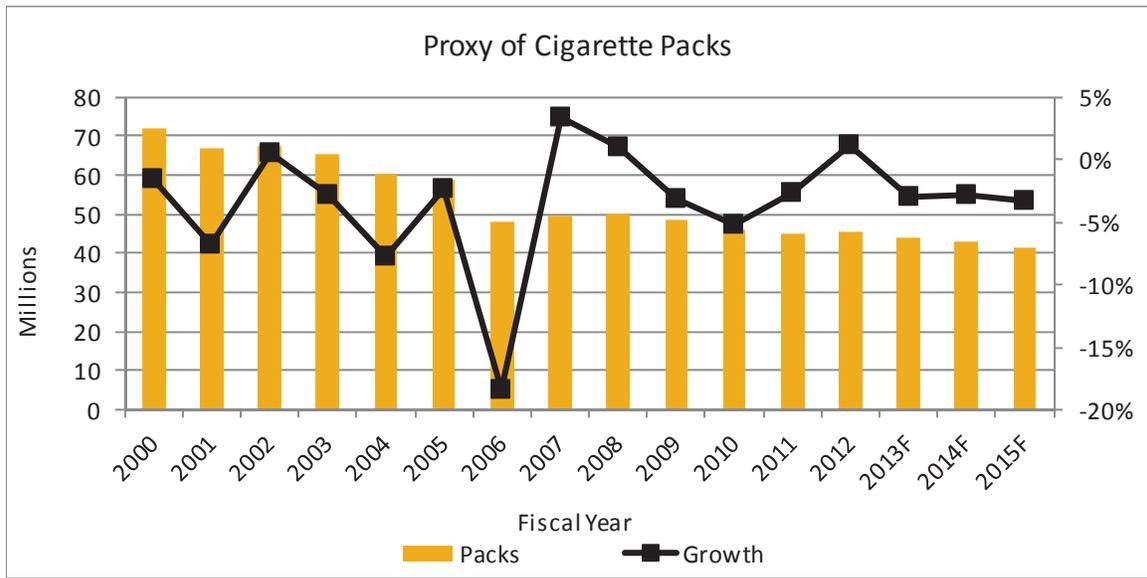
##### Analysis

In 1982, the consumption of cigarettes began to decrease as a result of an increased awareness of the health risks associated with smoking. Between 1982 and 2002, cigarette consumption decreased at a rate of almost 2% annually. Each of the two recent tax increases caused consumption to decrease at a greater rate for two years. These decreases forced downward shifts in Montana's consumption curve, as shown in the figure below.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Cigarette Tax



Cigarette consumption in Montana has rebounded following the initial price-related decline, although the long-term trend is still declining. As shown in the figure above, the number of packs consumed increased in FY 2007 and FY 2008 before resuming the downward trend.

Taxable cigarette pack sales are trended against tobacco spending and a tobacco price index to produce a forecast of taxable packs; forecasts for tobacco spending and the tobacco price index are provided by IHS. The current tax rate is applied to the proxy for taxable packs to determine the estimate for gross cigarette tax collections.

#### Adjustment and Distribution

After estimating the gross cigarette tax collections, the estimates are reduced by the discounts and credits passed on to distributors. The last step in producing the estimate for the cigarette tax is to calculate the tax distributions. First, cigarette tax revenue is reduced by tribal distributions. Five of the seven tribal governments receive cigarette tax dollars: Blackfeet, Fort Belknap, Fort Peck, Chippewa Cree, and Crow. These tribal governments adhere to Montana cigarette tax laws. The state of Montana collects the tribes' portion of the tax and quarterly distributes the collections based on a formula (per capita cigarette consumption times 150% times tribal membership times the Montana tax rate). Finally, the remaining tax revenues are distributed proportionally to the programs funded with cigarette tax revenues and to the general fund.

#### Forecast Methodology:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Cigarette Tax

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	<u>t</u>	<u>Total Tax</u>	<u>GF Tax</u>	<u>Pack</u>	<u>Tax Rate</u>	<u>GF Percent</u>	<u>Tribal</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Per Pack</u>	<u>Allocation</u>	<u>Millions</u>
Actual	2002	11.052	7.887	67.334	0.18	71.4%	0.254
Actual	2003	16.093	12.576	65.469	0.27	78.1%	0.286
Actual	2004	41.583	36.002	60.423	0.70	86.6%	0.396
Actual	2005	54.765	35.117	59.043	1.20	64.1%	0.842
Actual	2006	80.180	34.573	48.149	1.70	43.1%	3.522
Actual	2007	83.380	35.830	49.800	1.70	43.0%	3.935
Actual	2008	83.883	36.004	50.306	1.70	42.9%	4.051
Actual	2009	79.906	34.320	48.717	1.70	43.0%	3.807
Actual	2010	77.071	32.218	46.171	1.70	41.8%	3.682
Actual	2011	74.091	30.992	44.959	1.70	41.8%	3.495
Actual	2012	75.533	31.483	45.450	1.70	41.7%	3.818
Forecast	2013	74.185	30.991	44.517	1.70	43.9%	3.590
Forecast	2014	72.822	30.433	43.699	1.70	43.9%	3.498
Forecast	2015	70.602	29.499	42.367	1.70	43.9%	3.406

	<u>t</u>	<u>Discounts</u>	<u>Refunds</u>	<u>Internet</u>	<u>Tribal</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Sales</u>	<u>Exempt</u>
				<u>Millions</u>	<u>Millions</u>
Actual	2002				
Actual	2003				
Actual	2004	0.393	0.659		
Actual	2005	0.428	3.156		
Actual	2006	0.420	0.417	0.061	1.302
Actual	2007	0.428	0.343	0.750	1.183
Actual	2008	0.429	0.426	0.253	1.129
Actual	2009	0.409	0.310	0.058	1.409
Actual	2010	0.394	0.051	0.025	1.283
Actual	2011	0.385	0.098	0.000	1.181
Actual	2012	0.388	0.149	0.000	0.998
Forecast	2013	0.382	0.122	0.000	0.990
Forecast	2014	0.375	0.120	0.000	0.971
Forecast	2015	0.364	0.116	0.000	0.942

$$\text{Total Tax} = \text{Packs} \times \text{Tax Rate} - \text{Discounts} - \text{Refunds} + \text{Internet Sales} - \text{Tribal Exempt}$$

$$\text{GF Tax} = (\text{Total Tax} - \text{Tribal}) \times \text{GF Allocation}$$

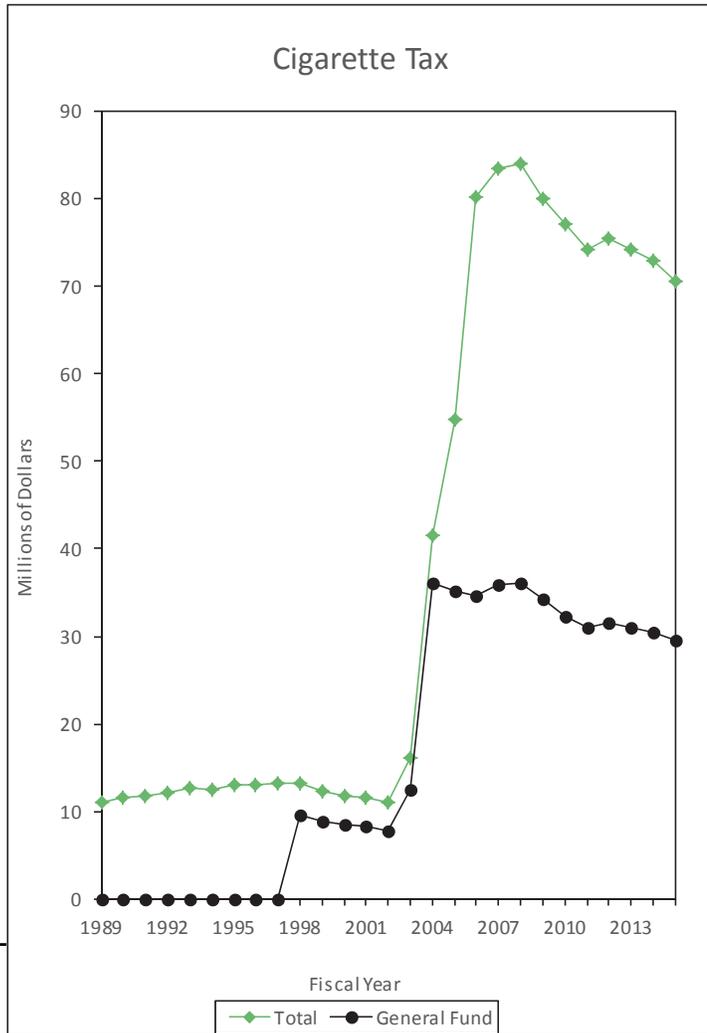
# Legislative Fiscal Division

## Revenue Estimate Profile

### Cigarette Tax

#### Revenue Projection:

	Fiscal Year	Total Collections Millions	General Fund Collections Millions	GF Percent Change
A	1989	11.113	0.000	Not App.
A	1990	11.567	0.000	Not App.
A	1991	11.733	0.000	Not App.
A	1992	12.173	0.000	Not App.
A	1993	12.698	0.000	Not App.
A	1994	12.496	0.000	Not App.
A	1995	13.115	0.000	Not App.
A	1996	12.969	0.000	Not App.
A	1997	13.267	0.000	Not App.
A	1998	13.245	9.544	Not App.
A	1999	12.265	8.823	-7.6%
A	2000	11.766	8.464	-4.1%
A	2001	11.628	8.285	-2.1%
A	2002	11.052	7.887	-4.8%
A	2003	16.093	12.576	59.5%
A	2004	41.583	36.002	186.3%
A	2005	54.765	35.117	-2.5%
A	2006	80.180	34.573	-1.6%
A	2007	83.380	35.830	3.6%
A	2008	83.883	36.004	0.5%
A	2009	79.906	34.320	-4.7%
A	2010	77.071	32.218	-6.1%
A	2011	74.091	30.992	-3.8%
A	2012	75.533	31.483	1.6%
F	2013	74.185	30.991	-1.6%
F	2014	72.822	30.433	-1.8%
F	2015	70.602	29.499	-3.1%



# Legislative Fiscal Division

## Revenue Estimate Profile

### Diesel Tax

**Revenue Description:** The Montana Constitution (Article VIII, Section 6) provides that money from taxes on vehicle fuel be used solely for: 1) payment of obligations incurred for construction, reconstruction, repair, operation, and maintenance of public highways, streets, roads, and bridges; 2) payment of county, city, and town obligations on streets roads, and bridges; and 3) enforcement of highway safety, driver education, tourist promotion, and administrative collection costs. Appropriation of the money for any other use requires a three-fifth vote of each house of the legislature.

There are two sources of revenue associated with the taxation of special fuels (primarily diesel): 1) the main source of revenue is a diesel tax paid to the Montana Department of Transportation (MDT) for every gallon of diesel sold or used in the state; and 2) a tax assessed on each gallon of diesel fuel for the purpose of funding petroleum storage tank cleanup. The applicable tax rates for each are shown below.

Distributors are allowed to withhold 1.0% of the diesel tax as an allowance for collecting the tax. In order to prevent the possibility of dual taxation of motor fuels purchased by Montana citizens and businesses on Indian reservations, MDT and Indian tribes may enter into a cooperative agreement. Refunds of the tax paid is provided for commercial vehicle use other than for use on public highways and streets, governmental use, and nonpublic school use for the transportation of pupils.

#### Statutory Reference:

Tax Rate (MCA) – 15-70-321(2), 75-11-313 (storage tank cleanup)

Tax Distribution (MCA) – 15-70-101(1), 75-11-314 (storage tank cleanup)

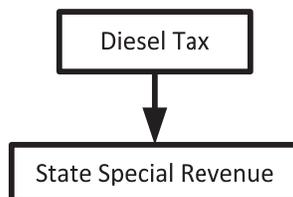
Date Due – 25<sup>th</sup> of the following month (15-70-344(1))

#### Applicable Tax Rate(s):

1. Diesel (Special) Fuel Tax - \$0.2775 per gallon
2. Petroleum Storage Tank Cleanup Tax - \$0.0075 per gallon

**Distribution:** After reductions, diesel tax proceeds are distributed to MDT. The four reductions are: the 1.0% withheld by distributors; administrative expenses and refund amounts deducted by MDT under a tribal agreement (if any) that are deposited in the tribal motor fuels administration account and statutorily appropriated; diesel tax refunds; and amounts refunded through the international fuel tax agreement. Of the amount distributed to MDT, 1/4 of \$0.01 per gallon is allocated specifically to the funding of highway system maintenance.

#### Distribution Chart:



#### Summary of Legislative Action:

Senate Bill 226 – This bill allows the use of dyed (non-taxed) fuel to be used in a motor vehicle that has been equipped with a permanently affixed feed-delivery box, used exclusively for the feeding of livestock.

Diesel Tax – Legislation Passed by 63rd Legislature			
State Special Revenue Impact (\$ Millions)			
Bill Number and Short Title	FY 2013	FY 2014	FY 2015
SB0226 Revise laws relating to dyed diesel and vehicles dedicated to animal husbandry	\$0.000	(\$0.012)	(\$0.013)
<b>Total State Special Revenue Impact</b>	<b>\$0.000</b>	<b>(\$0.012)</b>	<b>(\$0.013)</b>

# Legislative Fiscal Division

## Revenue Estimate Profile

### Diesel Tax

**Collection Frequency:** Monthly

**% of Total General Fund Revenue:** N/A

#### Revenue Estimate Methodology:

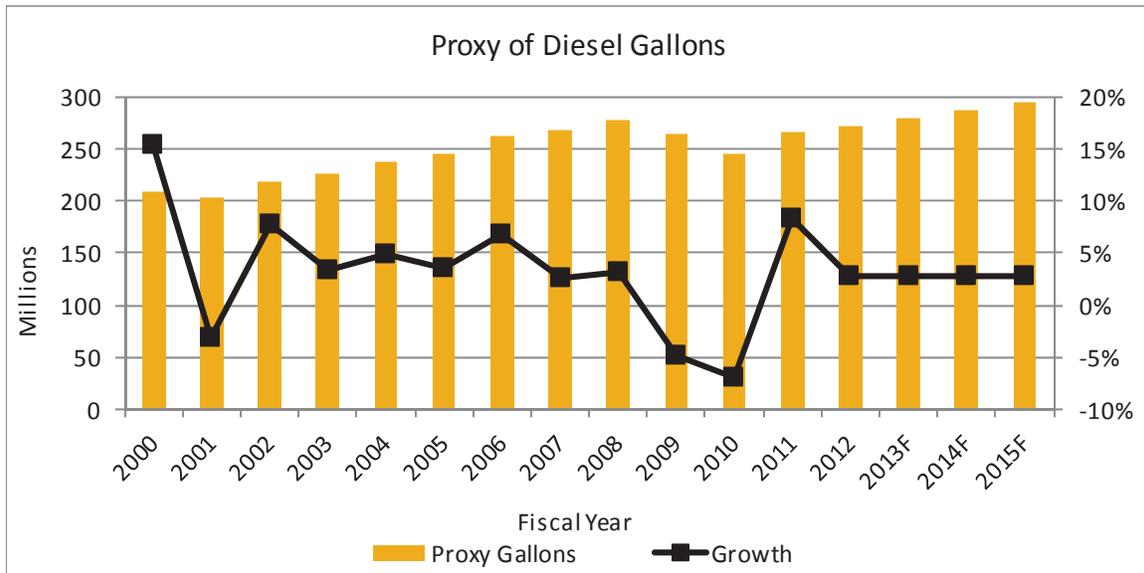
##### Data

The data used in the diesel fuel tax estimate are obtained from the state accounting system (SABHRS). The SABHRS data includes a historic series of diesel tax revenues and is used to produce a proxy amount for taxable gallons of diesel sold in Montana.

Total diesel taxes are composed of two distinct taxes, the diesel tax and the diesel petroleum storage tank cleanup tax (imposed to cover the cost of storage tank cleanup). Each rate is applied to a proxy for taxable diesel gallons. To create the proxy, the actual tax revenues are increased by refunds and then divided by the effective tax rate. The effective tax rate is created in recognition of the statutory credit provided to diesel distributors for collection and payment of the tax. Under current law, diesel distributors are allowed to keep 1% of the tax on all diesel receipts and must pay 99% of the tax receipts to the state.

##### Analysis

Diesel fuel taxes are estimated as separate taxes. First, the diesel tax is imposed on each gallon of diesel sold in the state. A second tax is imposed on all diesel fuel distributed in the state for the purpose of diesel storage tank clean-up costs (storage tank tax). The two taxes are applied to different bases, because the diesel fuel tax provides credits against the cost of the tax to consumers who use the diesel "off highway." Future growth in diesel fuel consumption is assumed to be at the same rate of growth as in FY 2012. The storage tank tax is expected to follow the same patterns as the diesel fuel tax. The effective diesel fuel tax rates are applied to the estimates to produce the estimate for gross tax revenues.



The figure above shows the actual gallons of diesel fuel sold in Montana since 2000, and the expected sales of diesel fuel for the upcoming three fiscal years, along with the expected change between the years.

##### Adjustments

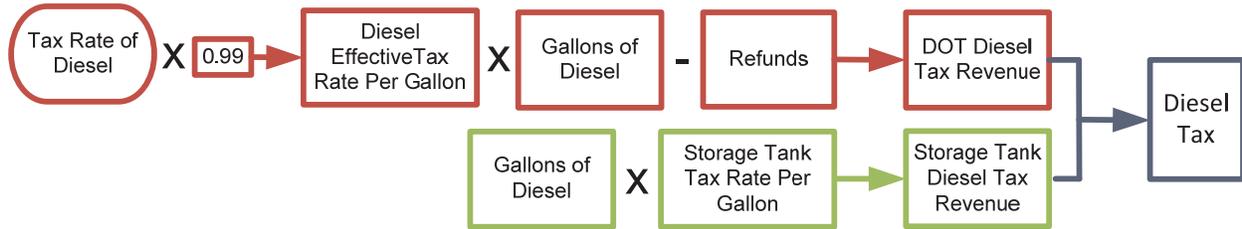
Several adjustments are made to the expected gross diesel fuel tax revenues. Gross tax revenues are reduced by refunds, incentives, MDT administrative costs, and tribal agreements, resulting in the estimate for net diesel fuel tax revenue. No adjustments are required for the storage tank tax. The net tax revenues of the two taxes are combined to determine the estimate for total diesel fuel tax revenue. Finally, the tax revenues are distributed to the various state special revenue accounts as described above.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Diesel Tax

#### Forecast Methodology:



#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t	Total Tax	GF Tax	Gross	Diesel Tax	Tank Tax
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	58.261	0.000	62.221	56.094	2.166
Actual	2003	60.133	0.000	64.332	57.902	2.232
Actual	2004	63.181	0.000	67.600	60.750	2.431
Actual	2005	65.367	0.000	70.069	62.723	2.644
Actual	2006	70.595	0.000	74.767	67.780	2.815
Actual	2007	71.020	0.000	76.687	68.185	2.835
Actual	2008	74.302	0.000	79.004	71.488	2.814
Actual	2009	71.791	0.000	75.135	69.159	2.632
Actual	2010	66.896	0.000	70.016	64.313	2.583
Actual	2011	71.994	0.000	75.820	69.181	2.813
Actual	2012	74.292	0.000	77.922	71.350	2.943
Forecast	2013	76.300	0.000	80.027	73.278	3.022
Forecast	2014	78.362	0.000	82.190	75.258	3.104
Forecast	2015	80.479	0.000	84.411	77.291	3.188

	t	Refunds	Diesel	Tank	Diesel	Tank
	<u>Fiscal</u>	<u>Millions</u>	<u>Effective Rate</u>	<u>Effective Rate</u>	<u>Gallons Millions</u>	<u>Gallons Millions</u>
Actual	2002	-3.960	27.5%	0.8%	218.597	288.854
Actual	2003	-4.199	27.5%	0.8%	226.047	297.553
Actual	2004	-4.419	27.5%	0.8%	237.218	324.090
Actual	2005	-4.702	27.5%	0.8%	245.428	352.536
Actual	2006	-4.172	27.5%	0.8%	261.906	375.269
Actual	2007	-5.667	27.5%	0.8%	268.819	378.036
Actual	2008	-4.702	27.5%	0.8%	277.333	375.173
Actual	2009	-3.344	27.5%	0.8%	263.909	350.994
Actual	2010	-3.120	27.5%	0.8%	245.455	344.436
Actual	2011	-3.826	27.5%	0.8%	265.744	375.099
Actual	2012	-3.629	27.5%	0.8%	272.924	392.360
Forecast	2013	-3.727	27.5%	0.8%	280.299	402.962
Forecast	2014	-3.828	27.5%	0.8%	287.873	413.851
Forecast	2015	-3.932	27.5%	0.8%	295.652	425.033

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# Legislative Fiscal Division

## Revenue Estimate Profile

### Diesel Tax

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	<u>t</u>	<u>GF</u>	<u>DOT</u>	<u>GF</u>	<u>DOT</u>
	<u>Fiscal</u>	<u>Percent</u>	<u>Percent</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	0.0%	100.0%	0.000	56.094
Actual	2003	0.0%	100.0%	0.000	57.902
Actual	2004	0.0%	100.0%	0.000	60.750
Actual	2005	0.0%	100.0%	0.000	62.723
Actual	2006	0.0%	100.0%	0.000	67.780
Actual	2007	0.0%	100.0%	0.000	68.185
Actual	2008	0.0%	100.0%	0.000	71.488
Actual	2009	0.0%	100.0%	0.000	69.159
Actual	2010	0.0%	100.0%	0.000	64.313
Actual	2011	0.0%	100.0%	0.000	69.181
Actual	2012	0.0%	100.0%	0.000	71.350
Forecast	2013	0.0%	100.0%	0.000	73.278
Forecast	2014	0.0%	100.0%	0.000	75.258
Forecast	2015	0.0%	100.0%	0.000	77.291

Total Tax = Diesel Effective × Diesel Gallons + Tank Effective × Tank Gallons + Refunds

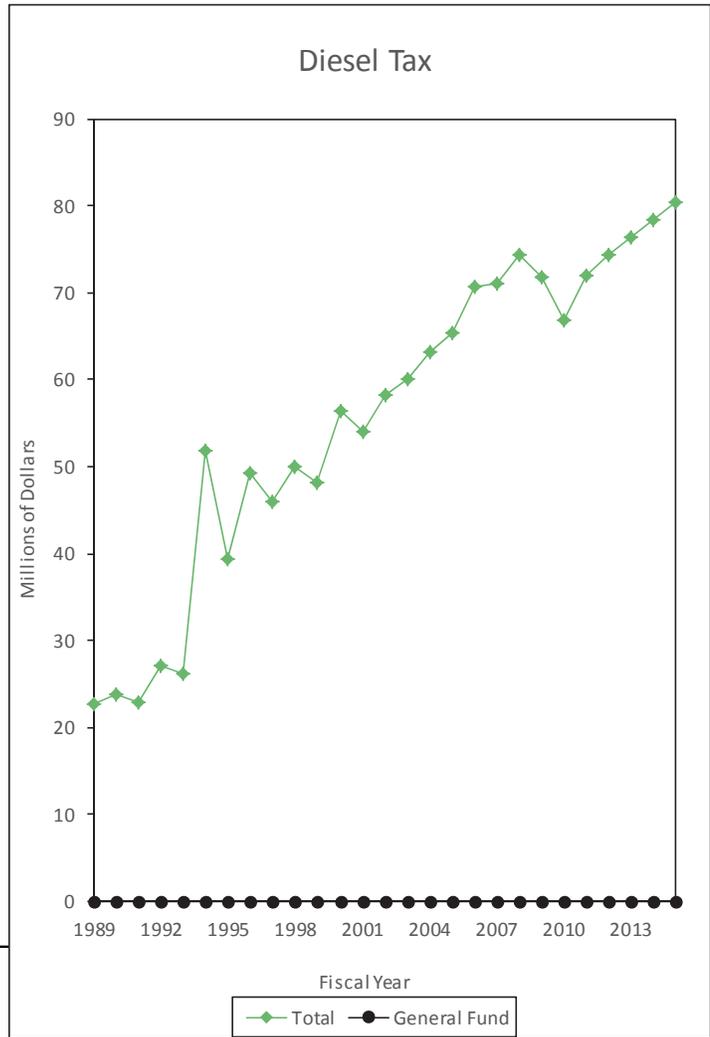
# Legislative Fiscal Division

## Revenue Estimate Profile

### Diesel Tax

#### Revenue Projection:

Fiscal Year	Total Collections Millions	General Fund Collections Millions	GF Percent Change
A 1989	22.708	0.000	Not App.
A 1990	23.822	0.000	Not App.
A 1991	22.798	0.000	Not App.
A 1992	27.113	0.000	Not App.
A 1993	26.158	0.000	Not App.
A 1994	51.751	0.000	Not App.
A 1995	39.413	0.000	Not App.
A 1996	49.192	0.000	Not App.
A 1997	45.957	0.000	Not App.
A 1998	49.981	0.000	Not App.
A 1999	48.217	0.000	Not App.
A 2000	56.455	0.000	Not App.
A 2001	54.048	0.000	Not App.
A 2002	58.261	0.000	Not App.
A 2003	60.133	0.000	Not App.
A 2004	63.181	0.000	Not App.
A 2005	65.367	0.000	Not App.
A 2006	70.595	0.000	Not App.
A 2007	71.020	0.000	Not App.
A 2008	74.302	0.000	Not App.
A 2009	71.791	0.000	Not App.
A 2010	66.896	0.000	Not App.
A 2011	71.994	0.000	Not App.
A 2012	74.292	0.000	Not App.
F 2013	76.300	0.000	Not App.
F 2014	78.350	0.000	Not App.
F 2015	80.466	0.000	Not App.



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Gasoline Tax

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**Revenue Description:** The constitution of the state (Article VIII, Section 6) provides that money from taxes on vehicle fuel be used solely for: payment of obligations incurred for construction, reconstruction, repair, operation, and maintenance of public highways, streets, roads, and bridges; payment of county, city, and town obligations on streets roads, and bridges; and enforcement of highway safety, driver education, tourist promotion, and administrative collection costs. Appropriation of the money for any other use requires a three-fifth vote of each house of the legislature.

There are two sources of revenue associated with the taxation of gasoline: 1) the primary source of revenue is a gasoline license tax paid to the Montana Department of Transportation (MDT) by every distributor for the privilege of selling gasoline; and 2) a tax assessed on each gallon of gasoline for the purpose of funding petroleum storage tank cleanup. The applicable tax rates for each are shown below.

Distributors are allowed to withhold 1.0% of the gasoline tax as an allowance for collecting the tax. In order to prevent the possibility of dual taxation of motor fuels purchased by Montana citizens and businesses on Indian reservations, MDT and Indian tribes may enter into a cooperative agreement. Refunds of the tax paid is provided for denaturing alcohol used in gasohol, stationary gasoline engines used off public highways and streets, and commercial vehicle use other than for use on public highways and streets.

#### Statutory Reference:

Tax Rate (MCA) – 15-70-204(1), 75-11-314 (storage tank cleanup)

Distribution (MCA) – 15-70-101(1), 60-3-201(1), 75-11-313 (storage tank cleanup)

Date Due – 25<sup>th</sup> of the following month (15-70-205(1))

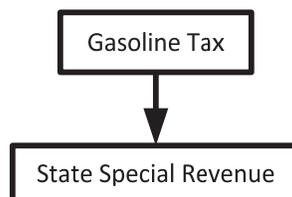
#### Applicable Tax Rate(s):

1. Gasoline License Tax – \$0.27 per gallon
2. Petroleum Storage Tank Cleanup Tax – \$0.0075 per gallon

**Distribution:** After reductions for: 1) the 1.0% withheld by distributors; 2) administrative expenses and refund amounts deducted by MDT under a tribal agreement that are deposited in the tribal motor fuels administration account and statutorily appropriated; 3) gasoline tax refunds; and 4) amounts refunded through the international fuel tax agreement, the remainder of the gasoline tax is allocated as follows:

- 9/10 of 1.0% to the state park account
- 15/28 of 1.0% to a snowmobile account in the state special revenue fund. This amount is further allocated 86.0% for general use, 4.33% for enforcement, 8.67% for safety and education, and 1.0% to the noxious weed trust.
- 1/8 of 1.0% to an off-highway vehicle account in the state special revenue fund. This amount is further allocated 90% for general use (including repair of damaged areas) and 10% for safety.
- 1/25 of 1.0% to the aeronautics revenue fund of the Department of Transportation
- 98.3993% to MDT to be used for highway-related purposes, primarily construction projects and administrative costs. One-fourth of \$.01 per gallon is allocated specifically to the funding of highway system maintenance.

#### Distribution Chart:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Gasoline Tax

**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** Monthly

**% of Total General Fund Revenue:** N/A

#### Revenue Estimate Methodology:

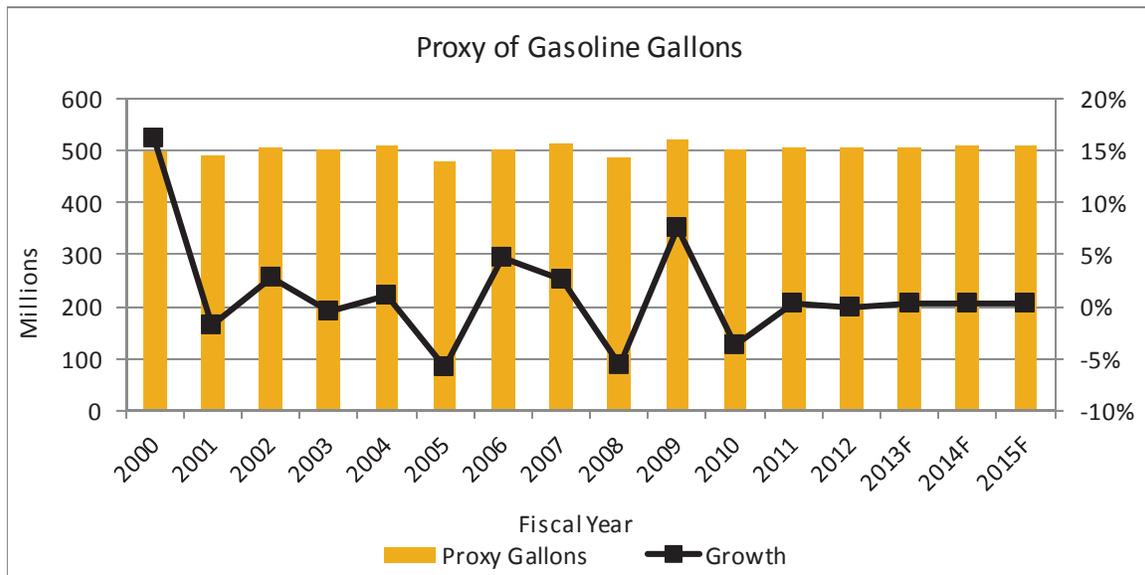
##### Data

The data used in the gasoline tax estimate are obtained from the state accounting system (SABHRS). The SABHRS data includes a historic series of gasoline tax revenues and is used to produce a proxy amount for taxable gallons of gasoline sold in Montana.

Total gasoline taxes are made up of two distinct taxes, the gasoline tax and the gasoline petroleum storage tank cleanup tax (imposed to cover the cost of storage tank cleanup). Each rate is applied to a proxy for taxable gasoline gallons. To create the proxy, the actual tax revenues are increased by refunds and then divided by the effective tax rate. The effective tax rate is created to adjust for the statutory credit provided to gasoline distributors for collection and payment of the tax. Under current law, gasoline distributors are allowed to keep 1% of the tax on all gasoline receipts and must pay 99% of the tax receipts to the state.

##### Analysis

The gasoline tax and the gasoline petroleum storage tank cleanup tax are estimated separately. First, the gasoline tax is imposed on each gallon of gasoline sold in the state. The two taxes are applied to different bases, because the gasoline tax provides credits against the cost of the tax to consumers who use the gasoline “off highway.” Future growth in gasoline consumption is assumed to be at the same rate of growth as in FY 2012. The storage tank tax is expected to follow the same patterns as the gasoline tax. The effective gasoline tax rates are applied to the estimates to produce the estimate for gross tax revenues.



The figure above shows the actual gallons of gasoline sold in Montana since FY 2000 and the expected sales of gasoline for the upcoming three fiscal years, along with the expected change between the years.

##### Adjustments

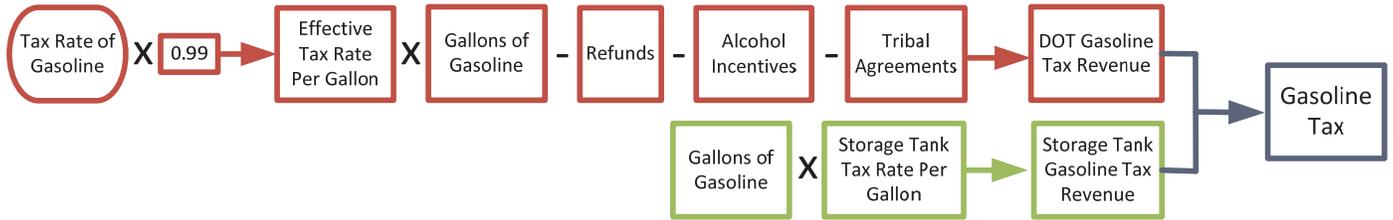
Several adjustments are made to the expected gross gasoline tax revenues. Gross tax revenues are reduced by refunds, incentives, MDT administrative costs, and tribal agreements, resulting in the estimate for net gasoline tax revenue. No adjustments are required for the storage tank tax. Next, the net tax revenues of the two taxes are combined to determine the estimate for total gasoline tax revenue. Finally, the tax revenues are distributed to the various state special revenue accounts as described above.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Gasoline Tax

#### Forecast Methodology:



#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t	Total Tax	GF Tax	Gross Tax	Gas Tax	Tank Tax
	Fiscal	Millions	Millions	Millions	Millions	Millions
Actual	2002	131.731	0.000	138.613	128.001	3.729
Actual	2003	131.269	0.000	137.967	127.490	3.779
Actual	2004	132.962	0.000	139.553	129.154	3.808
Actual	2005	125.076	0.000	131.616	121.343	3.734
Actual	2006	135.192	0.000	137.652	131.465	3.727
Actual	2007	138.762	0.000	141.013	135.042	3.720
Actual	2008	131.147	0.000	133.429	127.433	3.714
Actual	2009	141.120	0.000	143.215	137.510	3.610
Actual	2010	136.036	0.000	138.041	132.351	3.685
Actual	2011	136.514	0.000	138.635	132.774	3.740
Actual	2012	136.661	0.000	138.497	132.911	3.750
Forecast	2013	137.161	0.000	139.004	133.397	3.764
Forecast	2014	137.663	0.000	139.512	133.885	3.778
Forecast	2015	138.166	0.000	140.023	134.375	3.791

	t	Refunds	Alcohol	Tribal	Gas	Tank	Gas	Tank
	Fiscal	Millions	Incentives	Millions	Effective	Effective	Gallons	Gallons
			Millions	Millions	Rate	Rate	Millions	Millions
Actual	2002	-3.153	0.000	-3.729	26.7%	0.8%	504.614	497.261
Actual	2003	-2.985	0.000	-3.713	26.7%	0.8%	502.014	503.874
Actual	2004	-2.830	0.000	-3.761	26.7%	0.8%	507.837	507.767
Actual	2005	-2.787	0.000	-3.753	26.7%	0.8%	478.424	497.805
Actual	2006	-2.460	0.000	-3.785	26.7%	0.8%	501.029	496.919
Actual	2007	-2.252	0.000	-0.046	26.7%	0.8%	513.631	495.958
Actual	2008	-2.282	0.000	0.000	26.7%	0.8%	485.278	495.246
Actual	2009	-2.095	0.000	0.000	26.7%	0.8%	522.279	481.336
Actual	2010	-2.006	0.000	0.000	26.7%	0.8%	502.644	491.267
Actual	2011	-2.121	0.000	0.000	26.7%	0.8%	504.656	498.668
Actual	2012	-1.836	0.000	0.000	26.7%	0.8%	504.105	500.016
Forecast	2013	-1.843	0.000	0.000	26.7%	0.8%	505.949	501.845
Forecast	2014	-1.850	0.000	0.000	26.7%	0.8%	507.799	503.680
Forecast	2015	-1.856	0.000	0.000	26.7%	0.8%	509.656	505.522

# Legislative Fiscal Division

## Revenue Estimate Profile

### Gasoline Tax

	<u>t</u>	<u>GF</u>	<u>DOT</u>	<u>FWP Snow</u>	<u>FWP Boat</u>	<u>Aeronautics</u>	<u>Off Highway</u>
	<u>Fiscal</u>	<u>Percent</u>	<u>Percent</u>	<u>Percent</u>	<u>Percent</u>	<u>Percent</u>	<u>Percent</u>
Actual	2002	0.0%	98.4%	0.5%	0.9%	0.04%	0.0%
Actual	2003	0.0%	98.4%	0.5%	0.9%	0.04%	0.0%
Actual	2004	0.0%	98.4%	0.5%	0.9%	0.04%	0.0%
Actual	2005	0.0%	98.4%	0.5%	0.9%	0.04%	0.0%
Actual	2006	0.0%	98.4%	0.5%	0.9%	0.04%	0.0%
Actual	2007	0.0%	98.3%	0.5%	0.9%	0.04%	0.0%
Actual	2008	0.0%	98.4%	0.5%	0.9%	0.04%	0.0%
Actual	2009	0.0%	98.4%	0.5%	0.9%	0.04%	0.0%
Actual	2010	0.0%	98.4%	0.5%	0.9%	0.04%	0.0%
Actual	2011	0.0%	98.4%	0.5%	0.9%	0.04%	0.0%
Actual	2012	0.0%	98.4%	0.5%	0.9%	0.04%	0.0%
Forecast	2013	0.0%	98.4%	0.5%	0.9%	0.04%	0.0%
Forecast	2014	0.0%	98.4%	0.5%	0.9%	0.04%	0.0%
Forecast	2015	0.0%	98.4%	0.5%	0.9%	0.04%	0.0%

	<u>t</u>	<u>DOT</u>	<u>FWP Snow</u>	<u>FWP Boat</u>	<u>Aeronautics</u>
	<u>Fiscal</u>	<u>Percent</u>	<u>Percent</u>	<u>Percent</u>	<u>Percent</u>
Actual	2002	0.01%	0.02%	0.05%	0.01%
Actual	2003	0.01%	0.02%	0.05%	0.01%
Actual	2004	0.01%	0.02%	0.05%	0.01%
Actual	2005	0.01%	0.02%	0.05%	0.01%
Actual	2006	0.01%	0.02%	0.05%	0.01%
Actual	2007	0.01%	0.02%	0.05%	0.01%
Actual	2008	0.01%	0.02%	0.05%	0.01%
Actual	2009	0.01%	0.02%	0.05%	0.01%
Actual	2010	0.01%	0.02%	0.05%	0.01%
Actual	2011	0.01%	0.02%	0.05%	0.01%
Actual	2012	0.01%	0.02%	0.05%	0.01%
Forecast	2013	0.01%	0.02%	0.05%	0.01%
Forecast	2014	0.01%	0.02%	0.05%	0.01%
Forecast	2015	0.01%	0.02%	0.05%	0.01%

# Legislative Fiscal Division

## Revenue Estimate Profile

### Gasoline Tax

	<u>t</u>	<u>GF</u>	<u>DOT</u>	<u>FWP Snow</u>	<u>FWP Boat</u>	<u>Aeronautics</u>	<u>Off Highway</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	0.000	125.907	0.603	1.181	0.053	0.143
Actual	2003	0.000	125.391	0.604	1.181	0.052	0.144
Actual	2004	0.000	127.028	0.611	1.196	0.053	0.146
Actual	2005	0.000	119.338	0.576	1.126	0.050	0.138
Actual	2006	0.000	129.396	0.595	1.163	0.052	0.142
Actual	2007	0.000	132.884	0.621	1.215	0.054	0.148
Actual	2008	0.000	125.352	0.587	1.147	0.051	0.141
Actual	2009	0.000	135.295	0.631	1.237	0.055	0.150
Actual	2010	0.000	130.226	0.617	1.191	0.053	0.149
Actual	2011	0.000	130.642	0.619	1.195	0.053	0.149
Actual	2012	0.000	130.784	0.612	1.196	0.053	0.150
Forecast	2013	0.000	131.237	0.621	1.215	0.054	0.149
Forecast	2014	0.000	131.715	0.624	1.220	0.054	0.149
Forecast	2015	0.000	132.198	0.626	1.224	0.054	0.150

	<u>t</u>	<u>Weed</u>	<u>Snow Enforce.</u>	<u>Snow Con-Ed.</u>	<u>OHV Con-Ed.</u>
	<u>Fiscal</u>	<u>Gasoline</u>	<u>Gasoline</u>	<u>Gasoline</u>	<u>Gasoline</u>
		<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	0.013	0.025	0.063	0.013
Actual	2003	0.013	0.026	0.066	0.013
Actual	2004	0.013	0.027	0.066	0.013
Actual	2005	0.013	0.026	0.064	0.013
Actual	2006	0.013	0.026	0.065	0.013
Actual	2007	0.014	0.027	0.067	0.014
Actual	2008	0.013	0.026	0.064	0.013
Actual	2009	0.014	0.027	0.067	0.014
Actual	2010	0.007	0.031	0.061	0.017
Actual	2011	0.007	0.031	0.062	0.017
Actual	2012	0.007	0.031	0.062	0.017
Forecast	2013	0.013	0.027	0.068	0.013
Forecast	2014	0.014	0.027	0.068	0.014
Forecast	2015	0.014	0.027	0.068	0.014

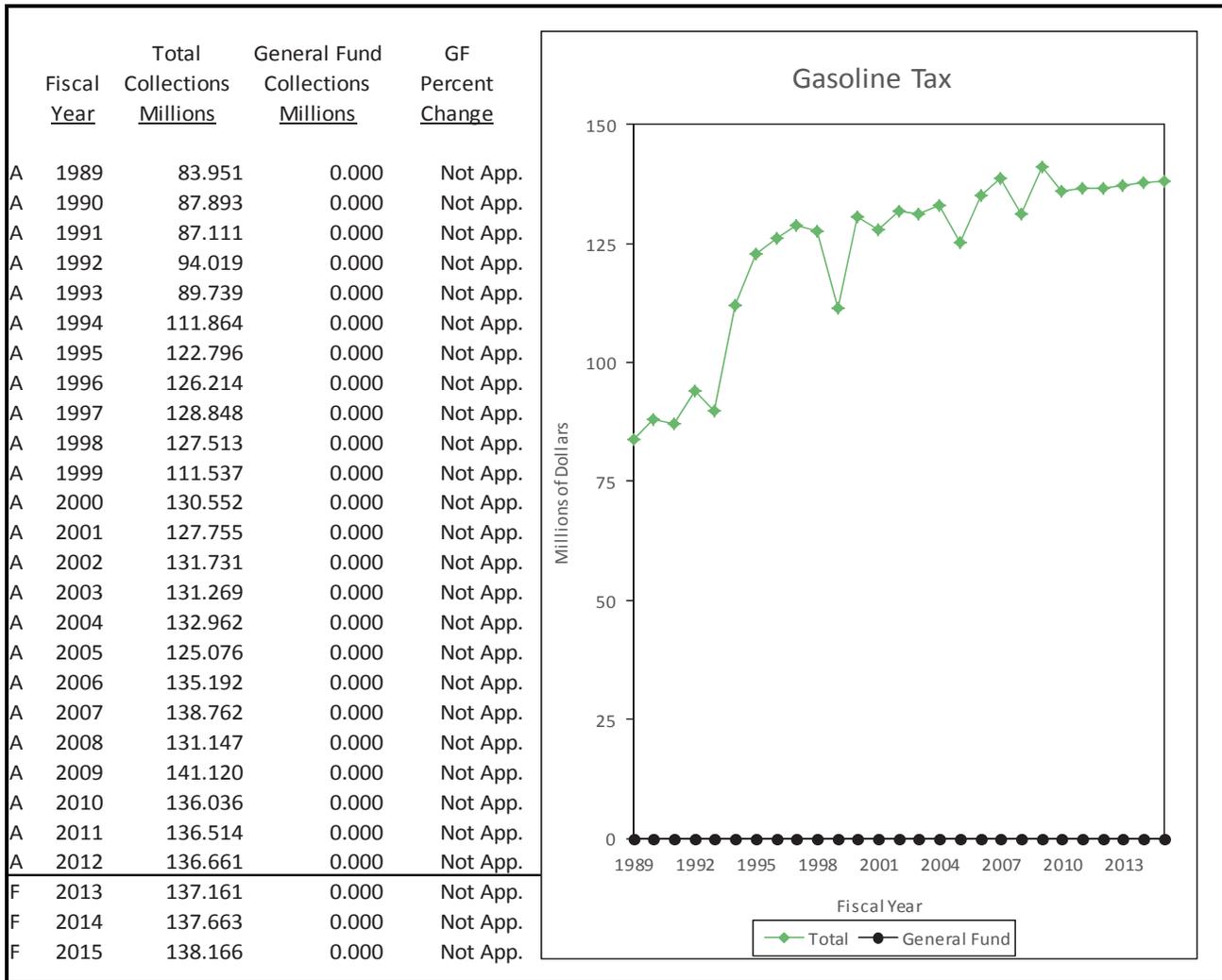
Total Tax = Gas Effective × Gas Gallons + Tank Effective × Tank Gallons + Refunds

# Legislative Fiscal Division

## Revenue Estimate Profile

### Gasoline Tax

#### Revenue Projection:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### GVW and Other Fees

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**Revenue Description:** There are two types of revenue derived from over 20 different sources classified under gross vehicle weight (GVW) and other income: fee revenue and permit revenue. The majority of revenue is derived from a variety of GVW fees, including those fees collected by counties when vehicles are registered. Miscellaneous permits comprise the second income component under this source. Enactment of the federal Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) replaces the single state registration system (SSRS) with a new uniform carrier registration program. Elimination of the SSRS (effective January 1, 2007) eliminated the \$5 state fee that was deposited to the general fund. The revenue was replaced with revenue from a federal fee. Montana is expected to receive revenue from this fee in the same amount of the lost SSRS revenue.

#### Statutory Reference:

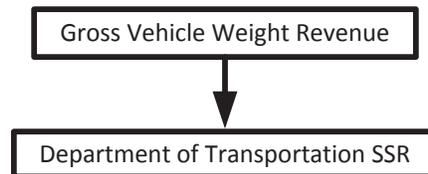
Tax Rate – Multiple (Administrative Rules 18.8.202)

Tax Distribution (MCA) – Multiple

**Applicable Tax Rate(s):** Various

**Distribution:** The majority of GVW revenue is allocated to the Montana Department of Transportation.

#### Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** Various

**% of Total General Fund Revenue:** 0.0% (the general portion is included in “All Other General Fund”)

#### Revenue Estimate Methodology:

##### Data

The data used in the gross weight vehicle (GVW) tax estimate are obtained from the state accounting system (SABHRS) and the Montana Department of Transportation (MDT). The SABHRS data provide the historic collection data for the 13 different types of fees and permits. MDT provides statistics on the number of gross weight vehicle licenses for use in Montana.

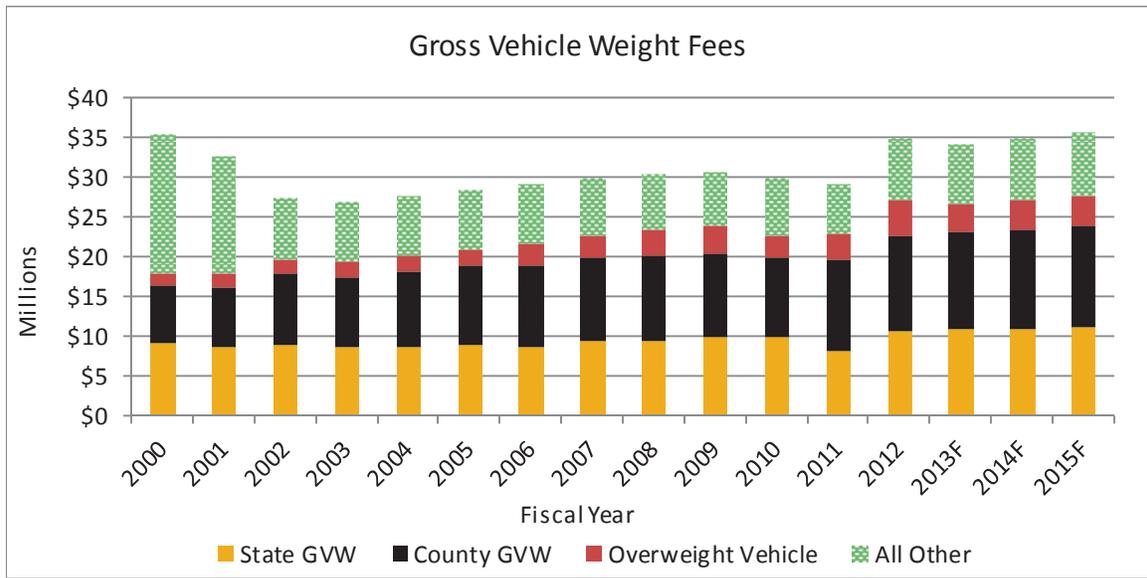
##### Analysis

The state of Montana imposes many fees and requires several types of permits based on the gross weight of commercial and large privately owned vehicles. In preparing the GVW estimate, 13 sources of fees and permit revenues are analyzed. Most of the sources demonstrate a payment history that can be adequately measured by applying a growth rate to a base year. The largest sources of revenue in the GVW are the gross vehicle weight fees collected by both counties and the state. The figure below demonstrates the relative importance of these two sources to the overall GVW collections.

# Legislative Fiscal Division

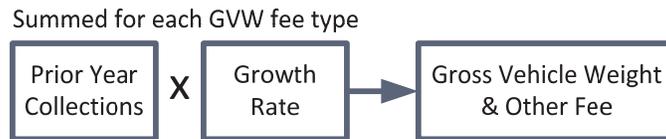
## Revenue Estimate Profile

### GVW and Other Fees



Both county and state GVW fees are forecast with a compound growth rate with the historical high and low rates removed. Another large source of revenue included in the GVW is the fee for overweight vehicles. This fee is estimated with an eight-year moving average growth rate base on changes in the two previous years with the historical high and low rates removed. All other GVW fees, as shown in the figure above, are a collection of 10 different fees and permit types. While each of these fees is estimated separately, in combination the fees are expected to continue to increase after a decline from FY 2012 levels. The estimates for each of the GVW fees and permit collections are combined to produce the total estimate for GVW fees for the upcoming three fiscal years, denoted by an F in the above chart.

#### Forecast Methodology:



# Legislative Fiscal Division

## Revenue Estimate Profile

### GVW and Other Fees

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t	Total Tax	GF Tax	GVW	SSRS	Form 3	Trip	County
	<u>Fiscal</u>	<u>Millions</u>						
Actual	2002	27.266	1.045	8.814	1.045	0.860	0.441	8.933
Actual	2003	26.818	1.184	8.503	1.184	1.044	0.441	8.800
Actual	2004	27.500	1.215	8.586	1.215	1.007	0.455	9.398
Actual	2005	28.149	1.169	8.690	1.169	0.992	0.514	9.920
Actual	2006	28.916	1.330	8.555	1.336	1.059	0.542	10.243
Actual	2007	29.761	0.110	9.257	0.110	1.133	0.583	10.544
Actual	2008	30.238	-0.035	9.266	-0.035	1.137	0.642	10.827
Actual	2009	30.565	0.001	9.676	0.001	0.961	0.589	10.572
Actual	2010	29.630	0.019	9.618	0.019	1.023	0.565	10.120
Actual	2011	28.866	0.000	8.073	0.000	1.028	0.658	11.305
Actual	2012	34.745	0.000	10.489	0.000	1.102	0.865	12.086
Forecast	2013	33.969	0.000	10.651	0.000	1.134	0.700	12.272
Forecast	2014	34.707	0.000	10.814	0.000	1.161	0.750	12.461
Forecast	2015	35.486	0.000	10.984	0.000	1.197	0.805	12.657

	t	Sales	Overweight	Special	Restricted	Fuel	LPG	Other
	<u>Fiscal</u>	<u>Millions</u>						
Actual	2002	-0.640	1.845	0.903	0.000	0.108	0.000	4.957
Actual	2003	0.000	1.816	0.922	0.000	0.106	0.000	4.002
Actual	2004	0.000	1.903	0.978	0.000	0.108	0.000	3.850
Actual	2005	0.000	2.075	1.030	0.000	0.110	0.000	3.649
Actual	2006	0.000	2.646	1.104	0.000	0.118	0.000	3.314
Actual	2007	0.000	2.779	1.170	0.000	0.126	0.000	4.059
Actual	2008	0.000	3.185	1.229	0.000	0.151	0.000	3.834
Actual	2009	0.000	3.382	1.129	0.000	0.150	0.000	4.106
Actual	2010	0.000	2.730	1.081	0.000	0.142	0.000	4.332
Actual	2011	0.000	3.305	1.182	0.000	0.185	0.000	3.131
Actual	2012	0.000	4.353	1.422	0.000	0.254	0.000	4.174
Forecast	2013	0.000	3.477	1.240	0.000	0.263	0.000	4.231
Forecast	2014	0.000	3.659	1.300	0.000	0.274	0.000	4.289
Forecast	2015	0.000	3.850	1.361	0.000	0.284	0.000	4.349

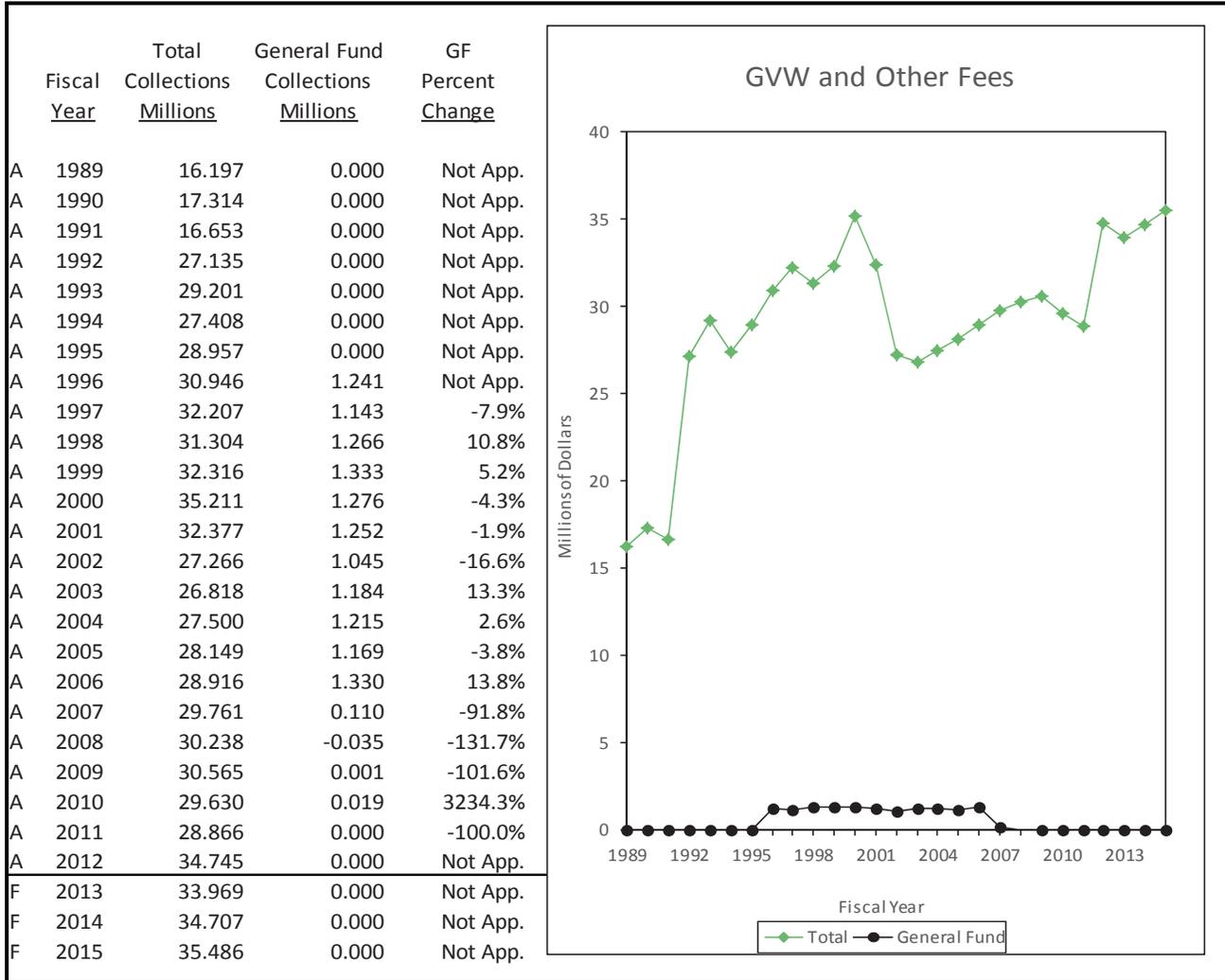
$$\text{Total Tax} = \text{GVW} + \text{SSRS} + \text{Form 3} + \text{Trip} + \text{County} + \text{Sales} + \text{Overweight} + \text{Special} + \text{Restricted} + \text{Fuel} + \text{LPG} + \text{Other}$$

# Legislative Fiscal Division

## Revenue Estimate Profile

### GVW and Other Fees

#### Revenue Projection:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Liquor Excise and License Tax

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**Revenue Description:** The Department of Revenue (DOR) is authorized to sell liquor to retail liquor establishments throughout the state. These sales result in profits and taxes that are deposited in various state accounts. An excise tax is collected both on liquor sold by DOR and liquor purchased outside the state, by airlines and railroads (carriers), for consumption within the state. The department also collects a license tax on the sale of liquor. A portion of the excise tax revenue is returned to Native American tribes through an agreement with DOR.

#### Statutory Reference:

Tax Rate (MCA) – Excise tax (16-1-401), License tax (16-1-404)

Tax Distribution (MCA) – Excise tax (16-1-401 & 16-2-108), License tax (16-1-404)

Date Due – Excise tax is collected at the time of sale and distributed by the 10<sup>th</sup> day of each month. License tax is collected at the time of sale.

#### Applicable Tax Rate(s):

##### Excise Tax Rate

All liquor sold and delivered in the state by a company that manufactured, distilled, rectified, bottled, or processed the liquor is taxed a percentage rate on the retail selling price based on the following number of proof gallons of liquor nationwide in the calendar year preceding imposition of the tax:

- 3.0% - < 20,000 proof gallons
- 8.0% - 20,000 to 50,000 proof gallons
- 13.8% - 50,001 to 200,000 proof gallons
- 16.0% - Over 200,000 proof gallons

The amount of excise taxes paid by carriers includes additional factors related to departures and passenger miles.

##### License Tax Rate

- 10.0% of the retail selling price on all liquor sold and delivered in the state by a company that manufactured, distilled, rectified, bottled, or processed and that sold more than 200,000 proof gallons of liquor nationwide in the calendar year preceding imposition of the tax
- 8.6% of the retail selling price on all liquor sold and delivered in the state by a company that manufactured, distilled, rectified, bottled, or processed and that sold not more than 200,000 proof gallons of liquor nationwide in the calendar year preceding imposition of the tax

The license tax must be charged and collected on all liquor brought into the state and taxed by DOR. The retail selling price must be computed by adding to the cost of the liquor the state markup as designated by the department. The license tax must be figured in the same manner as the state excise tax and is in addition to the state excise tax.

#### Distribution:

Excise tax revenue, less amounts distributed to the tribes, is deposited in the enterprise fund for transfer to the general fund.

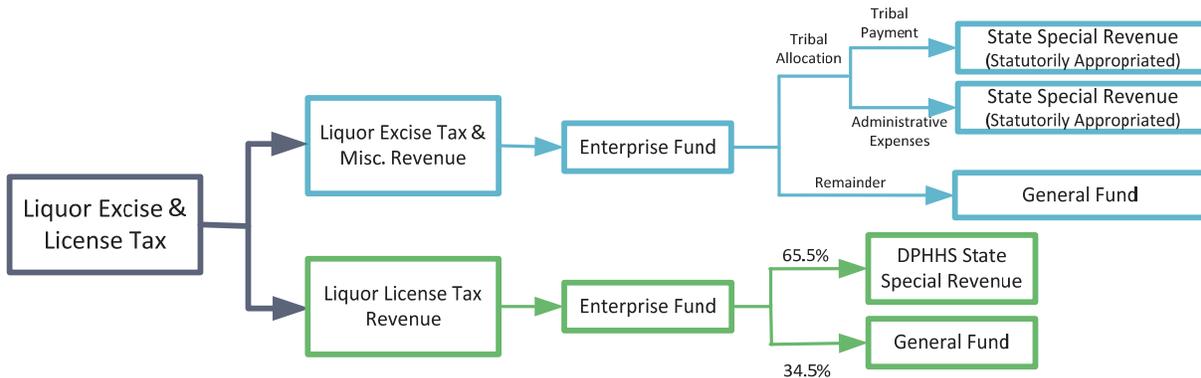
License tax revenue is allocated to the enterprise fund for transfer to the general fund and to the Department of Public Health and Human Services (DPHHS) for alcohol treatment and rehabilitation programs, per the distribution chart below.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Liquor Excise and License Tax

#### Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** Both the liquor excise tax and the license tax on liquor are collected at the time of the sale and delivery of liquor. Deposits to the general fund are made monthly.

#### % of Total General Fund Revenue:

FY 2004 – 0.78%	FY 2007 – 0.76%	FY 2010 – 0.96%
FY 2005 – 0.75%	FY 2008 – 0.76%	FY 2011 – 0.90%
FY 2006 – 0.74%	FY 2009 – 0.70%	FY 2012 – 0.91%

#### Revenue Estimate Methodology:

##### Data

The liquor excise and the liquor license tax estimates are based on data obtained from DOR, IHS, and the state accounting system (SABHRS). The DOR data provides the details of monthly liquor sales and costs, IHS projects the change in the consumer price index (CPI), and historic tax revenue data from SABHRS confirms the adequacy of the estimates.

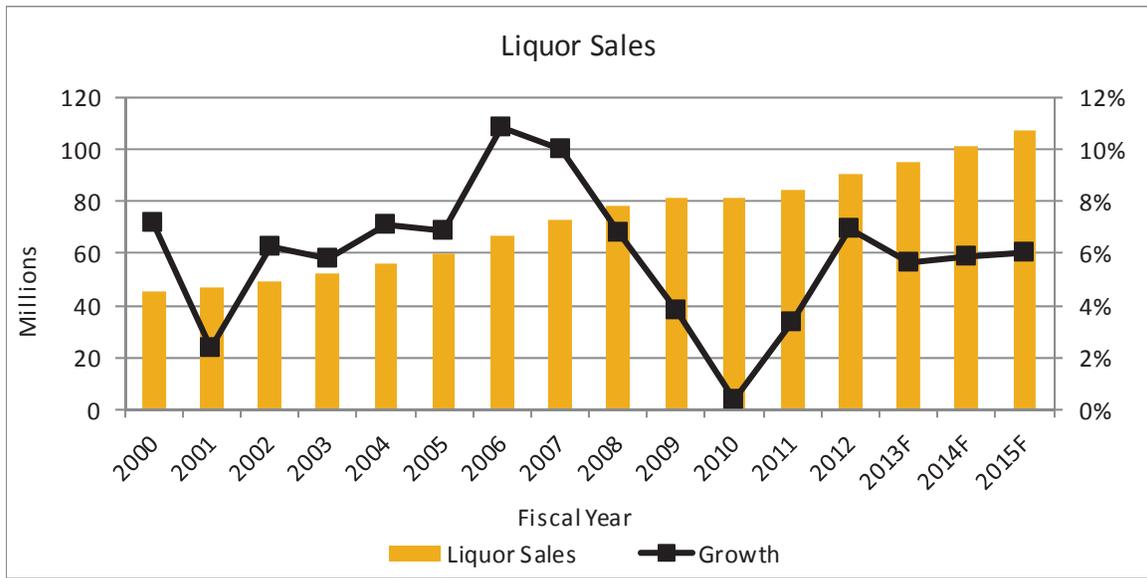
Total liquor taxes are made up of two taxes, an excise tax and a license tax. While each tax has a different rate, both taxes are assessed on the retail sales price of the commodity. The tax rate is lower for companies that produce less than 200,000 gallons; however, for the purpose of estimating future liquor taxes, these lower tax rates are not considered. The rate of the excise tax and the license tax is held constant at the high production rates, shown in the Revenue Estimates Assumptions table below.

##### Analysis

Analysis shows a constant upward trend in liquor sales in Montana, as demonstrated in the figure below. Accordingly, unit sales is regressed in a linear trend model to determine the future unit sales.

# Legislative Fiscal Division

## Revenue Estimate Profile Liquor Excise and License Tax

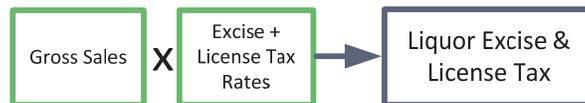


The liquor taxes estimate is calculated by applying growth rates to base year values of both the number of liquor units sold and the per unit price of liquor. The sales of liquor units are estimated by applying a three-year average growth factor. The growth rate for the price per liquor unit is estimated using the past year price as the base. This price is adjusted in subsequent years by the change in the CPI, adjusted by the long term ratio of the change in the cost of liquor units to the change in the CPI. Total units and sales per unit are multiplied to produce total estimated gross liquor sales. The final step is to apply both tax rates to the estimate of liquor sales to determine the estimate for the combined liquor excise and license taxes.

### Adjustment and Distribution

Liquor taxes are distributed to the general fund after a reduction for tribal reimbursements. Three of the seven tribal governments—Blackfeet, Fort Belknap, and Fort Peck—receive liquor tax dollars. These tribal governments adhere to the Montana liquor tax laws. The state of Montana collects the tribes’ portion of the liquor taxes and quarterly distributes those collections based on a formula (per capita liquor consumption times tribal membership times the Montana tax rate). After reducing the excise tax revenue by the tribal distribution, the revenue is distributed to the enterprise fund and then to the general fund. The license tax is distributed to the enterprise fund and then to the general fund and DPHHS.

### Forecast Methodology:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Liquor Excise and License Tax

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#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t	Total Tax	GF Tax	Tribal	Gross	Excise	License	GF License
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Sales - Taxes</u>	<u>Rate</u>	<u>Rate</u>	<u>Allocation</u>
					<u>Millions</u>	<u>Percent</u>	<u>Percent</u>	<u>Percent</u>
Actual	2002	12.896	9.514	0.133	49.615	16.0%	10.0%	34.5%
Actual	2003	13.644	10.042	0.165	52.479	16.0%	10.0%	34.5%
Actual	2004	14.615	10.718	0.216	56.212	16.0%	10.0%	34.5%
Actual	2005	15.619	11.468	0.217	60.069	16.0%	10.0%	34.5%
Actual	2006	17.312	12.709	0.242	66.600	16.0%	10.0%	34.5%
Actual	2007	19.042	13.982	0.264	73.255	16.0%	10.0%	34.5%
Actual	2008	20.335	14.925	0.288	78.250	16.0%	10.0%	34.5%
Actual	2009	17.325	12.651	0.310	81.224	16.0%	10.0%	34.5%
Actual	2010	21.308	15.626	0.314	81.535	16.0%	10.0%	34.5%
Actual	2011	21.792	15.989	0.313	84.196	16.0%	10.0%	34.5%
Actual	2012	23.222	17.037	0.335	89.987	16.0%	10.0%	34.5%
Forecast	2013	24.787	18.206	0.337	95.334	16.0%	10.0%	34.5%
Forecast	2014	26.255	19.284	0.357	100.981	16.0%	10.0%	34.5%
Forecast	2015	27.813	20.431	0.375	106.974	16.0%	10.0%	34.5%

Total Tax = Gross Sales × Excise Rate + Gross Sales × License Rate

GF Tax = Gross Sales × Excise Rate - Tribal + Gross Sales × License Rate × GF License Allocation

# Legislative Fiscal Division

## Revenue Estimate Profile

### Liquor Excise and License Tax

#### Revenue Projection:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Liquor Profits

**Revenue Description:** The Department of Revenue (DOR) is authorized to sell liquor and fortified wine to retail liquor establishments throughout the state. These sales result in profits that are deposited in the general fund. Tax revenues generated from liquor excise and license taxes, as well as wine taxes, are estimated separately.

Liquor profits received by the state are primarily generated by a mark-up on the sale of liquor and fortified wine, less costs such as commissions and discounts. House Bill 348 enacted by the 2001 Legislature phased-in liquor store commission increases based on sales volume over a three-year period beginning FY 2003. A 40% mark-up is added to the state's base cost for liquor. The state's mark-up percentage on the base cost of fortified wine (more than 16% but no greater than 24% alcohol by volume) is 51%. The mark-up percentage for both liquor and wine is determined by administrative rule (see ARM 42.11.104).

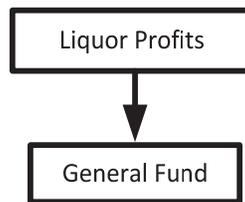
**Statutory Reference:**

- Tax Rate – Authority to markup the price is found in 16-1-404(2) and ARM 42.11.104
- Tax Distribution (MCA) – 16-2-108(4)
- Date Due – NA

**Applicable Tax Rate(s):** N/A

**Distribution:** Liquor profits are deposited in the general fund annually.

Distribution Chart:



**Summary of Legislative Action:**

House Bill 402 – This bill creates a direct shipment endorsement for wineries licensed or registered in Montana, which allows the winery to sell and ship up to 18 9-liter cases of wine annually to an individual for personal use. The bill also eliminates the wine, and combined beer and wine connoisseur's license.

House Bill 524 – This legislation eliminates the requirement that a retail licensee selling beer or wine for off-premise consumption be operated as a bona fide grocery store or a drugstore licensed as a pharmacy. It allows any entity that receives approval from local building, health, or fire officials to be licensed to sell beer or wine for off-premise consumption.

Liquor Profits – Legislation Passed by 63rd Legislature			
General Fund Impact (\$ Millions)			
Bill Number and Short Title	FY 2013	FY 2014	FY 2015
HB0402 License and regulate wineries selling and shipping wine directly to MT consumers	\$0.000	(\$0.008)	\$0.017
HB0524 Removing grocery, pharmacy requirement on off-premises beer, wine license	0.000	0.103	0.141
<b>Total General Fund Impact</b>	<b>\$0.000</b>	<b>\$0.095</b>	<b>\$0.158</b>

**Collection Frequency:** Payment for liquor purchases is due within 60 days of the invoice date and revenue is deposited into an enterprise fund.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Liquor Profits

#### % of Total General Fund Revenue:

FY 2004 – 0.47%	FY 2007 – 0.45%	FY 2010 – 0.55%
FY 2005 – 0.43%	FY 2008 – 0.45%	FY 2011 – 0.50%
FY 2006 – 0.44%	FY 2009 – 0.40%	FY 2012 – 0.51%

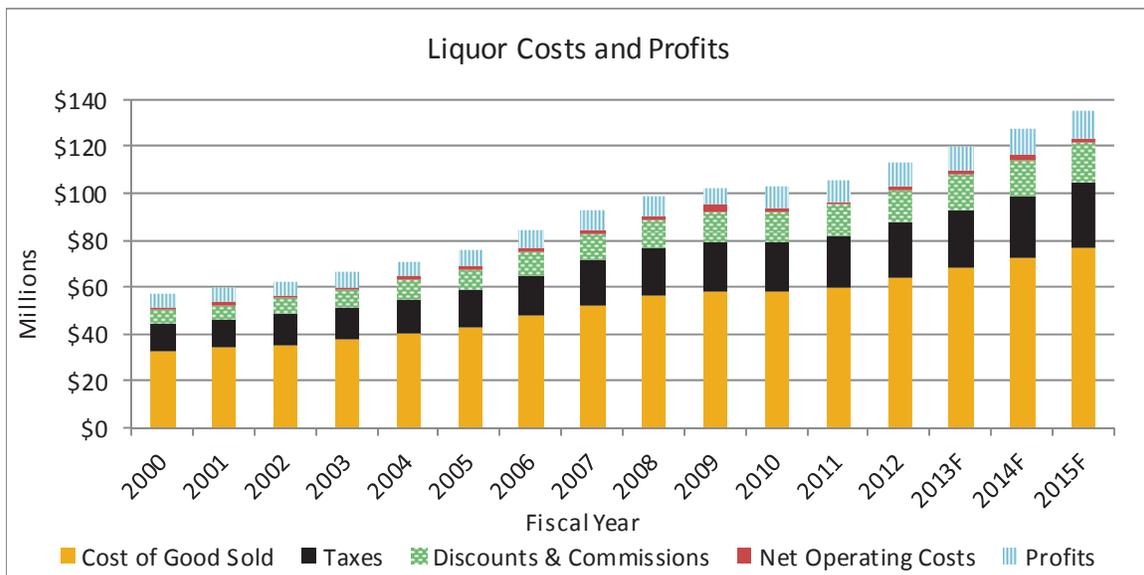
#### Revenue Estimate Methodology:

##### Data

The liquor profits estimate is based on data obtained from DOR, the state budget system (MBARS), and the state accounting system (SABHRS). DOR provides monthly historical data for the total liquor sales, the number of units of liquor sold, and the average price for each unit of liquor. MBARS provides the present law operational budget for the DOR liquor division. SABHRS data provides a historic breakout of liquor expenses and is used as a comparison to check the adequacy of the estimate.

##### Analysis

As seen in the figure below, the profits have historically been a small part of the total liquor sales. This is assumed to continue in the three forecast years.



The starting point in estimating liquor profits is the gross sales of liquor. The steps in determining the liquor profits are as follows:

- Determine units
- Determine total sales value (units × price per unit)
- Determine costs of goods sold (units × cost per unit)
- Calculate discounts and commissions
- Obtain operating budgets
- Calculate taxes

Liquor profits are estimated by reducing total tax included liquor sales (for the methodology of total liquor sales, see the “Liquor Excise and License Tax” revenue section) by all the costs of doing business. For the purpose of estimating liquor profits, the cost of doing business includes the cost of the goods sold (cost of liquor and transportation), the taxes (excise and license), discounts and commissions, and net operating costs (program administration). These costs historically represent slightly more than 90% of the total cost of a unit of liquor. When costs are subtracted from total sales, the resulting amount is the estimate for liquor profits.

#### Forecast Methodology:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Liquor Profits

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t	GF Profit	Gross Sales + Taxes	Excise License Tax	Discount Commission	Cost of Goods	Operation Costs	Other Income
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	5.600	62.515	12.898	6.797	35.279	1.478	0.008
Actual	2003	6.000	66.124	13.643	7.433	37.321	1.485	0.008
Actual	2004	6.500	70.828	14.614	8.165	39.933	1.507	0.010
Actual	2005	6.650	75.687	15.616	9.162	42.693	1.553	0.000
Actual	2006	7.450	83.916	17.310	10.148	47.307	1.692	0.000
Actual	2007	8.200	92.301	19.039	11.131	52.142	1.736	0.000
Actual	2008	8.775	98.595	20.333	12.114	55.688	1.683	0.000
Actual	2009	7.250	102.342	21.107	12.558	57.704	3.396	-0.012
Actual	2010	9.000	102.734	21.159	12.617	57.881	1.796	-0.010
Actual	2011	9.000	106.087	21.792	13.112	59.761	1.643	-0.007
Actual	2012	9.500	113.383	23.223	14.013	63.924	1.923	-0.009
Forecast	2013	10.604	120.121	24.787	14.845	67.954	1.923	-0.009
Forecast	2014	10.985	127.236	26.255	15.725	72.160	2.103	-0.009
Forecast	2015	11.602	134.787	27.813	16.658	76.637	2.069	-0.009

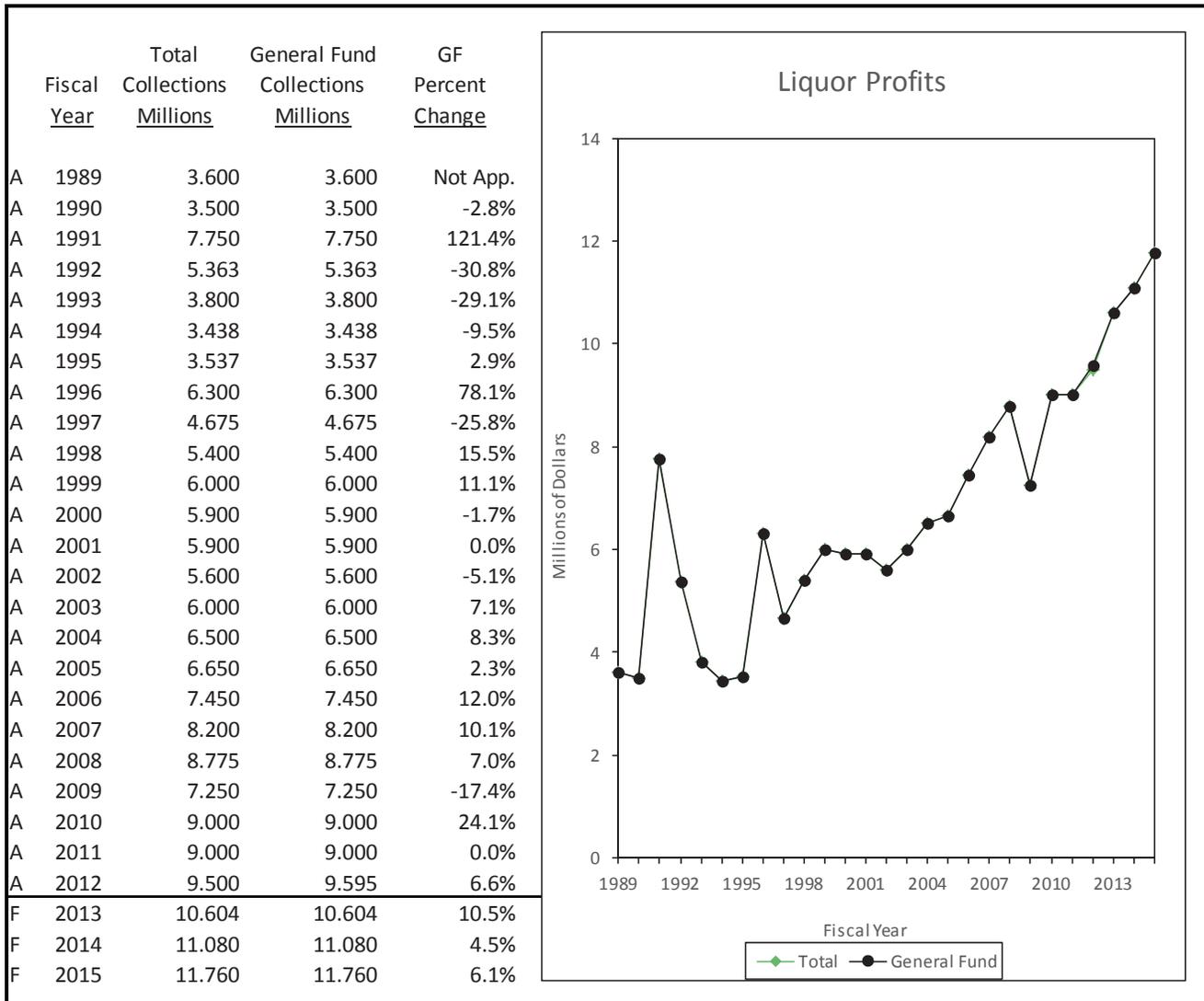
GF Profits = Gross Sales - Excise/License Tax - Discount/Commission - Cost of Goods  
- Operation Costs + Other

# Legislative Fiscal Division

## Revenue Estimate Profile

### Liquor Profits

#### Revenue Projection:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Lottery Profits

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**Revenue Description:** The Montana state lottery was enacted by legislative referendum and became effective January 1, 1987. The first lottery game began in June 1987. A lottery is generally defined as “any procedure in which one or more prizes are distributed among persons who have paid for a chance to win a prize.” The games are administered by the Department of Administration. By law, a minimum of 45.0% of the money paid for tickets or chances must be paid out as prizes.

Lottery revenue is derived from ticket sales, sales agents license fees, and unclaimed prizes. Sales revenue is initially deposited into an enterprise fund known as the state lottery fund. After paying prizes, ticket costs, commissions, and other operating costs, profits are transferred to the general fund.

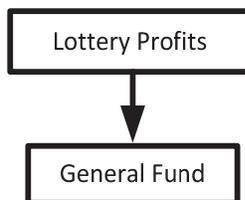
#### Statutory Reference:

Tax Rate – NA  
Distribution (MCA) – 23-7-402(3)  
Date Due – quarterly (23-7-402(3))

**Applicable Tax Rate(s):** There is no actual tax rate involved. However, applicants for sales agent licenses are charged a \$50 fee to cover the cost of investigating and processing the applications.

**Distribution:** All gross lottery revenue not used for prizes, commissions, administration, and operating expenses, together with the interest earned (on the gross revenue while the gross revenue is in the enterprise fund), is considered net revenue. This net revenue is transferred to the general fund. Senate Bill 55, passed by the 1999 Legislature, requires the Department of Commerce to submit a biennium budget for the state lottery fund for appropriation by the legislature. By determining the amount appropriated, the legislature has better control over the amount transferred to the general fund.

#### Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** Lottery revenues are collected on an on-going basis. Transfers to the general fund are usually made quarterly.

#### **% of Total General Fund Revenue:**

FY 2004 – 0.59%	FY 2007 – 0.62%	FY 2010 – 0.65%
FY 2005 – 0.41%	FY 2008 – 0.56%	FY 2011 – 0.60%
FY 2006 – 0.53%	FY 2009 – 0.56%	FY 2012 – 0.70%

#### **Revenue Estimate Methodology:**

The estimate for lottery profits is derived by estimating the various sources of revenue to the enterprise fund and expenses of the fund. Revenues less expenses are considered net revenue (profits).

# Legislative Fiscal Division

## Revenue Estimate Profile

### Lottery Profits

#### Data

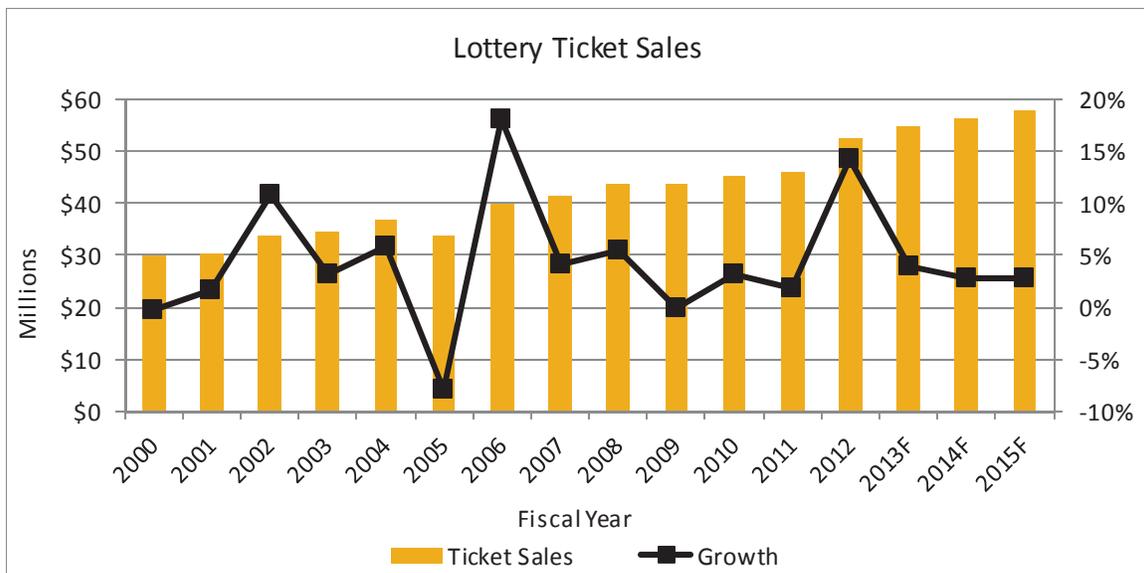
Data from the state accounting system (SABHRS) provide a history of the enterprise fund revenues and expenditures. Annual reports received from the Montana Lottery Commission provide additional financial information about the fund. Lottery personnel are contacted for their views on trends in lottery tickets sale and other factors that may influence revenues or expenditures. The state budgeting system is used to obtain estimates of appropriated administrative expenses. Montana population statistics from IHS are used to model per capita ticket sales.

#### Analysis

The estimate for lottery profits is difference between the four revenue components and the two expenditure components, each of which are forecast separately.

#### Revenue

1. Ticket sales – This is the largest component of lottery revenue. Per capita ticket sales are modeled on a time trend with an adjustment for unusually low sales in FY 2005, and multiplied by the forecast of Montana’s population to produce future ticket sales.



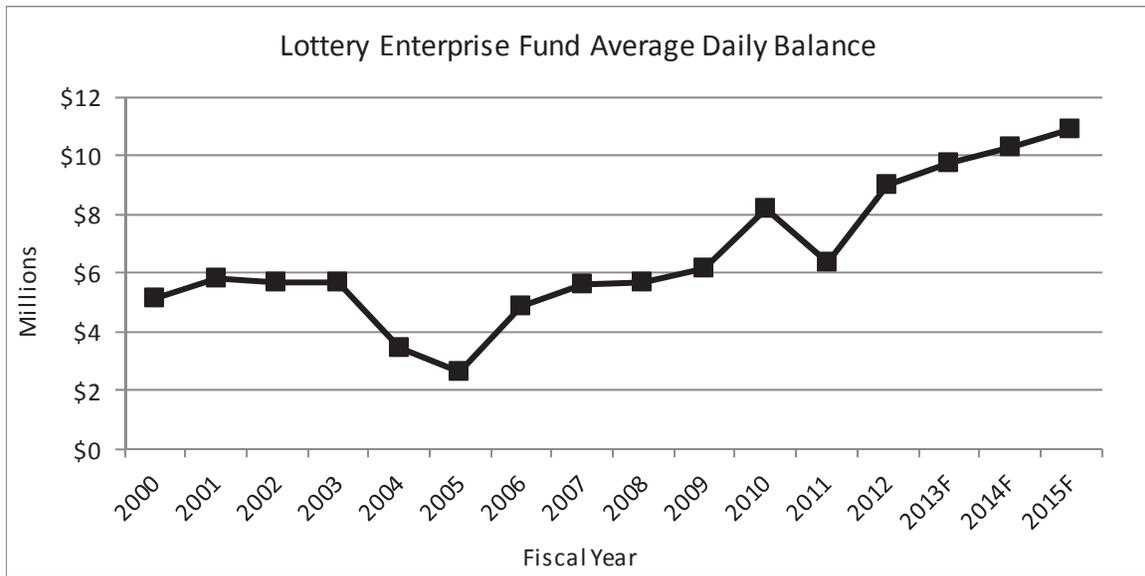
2. Licenses – Applicants who apply for a sales agent license pay a \$50 license fee. The amount from the last known fiscal year is used for all subsequent years.
3. Interest earnings – Money in the lottery enterprise fund, as well as Montana’s share of money held by the Multi-State Lottery Association, earns interest at the short-term interest rate and is deposited to the enterprise fund. To estimate interest earnings, the average daily balance is multiplied by the short-term interest rate. The average daily balance is determined by:
  - a. Deriving the balance for the last known fiscal year by dividing known interest earnings by the known short-term interest rate
  - b. Developing a balance ratio between the balance derived from (a) and ticket sales from the last known fiscal year
  - c. Multiplying the balance ratio by the ticket sales estimate for each subsequent year to derive the average daily balance.

Once the balance has been estimated, it is multiplied by the applicable short-term interest rate (see the “Treasury Cash Account” revenue source for details on the development of this rate).

# Legislative Fiscal Division

## Revenue Estimate Profile

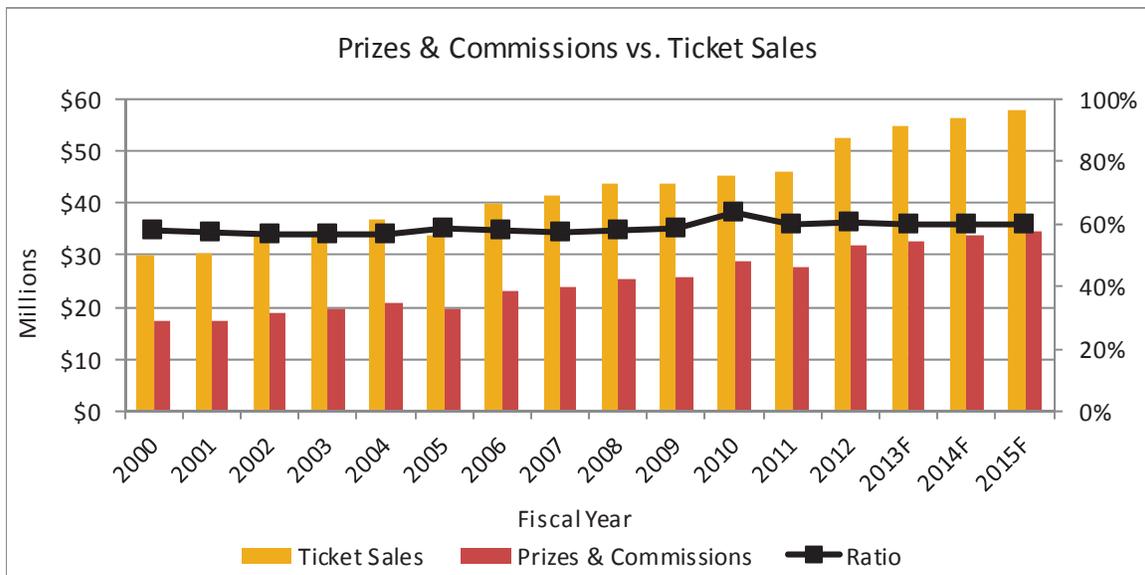
### Lottery Profits



4. Other – The small amount of miscellaneous revenue from the last known fiscal year is used for all subsequent years.

#### Expenditures

1. Prizes and Commissions – The ratio of prizes and commissions to ticket sales is relatively constant, so an average ratio is computed for all years with actual data. This ratio is multiplied by the estimated amount of ticket sales (see above) for each corresponding fiscal year to derive the estimate of prizes and commissions.

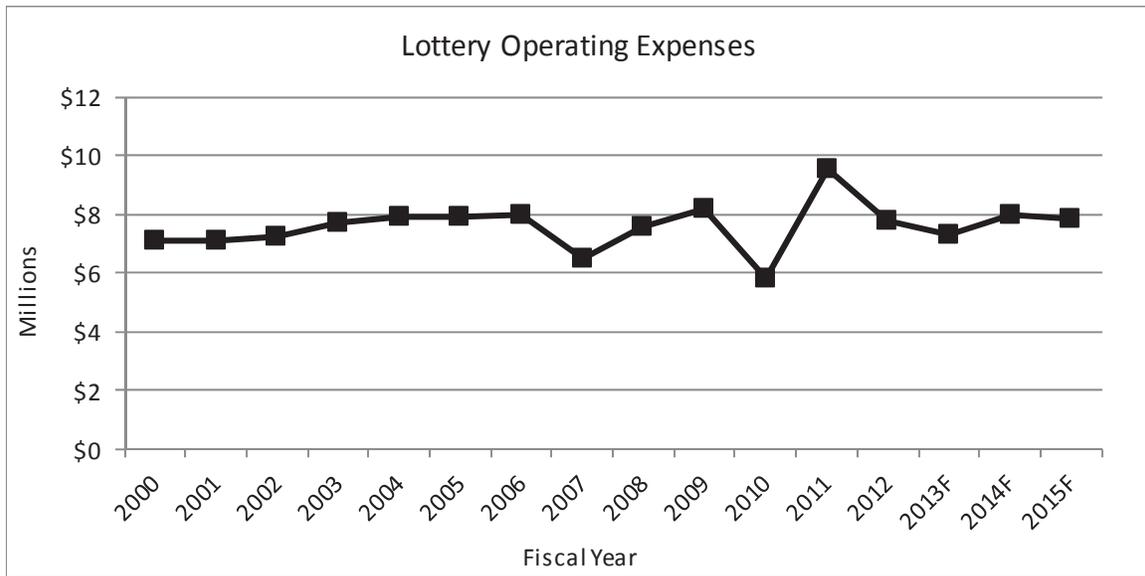


2. Operations – Operational costs are estimated using the budget submissions by the Lottery Commission, as shown on the state budgeting system.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Lottery Profits



#### Adjustments and Distribution

All profits are deposited to the general fund.

#### Forecast Methodology:



#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t	Total Profit	GF Profits	Sales	Interest	Other	Operating	Prizes
	Fiscal	Millions	Millions	Millions	Millions	Millions	Millions	Millions
Actual	2002	7.467	7.467	33.632	0.146	0.039	7.264	19.086
Actual	2003	7.453	7.453	34.682	0.077	0.014	7.722	19.599
Actual	2004	8.116	8.116	36.738	0.044	0.003	7.898	20.771
Actual	2005	6.223	6.223	33.811	0.063	0.030	7.913	19.769
Actual	2006	9.110	9.110	39.918	0.200	0.011	7.962	23.056
Actual	2007	11.420	11.420	41.565	0.267	0.004	6.529	23.886
Actual	2008	11.029	11.029	43.822	0.179	0.006	7.575	25.403
Actual	2009	10.136	10.136	43.827	0.059	0.025	8.177	25.598
Actual	2010	10.631	10.631	45.193	0.017	0.021	5.825	28.775
Actual	2011	10.611	10.611	46.035	0.009	1.638	9.577	27.494
Actual	2012	13.061	13.061	52.602	0.011	0.015	7.807	31.761
Forecast	2013	14.477	14.477	54.417	0.013	0.015	7.290	32.678
Forecast	2014	14.342	14.342	55.763	0.014	0.015	7.963	33.487
Forecast	2015	15.076	15.076	57.308	0.020	0.015	7.853	34.415

Total Profits = Sales + Interest + Other - Operating - Prizes

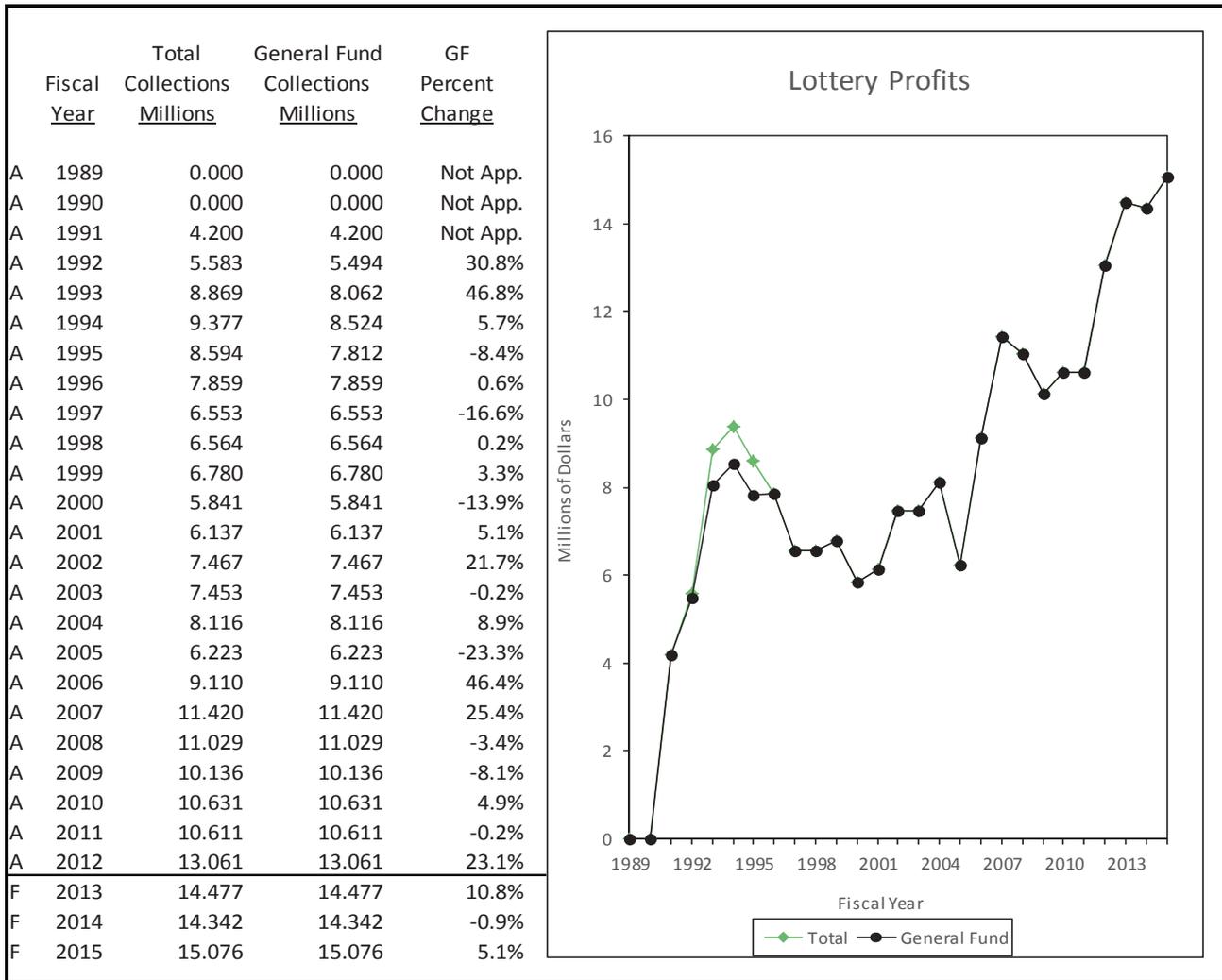
GF Profits = Total Profits

# Legislative Fiscal Division

## Revenue Estimate Profile

### Lottery Profits

#### Revenue Projection:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Tobacco Tax

**Revenue Description:** The tobacco tax is an excise tax on tobacco products sold in Montana. Cigarettes are not subject to the tobacco tax. The tax is considered a direct tax on retail consumers, but is collected by the wholesaler. Tobacco products shipped from Montana and destined for retail sale and consumption outside the state are not subject to the tax.

Beginning May 1, 2003, the 58<sup>th</sup> Legislature passed SB 407 that doubled the tax on all tobacco products other than cigarettes and moist snuff from 12.5% to 25.0% of the wholesale price. Furthermore, moist snuff is now taxed individually, increasing the rate from the equivalent of \$0.28 an ounce to \$0.35 an ounce. Beginning January 1, 2005, the electorate approved I-149 that raised the tax on other tobacco products to 50% of the wholesale price and moist snuff to \$0.85 per ounce. Wholesalers are allowed a discount of 1.5%, to cover collection and administrative expenses. The wholesaler is entitled to a refund for tobacco products that remain unsold. I-149 adjusted distributions to allow half of the tax revenues to flow into the state general fund and half to flow into a new state special revenue fund for health and Medicaid initiatives.

The state has tobacco revenue sharing agreements with five tribes in Montana. In the agreements with the Blackfeet, Fort Belknap, Fort Peck, Chippewa Cree, and Crow tribes, the state collects the tax imposed by the tribes and distributes the revenue to the tribes on a quarterly basis. Indian consumers of tobacco on other reservations are exempt from paying the tobacco tax.

#### Statutory Reference:

Tax Rate (MCA) – 16-11-111(7)

Tax Distribution (MCA) – 16-11-114(2), 16-11-119(3)

Date Due (MCA) – 16-11-111(8)

#### Applicable Tax Rate(s):

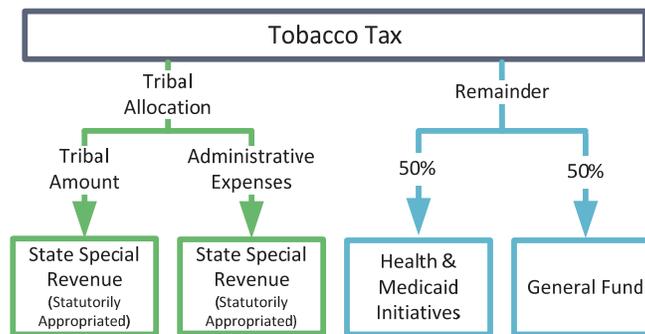
- Tobacco products - 50.0% of the wholesale price
- Moist snuff - \$0.85 per ounce

#### Distribution:

After amounts allocated for expenses and tribal distributions, the tax is distributed as follows:

- 50% to a state special revenue fund to be used of health and Medicaid initiatives
- 50% to the general fund

#### Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** Monthly

#### % of Total General Fund Revenue:

FY 2004 – 0.26%	FY 2007 – 0.25%	FY 2010 – 0.33%
FY 2005 – 0.26%	FY 2008 – 0.24%	FY 2011 – 0.31%
FY 2006 – 0.26%	FY 2009 – 0.28%	FY 2012 – 0.31%

# Legislative Fiscal Division

## Revenue Estimate Profile

### Tobacco Tax

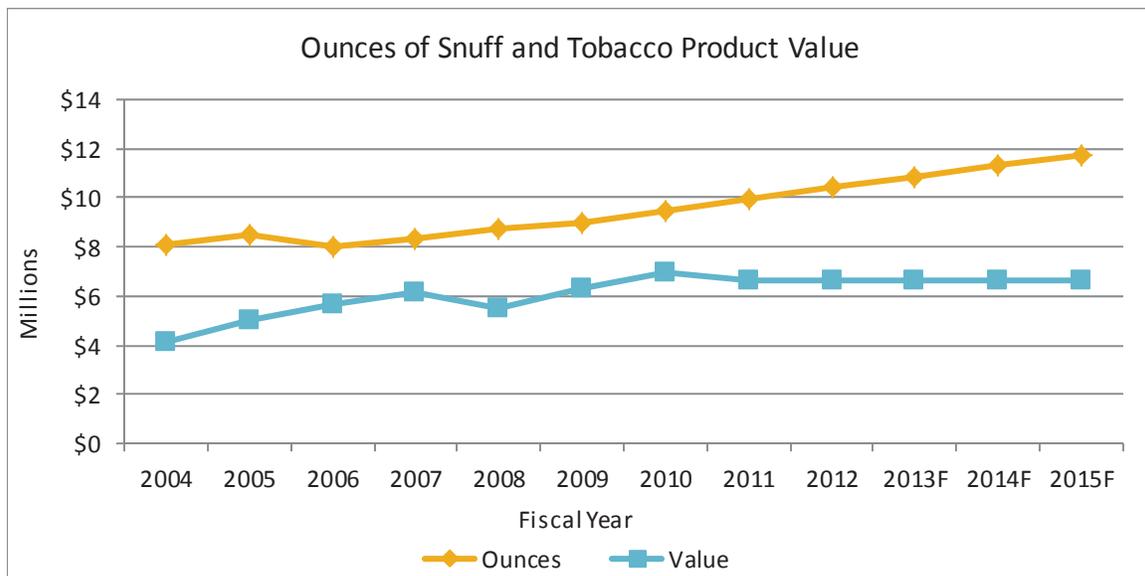
#### Revenue Estimate Methodology:

##### Data

Data obtained from the state accounting system (SABHRS), the Department of Revenue (DOR), and IHS is used to forecast tobacco tax revenues. The tobacco tax is made up of two taxes on the consumption of tobacco products. The tax on moist snuff (the largest component of the tax) is assessed on the number of ounces sold, and the tax on all other tobacco products (not including cigarettes) is assessed on the wholesale value of the product. DOR provides information, by distributor and month, on the number of ounces of snuff and the value of the tobacco products sold in each month and the records of tribal distributions, and the amount of discounts and credits given to tobacco distributors. Historic tax collections are available through SABHRS, and IHS supplies projections of the consumer price index (CPI) and Montana population.

##### Analysis

In FY 2004, the tobacco tax assessment distinguished between moist snuff and other tobacco products. A tax rate is imposed on the ounces of snuff sold instead of on value, as other tobacco products are taxed. The figure below shows the number of ounces of moist snuff sold to wholesalers since FY 2004 and the projected sales through the forecast period, as well as the wholesaler sales and projected sales of other tobacco products (value) over the same period.



In recent years, the consumption of moist snuff has increased at a slower rate than the “value” of other tobacco products. Consequently, the estimate for the tobacco taxes is derived using unique growth factors of the proxy of each moist snuff and other tobacco products.

Consumption of moist snuff is trended against population over age 21. The forecast for the value of other tobacco products sold in Montana is obtained by applying the most recent actual growth to the most recent base year and forward. Individual tax rates are applied to the consumption/value forecasts to create a gross tax estimate.

##### Adjustment and Distribution

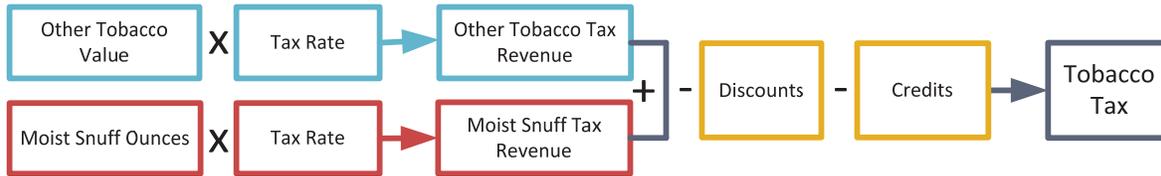
The estimates for gross collections of the tobacco taxes are adjusted for discounts and credits provided to the distributors. Finally, calculations are made for the distribution of the tobacco tax. Tobacco taxes are distributed between a state special revenue fund to be used for health and Medicaid initiatives and the general fund, as seen in the distribution chart above. The general fund distribution is then reduced by tribal reimbursements. At this time, five of the seven tribal governments receive tobacco tax dollars: Blackfeet, Fort Belknap, Fort Peck, Chippewa Cree, and Crow. These tribal governments adhere to Montana tobacco tax laws. The state of Montana collects the tribes’ portion of the tax and quarterly distributes the collections based on a formula (per capita tobacco products consumption times 150% times tribal membership times the Montana tax rate).

# Legislative Fiscal Division

## Revenue Estimate Profile

### Tobacco Tax

#### Forecast Methodology:



#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t	Total Tax	GF Tax	Tribal	Other Value	Tax Rate	Snuff Ounces	Tax Rate
	Fiscal	Millions	Millions	Millions	Millions	Percent	Millions	Per Ounce
Actual	2002	2.229	2.183	0.046	17.828	12.5%		
Actual	2003	2.360	2.305	0.056	18.884	12.5%		
Actual	2004	3.626	3.562	0.064	4.160	25.0%	8.080	0.35
Actual	2005	6.452	4.024	0.087	5.000	37.5%	8.460	0.60
Actual	2006	9.119	4.360	0.399	5.697	50.0%	7.982	0.85
Actual	2007	9.810	4.670	0.471	6.129	50.0%	8.305	0.85
Actual	2008	9.872	4.699	0.475	5.513	50.0%	8.758	0.85
Actual	2009	10.479	4.990	0.498	6.320	50.0%	8.965	0.85
Actual	2010	11.210	5.334	0.541	6.972	50.0%	9.453	0.85
Actual	2011	11.492	5.477	0.538	6.664	50.0%	9.924	0.85
Actual	2012	12.024	5.709	0.606	6.649	50.0%	10.398	0.85
Forecast	2013	12.212	5.821	0.571	6.656	50.0%	10.806	0.85
Forecast	2014	12.586	6.005	0.576	6.656	50.0%	11.258	0.85
Forecast	2015	12.983	6.197	0.589	6.656	50.0%	11.736	0.85

	t	Discount	Credits	GF Allocation
	Fiscal	Millions	Millions	Percent
Actual	2002			
Actual	2003			
Actual	2004	0.096	0.092	98.2%
Actual	2005	0.120	0.098	62.4%
Actual	2006	0.144	0.425	47.8%
Actual	2007	0.152	0.222	47.6%
Actual	2008	0.153	0.200	47.6%
Actual	2009	0.161	0.207	47.6%
Actual	2010	0.173	0.105	47.6%
Actual	2011	0.176	0.097	47.7%
Actual	2012	0.182	0.125	47.5%
Forecast	2013	0.187	0.115	50.0%
Forecast	2014	0.193	0.118	50.0%
Forecast	2015	0.199	0.122	50.0%

$$\text{Total Tax} = \text{Snuff Ounces} \times \text{Tax Rate Per Ounce} + \text{Other Value} \times \text{Tax Rate Percent} - \text{Discount} - \text{Credit}$$

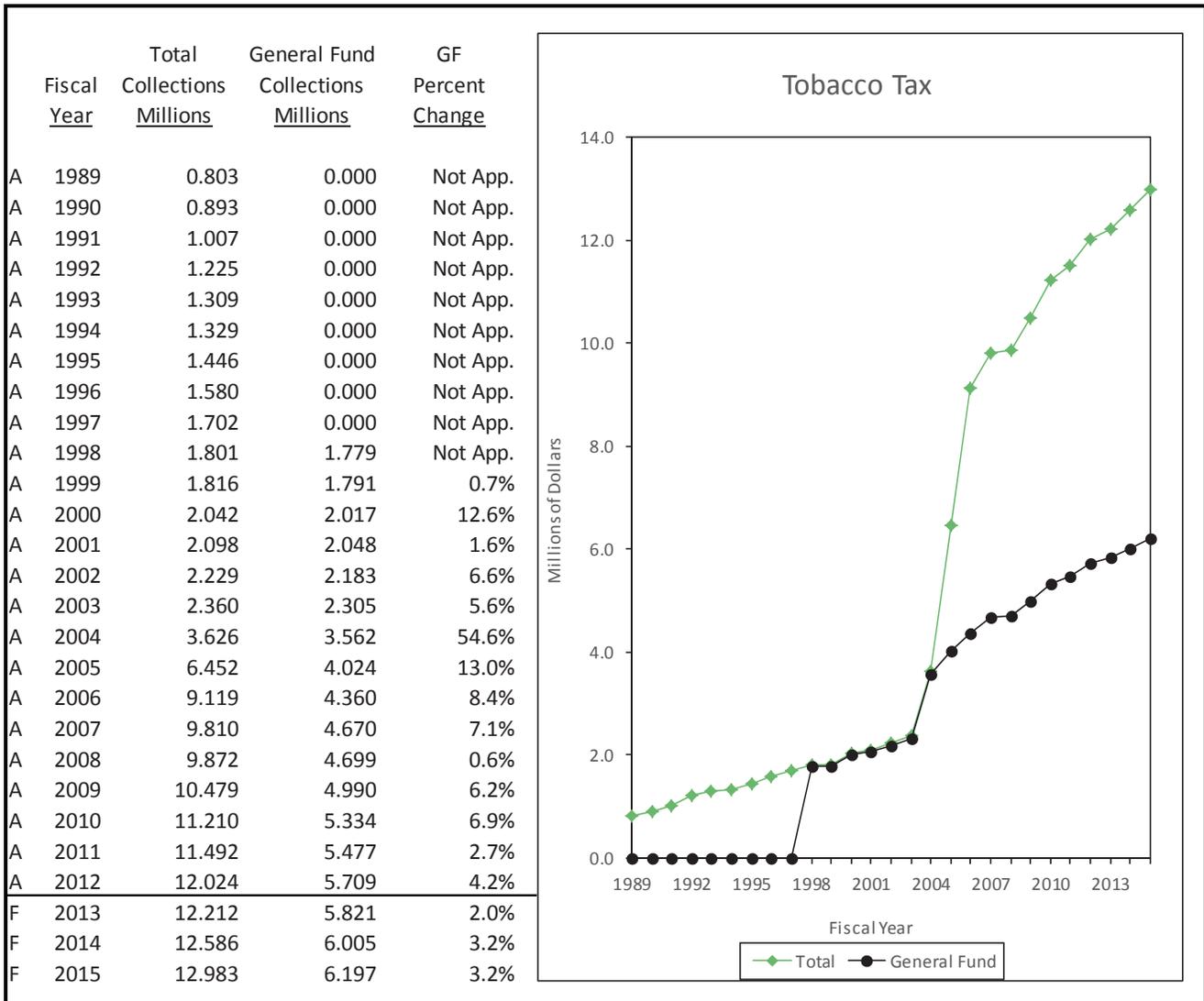
$$\text{GF Tax} = (\text{Total Tax} - \text{Tribal}) \times \text{GF Allocation}$$

# Legislative Fiscal Division

## Revenue Estimate Profile

### Tobacco Tax

#### Revenue Projection:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Video Gambling Tax

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**Revenue Description:** Video gambling income is derived from two sources: license fees and video gambling taxes. There are three types of license fees that generate revenue; fees paid by operators for video gambling machines, fees paid by operators for non-video games such as poker, and annual fees for the right to assemble, produce, or manufacture video gambling machines or associated equipment. The video gambling tax is paid by licensed video gambling machine operators. License holders are charged a tax of 15.0% of the gross income (defined as net of payouts) from each licensed video gambling machine. The Department of Justice (DOJ) issues video gambling licenses and permits and collects the fees and taxes. All video gambling tax revenue is deposited into the general fund.

#### Statutory Reference:

Tax Rate (MCA) – route operator license (23-5-129), gambling establishment operator license (23-5-177), card table fee (23-5-306(2)), bingo/keno permit (23-5-407), sports tab tax (23-5-502), video tax (23-5-610(1)), machine permit fee (23-5-612(2))

Tax Distribution (MCA) – card table fee (23-5-306(3&4)), bingo and keno tax (23-5-409), sports tab tax (23-5-502), video (23-5-610(6)), machine permit fee (23-5-612(3))

Date Due – card table fees due annually and distributed quarterly to local governments (23-5-306(1&4)), video tax due 15 and 25 days after the end of the quarter (23-5-610(5)(a&b)), machine permit fees due annually prorated on a quarterly basis (23-5-612(2a)), bingo and keno taxes due July 31.

#### Applicable Tax Rate(s):

##### License Fees

- Video Gambling Machine Permit - \$220 annually (prorated basis), \$25 machine transfer processing fee
- Video Gambling Manufacturer License - \$1,000 annually. An additional application fee is charged manufacturers to cover processing costs of the initial application. The manufacture license may be waived by the DOJ if the manufacture is also a licensed distributor or route operator.
- Video Gambling Machine Examination Fee – An amount equal to actual DOJ costs of examining the electronic equipment
- Distributor License - \$1,000 annually. The distributor license may be waived by the DOJ if the distributor is also a licensed operator or manufacturer. An additional application fee is charged distributors to cover processing costs of the initial application.
- Route Operator License - \$1,000 annually. The operator license may be waived by the DOJ if the operator is also a licensed distributor or manufacturer. An additional application fee is charged operators to cover processing costs of the initial application.
- Bingo/Keno Manufacture License - \$1,000 annually. An additional application fee is charged manufacturers to cover processing costs of the initial application.
- Gambling Establishment Operator License – An amount equal to the actual DOJ costs of determining licensure qualifications
- Antique Slot Machine Seller Permit - \$50 annually
- Live Card Game Table - \$250 annually for the first table and \$500 for each additional table
- Card Game Dealer License - \$75 for the first year, \$25 for each subsequent year
- Pinochle Tournament Permit - \$25
- Card Room Contractor License - \$150 annually
- Bingo/Keno Permit - \$250 annually
- Bingo/Keno Examination Fee – An amount equal to actual DOJ costs of examining the electronic equipment
- Sports Tab Game Seller License - \$100 annually. An additional application fee is charged to cover processing costs of the initial application.
- Casino Night Permit - \$25
- Associated Business - \$100

##### Gambling Taxes

- Video – 15.0% of gross income (defined as net of payouts) per video gambling machine
- Bingo/Keno – 1.0% of gross proceeds
- Sport Tabs – \$1.00 for each 100 sport tabs sold

# Legislative Fiscal Division

## Revenue Estimate Profile

### Video Gambling Tax

#### Distribution:

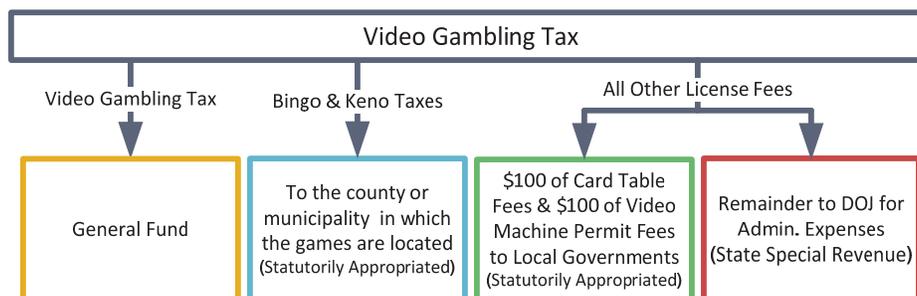
##### License Fees

1. \$100 of the live card game table fee and \$100 of the video gambling machine permit fee (prorated basis) are statutorily appropriated for distribution to local governments.
2. All other license fee revenue is retained by DOJ to cover administrative costs.

##### Gambling Taxes

1. Video – All of video gambling tax receipts are deposited into the general fund.
2. Bingo/Keno – All collections are statutorily appropriated for distribution to the municipality or county in which the game is located.
3. Sport Tabs – All collections are retained by DOJ for administration purposes.

#### Distribution Chart:



#### Summary of Legislative Action:

House Bill 141 – House Bill 141 adjusts fees associated with video gambling machines and card tournaments. The largest impact comes from additional fees for video gambling machines of \$20, \$15, \$10, or \$5 depending on how many quarters of the year the machine is registered for. There are also fee adjustments for live card tournaments which results in a much smaller increase in revenue. The video gambling machine fee adjustment is effective July 1, 2013. Changes to the card tournament fees become effective October 1, 2013.

Video Gambling Tax – Legislation Passed by 63rd Legislature			
General Fund Impact (\$ Millions)			
Bill Number and Short Title	FY 2013	FY 2014	FY 2015
HB0141 Revise gambling control laws	\$0.000	\$0.000	\$0.000
<b>Total General Fund Impact</b>	<b>\$0.000</b>	<b>\$0.000</b>	<b>\$0.000</b>

**Collection Frequency:** Video tax – quarterly, machine permit fees – quarterly, other fees – annually

#### % of Total General Fund Revenue:

FY 2004 – 3.69%	FY 2007 – 3.30%	FY 2010 – 3.22%
FY 2005 – 3.49%	FY 2008 – 3.22%	FY 2011 – 2.80%
FY 2006 – 3.35%	FY 2009 – 3.45%	FY 2012 – 2.88%

#### Revenue Estimate Methodology:

The components of video gambling revenue have separate distributions, so each component is estimated separately.

#### Data

The Department of Justice provides data upon request. Limited applicable data is available from the department's website. Historic and current revenue collections are obtained from SABHRS. IHS forecasts of Montana population and personal income are used to model per capita video gambling machine gross income.

# Legislative Fiscal Division

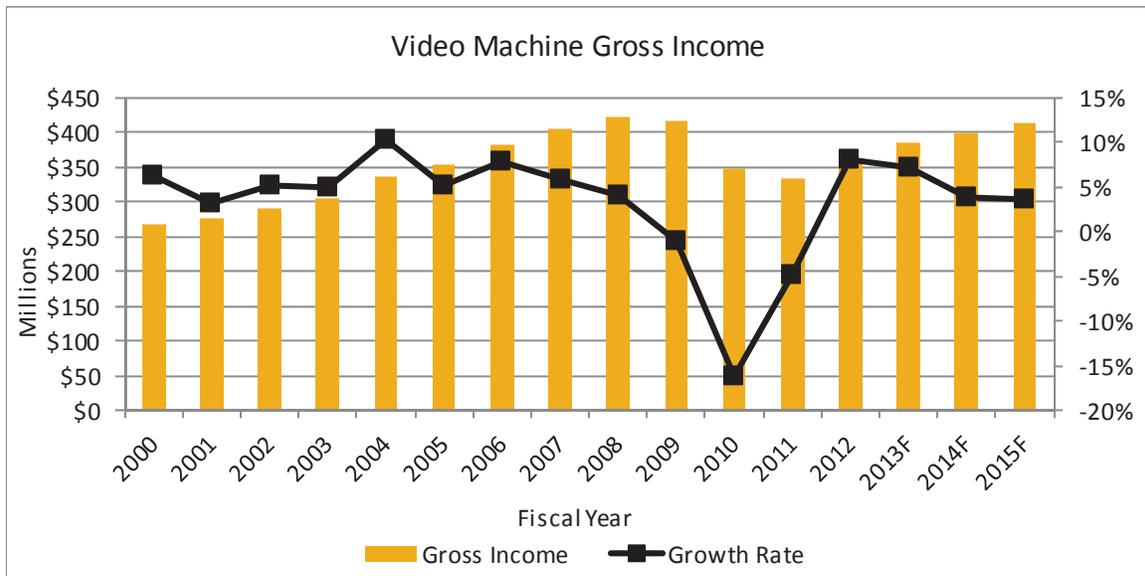
## Revenue Estimate Profile

### Video Gambling Tax

#### Analysis

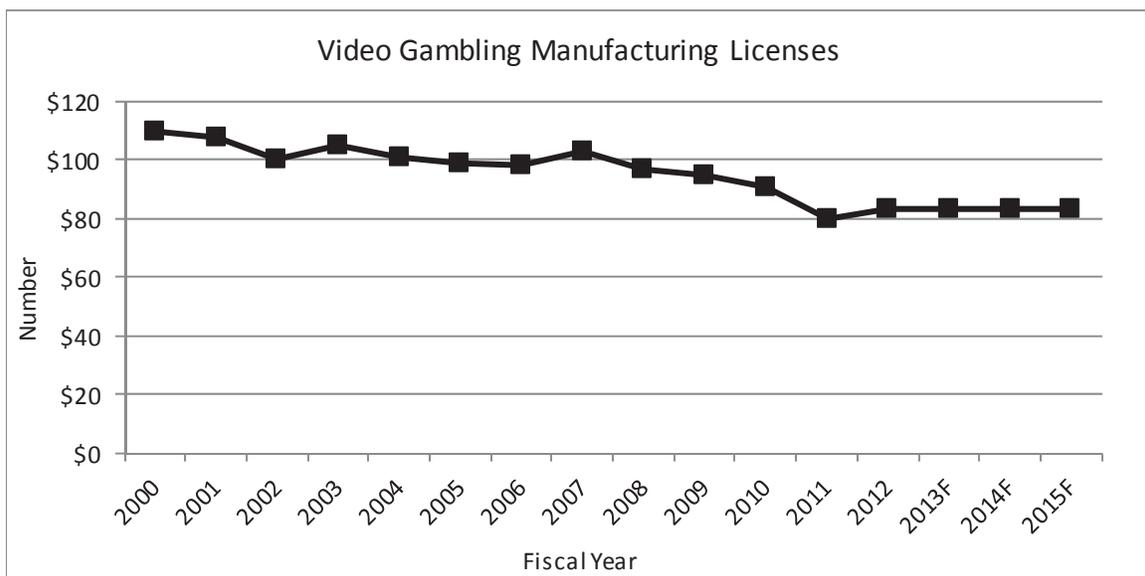
The revenue estimate is determined in a three-step process:

1. Revenue from the tax on video gambling machine gross income (defined as net of payouts) is the largest component of this revenue source and all revenue from this tax is distributed to the general fund. To determine total gross income, gross income for poker, keno, and multiple-game machines are calculated from revenue collections. The amount from the most recently completed fiscal year and subsequent estimates for succeeding fiscal years are adjusted based on per capita income growth. Once total gross income is estimated, the revenue estimate for this component is determined by multiplying total gross income by the tax rate. The total gross income and growth rates are shown in the chart below.



2. Permit and license fees are the second component to this revenue source, the revenue from which is deposited to the state special revenue fund and distributed to the Department of Justice to pay administrative costs and to local governments. There are three separate estimates for permit and license fees:

- a. Video gambling manufacturing license – The number of licenses from the last known fiscal year is multiplied by the license fee and the product used as the estimate for all subsequent fiscal years.

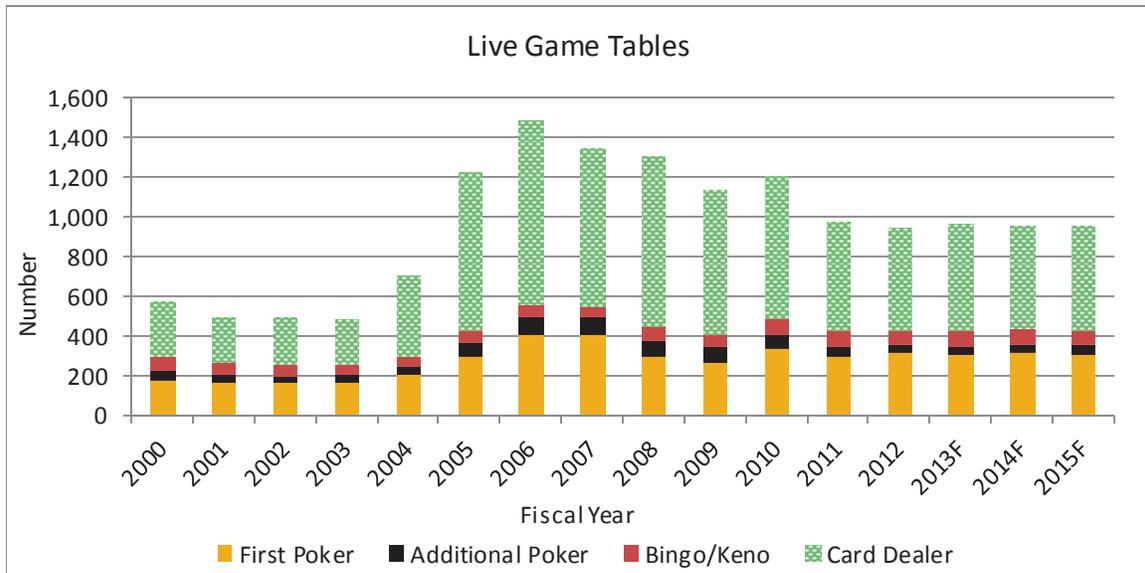


# Legislative Fiscal Division

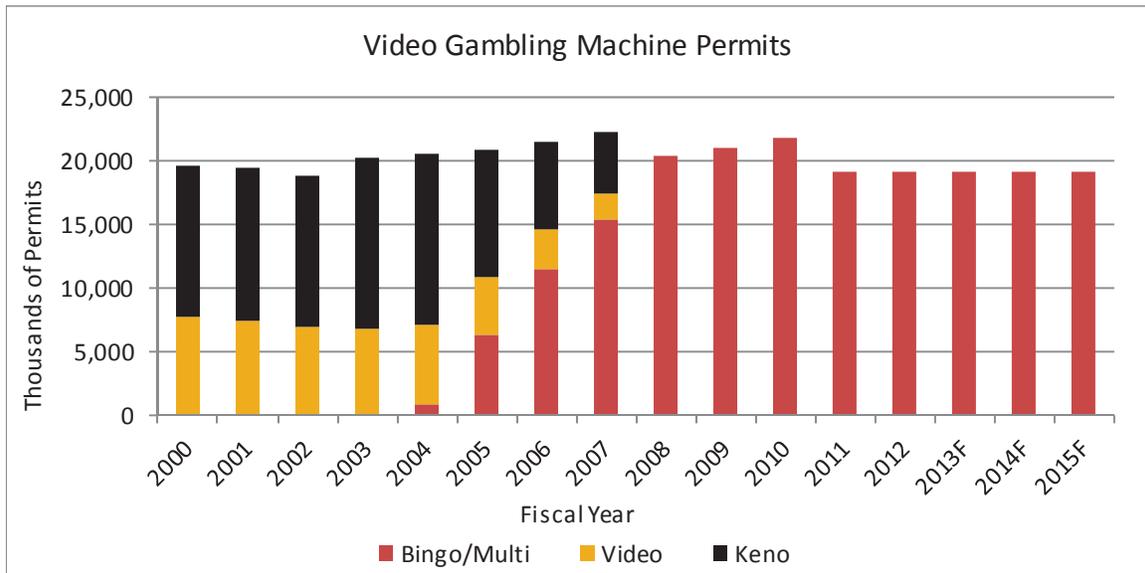
## Revenue Estimate Profile

### Video Gambling Tax

- b. Live game permit/license fees – The amounts of “first” poker tables, “additional” poker tables, bingo/keno, and card dealers are estimated by the average of the prior two actual/estimated fiscal year amounts. The numbers are multiplied by the applicable fees, the product of which is used for all subsequent fiscal years for each type.



- c. Video gambling machine permit fees – The number of video, bingo/multi game, and keno machine permits for the last known fiscal year is summed. The sum is multiplied by the ratio of the amount of revenue deposited to DOJ gambling license account to the total amount of permit fee revenue for the last known fiscal year. This is done to adjust for discrepancies in the last known fiscal year between actual collections and totals derived by multiplying number of permits by the applicable permit/license fee. Once the total adjusted number of permits has been estimated, it is multiplied by the fee amount.



#### Adjustments and Distribution

Since the general fund and the state special revenue component are estimated under separate methodologies, the distribution of the revenue has already been done.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Video Gambling Tax

#### Forecast Methodology:



#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t	Total Tax	GF Tax	Net Income	Tax	Net Income	Non GF Fee	Surtax
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Rate</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	47.597	43.666	291.123	15.0%	43.668	3.929	
Actual	2003	49.942	45.794	305.443	15.0%	45.816	4.126	
Actual	2004	55.324	50.749	336.638	15.0%	50.769	4.555	0.273
Actual	2005	58.038	53.361	354.176	15.0%	53.401	4.637	0.274
Actual	2006	62.129	57.277	381.981	15.0%	57.297	4.832	0.000
Actual	2007	65.684	60.641	404.274	15.0%	60.641	5.043	0.000
Actual	2008	71.607	63.134	420.985	15.0%	63.148	8.459	0.000
Actual	2009	67.171	62.458	416.387	15.0%	62.458	4.713	0.000
Actual	2010	57.195	52.396	349.307	15.0%	52.396	4.799	0.000
Actual	2011	54.195	49.824	332.162	15.0%	49.824	4.370	0.000
Actual	2012	58.250	53.824	358.824	15.0%	53.824	4.427	0.000
Forecast	2013	62.125	57.706	384.706	15.0%	57.706	4.419	0.000
Forecast	2014	64.348	59.929	399.527	15.0%	59.929	4.419	0.000
Forecast	2015	66.536	62.117	414.115	15.0%	62.117	4.419	0.000

Total Tax = Net Income × Tax Rate + Non GF Fee + Surtax

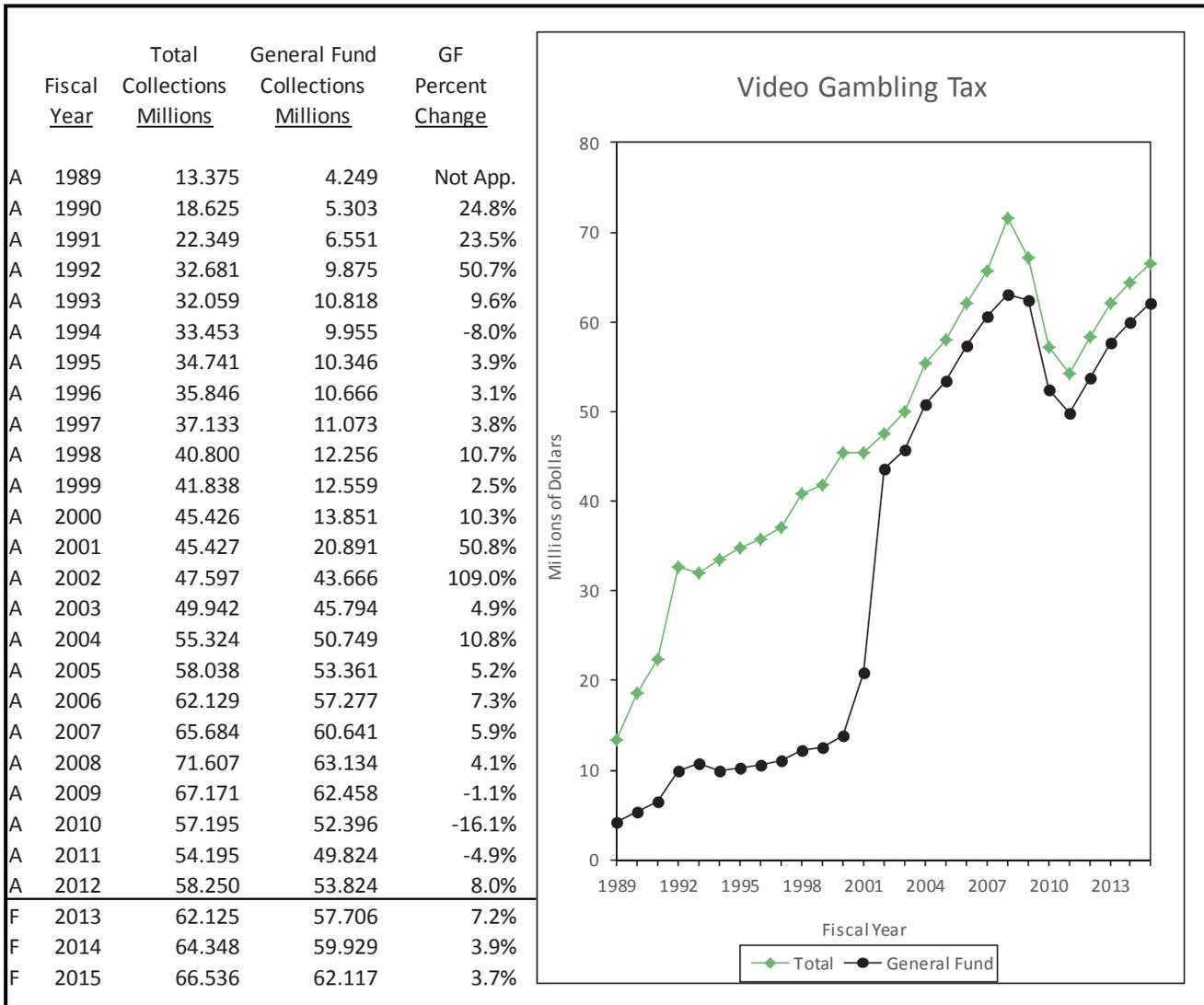
GF Tax = Net Income × Tax Rate

# Legislative Fiscal Division

## Revenue Estimate Profile

### Video Gambling Tax

#### Revenue Projection:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Wine Tax

**Revenue Description:** A wine tax is levied on table wines imported into Montana by wine distributors or by the Department of Revenue (DOR), who is authorized to sell wines to retail liquor establishments throughout the state. A tax is also imposed on hard cider imported by a table wine distributor or DOR. A portion of wine tax revenue is returned to Native American tribes per an agreement between DOR and the tribes.

#### Statutory Reference:

Tax Rate (MCA) – 16-1-411(1), 16-2-301(2)

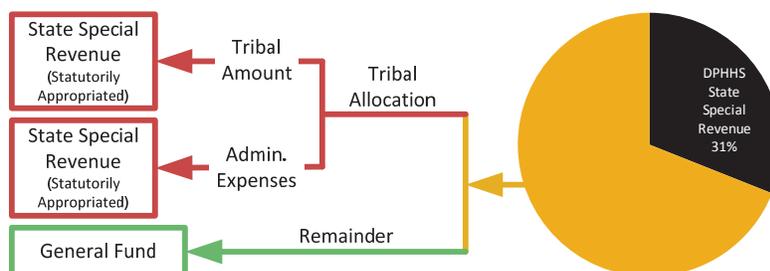
Tax Distribution (MCA) – 16-1-411(3), 16-2-301(2)

Date Due – 15<sup>th</sup> day of the month following the sale from the distributor’s warehouse (16-1-411(2))

**Applicable Tax Rate(s):** A tax of \$0.27 is imposed per liter of wine and a tax of \$0.037 per liter is imposed on hard cider. An additional tax of \$0.01 per liter is imposed on table wine sold by a table wine distributor to an agent.

**Distribution:** The \$0.01 per liter tax is deposited into the general fund. After expenses and tribal allocations, other wine tax revenue is distributed to the general fund the Department of Public Health and Human Services (DPHHS) alcohol account per the distribution chart below. The general fund distribution is reduced by the amount of the tribal agreements.

#### Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** Monthly

#### % of Total General Fund Revenue:

FY 2004 – 0.10%

FY 2007 – 0.10%

FY 2010 – 0.12%

FY 2005 – 0.10%

FY 2008 – 0.09%

FY 2011 – 0.11%

FY 2006 – 0.10%

FY 2009 – 0.11%

FY 2012 – 0.11%

#### Revenue Estimate Methodology:

##### Data

The state accounting system (SABHRS) and DOR provide data for the wine tax estimates. The SABHRS data includes total fiscal year tax collection data. The DOR data provides the information related to historic tribal distributions. IHS projections of population over age 21 are used for future per capita consumption.

Wine tax collections are made up of the collections of two taxes, the wine tax and the hard cider tax. Although each tax is individually established in statute, no distinction between the taxes is made when preparing the estimates. In the past several years, the cider tax has contributed no more than 0.1% of the total wine tax collections. If cider tax collections become more significant, the wine tax methodology will be adapted to forecast hard cider tax separately.

Wine projections are based on the number of liters of wine consumed. SABHRS data is used to produce a proxy number of liters by dividing the total tax receipts by the wine tax rate.

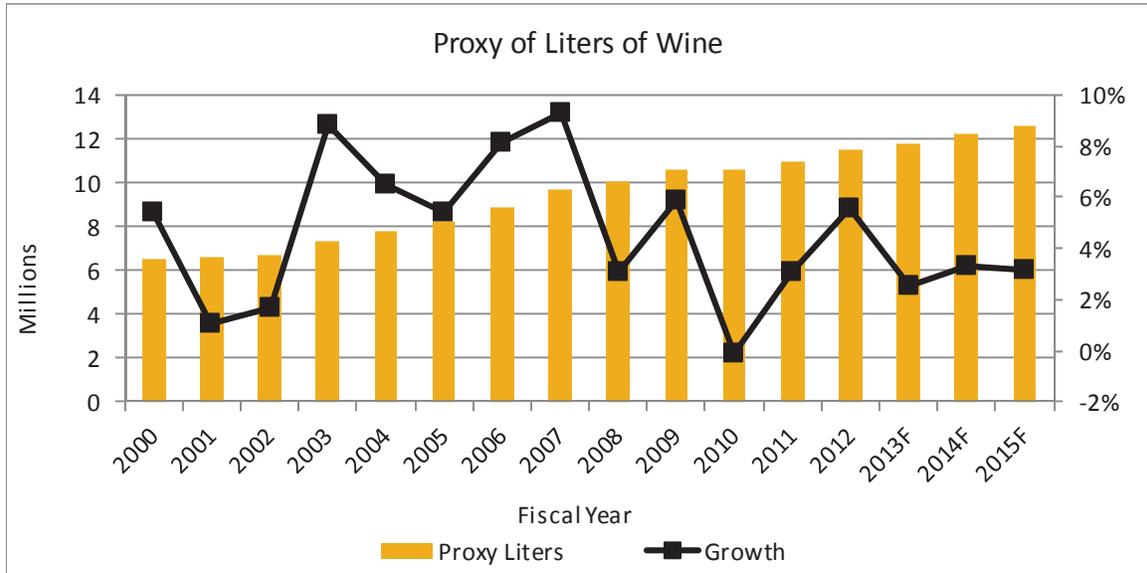
# Legislative Fiscal Division

## Revenue Estimate Profile

### Wine Tax

#### Analysis

Growth in wine tax collections, measured in liters of wine, has followed a consistent upward trend through time, as shown below:



Proxy liters of wine is modeled against Montana population over age 21 to produce an estimate of future proxy liters. The tax rate is applied to produce future tax revenues.

#### Adjustment and Distribution

The wine taxes are distributed between two funds; the general fund and the DPHHS alcohol state special revenue account. The general fund distribution is reduced by tribal reimbursements. At this time, three of the seven tribal governments—Blackfeet, Fort Belknap, and Fort Peck—receive wine tax dollars. These tribal governments adhere to Montana wine tax laws. The state of Montana collects the tribes’ portion of the tax, and quarterly distributes the collections based on a formula (per capita wine consumption times tribal membership times the Montana tax rate).

#### Forecast Methodology:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Wine Tax

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#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	<u>t</u>	<u>Total Tax</u>	<u>GF Tax</u>	<u>Liters</u>	<u>Tax Rate</u>	<u>Gf Allocation</u>	<u>Tribal</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>\$ Per Liter</u>	<u>Percent</u>	<u>Millions</u>
Actual	2002	1.816	1.232	6.725	0.27	69.0%	0.021
Actual	2003	1.976	1.340	7.319	0.27	69.0%	0.024
Actual	2004	2.104	1.423	7.794	0.27	69.0%	0.029
Actual	2005	2.218	1.503	8.215	0.27	69.0%	0.029
Actual	2006	2.398	1.624	8.880	0.27	69.0%	0.031
Actual	2007	2.620	1.775	9.703	0.27	69.0%	0.034
Actual	2008	2.701	1.829	10.005	0.27	69.0%	0.036
Actual	2009	2.860	1.936	10.592	0.27	69.0%	0.038
Actual	2010	2.857	1.933	10.580	0.27	69.0%	0.039
Actual	2011	2.945	1.994	10.907	0.27	69.0%	0.039
Actual	2012	3.109	2.104	11.515	0.27	69.0%	0.042
Forecast	2013	3.168	2.144	11.735	0.27	69.0%	0.042
Forecast	2014	3.275	2.218	12.130	0.27	69.0%	0.042
Forecast	2015	3.383	2.291	12.531	0.27	69.0%	0.043

Total Tax = Liters × Tax Rate

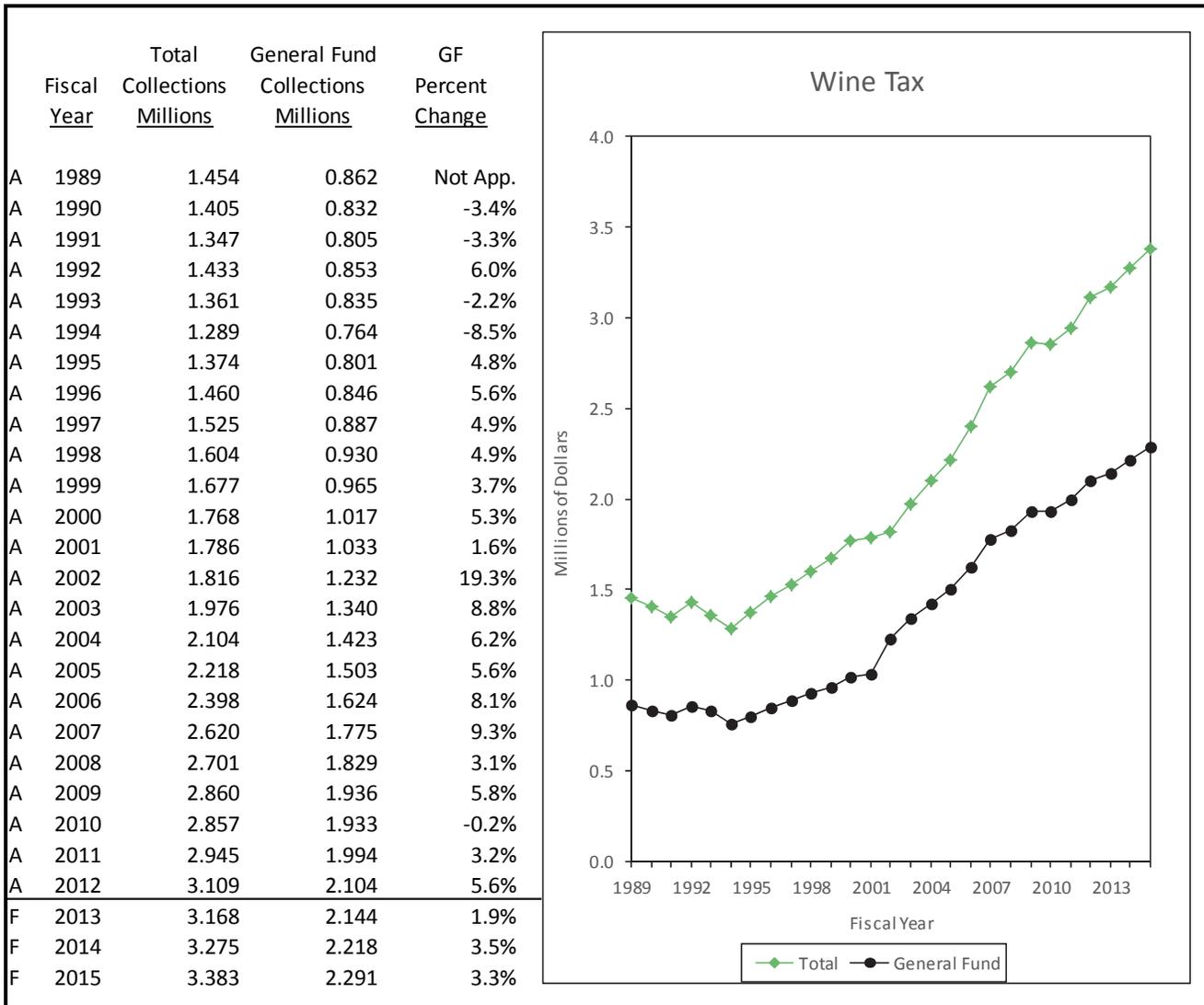
GF Tax = Liters × Tax Rate × GF Allocation - Tribal

# Legislative Fiscal Division

## Revenue Estimate Profile

### Wine Tax

#### Revenue Projection:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Property Tax: 1.5 Mill

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**Revenue Description:** Beginning in FY 1997, statute requires the boards of county commissioners in the five counties where colleges of technology reside to levy 1.5 mills for deposit in the state general fund. This revenue component used to include collections from non-levy sources that were distributed on the basis of mills levied by taxing jurisdictions. HB 124, passed during the 2001 legislative session, eliminated distribution of non-levy sources to the 1.5 mill levy.

#### Statutory Reference:

Tax Rate (MCA) – 20-25-439(1)

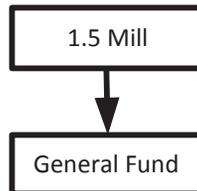
Tax Distribution (MCA) – 20-25-439(2)

Date Due – one-half of taxes due November 30<sup>th</sup> and one-half due May 31<sup>st</sup> (15-16-102(1)), county treasurers must remit to the Department of Revenue within the first 20 days of each month money received in the previous month (15-1-504(1))

**Applicable Tax Rate(s):** Each property class has its own tax rate which is applied to assessed value to produce a taxable value. For every \$1,000 in taxable value, 1.5 mills generate \$1.50 in state property taxes.

**Distribution:** All property tax receipts are deposited into the general fund, except revenue associated with the 6-mill university levy.

#### Distribution Chart:



#### Summary of Legislative Action:

Senate Bill 96 – Previous law (SB 372 in the 2011 session) provided a tax rate of 2% for class 8 equipment valued at \$2 million or less, and a tax rate of 3% for all taxable market value in excess of \$3 million owned by a taxpayer. If combined income taxes and corporate taxes collected in fiscal year 2013 exceed collections in fiscal year 2012 by 4% or more, then starting January 1, 2014 class eight business equipment would have been taxed at a tax rate of 1.5% on the first \$3 million of taxable market value and 3% for all taxable market value in excess of \$3 million owned by a taxpayer. Previous law also exempted the first \$20,000 in market value for owners with less than \$20,000 in property, but not for owners with equipment valued at more than \$20,000.

Starting January 1, 2014, SB96 reduces the taxes assessed on class eight business equipment by 1) providing a tax rate of 1.5% on the first \$6 million of taxable market value and 3% for all taxable market value in excess of \$6 million, and 2) exempts the first \$100,000 in market value of this property owned by a taxpayer. The exemption is available for all owners of class 8 business equipment tax.

Reimbursements are provided to the university system, local governments, local schools, and TIFs from the general fund for reductions in property tax revenue due to SB 96, as amended.

Senate Bill 96 reduces revenue to the general fund (95 mills and the 1.5 mills) by \$1.331 million in FY 2014 and by \$2.245 million in FY 2015. The impact in FY 2014 is because owners of strictly personal property (i.e. property not-liened-to-real) will see their taxes reduced in May 2014. University 6 mill revenue will be reduced by \$83,341 in FY 2014 and by \$140,573 in FY 2015. Reimbursements for lost revenue will be made to local governments, school districts, the county retirement fund, the countywide school transportation reimbursement, each tax increment financing district, and the 6-mill levy for support of the Montana university system in TY 2014 and 2015.

Reimbursements will total \$17.883 million for the 2015 biennium. Reimbursements to county and city governments, TIF's will be statutorily appropriated. The reimbursement for the 6 mill account will be transferred to that account. The total of these reimbursements will be \$9.951 million for the biennium. SB96 increases the appropriation for school district and county education block grants in HB 2 for FY 2015 by \$7.932 million. In addition there will be guaranteed tax base savings of \$3.054 million, and SB 96 reduces the appropriation for Base Aid in HB 2 for FY 2015 by the same amount. The net cost of SB 96 is \$18.5 million over the 2015 biennium.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Property Tax: 1.5 Mill

Senate Bill 231 - SB 231 increases the amount of park and recreation area land that may be exempted from property tax, by a federally recognized Indian tribe, increasing the statutory 15 acre limit to 640 acres. This bill would reduce revenue to the general fund by \$2,960 in FY 2014 and by \$2,962 in FY 2015. The 6-mill account will receive less revenue of around \$187 in each year of the 2015 biennium.

Property Tax: 1.5 Mill – Legislation Passed by 63rd Legislature General Fund Impact (\$ Millions)			
Bill Number and Short Title	FY 2013	FY 2014	FY 2015
SB0096 Lower the business and equipment tax	\$0.000	(\$0.011)	(\$0.019)
SB0231 Revise tax exemption laws regarding tribal recreational property	0.000	(0.000)	(0.000)
<b>Total General Fund Impact</b>	<b>\$0.000</b>	<b>(\$0.011)</b>	<b>(\$0.019)</b>

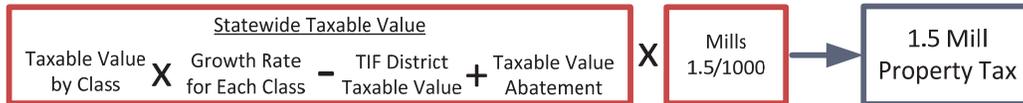
**Collection Frequency:** Monthly with significant state deposits in December and June.

**% of Total General Fund Revenue:**

FY 2004 – 0.07 %	FY 2007 – 0.06%	FY 2010 – 0.07%
FY 2005 – 0.06%	FY 2008 – 0.06%	FY 2011 – 0.06%
FY 2006 – 0.06%	FY 2009 – 0.06%	FY 2012 – 0.06%

**Revenue Estimate Methodology:** The methodology used to derive revenue from this source is explained in the methodology section under “Property Tax.”

**Forecast Methodology:**



# Legislative Fiscal Division

## Revenue Estimate Profile

### Property Tax: 1.5 Mill

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	<u>t</u>	<u>Total Tax</u>	<u>GF Tax</u>	<u>Tax. Value</u>	<u>Mills/1000</u>	<u>Non-Levy</u>	<u>Adjustments</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Applied</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	0.919	0.919	563.452	0.002	0.020	0.034
Actual	2003	0.884	0.884	586.588	0.002	0.000	0.000
Actual	2004	0.968	0.968	596.513	0.002	0.000	0.000
Actual	2005	0.922	0.904	608.056	0.002	0.000	0.000
Actual	2006	0.960	0.945	662.811	0.002	0.000	0.000
Actual	2007	0.996	0.984	693.488	0.002	0.000	0.000
Actual	2008	1.097	1.094	721.234	0.002	0.000	0.000
Actual	2009	1.100	1.116	743.921	0.002	0.000	0.000
Actual	2010	1.120	1.115	759.598	0.002	0.000	0.000
Actual	2011	1.151	1.155	778.415	0.002	0.000	0.000
Actual	2012	1.173	1.160	797.739	0.002	0.000	0.000
Forecast	2013	1.210	1.193	806.969	0.002	0.000	0.000
Forecast	2014	1.255	1.238	836.367	0.002	0.000	0.000
Forecast	2015	1.294	1.277	862.955	0.002	0.000	0.000

	<u>t</u>	<u>Class 1</u>	<u>Class 2</u>	<u>Class 3</u>	<u>Class 4</u>	<u>Class 5</u>	<u>Class 6</u>	<u>Class 7</u>
	<u>Fiscal</u>	<u>Millions</u>						
Actual	2002	7.843	11.015	139.057	954.102	35.668	12.459	0.189
Actual	2003	8.691	10.669	138.900	1,002.874	35.382	6.167	0.216
Actual	2004	7.808	8.800	140.240	1,034.656	32.725	0.000	0.995
Actual	2005	8.032	10.428	139.902	1,076.985	34.024	0.000	0.974
Actual	2006	2.694	13.045	140.988	1,129.794	34.611	0.000	0.953
Actual	2007	3.252	21.106	141.002	1,183.821	35.078	0.000	1.068
Actual	2008	3.840	18.849	141.329	1,244.916	35.418	0.000	1.096
Actual	2009	4.013	24.540	142.099	1,296.595	35.155	0.000	1.214
Actual	2010	4.002	23.837	161.073	1,368.081	37.502	0.000	1.266
Actual	2011	3.181	18.291	153.566	1,396.074	38.994	0.000	1.298
Actual	2012	3.888	22.987	150.429	1,418.797	40.642	0.000	1.194
Forecast	2013	4.189	31.132	147.792	1,446.304	45.673	0.000	1.170
Forecast	2014	4.276	33.820	145.202	1,478.146	48.816	0.000	1.147
Forecast	2015	4.337	35.056	142.657	1,511.683	52.176	0.000	1.124

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# Legislative Fiscal Division

## Revenue Estimate Profile

### Property Tax: 1.5 Mill

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	<u>t</u> <u>Fiscal</u>	<u>Class 8</u> <u>Millions</u>	<u>Class 9</u> <u>Millions</u>	<u>Class 10</u> <u>Millions</u>	<u>Class 12</u> <u>Millions</u>	<u>Class 13</u> <u>Millions</u>	<u>TIF's</u> <u>Millions</u>	<u>Abatement</u> <u>Millions</u>
Actual	2002	116.605	219.956	8.199	48.658	144.488	30.530	3.880
Actual	2003	118.349	206.360	7.170	46.688	137.185	30.803	3.870
Actual	2004	118.297	212.111	6.789	45.630	125.623	33.562	3.188
Actual	2005	117.241	219.993	6.791	45.074	120.485	27.767	4.088
Actual	2006	123.055	238.767	6.794	44.267	122.846	25.464	4.137
Actual	2007	135.613	248.320	6.816	41.577	130.476	28.830	18.855
Actual	2008	138.658	264.324	6.822	43.004	152.942	30.120	18.099
Actual	2009	151.317	260.190	6.816	43.567	154.611	25.752	20.021
Actual	2010	169.606	254.253	6.988	46.901	154.314	32.014	23.706
Actual	2011	182.310	280.633	6.519	51.836	174.430	41.946	27.058
Actual	2012	186.854	304.226	6.390	71.336	193.267	46.300	25.369
Forecast	2013	179.237	322.490	6.349	72.349	197.605	47.037	20.225
Forecast	2014	180.358	345.727	6.308	76.657	208.267	47.037	20.877
Forecast	2015	179.206	370.637	6.268	81.222	219.505	45.359	21.539

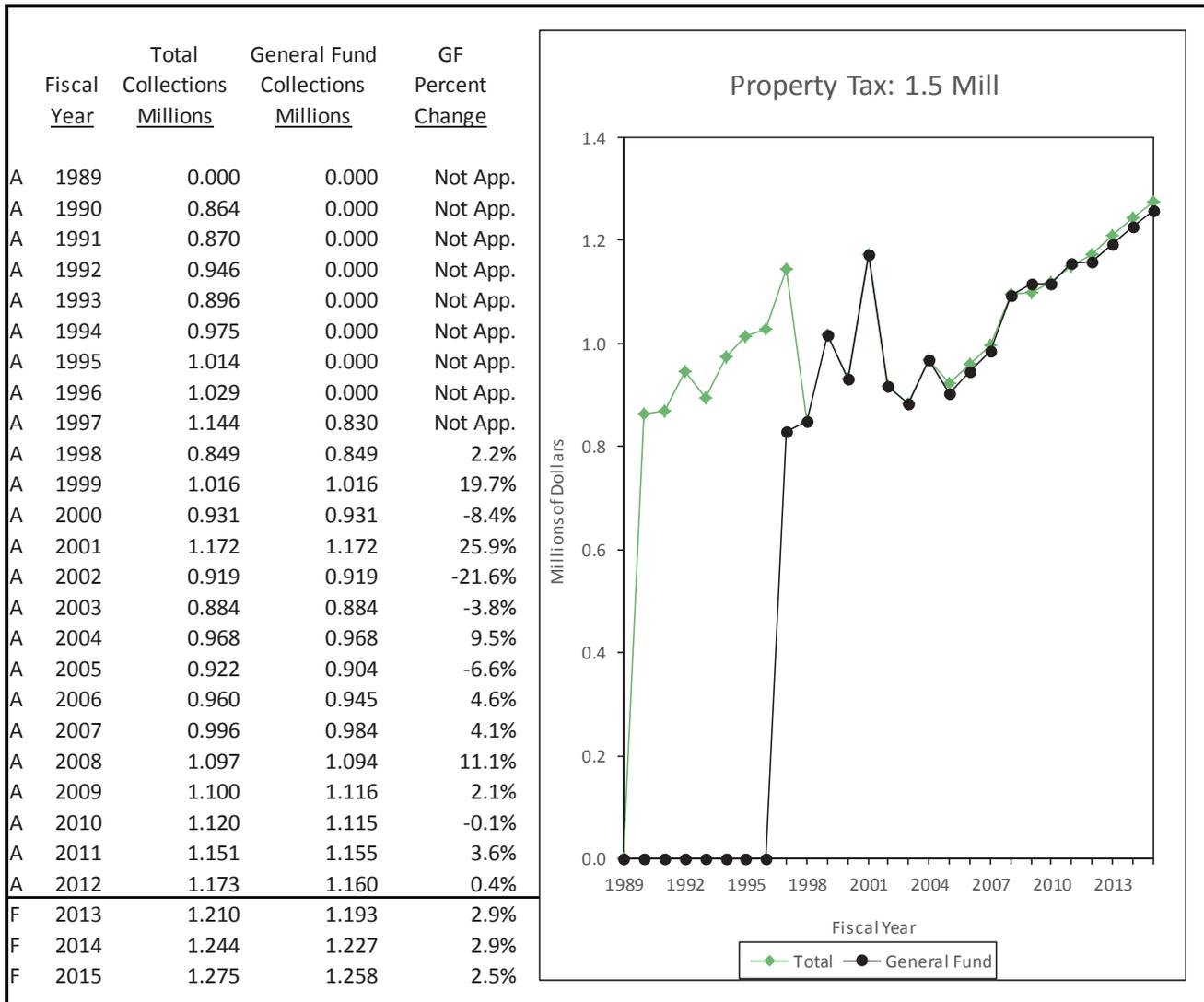
Total Tax = Tax Value × Mills/1000 + Non-Levy + Adjustments

# Legislative Fiscal Division

## Revenue Estimate Profile

### Property Tax: 1.5 Mill

#### Revenue Projection:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Property Tax: 6 Mill

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#### Statutory Reference:

Tax Rate (MCA) – 15-10-107

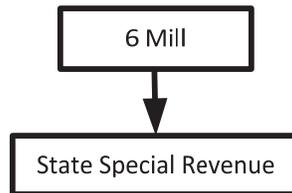
Tax Distribution (MCA) – 15-10-107

Date Due – one-half of taxes due November 30<sup>th</sup> and one-half due May 31<sup>st</sup> (15-16-102(1)), county treasurers must remit to the Department of Revenue within the first 20 days of each month money received in the previous month (15-1-504(1))

**Applicable Tax Rate(s):** Each property class has its own tax rate, which is applied to the assessed value to produce a taxable value. For every \$1,000 in taxable value, 6 mills generate \$6 in state property taxes.

**Distribution:** All tax receipts are deposited into the university system 6 mill levy state special revenue account.

#### Distribution Chart:



#### Summary of Legislative Action:

Senate Bill 96 – Previous law (SB 372 in the 2011 session) provided a tax rate of 2% for class 8 equipment valued at \$2 million or less, and a tax rate of 3% for all taxable market value in excess of \$3 million owned by a taxpayer. If combined income taxes and corporate taxes collected in fiscal year 2013 exceed collections in fiscal year 2012 by 4% or more, then starting January 1, 2014 class eight business equipment would have been taxed at a tax rate of 1.5% on the first \$3 million of taxable market value and 3% for all taxable market value in excess of \$3 million owned by a taxpayer. Previous law also exempted the first \$20,000 in market value for owners with less than \$20,000 in property, but not for owners with equipment valued at more than \$20,000.

Starting January 1, 2014, SB96 reduces the taxes assessed on class eight business equipment by 1) providing a tax rate of 1.5% on the first \$6 million of taxable market value and 3% for all taxable market value in excess of \$6 million, and 2) exempts the first \$100,000 in market value of this property owned by a taxpayer. The exemption is available for all owners of class 8 business equipment tax.

Reimbursements are provided to the university system, local governments, local schools, and TIFs from the general fund for reductions in property tax revenue due to SB 96, as amended.

Senate Bill 96 reduces revenue to the general fund (95 mills and the 1.5 mills) by \$1.331 million in FY 2014 and by \$2.245 million in FY 2015. The impact in FY 2014 is because owners of strictly personal property (i.e. property not-liened-to-real) will see their taxes reduced in May 2014. University 6 mill revenue will be reduced by \$83,341 in FY 2014 and by \$140,573 in FY 2015. Reimbursements for lost revenue will be made to local governments, school districts, the county retirement fund, the countywide school transportation reimbursement, each tax increment financing district, and the 6-mill levy for support of the Montana university system in TY 2014 and 2015.

Reimbursements will total \$17.883 million for the 2015 biennium. Reimbursements to county and city governments, TIF's will be statutorily appropriated. The reimbursement for the 6 mill account will be transferred to that account. The total of these reimbursements will be \$9.951 million for the biennium. SB96 increases the appropriation for school district and county education block grants in HB 2 for FY 2015 by \$7.932 million. In addition there will be guaranteed tax base savings of \$3.054 million, and SB 96 reduces the appropriation for Base Aid in HB 2 for FY 2015 by the same amount. The net cost of SB 96 is \$18.5 million over the 2015 biennium.

Senate Bill 231 - SB 231 increases the amount of park and recreation area land that may be exempted from property tax, by a federally recognized Indian tribe, increasing the statutory 15 acre limit to 640 acres. This bill would reduce revenue to the general fund by \$2,960 in FY 2014 and by \$2,962 in FY 2015. The 6-mill account will receive less revenue of around \$187 in each year of the 2015 biennium.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Property Tax: 6 Mill

Property Tax: 6 Mill – Legislation Passed by 63rd Legislature State Special Revenue Impact (\$ Millions)			
Bill Number and Short Title	FY 2013	FY 2014	FY 2015
SB0096 Lower the business and equipment tax	\$0.000	(\$0.083)	(\$0.141)
SB0231 Revise tax exemption laws regarding tribal recreational property	0.000	(0.000)	(0.000)
<b>Total State Special Revenue Impact</b>	<b>\$0.000</b>	<b>(\$0.084)</b>	<b>(\$0.141)</b>

**Collection Frequency:** Monthly with significant state deposits in December and June.

**% of Total General Fund Revenue:** N/A

**Revenue Estimate Methodology:** The methodology used to derive revenue from this source is explained in the methodology section under “Property Tax.”

**Forecast Methodology:**



# Legislative Fiscal Division

## Revenue Estimate Profile

### Property Tax: 6 Mill

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t	Total Tax	GF Tax	Tax. Value	Mills/1000	Non-Levy	Adjustments
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Applied</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	12.298	0.000	1,698.239	0.006	1.588	0.000
Actual	2003	12.011	0.000	1,722.523	0.006	1.082	0.000
Actual	2004	11.374	0.000	1,736.863	0.006	0.000	0.000
Actual	2005	12.245	0.000	1,784.018	0.006	0.000	0.000
Actual	2006	11.952	0.000	1,861.952	0.006	0.000	0.000
Actual	2007	12.517	0.000	1,969.539	0.006	0.000	0.000
Actual	2008	13.313	0.000	2,071.887	0.006	0.000	0.000
Actual	2009	14.422	0.000	2,143.082	0.006	0.667	0.000
Actual	2010	14.771	0.000	2,258.309	0.006	0.738	-0.234
Actual	2011	14.838	0.000	2,352.079	0.006	0.814	0.000
Actual	2012	15.325	0.000	2,442.522	0.006	0.890	0.000
Forecast	2013	15.815	0.000	2,490.066	0.006	0.875	0.000
Forecast	2014	16.535	0.000	2,580.701	0.006	1.051	0.000
Forecast	2015	16.989	0.000	2,656.509	0.006	1.050	0.000

	t	Class 1	Class 2	Class 3	Class 4	Class 5	Class 6	Class 7
	<u>Fiscal</u>	<u>Millions</u>						
Actual	2002	7.843	11.015	139.057	954.102	35.668	12.459	0.189
Actual	2003	8.691	10.669	138.900	1,002.874	35.382	6.167	0.216
Actual	2004	7.808	8.800	140.240	1,034.656	32.725	0.000	0.995
Actual	2005	8.032	10.428	139.902	1,076.985	34.024	0.000	0.974
Actual	2006	2.694	13.045	140.988	1,129.794	34.611	0.000	0.953
Actual	2007	3.252	21.106	141.002	1,183.821	35.078	0.000	1.068
Actual	2008	3.840	18.849	141.329	1,244.916	35.418	0.000	1.096
Actual	2009	4.013	24.540	142.099	1,296.595	35.155	0.000	1.214
Actual	2010	4.002	23.837	161.073	1,368.081	37.502	0.000	1.266
Actual	2011	3.181	18.291	153.566	1,396.074	38.994	0.000	1.298
Actual	2012	3.888	22.987	150.429	1,418.797	40.642	0.000	1.194
Forecast	2013	4.189	31.132	147.792	1,446.304	45.673	0.000	1.170
Forecast	2014	4.276	33.820	145.202	1,478.146	48.816	0.000	1.147
Forecast	2015	4.337	35.056	142.657	1,511.683	52.176	0.000	1.124

# Legislative Fiscal Division

## Revenue Estimate Profile

### Property Tax: 6 Mill

	<u>t</u>	<u>Class 8</u>	<u>Class 9</u>	<u>Class 10</u>	<u>Class 12</u>	<u>Class 13</u>	<u>TIF's</u>	<u>Abatement</u>
	<u>Fiscal</u>	<u>Millions</u>						
Actual	2002	116.605	219.956	8.199	48.658	144.488	30.530	3.880
Actual	2003	118.349	206.360	7.170	46.688	137.185	30.803	3.870
Actual	2004	118.297	212.111	6.789	45.630	125.623	33.562	3.188
Actual	2005	117.241	219.993	6.791	45.074	120.485	27.767	4.088
Actual	2006	123.055	238.767	6.794	44.267	122.846	25.464	4.137
Actual	2007	135.613	248.320	6.816	41.577	130.476	28.830	18.855
Actual	2008	138.658	264.324	6.822	43.004	152.942	30.120	18.099
Actual	2009	151.317	260.190	6.816	43.567	154.611	25.752	20.021
Actual	2010	169.606	254.253	6.988	46.901	154.314	32.014	23.706
Actual	2011	182.310	280.633	6.519	51.836	174.430	41.946	27.058
Actual	2012	186.854	304.226	6.390	71.336	193.267	46.300	25.369
Forecast	2013	179.237	322.490	6.349	72.349	197.605	47.037	20.225
Forecast	2014	180.358	345.727	6.308	76.657	208.267	47.037	20.877
Forecast	2015	179.206	370.637	6.268	81.222	219.505	45.359	21.539

Total Tax = Tax Value × Mills/1000 + Non-Levy + Adjustments

# Legislative Fiscal Division

## Revenue Estimate Profile

### Property Tax: 6 Mill

#### Revenue Projection:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Property Tax: 40 Mill

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#### Statutory Reference:

Tax Rate (MCA) – 20-9-360

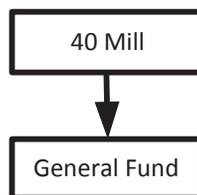
Tax Distribution (MCA) – 20-9-360

Date Due – one-half of taxes due November 30<sup>th</sup> and one-half due May 31<sup>st</sup> (15-16-102(1)), county treasurers must remit to the Department of Revenue within the first 20 days of each month money received in the previous month (15-1-504(1))

**Applicable Tax Rate(s):** Each property class has its own tax rate, which is applied to the assessed value to produce a taxable value. For every \$1,000 in taxable value, 40 mills generate \$40 in state property taxes.

**Distribution:** All property tax receipts are deposited into the general fund, except revenue associated with the 6-mill university levy.

#### Distribution Chart:



#### Summary of Legislative Action:

Senate Bill 96 – Previous law (SB 372 in the 2011 session) provided a tax rate of 2% for class 8 equipment valued at \$2 million or less, and a tax rate of 3% for all taxable market value in excess of \$3 million owned by a taxpayer. If combined income taxes and corporate taxes collected in fiscal year 2013 exceed collections in fiscal year 2012 by 4% or more, then starting January 1, 2014 class eight business equipment would have been taxed at a tax rate of 1.5% on the first \$3 million of taxable market value and 3% for all taxable market value in excess of \$3 million owned by a taxpayer. Previous law also exempted the first \$20,000 in market value for owners with less than \$20,000 in property, but not for owners with equipment valued at more than \$20,000.

Starting January 1, 2014, SB96 reduces the taxes assessed on class eight business equipment by 1) providing a tax rate of 1.5% on the first \$6 million of taxable market value and 3% for all taxable market value in excess of \$6 million, and 2) exempts the first \$100,000 in market value of this property owned by a taxpayer. The exemption is available for all owners of class 8 business equipment tax.

Reimbursements are provided to the university system, local governments, local schools, and TIFs from the general fund for reductions in property tax revenue due to SB 96, as amended.

Senate Bill 96 reduces revenue to the general fund (95 mills and the 1.5 mills) by \$1.331 million in FY 2014 and by \$2.245 million in FY 2015. The impact in FY 2014 is because owners of strictly personal property (i.e. property not-liened-to-real) will see their taxes reduced in May 2014. University 6 mill revenue will be reduced by \$83,341 in FY 2014 and by \$140,573 in FY 2015. Reimbursements for lost revenue will be made to local governments, school districts, the county retirement fund, the countywide school transportation reimbursement, each tax increment financing district, and the 6-mill levy for support of the Montana university system in TY 2014 and 2015.

Reimbursements will total \$17.883 million for the 2015 biennium. Reimbursements to county and city governments, TIF's will be statutorily appropriated. The reimbursement for the 6 mill account will be transferred to that account. The total of these reimbursements will be \$9.951 million for the biennium. SB96 increases the appropriation for school district and county education block grants in HB 2 for FY 2015 by \$7.932 million. In addition there will be guaranteed tax base savings of \$3.054 million, and SB 96 reduces the appropriation for Base Aid in HB 2 for FY 2015 by the same amount. The net cost of SB 96 is \$18.5 million over the 2015 biennium.

Senate Bill 231 - SB 231 increases the amount of park and recreation area land that may be exempted from property tax, by a federally recognized Indian tribe, increasing the statutory 15 acre limit to 640 acres. This bill would reduce revenue to the general fund by \$2,960 in FY 2014 and by \$2,962 in FY 2015. The 6-mill account will receive less revenue of around \$187 in each year of the 2015 biennium.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Property Tax: 40 Mill

Property Tax: 40 Mill – Legislation Passed by 63rd Legislature General Fund Impact (\$ Millions)			
Bill Number and Short Title	FY 2013	FY 2014	FY 2015
SB0096 Lower the business and equipment tax	\$0.000	(\$0.556)	(\$0.937)
SB0231 Revise tax exemption laws regarding tribal recreational property	0.000	(0.001)	(0.001)
<b>Total General Fund Impact</b>	<b>\$0.000</b>	<b>(\$0.557)</b>	<b>(\$0.938)</b>

**Collection Frequency:** Monthly with significant state deposits in December and June.

**% of Total General Fund Revenue:**

FY 2004 – 4.66 %	FY 2007 – 4.31%	FY 2010 – 5.36%
FY 2005 – 4.18%	FY 2008 – 4.64%	FY 2011 – 5.15%
FY 2006 – 4.05%	FY 2009 – 4.76%	FY 2012 – 5.11%

**Revenue Estimate Methodology:** The methodology used to derive revenue from this source is explained in the methodology section under “Property Tax.”

**Forecast Methodology:**



# Legislative Fiscal Division

## Revenue Estimate Profile

### Property Tax: 40 Mill

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t	Total Tax	GF Tax	Tax. Value	Mills/1000	Non-Levy	Adjustments
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Applied</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	63.045	63.045	1,671.590	0.040	4.705	-9.888
Actual	2003	64.767	64.767	1,691.720	0.040	2.983	-8.475
Actual	2004	64.339	64.339	1,703.301	0.040	3.889	-7.063
Actual	2005	65.237	63.951	1,756.251	0.040	0.000	-5.650
Actual	2006	70.257	69.199	1,836.488	0.040	0.000	-4.238
Actual	2007	78.130	76.712	1,940.709	0.040	0.000	-2.825
Actual	2008	82.459	82.518	2,041.767	0.040	0.000	-1.413
Actual	2009	85.343	85.977	2,117.330	0.040	0.000	0.000
Actual	2010	87.888	87.145	2,226.295	0.040	0.000	-1.562
Actual	2011	92.171	91.749	2,283.076	0.040	0.000	0.000
Actual	2012	95.917	95.690	2,370.852	0.040	0.000	0.000
Forecast	2013	96.912	95.958	2,422.804	0.040	0.000	0.000
Forecast	2014	100.511	99.557	2,512.787	0.040	0.000	0.000
Forecast	2015	103.584	102.630	2,589.610	0.040	0.000	0.000

	t	Class 1	Class 2	Class 3	Class 4	Class 5	Class 6	Class 7
	<u>Fiscal</u>	<u>Millions</u>						
Actual	2002	7.843	11.015	139.057	954.102	35.668	12.459	0.189
Actual	2003	8.691	10.669	138.900	1,002.874	35.382	6.167	0.216
Actual	2004	7.808	8.800	140.240	1,034.656	32.725	0.000	0.995
Actual	2005	8.032	10.428	139.902	1,076.985	34.024	0.000	0.974
Actual	2006	2.694	13.045	140.988	1,129.794	34.611	0.000	0.953
Actual	2007	3.252	21.106	141.002	1,183.821	35.078	0.000	1.068
Actual	2008	3.840	18.849	141.329	1,244.916	35.418	0.000	1.096
Actual	2009	4.013	24.540	142.099	1,296.595	35.155	0.000	1.214
Actual	2010	4.002	23.837	161.073	1,368.081	37.502	0.000	1.266
Actual	2011	3.181	18.291	153.566	1,396.074	38.994	0.000	1.298
Actual	2012	3.888	22.987	150.429	1,418.797	40.642	0.000	1.194
Forecast	2013	4.189	31.132	147.792	1,446.304	45.673	0.000	1.170
Forecast	2014	4.276	33.820	145.202	1,478.146	48.816	0.000	1.147
Forecast	2015	4.337	35.056	142.657	1,511.683	52.176	0.000	1.124

# Legislative Fiscal Division

## Revenue Estimate Profile

### Property Tax: 40 Mill

	<u>t</u> <u>Fiscal</u>	<u>Class 8</u> <u>Millions</u>	<u>Class 9</u> <u>Millions</u>	<u>Class 10</u> <u>Millions</u>	<u>Class 12</u> <u>Millions</u>	<u>Class 13</u> <u>Millions</u>	<u>TIF's</u> <u>Millions</u>	<u>Abatement</u> <u>Millions</u>
Actual	2002	116.605	219.956	8.199	48.658	144.488	30.530	3.880
Actual	2003	118.349	206.360	7.170	46.688	137.185	30.803	3.870
Actual	2004	118.297	212.111	6.789	45.630	125.623	33.562	3.188
Actual	2005	117.241	219.993	6.791	45.074	120.485	27.767	4.088
Actual	2006	123.055	238.767	6.794	44.267	122.846	25.464	4.137
Actual	2007	135.613	248.320	6.816	41.577	130.476	28.830	18.855
Actual	2008	138.658	264.324	6.822	43.004	152.942	30.120	18.099
Actual	2009	151.317	260.190	6.816	43.567	154.611	25.752	20.021
Actual	2010	169.606	254.253	6.988	46.901	154.314	32.014	23.706
Actual	2011	182.310	280.633	6.519	51.836	174.430	41.946	27.058
Actual	2012	186.854	304.226	6.390	71.336	193.267	46.300	25.369
Forecast	2013	179.237	322.490	6.349	72.349	197.605	47.037	20.225
Forecast	2014	180.358	345.727	6.308	76.657	208.267	47.037	20.877
Forecast	2015	179.206	370.637	6.268	81.222	219.505	45.359	21.539

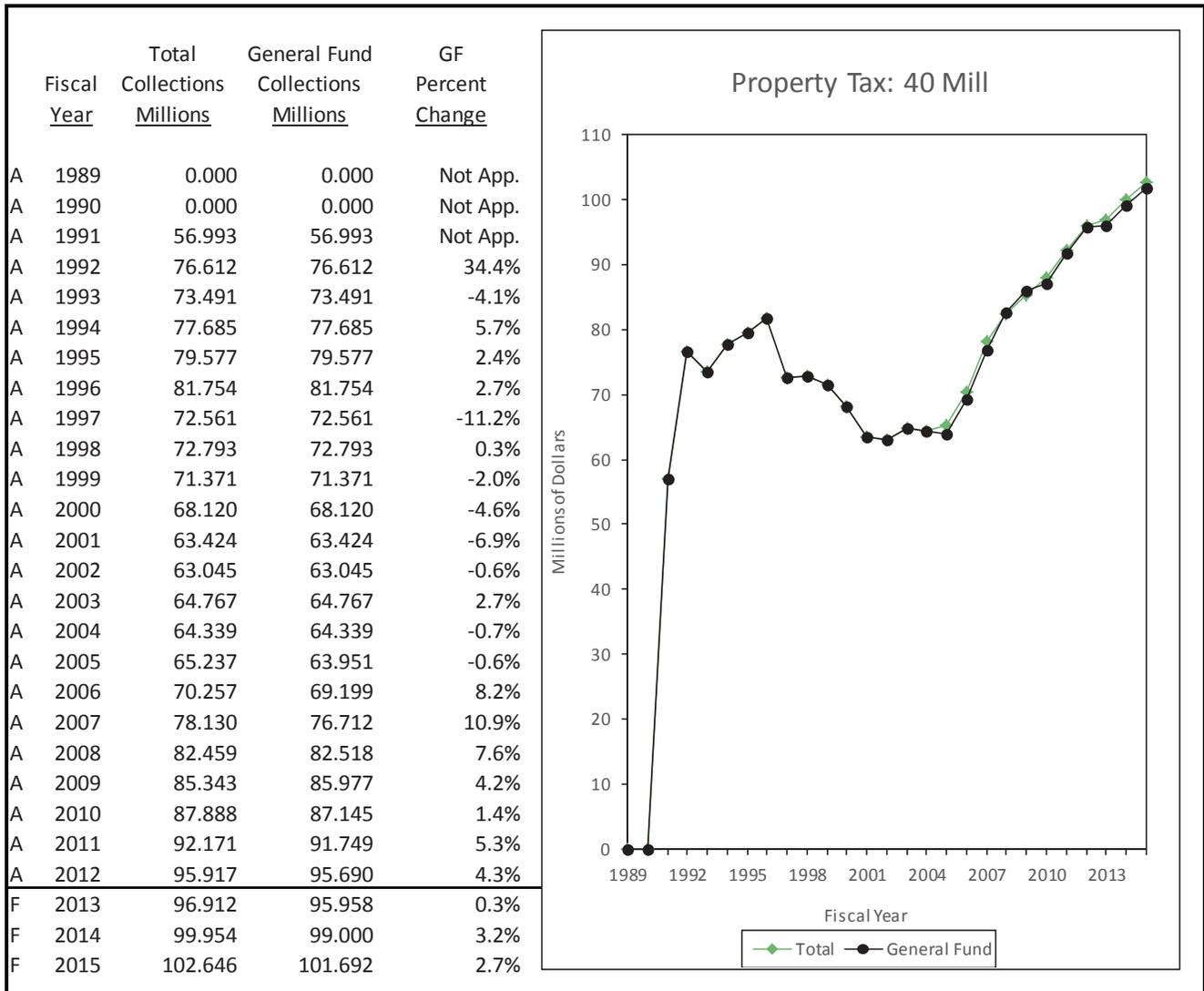
Total Tax = Tax Value × Mills/1000 + Non-Levy + Adjustments

# Legislative Fiscal Division

## Revenue Estimate Profile

### Property Tax: 40 Mill

#### Revenue Projection:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Property Tax: 55 Mill

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#### Statutory Reference:

Tax Rate (MCA) – 20-9-331(1), 20-9-333(1)

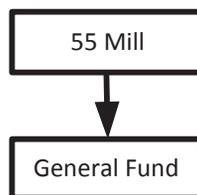
Tax Distribution (MCA) – 20-9-331(1), 20-9-333(1)

Date Due – one-half of taxes due November 30<sup>th</sup> and one-half due May 31<sup>st</sup> (15-16-102(1)), county treasurers must remit to the Department of Revenue within the first 20 days of each month money received in the previous month (15-1-504(1))

**Applicable Tax Rate(s):** Each property class has its own tax rate, which is applied to the assessed value to produce a taxable value. For every \$1,000 in taxable value, 55 mills generate \$55 in state property taxes.

**Distribution:** All property tax receipts are deposited into the general fund, except revenue associated with the 6-mill university levy.

#### Distribution Chart:



#### Summary of Legislative Action:

Senate Bill 96 – Previous law (SB 372 in the 2011 session) provided a tax rate of 2% for class 8 equipment valued at \$2 million or less, and a tax rate of 3% for all taxable market value in excess of \$3 million owned by a taxpayer. If combined income taxes and corporate taxes collected in fiscal year 2013 exceed collections in fiscal year 2012 by 4% or more, then starting January 1, 2014 class eight business equipment would have been taxed at a tax rate of 1.5% on the first \$3 million of taxable market value and 3% for all taxable market value in excess of \$3 million owned by a taxpayer. Previous law also exempted the first \$20,000 in market value for owners with less than \$20,000 in property, but not for owners with equipment valued at more than \$20,000.

Starting January 1, 2014, SB96 reduces the taxes assessed on class eight business equipment by 1) providing a tax rate of 1.5% on the first \$6 million of taxable market value and 3% for all taxable market value in excess of \$6 million, and 2) exempts the first \$100,000 in market value of this property owned by a taxpayer. The exemption is available for all owners of class 8 business equipment tax.

Reimbursements are provided to the university system, local governments, local schools, and TIFs from the general fund for reductions in property tax revenue due to SB 96, as amended.

Senate Bill 96 reduces revenue to the general fund (95 mills and the 1.5 mills) by \$1.331 million in FY 2014 and by \$2.245 million in FY 2015. The impact in FY 2014 is because owners of strictly personal property (i.e. property not-liened-to-real) will see their taxes reduced in May 2014. University 6 mill revenue will be reduced by \$83,341 in FY 2014 and by \$140,573 in FY 2015. Reimbursements for lost revenue will be made to local governments, school districts, the county retirement fund, the countywide school transportation reimbursement, each tax increment financing district, and the 6-mill levy for support of the Montana university system in TY 2014 and 2015.

Reimbursements will total \$17.883 million for the 2015 biennium. Reimbursements to county and city governments, TIF's will be statutorily appropriated. The reimbursement for the 6 mill account will be transferred to that account. The total of these reimbursements will be \$9.951 million for the biennium. SB96 increases the appropriation for school district and county education block grants in HB 2 for FY 2015 by \$7.932 million. In addition there will be guaranteed tax base savings of \$3.054 million, and SB 96 reduces the appropriation for Base Aid in HB 2 for FY 2015 by the same amount. The net cost of SB 96 is \$18.5 million over the 2015 biennium.

Senate Bill 231 - SB 231 increases the amount of park and recreation area land that may be exempted from property tax, by a federally recognized Indian tribe, increasing the statutory 15 acre limit to 640 acres. This bill would reduce revenue to the general fund by \$2,960 in FY 2014 and by \$2,962 in FY 2015. The 6-mill account will receive less revenue of around \$187 in each year of the 2015 biennium.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Property Tax: 55 Mill

Property Tax: 55 Mill – Legislation Passed by 63rd Legislature General Fund Impact (\$ Millions)			
Bill Number and Short Title	FY 2013	FY 2014	FY 2015
SB0096 Lower the business and equipment tax	\$0.000	(\$0.764)	(\$1.289)
SB0231 Revise tax exemption laws regarding tribal recreational property	0.000	(0.002)	(0.002)
<b>Total General Fund Impact</b>	<b>\$0.000</b>	<b>(\$0.766)</b>	<b>(\$1.290)</b>

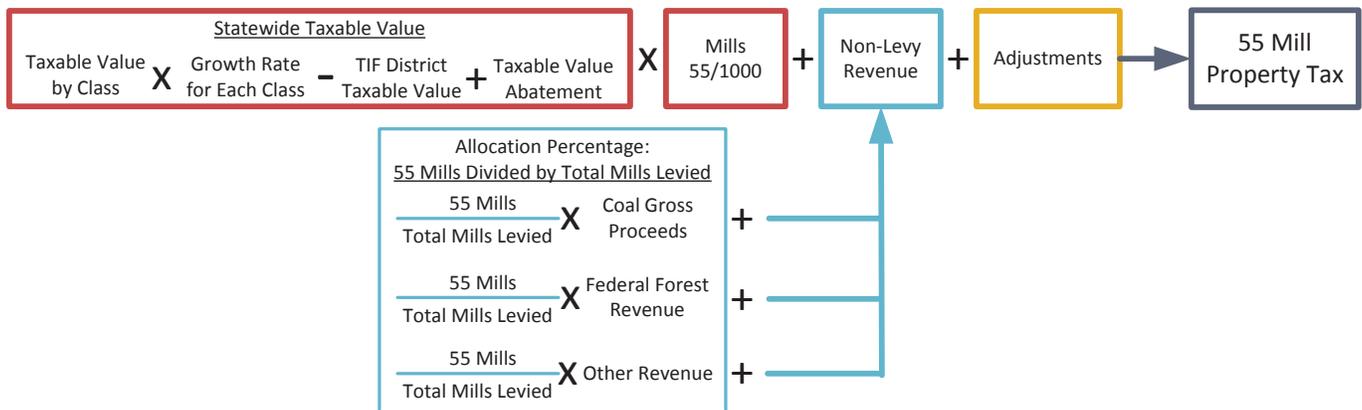
**Collection Frequency:** Monthly with significant state deposits in December and June.

**% of Total General Fund Revenue:**

FY 2004 – 7.54 %	FY 2007 – 6.37%	FY 2010 – 8.25%
FY 2005 – 6.69%	FY 2008 – 6.83%	FY 2011 – 7.65%
FY 2006 – 6.29%	FY 2009 – 7.19%	FY 2012 – 7.47%

**Revenue Estimate Methodology:** The methodology used to derive revenue from this source is explained in the methodology section under “Property Tax.”

**Forecast Methodology:**



# Legislative Fiscal Division

## Revenue Estimate Profile

### Property Tax: 55 Mill

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	<u>t</u>	<u>Total Tax</u>	<u>GF Tax</u>	<u>Tax. Value</u>	<u>Mills/1000</u>	<u>Non-Levy</u>	<u>Adjustments</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Applied</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	105.376	105.376	1,671.590	0.055	13.809	0.000
Actual	2003	106.029	106.029	1,691.720	0.055	11.424	0.000
Actual	2004	104.224	104.224	1,703.301	0.055	12.701	0.000
Actual	2005	104.184	102.416	1,756.251	0.055	0.000	0.000
Actual	2006	108.949	107.495	1,836.488	0.055	0.000	0.000
Actual	2007	115.230	113.285	1,940.709	0.055	0.000	0.000
Actual	2008	121.355	121.432	2,041.767	0.055	0.000	0.000
Actual	2009	129.080	129.949	2,117.330	0.055	13.051	0.000
Actual	2010	135.277	134.249	2,226.295	0.055	12.938	-2.148
Actual	2011	137.021	136.447	2,283.076	0.055	12.309	0.000
Actual	2012	140.144	139.813	2,370.852	0.055	13.027	0.000
Forecast	2013	145.901	144.590	2,422.804	0.055	12.647	0.000
Forecast	2014	147.137	145.826	2,512.787	0.055	8.934	0.000
Forecast	2015	152.068	150.757	2,589.610	0.055	9.639	0.000

	<u>t</u>	<u>Class 1</u>	<u>Class 2</u>	<u>Class 3</u>	<u>Class 4</u>	<u>Class 5</u>	<u>Class 6</u>	<u>Class 7</u>
	<u>Fiscal</u>	<u>Millions</u>						
Actual	2002	7.843	11.015	139.057	954.102	35.668	12.459	0.189
Actual	2003	8.691	10.669	138.900	1,002.874	35.382	6.167	0.216
Actual	2004	7.808	8.800	140.240	1,034.656	32.725	0.000	0.995
Actual	2005	8.032	10.428	139.902	1,076.985	34.024	0.000	0.974
Actual	2006	2.694	13.045	140.988	1,129.794	34.611	0.000	0.953
Actual	2007	3.252	21.106	141.002	1,183.821	35.078	0.000	1.068
Actual	2008	3.840	18.849	141.329	1,244.916	35.418	0.000	1.096
Actual	2009	4.013	24.540	142.099	1,296.595	35.155	0.000	1.214
Actual	2010	4.002	23.837	161.073	1,368.081	37.502	0.000	1.266
Actual	2011	3.181	18.291	153.566	1,396.074	38.994	0.000	1.298
Actual	2012	3.888	22.987	150.429	1,418.797	40.642	0.000	1.194
Forecast	2013	4.189	31.132	147.792	1,446.304	45.673	0.000	1.170
Forecast	2014	4.276	33.820	145.202	1,478.146	48.816	0.000	1.147
Forecast	2015	4.337	35.056	142.657	1,511.683	52.176	0.000	1.124

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# Legislative Fiscal Division

## Revenue Estimate Profile

### Property Tax: 55 Mill

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	<u>t</u>	<u>Class 8</u>	<u>Class 9</u>	<u>Class 10</u>	<u>Class 12</u>	<u>Class 13</u>	<u>TIF's</u>	<u>Abatement</u>
	<u>Fiscal</u>	<u>Millions</u>						
Actual	2002	116.605	219.956	8.199	48.658	144.488	30.530	3.880
Actual	2003	118.349	206.360	7.170	46.688	137.185	30.803	3.870
Actual	2004	118.297	212.111	6.789	45.630	125.623	33.562	3.188
Actual	2005	117.241	219.993	6.791	45.074	120.485	27.767	4.088
Actual	2006	123.055	238.767	6.794	44.267	122.846	25.464	4.137
Actual	2007	135.613	248.320	6.816	41.577	130.476	28.830	18.855
Actual	2008	138.658	264.324	6.822	43.004	152.942	30.120	18.099
Actual	2009	151.317	260.190	6.816	43.567	154.611	25.752	20.021
Actual	2010	169.606	254.253	6.988	46.901	154.314	32.014	23.706
Actual	2011	182.310	280.633	6.519	51.836	174.430	41.946	27.058
Actual	2012	186.854	304.226	6.390	71.336	193.267	46.300	25.369
Forecast	2013	179.237	322.490	6.349	72.349	197.605	47.037	20.225
Forecast	2014	180.358	345.727	6.308	76.657	208.267	47.037	20.877
Forecast	2015	179.206	370.637	6.268	81.222	219.505	45.359	21.539

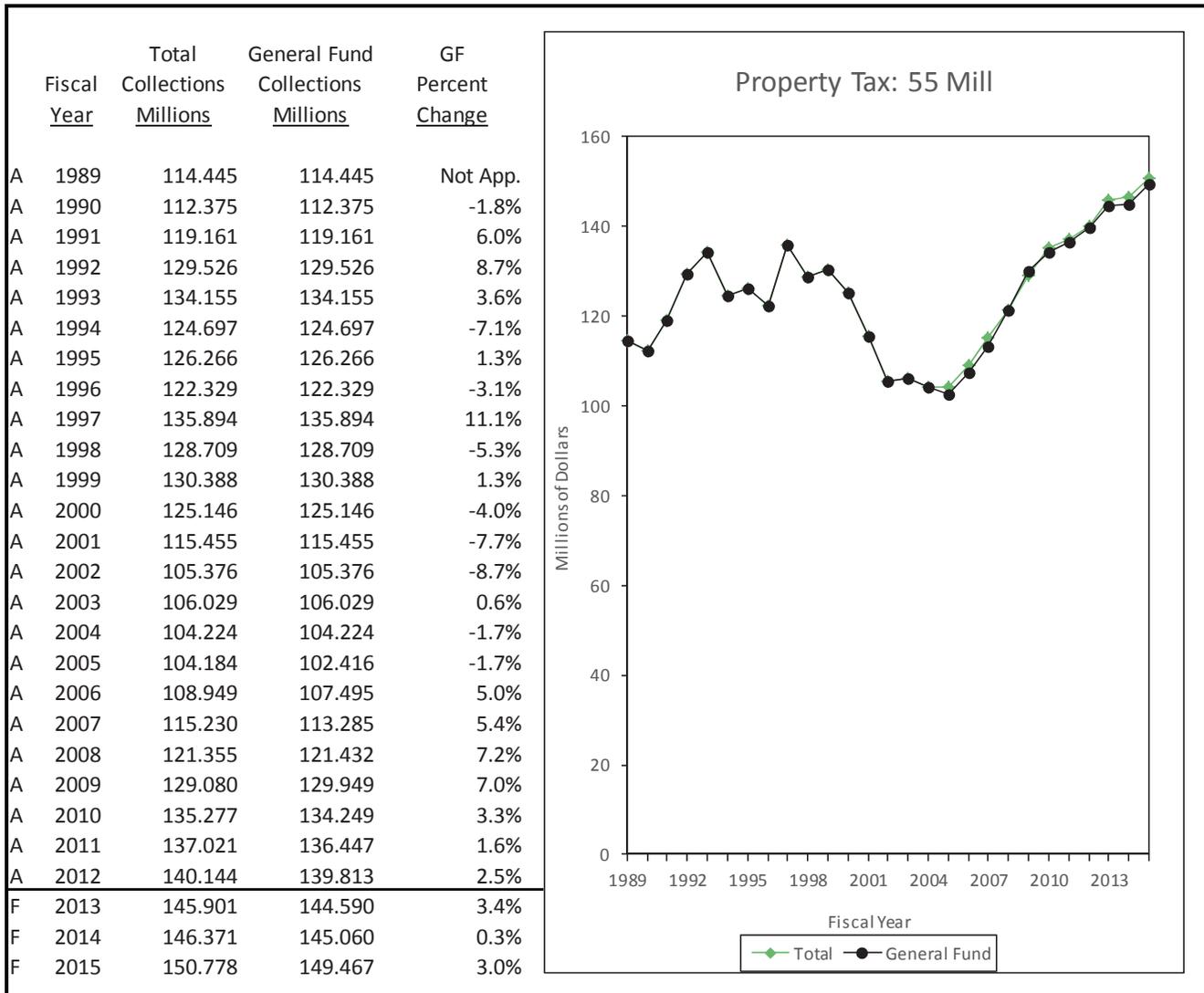
Total Tax = Tax Value × Mills/1000 + Non-Levy + Adjustments

# Legislative Fiscal Division

## Revenue Estimate Profile

### Property Tax: 55 Mill

#### Revenue Projection:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Property Tax: 55 Mill

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**Non Levy Revenue** includes federal forest receipts, coal gross proceeds revenue, and other revenue which is distributed to statewide and local mills in each county. Before July 1, 2001, vehicle fees in lieu of taxes, financial institution taxes, and reimbursements from the state were non-levy revenue. Before January 1, 2003, oil and natural gas receipts were treated as non-levy revenue. The mills to which non levy revenue is distributed are unique for each county and each non levy revenue source. The state's portion of non-levy revenue is remitted to the state as a portion of the appropriate property tax. For example, statewide 40 mill revenue includes a property tax portion and a non-levy portion. A description of each individual source follows below.

#### **Federal Forest Receipts**

**Revenue Description:** Federal forest receipts are payments from the federal government in lieu of revenues from the sale of forest products of federal land. The federal government authorizes logging operations on forest lands located within the borders of Montana. The sale of timber generates revenue that the federal government shares with the state in the following year. The state sends the money to the county treasurer of the county in which the receipts were generated. Within thirty days, the county treasurer distributes the money to various county and state accounts.

**Applicable Tax Rate(s):** N/A

**Distribution:** The county treasurer apportions federal forest receipts in the following manner. Not more than 20% and not less than 15% is distributed to county government for special projects on federal land. Of the remainder:

- 66 2/3% goes to the road fund of the county
- 33 1/3% goes to the following countywide accounts, based on the mill ratios of each to total mills in the prior year: county equalization accounts (55 mills), county transportation account, county retirement accounts

**Collection Frequency:** Twice annually (usually October and December).

#### **Applicable Assumptions and/or Relevant Indicators:**

Federal Forest Timber Prices  
Federal Board Feet Harvested  
Mill Levies for County Transportation and Retirement Accounts

**Data Source(s):** U.S. Forest Service survey, SABHRS

#### **Statutory References:**

Tax Rate – NA  
Distribution (MCA) – 17-3-211, 17-3-212  
Date Due - the state treasurer distributes the funds within 30 days after receiving full payment

**% of Total General Fund Revenue:** Included in total property tax contribution.

**Revenue Estimate Methodology:** See [Federal Forest Receipts](#) in the Natural Resources section.

#### **Coal Gross Proceeds Tax**

**Revenue Description:** The state imposes a gross proceeds tax of 5% on the gross value of coal produced by all the coal mines in the state. The gross value of coal is computed as the tonnage of coal produced and sold times the contract sales price. The tax on the gross proceeds for coal is estimated in conjunction with the coal severance tax. Of the total gross proceeds revenue, a state share is distributed to the elementary and high school county equalization levies as they existed in FY 1990. In FY 1990, the elementary and high school county equalization levy was a combined 45 mills. For some of mines, 45 mills was as much as 49 percent of the consolidated mills of all jurisdictions, and for some other mines the 45 mills was as little as 20 percent of the consolidated mills for all jurisdictions. The tax is applied to one year's worth of production and the producer is billed in the following year. The producer pays the tax to the county treasurer in which the mine is located in two equal installments in the following fiscal year. One is in November of the notice year and the other is in May of the following year. Once received by the county treasurer, the tax revenue is distributed one month after receipt.

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# Legislative Fiscal Division

## Revenue Estimate Profile

### Property Tax: 55 Mill

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**Applicable Tax Rate(s):** The amount of tax due is 5% of the value of production as measured by the contract sales price for production in the preceding calendar year. There are some exceptions, such as new underground mines which are taxed at 2.5% for the first 10 years, as well as certain county-granted tax abatements.

**Distribution:** The county treasurer distributes the coal gross proceeds tax based on the relative proportions of mill levies for the state, counties, and school districts as these existed in fiscal year 1990. At that time the county equalization mill levy was 45 mills. However, coal gross proceeds from new mines (starting business after December 31, 1988) are distributed across mill levies in the same fashion as property taxes were distributed in the previous fiscal year.

**Collection Frequency:** The coal gross proceeds tax is collected twice annually in November and May. The state receives the tax revenue in December and June.

**Applicable Assumptions and/or Relevant Indicators:**

Montana Coal Production  
Montana Contract Sales Price  
Statewide Average Mill Ratios

**Data Source(s):** Coal Company Surveys, Department of Revenue, County Treasurers

**Statutory References:**

Tax Rate (MCA) – 15-23-703(1)  
Tax Distribution (MCA) – 15-23-703(3)

**% of Total General Fund Revenue:** Included in total property tax contribution.

**Revenue Estimate Methodology:** The major coal companies are surveyed for anticipated production levels and general indications of coal prices. In addition, a review is performed of historical trends and current literature on coal prices. The taxable value is then computed for each company by taking anticipated production, and multiplying that number by the contract sales price. Taxable value is then multiplied by the applicable tax rate to determine tax revenue. The final step involves applying the mill ratio for the state county equalization levy to the average statewide levy for FY 1990 for the counties in which mines are located.

**Other Revenue**

**Revenue Description:** The county equalization account receives other revenue in addition to the types listed elsewhere. These include penalties and interest, back taxes, investment earnings, recreational fees, tax title and property sales, various state grants and fees, district court fines, county rents and lease income, and various revenue from federal sources such as PILT, Taylor Grazing and Bankhead Jones payments.

**Applicable Tax Rate(s):** N/A

**Distribution:** Varies

**Collection Frequency:** Varies

**Applicable Assumptions and/or Relevant Indicators:** Because these sources are fairly stable in total, the last known year of collections is usually used to forecast future collections.

**Data Source(s):** County Collection Reports

**Statutory References:** Various

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# Legislative Fiscal Division

## Revenue Estimate Profile

### Property Tax: 55 Mill

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**% of Total General Fund Revenue:** Included in total property tax contribution.

**Revenue Estimate Methodology:** Because these sources are fairly stable in total, the last known year of collections is usually used to forecast future collections. Data for the last known year are obtained from data provided to the Office of Public Instruction by the county treasurers.

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# Legislative Fiscal Division

## Revenue Estimate Profile

### Property Tax

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**Revenue Description:** Montana law requires counties to levy a county equalization levy of 55 mills, a state equalization levy of 40 mills (often referred to together as the 95 mills), and 6 mills for the university system against all taxable value in each county. A mill levy of 1.5 mills is also applied against all property in the five counties with a vo-tech college. Taxable value is defined as the market value of statutorily defined property times a statutory tax rate. Property valued at market value includes personal property, utility property, railroad and airline property, and mineral net and gross proceeds. The assessed value of residential and commercial real estate is the market value phased in over the reappraisal cycle. Agricultural land and timberland are valued on a productivity basis and their values are also phased in over the reappraisal cycle. The last reappraisal cycle took effect January 1, 2009.

Beginning January 1, 2009, residential and commercial property as well as agricultural land and timberland reflect the impact of the new reappraisal on assessed values. The current reappraisal cycle is 6 years, during which increases in property values are phased in by 1/6th per year. Property that declines in value was assessed immediately at its new reappraised value. The impact of the 2009 reappraisal on assessed values increased the market value of the average residence by 55.1%. The equivalent increases for commercial property were 34.5%, for agricultural land by 26.8%, and for timberland by 51.7%.

The 2009 legislature passed a reappraisal mitigation bill – HB 658. Beginning in tax year 2009, reappraisal values are phased in over the next six years. The new tax rates and the new homestead and comstead exemptions are shown in the accompanying table. In addition to mitigation through lower tax rates and higher exemptions, HB 658 also created an upper limit of \$1.5 million in market value of residences for which the homestead exemption is available, increased the irrigation costs in valuing irrigated agricultural land, and increased the capitalization rate used to value timberland. MCA 15-10-420 limits the growth from year to year in property tax to one half the rate of inflation. Before HB 658, the calculation allowed each state mill to be rounded up to the nearest whole mill. HB 658 changed MCA 15-10-420 so that each state mill is to be rounded up to the nearest tenth of a mill. If the growth in taxable value exclusive of new property exceeds one-half the rate of inflation, then each state mill levy must be reduced to the point where expected revenue exceeds no more than half the rate of inflation. Newly taxable property was also redefined as current year value less prior year value.

In addition to the tax on property, this revenue component includes collections from "non-levy" sources that are distributed on the basis of mills levied by taxing jurisdictions. These non-levy sources include the state share of coal gross proceeds taxes, federal forest revenues, and other smaller revenue sources.

This source also includes the state's share of protested taxes paid by centrally assessed companies. Fifty percent of taxes paid under protest by centrally assessed firms are deposited in the general fund and the rest are deposited in a state special account. Should the state fail in its defense of the taxation of these companies, the protested taxes must be returned to the taxpayer. If the state prevails in the case, the money in the state special account is transferred to the general fund.

The state has established programs that lower property taxes for homeowners whose homesteads have increased above certain thresholds due to reappraisal and whose income falls below certain levels. These programs are known as taxpayer assistance programs.

#### **Summary of Legislative Action:**

Senate Bill 96 – Previous law (SB 372 in the 2011 session) provided a tax rate of 2% for class 8 equipment valued at \$2 million or less, and a tax rate of 3% for all taxable market value in excess of \$3 million owned by a taxpayer. If combined income taxes and corporate taxes collected in fiscal year 2013 exceed collections in fiscal year 2012 by 4% or more, then starting January 1, 2014 class eight business equipment would have been taxed at a tax rate of 1.5% on the first \$3 million of taxable market value and 3% for all taxable market value in excess of \$3 million owned by a taxpayer. Previous law also exempted the first \$20,000 in market value for owners with less than \$20,000 in property, but not for owners with equipment valued at more than \$20,000.

Starting January 1, 2014, SB96 reduces the taxes assessed on class eight business equipment by 1) providing a tax rate of 1.5% on the first \$6 million of taxable market value and 3% for all taxable market value in excess of \$6 million, and 2) exempts the first \$100,000 in market value of this property owned by a taxpayer. The exemption is available for all owners of class 8 business equipment tax.

Reimbursements are provided to the university system, local governments, local schools, and TIFs from the general fund for reductions in property tax revenue due to SB 96, as amended.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Property Tax

Senate Bill 96 reduces revenue to the general fund (95 mills and the 1.5 mills) by \$1.331 million in FY 2014 and by \$2.245 million in FY 2015. The impact in FY 2014 is because owners of strictly personal property (i.e. property not-liened-to-real) will see their taxes reduced in May 2014. University 6 mill revenue will be reduced by \$83,341 in FY 2014 and by \$140,573 in FY 2015. Reimbursements for lost revenue will be made to local governments, school districts, the county retirement fund, the countywide school transportation reimbursement, each tax increment financing district, and the 6-mill levy for support of the Montana university system in TY 2014 and 2015.

Reimbursements will total \$17.883 million for the 2015 biennium. Reimbursements to county and city governments, TIF's will be statutorily appropriated. The reimbursement for the 6 mill account will be transferred to that account. The total of these reimbursements will be \$9.951 million for the biennium. SB96 increases the appropriation for school district and county education block grants in HB 2 for FY 2015 by \$7.932 million. In addition there will be guaranteed tax base savings of \$3.054 million, and SB 96 reduces the appropriation for Base Aid in HB 2 for FY 2015 by the same amount. The net cost of SB 96 is \$18.5 million over the 2015 biennium.

Senate Bill 231 - SB 231 increases the amount of park and recreation area land that may be exempted from property tax, by a federally recognized Indian tribe, increasing the statutory 15 acre limit to 640 acres. 6-mill account will receive less revenue of around \$187 in each year of the 2015 biennium.

Property Tax – Legislation Passed by 63rd Legislature General Fund Impact (\$ Millions)			
Bill Number and Short Title	FY 2013	FY 2014	FY 2015
SB0096 Lower the business and equipment tax	\$0.000	(\$1.331)	(\$2.245)
SB0231 Revise tax exemption laws regarding tribal recreational property	0.000	(0.003)	(0.003)
<b>Total General Fund Impact</b>	<b>\$0.000</b>	<b>(\$1.334)</b>	<b>(\$2.248)</b>

#### Revenue Estimate Methodology:

##### Data

The property tax received by the state is composed of two kinds of revenue. First there is property tax proper, i.e. each property has a taxable value which is multiplied by a mill levy (a tax rate per thousand dollars of taxable value) set by the government, in this case the state. The second kind of revenue is non-levy revenue that is distributed proportionally to each mill levy and is included as property tax revenue.

The data required to produce forecasts of property tax received by the state are historical data on assessed and taxable value by class of property, the amount of property in tax increment financing (TIF) districts, the amount of local abatements conferred by local governments, and future growth rates for these variables. Also required is historical and estimate data on the non-levy components of property tax. These are gross proceeds revenue, federal forest revenue, and miscellaneous revenue allocated to the various state mill levies.

The historical data on assessed and taxable value by property tax class, TIF taxable value, and abated taxable value are provided to the LFD and OBPP by the Department of Revenue on an annual basis. TIF taxable value is required because state law allows a TIF district to apply the state 95 mills and 1.5 vo-tech mills to the increment in property value that occurred since the TIF was created, but allows the TIF district to keep the revenue associated with these mill levies. Thus the taxable value of the state must be adjusted downward by the value of TIF property for the 95 mills and the 1.5-mill levy. The 6-mill levy revenue derived from incremental TIF property does flow to the state special account for university operations, and thus the tax base for the 6-mill levy is not adjusted for the incremental taxable value in a TIF.

Montana law allows local governments (usually counties) to temporarily reduce the tax rate applied to the assessed value of property. This is called abated property. For instance, in tax year 2010, an electrical generation plant outside Hardin and another in Silver Bow County were granted a 10 year exemption on all personal and real estate property. The abatement applies to all local mills for those jurisdictions in which the properties are located. However, the tax rate reduction and the resulting partial exemption from property taxes does not apply to state mills. The taxable value data received by the department does not include the exempted property and thus for state property tax revenue purposes this property must be added back to the statewide taxable value. For the first time in tax year 2010, abated taxable values were available by class of property and were added back to each class of taxable value to form the tax base for the state mills. Previously these values had been added back without respect to class

# Legislative Fiscal Division

## Revenue Estimate Profile

### Property Tax

of property.

Assessed and taxable values are measured on January 1 of the tax year. The taxes are due to the state in the following November and May, i.e. in the fiscal year following the calendar year in which the values are measured. Coal gross proceeds are due to the state in the fiscal year two years after the calendar year in which the coal was produced. Federal forest receipts are received by the federal government in December of each year, and miscellaneous non-levy revenue (primarily interest) is deposited as earned.

#### Analysis

The latest year for which taxable value by class is available is the base from which future taxable values are derived. Growth rates are applied to the taxable value in each class of property. The table below shows growth rates for each class of property, for TIF and the resulting growth rates in net taxable value.

Statewide Taxable Value by Fiscal Year						
Class of Property	Taxable Value (\$ Millions)			Growth Rates		
	2013	2014	2015	2013	2014	2015
1 Mine Net Proceeds	\$4.189	\$4.275	\$4.331	7.7%	2.1%	1.3%
2 Gross Proceeds Metal Mines	31.132	33.820	35.056	35.4%	8.6%	3.7%
3 Ag Land	147.792	145.202	142.657	-1.8%	-1.8%	-1.8%
4 Residential and Commercial Real Estate	1,446.304	1,478.146	1,511.683	1.9%	2.2%	2.3%
5 Pollution Control Equipment	45.673	48.816	52.176	12.4%	6.9%	6.9%
7 Non Centrally Assed Utilities	1.170	1.147	1.124	-2.0%	-2.0%	-2.0%
8 Business Personal Property	179.237	180.358	179.206	-4.1%	0.6%	-0.6%
9 Electrical Utilities	322.490	345.727	370.637	6.0%	7.2%	7.2%
10 Forest Land	6.349	6.308	6.268	-0.6%	-0.6%	-0.6%
12 Railroads and Airlines	72.349	76.657	81.222	1.4%	6.0%	6.0%
13 Telecomm and Electric Generation	197.605	208.267	219.505	2.2%	5.4%	5.4%
14 Wind Generation	15.550	31.099	31.099	-9.3%	100.0%	0.0%
15 C02/Qualifying Liquid Pipeline	-	-	-	NA	NA	NA
16 High Voltage DC Converter	-	-	-	NA	NA	NA
Total Taxable Value	\$2,469.841	\$2,559.824	\$2,634.964	3.9%	3.6%	2.9%
Tax Increment Financing Values	47.037	47.037	45.359	1.6%	0.0%	-3.6%
Net Taxable Value	\$2,422.804	\$2,512.787	\$2,589.604	2.2%	3.7%	3.1%
Net Votech Taxable Value	806.969	836.367	862.955	1.2%	3.6%	3.2%
Net 6-Mill Taxable Value	2,469.841	2,559.824	2,634.964	2.2%	3.6%	2.9%

FY 2013 taxable values are tax year 2012 taxable values. The property was valued on January 1, 2012, and the revenue from these values is collected by the state in November and May of the following fiscal year. FY 2013 values are known, although preliminary.

Growth rates are generally based on historical growth and on expected changes in tax rates in upcoming fiscal years. There are several points of note for property revenue estimates:

- The growth rate for class 4 – residential and commercial real estate – is an estimate of the amount of new property expected to be added. It is assumed that as existing residential and commercial property values are phased in over the reappraisal cycle, the combination of declining tax rates and rising homestead and comstead exemptions will offset the growth in phased in value of existing property in each year of the forecast period. The only growth in class 4 taxable is assumed to be derived from new property.
- The department phased in agricultural assessed values over the 6 year phase in cycle. Department rules require that changes in value between the most current reappraisal and the previous reappraisal phase in changes in value due to changes in productivity. The department failed to phase these values in but instead assigned the 2008 values immediately in tax year 2009. The department has devised a method to correct this by adjusting the phase in starting in tax year 2010 for the next 5 years. As a result taxable growth will be negative for agricultural land over the forecast period.
- Timberland values are expected to decrease slightly over the forecast period as some timberland is lost to development.
- There are several projects in the planning stages or on hold – natural gas electrical generation plants (either in class 5 or class 9), industrial grade transmission lines (class 13), oil pipelines, specifically the Keystone pipeline (class 13) – that may add to the tax base in the forecast period. None of these have been explicitly added into the growth forecasts. Only known wind power projects have been incorporated in the estimate. The Montana Alberta Tie Line, if it gets built, will be

# Legislative Fiscal Division

## Revenue Estimate Profile

### Property Tax

split 50 percent between class 9 (electrical transmission) and class 14 (wind generation and transmission).

- Two new classes of property have been added to the property tax base beginning in FY 2009. These are class 15, property associated with carbon sequestration, and class 16, property associated transmission lines that connect to other major electrical grids. Neither of these classes is expected to contain any property before the end of FY 2015.
- Under the federal 4R act, the tax rate on railroads and airlines, the tax rate for class 12 is a weighted average of tax rates for all commercial and industrial property in the state. This includes business equipment, centrally assessed property and commercial real estate. If the tax rate for commercial property continues to decline while the other commercial and industrial tax rates are constant, the railroad and airline property tax rate will also decline.

The figure below shows the tax rates for all classes of property as well as the values for the homestead and comstead exemptions.

Tax Rates and Exemptions by Property Tax Class				
Class of Property	Tax Rates			
	2013	2014	2015	
Mine Net Proceeds	100.0%	100.0%	100.0%	
Gross Proceeds Metal Mines	3.0%	3.0%	3.0%	
Ag Land	2.6%	2.5%	2.5%	
Residential and Commercial Real Estate	2.6%	2.5%	2.5%	
Pollution Control Equipment	3.0%	3.0%	3.0%	
Non Centrally Assed Utilities	3.0%	3.0%	3.0%	
Business Personal Property, above threshold	3.0%	3.0%	3.0%	
Business Personal Property, below threshold	2.0%	2.0%	1.5%	
Electrical Utilities	12.0%	12.0%	12.0%	
Forest Land	0.3%	0.3%	0.3%	
Railroads and Airlines	3.5%	3.5%	3.5%	
Telecomm and Electric Generation	6.0%	6.0%	6.0%	
Wind Generation	3.0%	3.0%	3.0%	
C02/Qualifying Liquid Pipeline	3.0%	3.0%	3.0%	
High Voltage DC Converter	2.3%	2.3%	2.3%	
Exemption Type	Exemptions			
	2013	2014	2015	
Homestead Exemption for Residential Property	44.0%	45.5%	47.0%	
Comstead Exemption for Commercial Property	0.19	0.203	0.215	

Non-levy revenue forecasts are added property tax proper forecasts. Non-levy revenues come from coal gross proceeds, federal forest receipts and miscellaneous revenue (such as interest on investments, penalty and interest on delinquent taxes). Non-levy revenue is tied by distribution to the 55 mills, because of this, detailed descriptions can be found in the 55 mill section.

Once property tax revenue adjusted for non-levy revenue is determined, an adjustment is made for centrally assessed protested taxes. In FY 2012, certain electrical generation, transmission companies, pipeline companies and telecommunication companies protested a portion of their property taxes. Under state law, half of the protested taxes from these companies is deposited in a special account and half in the general fund.

The following table shows the projected property tax revenue from the property tax base and non-levy revenue:

# Legislative Fiscal Division

## Revenue Estimate Profile

### Property Tax

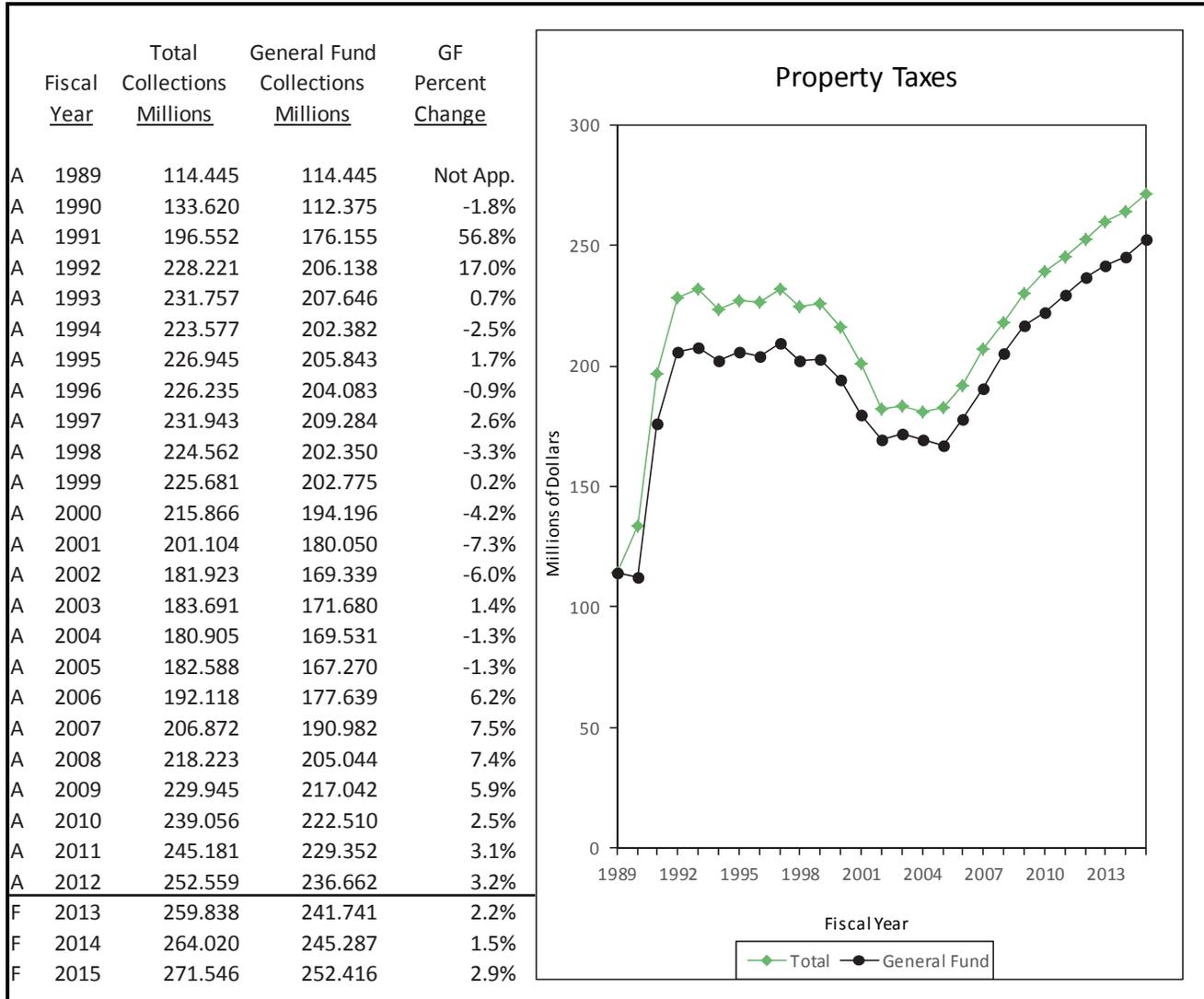
Property Tax Revenue in General Fund and University Account (\$ Millions)			
Revenue Type	2013	2014	2015
95 Mill Revenue	\$230.166	\$238.715	\$246.012
1.5 Mill Revenue	<u>1.210</u>	<u>1.255</u>	<u>1.294</u>
Property Tax in the General Fund	<u>\$231.377</u>	<u>\$239.969</u>	<u>\$247.307</u>
Non-Levy - Coal Gross Proceeds	7.876	7.457	8.181
Non-Levy - Federal Forest Receipts	3.771	0.476	0.445
Non-Levy - Miscellaneous Revenue	1.000	1.000	1.000
Protested Taxes	<u>(2.282)</u>	<u>(2.282)</u>	<u>(2.282)</u>
Net Property Taxes - 95 Mills and 1.5 Mills	<u>\$241.741</u>	<u>\$246.620</u>	<u>\$254.651</u>
6-Mill Property Tax Revenue - University Account	\$14.940	\$15.484	\$15.939
Nonlevy Revenue Associated with 6-Mills	0.875	1.051	1.050
Protested Taxes in Protest account	<u>(0.143)</u>	<u>(0.143)</u>	<u>(0.143)</u>
Net Property Taxes in University Account	<u>\$15.672</u>	<u>\$16.392</u>	<u>\$16.846</u>

# Legislative Fiscal Division

## Revenue Estimate Profile

### Property Tax

#### Revenue Projection



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# Legislative Fiscal Division

## Revenue Estimate Profile

### All Other Revenue

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**Revenue Description:** There are a number of other taxes, fees, and fines that historically have generated less than \$2.5 million each in annual general fund revenue. In addition, the statutes governing these miscellaneous taxes, fees, and fines are frequently changed, making meaningful comparison between tax years impractical and accurate estimation of the revenue difficult.

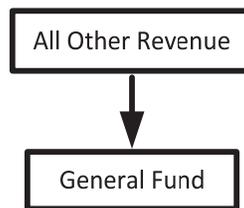
“All Other Revenue” sources are estimated in aggregate except for the following: court automation surcharge (enacted by the 2005 Legislature in House Bill 536), investment license transfers, liquor license fee transfers, civil fines, lodging facility use tax, deposits by state agencies for SWCAP/ SFCAP, district court fees, BOI reimbursement of State Street Banking fees, transfers of excess coal tax revenue in the shared account (beginning FY 2013), bentonite tax enacted in SB 276 by the 2005 Legislature, excess balances in the captive insurance and the procurement accounts, and transfer of the excess over \$2.0 million from the veterans’ cigarette tax account administered by DPHHS. In the past, general fund wildfire costs incurred on federal jurisdiction fires and reimbursed by the federal government had been included in this revenue source, but beginning in FY 2003 they are deposited to the federal special revenue fund. Due to a settlement with Federal Express, a one-time amount of \$1.457 million was added to FY 2011.

**Statutory Reference:** Various

**Applicable Tax Rate(s):** Various

**Distribution:** “All Other Revenue” is deposited in the general fund.

Distribution Chart:



#### **Summary of Legislative Action:**

House Bill 81 – This legislation requires 4.5% of total fees collected annually under 30-10-209 (1)(a), MCA, to be deposited into the securities restitution fund instead of the general fund. This will reduce the transfer to all other revenue.

House Bill 89 – The legislation provides for a refund of unclaimed property of \$2,000 or less on a closed estate, regardless of the value of the estate, without having to reopen it. The legislation is effective October 1, 2013.

House Bill 498 – The legislation changes the expiration or term of a state-issued identification card based upon the age of an applicant which increases general fund revenue. It also changes the fees charged for an identification card to a per year fee based on the expiration date of the card.

House Bill 605 – The legislation provides a process for annexation of property into a resort area district, requires a proposal for annexation and a \$250 review fee to be submitted to the Department of Commerce for designation as a resort area, and requires an election in the area proposed to be annexed.

Senate Bill 162 – The legislation transfers the administrative responsibilities of collecting hail insurance fees, previously administered by the Department of Revenue, to the Department of Agriculture. The legislation caps the Department of Agriculture’s transfer to the general fund at \$100,000. The legislation is effective January 1, 2014.

Senate Bill 275 – The legislation provides for Montana residents who have a veteran status, upon providing documentation of such status, to be provided a driver’s license or identification card that shall include the word “veteran” on the face of the card. The legislation is effective January 1, 2014.

Senate Bill 280 – The legislation allows owners of property to enter into mediation with the Department of Revenue. The mediation is non-binding and the cost must be split between the taxpayer and the Department of Revenue. The taxpayer must pay a

# Legislative Fiscal Division

## Revenue Estimate Profile

### All Other Revenue

\$100 fee for a request for mediation. The legislation is effective on passage and approval with the section containing the mediation and \$100 fee effective January 1, 2015.

House Bill 355 – This legislation changes the look-back window currently used to determine if a person is subject to enhanced criminal penalties and driver licensing sanctions for a second or subsequent driving under the influence or excessive blood alcohol (DUI/BAC) conviction from 5 years to 20 years. The change will increase the number of offenders subject to enhanced penalties.

Senate Bill 392 – The legislation provides for an expedited process to resolve formal complaints alleging violations of 13-35-225(1) and (2), MCA (election materials not to be anonymous). Potential fines are up to \$500 or three times the amount of the unlawful contributions or expenditures, whichever is greater. The legislation applies to proceedings begun on or after October 1, 2013.

Senate Bill 410 – By July 1, 2013, the legislation requires the state treasurer to transfer \$500,000 from the central stores account within the internal service fund to the general fund. The legislation is effective on passage and approval and terminates June 30, 2015.

All Other Revenue – Legislation Passed by 63rd Legislature			
General Fund Impact (\$ Millions)			
Bill Number and Short Title	FY 2013	FY 2014	FY 2015
HB0081 Revise securities restitution assistance fund laws	(\$0.272)	(\$0.272)	(\$0.272)
HB0089 Allow de minimus refund of abandoned property or closed estates	0.000	(0.005)	(0.005)
HB0498 Generally revise state issued id requirements	0.000	0.092	0.100
HB0605 Generally revise resort district laws	0.000	0.000	0.000
SB0162 Transfer hail insurance program from D of Revenue to the D of Agriculture	0.000	(0.007)	(0.007)
SB0275 Revise driver license laws related to veteran status	0.000	0.002	0.002
SB0280 Allow mediation for dispute of property valuation	0.000	0.002	0.017
HB0355 Eliminate the 5-year look back for alcohol and drug driving offenses	0.042	0.246	0.246
SB0392 Increase authority of commissioner of political practices for noncompliance	0.000	0.002	0.002
SB0410 Authorizing transfers to implement provisions of House Bill 2	0.500	0.000	0.000
<b>Total General Fund Impact</b>	<b>\$0.269</b>	<b>\$0.060</b>	<b>\$0.083</b>

**Collection Frequency:** The various revenue sources are generally collected on a monthly basis.

#### % of Total General Fund Revenue:

FY 2004 – 2.19%	FY 2007 – 1.04%	FY 2010 – 2.17%
FY 2005 – 2.27%	FY 2008 – 1.96%	FY 2011 – 2.83%
FY 2006 – 1.87%	FY 2009 – 1.77%	FY 2012 – 2.53%

#### Revenue Estimate Methodology:

There are numerous smaller sources of revenue deposited to the general fund that are treated as a single source termed “All Other.” Fifteen of these revenue sources are estimated individually with the remainder estimated as a group.

#### Data

Numerous data sources are consulted for each of the applicable fifteen revenue sources that are estimated individually.

#### Analysis

1. Abandoned property is assumed to grow at 0% per year for the forecast period.
2. District court fees are assumed to grow at 0% per year for the forecast period.
3. Investment license fee transfer is the net between non-general fund investment fee revenue collected by the State Auditor and its expenses. These amounts are determined in the “Investment License Fee” revenue source.
4. Statewide Cost Allocation Plan: amounts budgeted for agencies in HB 2 for the SWCAP are used for the forecast amounts from this source.

# Legislative Fiscal Division

## Revenue Estimate Profile

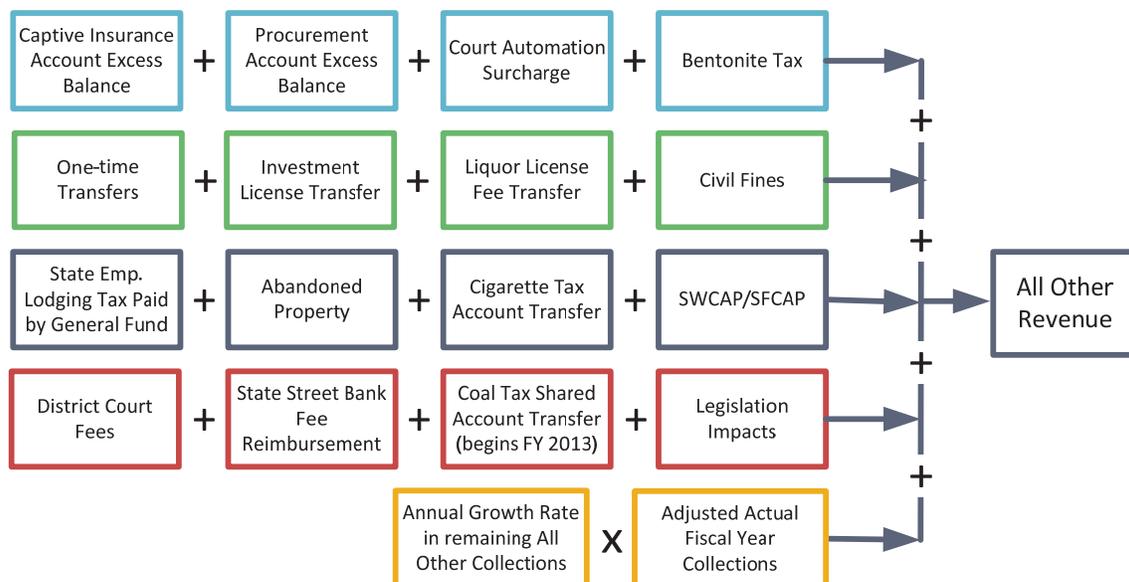
### All Other Revenue

5. Court surcharge is assumed to grow at 0% per year for the forecast period.
6. Veteran’s cigarette account transfer: money in the account at the end of a fiscal year in excess of \$2.0 million is transferred to the general fund. To estimate the excess amounts, distributions of cigarette tax revenue to the account (as determined in the “Cigarette Tax” revenue source) is reduced by budgeted present law amounts from the account for each fiscal year obtained from MBARS. Included are expenditure estimates from long range building appropriations. The \$2.0 million limit is then subtracted from the net revenue.
7. Banking charges: the rate the Board of Investments charges funds for its services is determined by a contract with a financial institution. Board personnel state that the current contract is \$1,550,000, but may be more if additional accounts are established.
8. Civil fines are assumed to grow at 0% per year for the forecast period.
9. Liquor License Fee Transfer: money collected from liquor license fees, net of operating costs of the Department of Revenue and Department of Justice, is transferred to the general fund. License fee revenue and operating costs (obtained from MBARS budgets) are estimated and shown in the “Liquor Profits” revenue source.
10. Coal Shared Account (beginning FY 2013): any excess fund balance in the account is transferred to the general fund. To estimate the excess amount, distributions of coal severance tax revenue to the account (as determined in the “Coal Severance Tax” revenue source) and revenues estimated by the Governor’s budget office are reduced by budgeted present law amounts for each fiscal year from the account obtained from MBARS.
11. Captive Insurance Account: any excess fund balance in the account is transferred to the general fund. To estimate the excess amounts, distributions of insurance tax revenue to the account (as determined in the “Insurance Tax” revenue source) and revenues estimated by the Governor’s budget office are reduced by budgeted present law amounts for each fiscal year from the account obtained from MBARS.
12. Procurement Account transfers: any excess fund balance in the account is transferred to the general fund. To estimate the excess amounts, revenues estimated by the Governor’s budget office are reduced by budgeted present law amounts for each fiscal year from the account obtained from MBARS.
13. Bentonite tax is assumed to grow at 0% per year for the forecast period.
14. State Employees Lodging Facility Use Tax: revenue from this tax paid by state employees is returned to the funds from which they were paid, including the general fund. The general fund estimate is calculated by multiplying the estimate for non-general fund (estimated in the “Lodging Taxes” revenue source) by the ratio of the previous lodging facility use tax general fund portion to the total non-general fund portion.
15. One-time transfers are assumed to be \$0 for the forecast period.
16. The remainder of “All Other” revenue, after the fifteen revenue sources have been estimated individually, is estimated by increasing the amount received in the last known fiscal year and each subsequent forecast year by 2%.

#### Adjustments and Distribution

Once total revenue for each fiscal year is determined 100% of the revenue is distributed to the general fund.

#### Forecast Methodology:



# Legislative Fiscal Division

## Revenue Estimate Profile

### All Other Revenue

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t	Total Tax	GF Tax	Base	Annual	Adjustments	Vet. Account	One-Time
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Growth</u>	<u>Millions</u>	<u>Transfer</u>	<u>Transfer</u>
							<u>Millions</u>	<u>Millions</u>
Actual	2002	43.216	43.216	6.401	-30.9%	1.162		
Actual	2003	42.440	42.440	7.120	11.2%	21.282		
Actual	2004	30.242	30.242	6.201	-12.9%	8.190	1.055	
Actual	2005	34.724	34.724	6.434	3.8%	0.000	2.893	4.767
Actual	2006	31.867	31.867	7.114	10.6%	0.000	2.653	0.781
Actual	2007	19.091	19.091	7.520	5.7%	0.000	-4.116	0.000
Actual	2008	38.434	38.434	7.494	-0.3%	0.000	2.636	7.821
Actual	2009	31.922	31.922	7.446	-0.6%	0.000	2.650	3.350
Actual	2010	35.360	35.360	5.634	-24.3%	0.000	1.590	8.509
Actual	2011	50.393	50.393	9.274	64.6%	1.315	3.905	15.973
Actual	2012	47.258	47.258	8.799	-5.1%	0.000	3.676	15.052
Forecast	2013	32.595	32.595	8.975	2.0%	0.000	2.511	0.000
Forecast	2014	32.488	32.488	9.154	2.0%	0.000	3.323	0.000
Forecast	2015	32.773	32.773	9.337	2.0%	0.000	3.152	0.000

	t	Investment	Land Grant	Civil Fines	GVW Fees	Accom. Tax	MSU&EMC	SABHRS
	<u>Fiscal</u>	<u>Transfer</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Debt</u>	<u>Debt</u>
							<u>Millions</u>	<u>Millions</u>
Actual	2002	2.179	0.000	0.749	1.045	0.039	0.840	2.469
Actual	2003	2.036	0.000	0.481	1.071	0.033	0.838	2.051
Actual	2004	2.113	0.000	0.856	1.067	0.040	0.838	0.000
Actual	2005	2.110	0.000	0.443	1.100	0.049	0.833	0.000
Actual	2006	2.234	0.000	1.238	1.304	0.061	0.832	0.000
Actual	2007	2.977	0.000	0.873	0.079	0.071	0.252	0.000
Actual	2008	3.309	0.000	0.762	-0.035	0.080	0.694	0.000
Actual	2009	2.636	0.000	1.406	0.001	0.070	0.697	0.000
Actual	2010	2.969	0.000	1.695	0.019	0.043	0.466	0.000
Actual	2011	3.278	0.000	0.982	0.000	0.045	0.000	0.000
Actual	2012	4.970	0.000	0.864	0.000	0.061	0.000	0.000
Forecast	2013	5.147	0.000	0.864	0.000	0.000	0.000	0.000
Forecast	2014	5.205	0.000	0.864	0.000	0.000	0.000	0.000
Forecast	2015	5.466	0.000	0.864	0.000	0.000	0.000	0.000

# Legislative Fiscal Division

## Revenue Estimate Profile

### All Other Revenue

	<u>t</u>	<u>FEMA</u>	<u>Coal</u>	<u>SFCAP</u>	<u>Liquor License</u>	<u>District</u>	<u>Bank</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Transfer</u>	<u>SWCAP</u>	<u>Transfer</u>	<u>Court</u>	<u>Charges</u>
			<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	23.246	0.623	1.024	1.036	0.000	0.778
Actual	2003	0.000	0.000	1.179	0.558	2.665	0.771
Actual	2004	0.146	0.000	2.215	0.734	2.839	0.766
Actual	2005	5.540	0.684	2.514	0.431	3.009	0.737
Actual	2006	3.535	0.550	1.844	0.306	3.108	0.903
Actual	2007	0.302	0.536	1.723	0.436	3.135	0.867
Actual	2008	0.088	0.000	2.399	1.407	3.349	1.334
Actual	2009	0.291	0.608	1.715	0.399	3.450	1.556
Actual	2010	0.028	0.000	3.938	0.323	3.481	1.554
Actual	2011	0.000	0.000	3.931	0.363	3.596	1.538
Actual	2012	0.000	0.000	3.974	0.059	3.434	1.595
Forecast	2013	0.000	0.366	4.368	0.160	3.434	2.141
Forecast	2014	0.000	0.244	3.001	0.304	3.434	2.236
Forecast	2015	0.000	0.000	3.152	0.289	3.434	2.346

	<u>t</u>	<u>Abandoned</u>	<u>Court</u>	<u>Bentonite</u>	<u>Captive</u>	<u>Procurement</u>
	<u>Fiscal</u>	<u>Property</u>	<u>Surcharge</u>	<u>Millions</u>	<u>Account</u>	<u>Account</u>
		<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002					
Actual	2003					
Actual	2004					
Actual	2005					
Actual	2006	3.310	1.589	0.504		
Actual	2007	2.359	1.660	0.417		
Actual	2008	4.253	1.616	0.564	0.023	
Actual	2009	2.470	1.686	0.483	0.000	0.451
Actual	2010	2.778	1.692	0.244	0.026	0.371
Actual	2011	3.756	1.663	0.376	0.021	0.376
Actual	2012	2.234	1.585	0.456	0.051	0.450
Forecast	2013	2.234	1.585	0.456	0.020	0.334
Forecast	2014	2.234	1.585	0.456	0.000	0.448
Forecast	2015	2.234	1.585	0.456	0.000	0.458

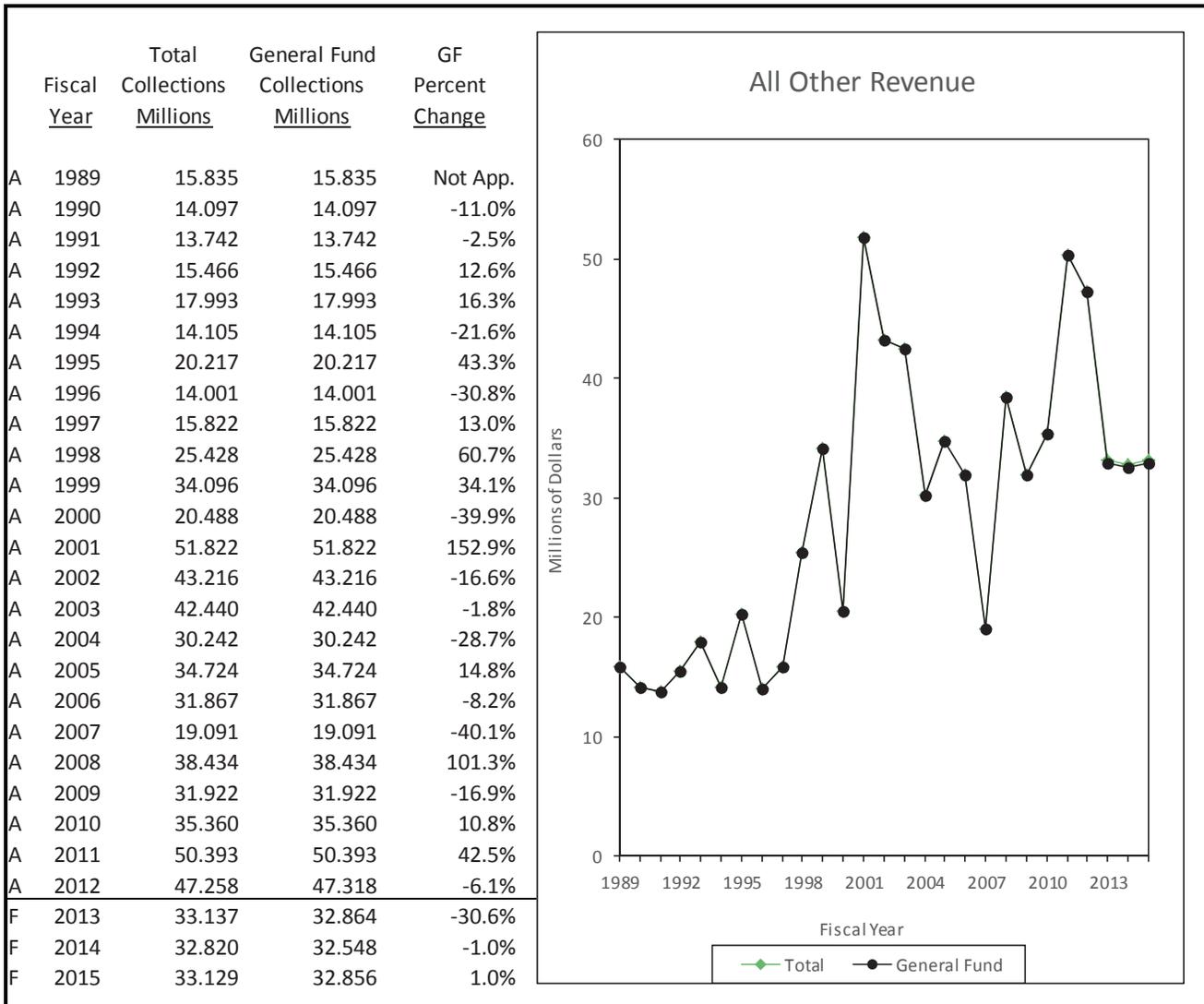
Total Rev. = Base × (1+ Annual Growth) + Vet. Account Transfer + Investment Transfer + Civil Fines +  
 GVW Fees + Accom. Tax + MSU/EMC Debt + Coal Transfer + SFCAP/SWCAP +  
 Liquor License Transfer + District Court + Bank Charges + Court Automation +  
 Abandoned Property + Bentonite + Captive Account + Procurement Account  
 Total Rev. = GF Rev.

# Legislative Fiscal Division

## Revenue Estimate Profile

### All Other Revenue

#### Revenue Projection:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Highway Patrol Fines

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**Revenue Description:** The Montana Highway Patrol issues citations for speeding, driving under the influence of alcohol or drugs, and other misdemeanors. The fines and forfeitures associated with these citations are collected by various state and local courts.

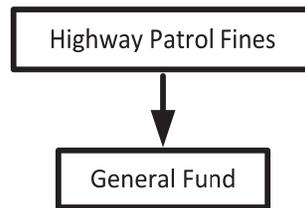
**Statutory Reference:**

Tax Rate (MCA) – general fines (61-3-601, 61-5-307, 61-7-118, 61-8-711, 61-9-511), multiple others  
Tax Distribution (MCA) – 3-10-601 (fines collected in justice court are included in “All Other General Fund”), 61-10-148 (violations of vehicle size, weight & load), 61-12-701 (fines by Highway Patrol)  
Date Due – upon conviction

**Applicable Tax Rate(s):** Fines for citations are variable.

**Distribution:** All of Highway Patrol fines and forfeitures on all offenses that result from citations issued by the Highway Patrol, except those paid to a justices’ court, and received by the state are deposited in the general fund.

Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** Monthly

**% of Total General Fund Revenue:**

FY 2004 – 0.30%	FY 2007 – 0.23%	FY 2010 – 0.29%
FY 2005 – 0.28%	FY 2008 – 0.21%	FY 2011 – 0.24%
FY 2006 – 0.25%	FY 2009 – 0.23%	FY 2012 – 0.23%

**Revenue Estimate Methodology:**

Highway patrol fine revenue forecast by applying an average annual growth rate to the last known fiscal year collections.

Data

Data from the statewide accounting system (SABHRS) provide a history of highway patrol fine revenue.

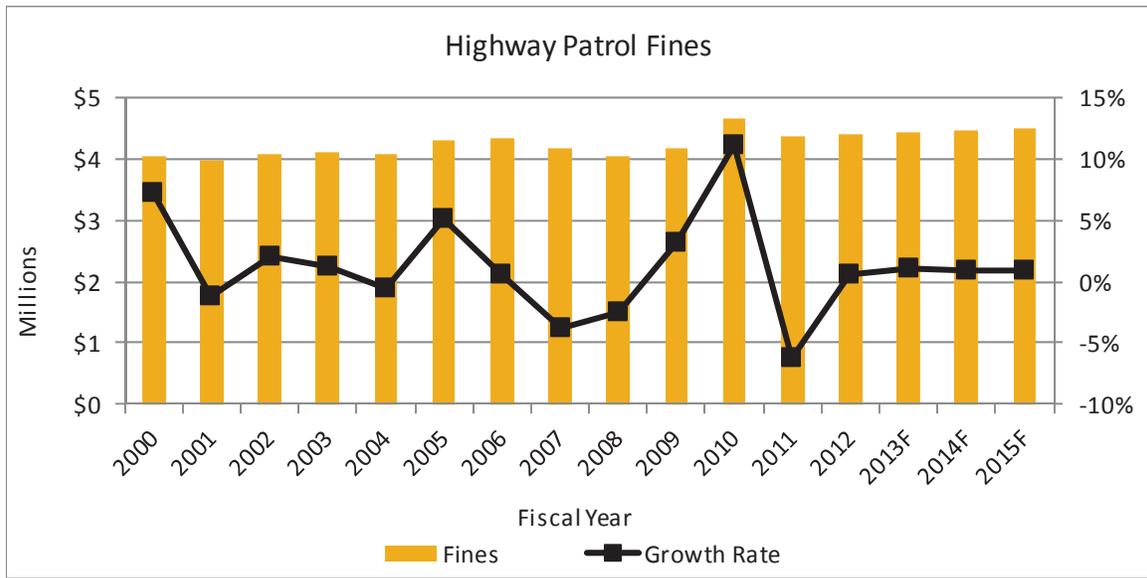
Analysis

The twenty-year average annual growth between is applied to the last known fiscal year. All subsequent years are assumed to grow at the same rate.

# Legislative Fiscal Division

## Revenue Estimate Profile

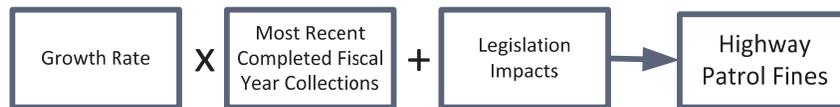
### Highway Patrol Fines



#### Adjustments and Distribution

Once total tax revenue for each fiscal year is determined, the applicable distribution percentage, 100% to the general fund, is applied.

#### Forecast Methodology:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Highway Patrol Fines

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#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t	Total Tax	GF Tax	MT. Pop.	Per Capita
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>&gt;=16</u>	<u>Fines</u>
				<u>Millions</u>	
Actual	2002	4.062	4.062	0.718	5.658
Actual	2003	4.110	4.110	0.727	5.652
Actual	2004	4.084	4.084	0.738	5.537
Actual	2005	4.293	4.293	0.749	5.732
Actual	2006	4.316	4.316	0.760	5.676
Actual	2007	4.155	4.155	0.771	5.387
Actual	2008	4.049	4.049	0.780	5.188
Actual	2009	4.180	4.180	0.788	5.306
Actual	2010	4.646	4.646	0.793	5.857
Actual	2011	4.359	4.359	0.798	5.464
Actual	2012	4.385	4.385	0.804	5.453
Forecast	2013	4.427	4.427	0.811	5.458
Forecast	2014	4.467	4.467	0.818	5.458
Forecast	2015	4.508	4.508	0.826	5.458

Total Tax = Mt. Pop. >=16 \* Per Capita Fine

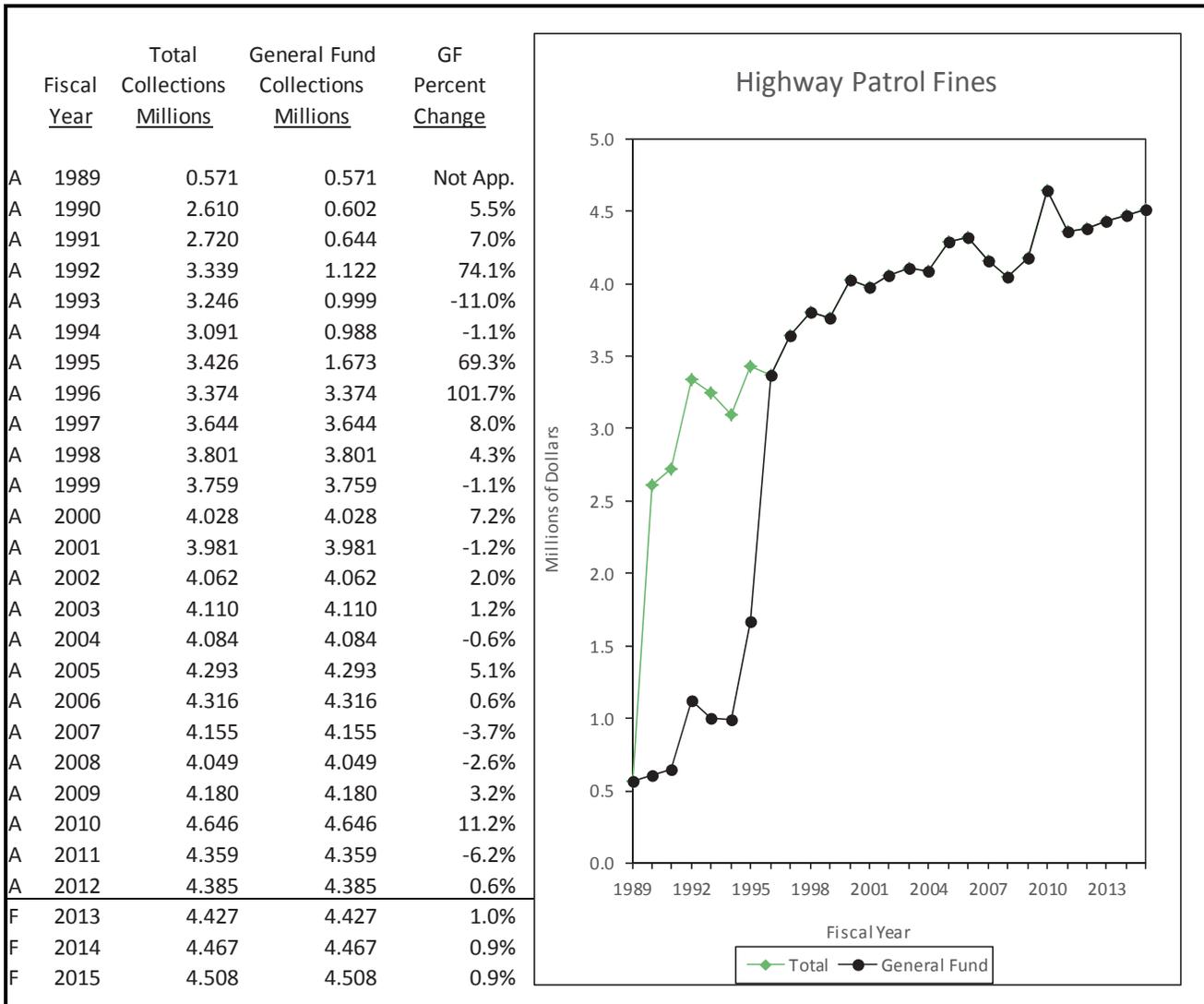
GF Tax = Total Tax

# Legislative Fiscal Division

## Revenue Estimate Profile

### Highway Patrol Fines

#### Revenue Projection:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Public Institution Reimbursements

**Revenue Description:** The Department of Public Health and Human Services (DPHHS) receives reimbursement for the cost of sheltering and treating residents at the Montana Developmental Center (MDC), the Montana Mental Health Nursing Care Center (MMHNCC), Montana State Hospital (MSH), Montana Chemical Dependency Treatment Center (MCDC), and the Montana Veterans' Home (MVH). There are four sources of reimbursement income: state and federally matched Medicaid monies, insurance proceeds from companies with whom the resident is insured, payments by residents or persons legally responsible for them, and federal Medicare funds. Most of the reimbursements come from federal Medicaid payments.

Three variables determine the level of Medicaid nursing home payments: the number of patient days eligible for Medicaid reimbursement, the reimbursement rate per patient day, and the private resources of Medicaid patients.

**Statutory Reference:**

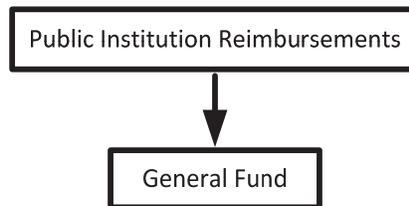
- Tax Rate (MCA) – 53-1-402 (requirement to pay)
- Tax Distribution (MCA) – 53-1-413
- Date Due – monthly (53-1-405(3))

**Applicable Tax Rate(s):** N/A

**Distribution:** Revenue collected from the above sources is deposited in the general fund with the following exceptions:

1. Reimbursements from MDC and MSH are first used to pay debt service on bonds issued to fund construction at these facilities. The remainder is deposited into the general fund.
2. Reimbursements received MVH and MCDC are deposited into a state special revenue account and appropriated to the facilities.

Distribution Chart:



**Summary of Legislative Action:**

House Bill 16 – This bill revises involuntary commitment and emergency detention laws, which will increase the number of emergency detentions and admissions to the Montana State Hospital.

Public Institution Reimbursements – Legislation Passed by 63rd Legislature			
State Special Revenue Impact (\$ Millions)			
Bill Number and Short Title	FY 2013	FY 2014	FY 2015
HB0016 Revise involuntary commitment and emergency detention laws	\$0.000	\$0.139	\$0.139
<b>Total State Special Revenue Impact</b>	<b>\$0.000</b>	<b>\$0.139</b>	<b>\$0.139</b>

**Collection Frequency:** Monthly

**% of Total General Fund Revenue:**

- |                 |                 |                 |
|-----------------|-----------------|-----------------|
| FY 2004 – 1.31% | FY 2007 – 0.58% | FY 2010 – 1.35% |
| FY 2005 – 0.82% | FY 2008 – 0.78% | FY 2011 – 1.13% |
| FY 2006 – 0.75% | FY 2009 – 0.78% | FY 2012 – 0.78% |

# Legislative Fiscal Division

## Revenue Estimate Profile

### Public Institution Reimbursements

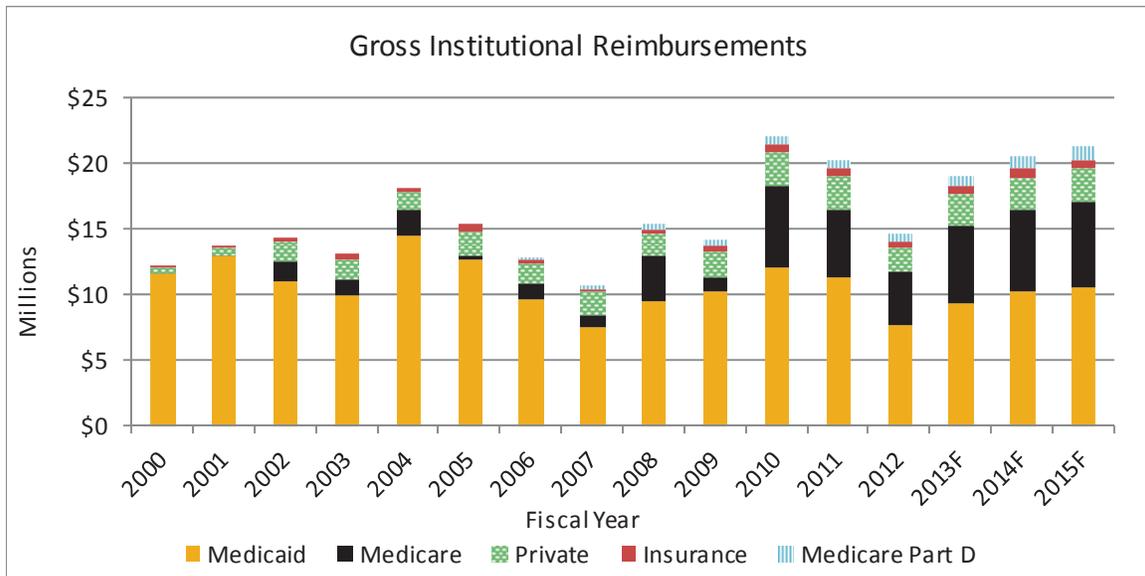
#### Revenue Estimate Methodology:

##### Data

Data are collected from the DPHHS and the state accounting system (SABHRS) to develop the estimate for the public institution reimbursements. In addition to residency data, DPHHS provides the data used to develop relationships of payment patterns of individuals and insurance companies to the federal government reimbursements (Medicaid and Medicare). SABHRS provides historical data used to assess the accuracy of the estimates.

##### Analysis

The largest component of Montana's institutional reimbursements is Medicaid, as seen in the figure below. Medicaid and Medicare payments are responsible for most of the variability in reimbursement collections, due to the changes in the FMAP rates for the state. The FMAP rates are set annually based on the state's relative per capita income. States like Montana, with a relatively low per capita income and a higher FMAP rate, receive more federal assistance than states with a higher per capita income. The American Recovery and Reinvestment Act of 2009 temporarily increased the FMAP rate. The enhanced rate will no longer be in effect for the forecast period. Most of the Medicare payments result from billings at MSH, while most Medicaid payments are generated through care at MMHCC.



Estimates for institutional reimbursements are derived using average daily population (ADP) estimates and reimbursement rates provided by DPHHS for three state hospitals: MDC, MMHCC, and MSH. Both the ADP and the facility rates are estimated with expected growth percentages. The ADP is adjusted by Medicare and Medicaid eligibility rates. The forecast FMAP rate is adjusted for the state fiscal year. The final step is to combine the estimates by payment type estimates.

##### Adjustment and Distribution

Gross reimbursements must be reduced by two debt service payments in each fiscal year. The debt service is the result of bonds issued for the purpose of facility upgrades.

#### Forecast Methodology:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Public Institution Reimbursements

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t	Total Rev.	GF Rev.	Private	Insurance	Medicaid	Medicare
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>
Actual	2002	14.283	14.283	1.483	0.317	10.995	1.488
Actual	2003	13.043	13.043	1.564	0.452	9.900	1.126
Actual	2004	18.110	18.110	1.424	0.311	14.337	2.038
Actual	2005	12.509	12.509	1.888	0.557	12.631	0.211
Actual	2006	12.728	12.728	1.535	0.284	9.531	1.274
Actual	2007	10.669	10.669	1.850	0.187	7.473	0.867
Actual	2008	15.335	15.335	1.647	0.346	9.392	3.456
Actual	2009	14.101	14.101	1.894	0.440	10.109	1.145
Actual	2010	22.000	22.000	2.525	0.661	12.030	6.177
Actual	2011	20.158	20.158	2.477	0.687	11.176	5.256
Actual	2012	14.562	14.562	1.840	0.462	7.645	3.996
Forecast	2013	16.332	16.332	2.433	0.668	9.296	5.904
Forecast	2014	17.663	17.663	2.487	0.664	10.151	6.219
Forecast	2015	18.301	18.301	2.517	0.660	10.361	6.527

	t	MDC Debt	MSH Debt	Adjustments	Medicare
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Part D Millions</u>
Actual	2002	1.075	1.911	0.000	
Actual	2003	1.046	1.776	-1.573	
Actual	2004	0.869	1.752	-3.180	
Actual	2005	1.006	1.785	0.013	
Actual	2006	0.951	1.775	0.000	0.104
Actual	2007	0.959	1.793	0.000	0.291
Actual	2008	0.982	1.797	0.000	0.495
Actual	2009	0.959	1.746	0.000	0.513
Actual	2010	0.989	1.691	0.000	0.608
Actual	2011	0.980	1.760	0.000	0.561
Actual	2012	0.984	1.834	0.000	0.619
Forecast	2013	0.988	1.794	0.000	0.812
Forecast	2014	0.988	1.794	0.000	0.922
Forecast	2015	0.988	1.794	0.000	1.018

Total Rev. = Private + Insurance + Medicaid + Medicare - MDC Debt - MSH Debt + Adjustments + Medicare Part D  
 GF Rev. = Total Rev.

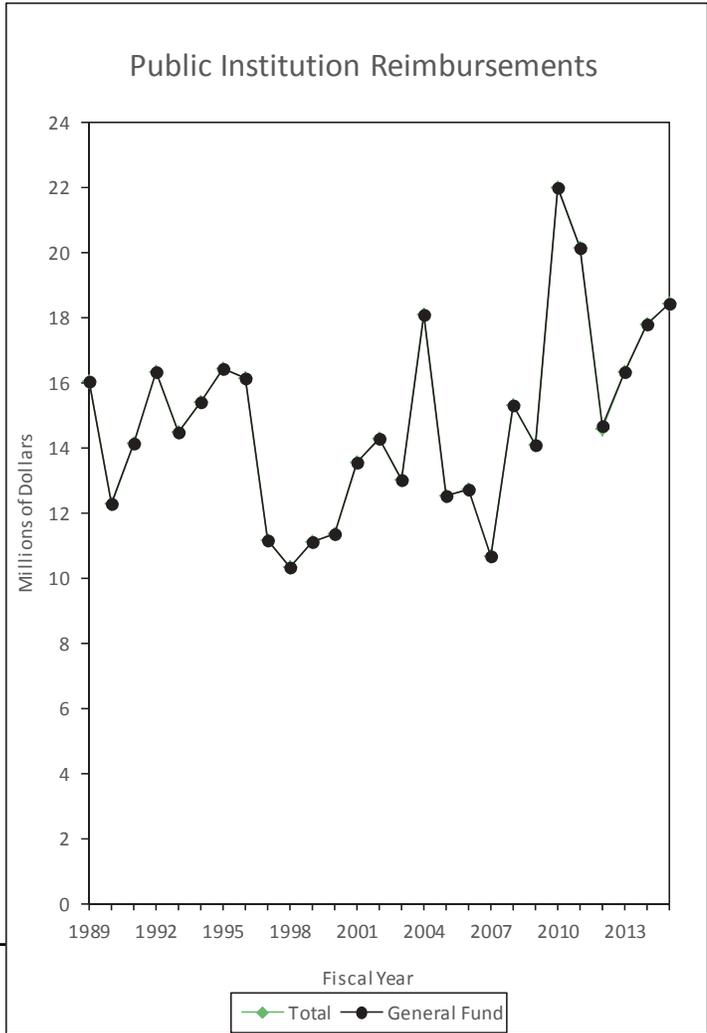
# Legislative Fiscal Division

## Revenue Estimate Profile

### Public Institution Reimbursements

**Revenue Projection:**

	Fiscal Year	Total Collections Millions	General Fund Collections Millions	GF Percent Change
A	1989	16.031	16.031	Not App.
A	1990	12.285	12.285	-23.4%
A	1991	14.141	14.141	15.1%
A	1992	16.329	16.329	15.5%
A	1993	14.486	14.486	-11.3%
A	1994	15.415	15.415	6.4%
A	1995	16.456	16.456	6.8%
A	1996	16.142	16.142	-1.9%
A	1997	11.158	11.158	-30.9%
A	1998	10.335	10.335	-7.4%
A	1999	11.136	11.136	7.8%
A	2000	11.345	11.345	1.9%
A	2001	13.554	13.554	19.5%
A	2002	14.283	14.283	5.4%
A	2003	13.043	13.043	-8.7%
A	2004	18.110	18.110	38.9%
A	2005	12.509	12.509	-30.9%
A	2006	12.728	12.728	1.8%
A	2007	10.669	10.669	-16.2%
A	2008	15.335	15.335	43.7%
A	2009	14.101	14.101	-8.1%
A	2010	22.000	22.000	56.0%
A	2011	20.158	20.158	-8.4%
A	2012	14.562	14.701	-27.1%
F	2013	16.332	16.332	11.1%
F	2014	17.802	17.802	9.0%
F	2015	18.440	18.440	3.6%



# Legislative Fiscal Division

## Revenue Estimate Profile

### Nursing Facilities Fee

**Revenue Description:** This source consists of two similar utilization fees on nursing homes: a nursing facility utilization fee and an intermediate care facility utilization fee.

With the enactment of House Bill 749 by the 2005 Legislature, qualified nursing facilities are required to pay a nursing facility utilization fee of \$8.30 for each bed day in the facility. Nursing facilities are health care facilities licensed by the Department of Public Health and Human Services and include those operated for profit or non-profit, freestanding or part of another health facility, and publicly or privately owned. Specifically included by statute is the Montana Mental Health Nursing Care Center. According to federal definitions, nursing facilities do not include adult foster homes, retirement homes, and other alternative living arrangements. Bed days are defined as a 24-hour period in which a resident of a nursing facility is present in the facility or in which a bed is held for a resident while on temporary leave.

An intermediate care facility utilization fee is imposed on resident bed days of intermediate care facilities for the mentally disabled. The only qualifying facility is the Montana Developmental Center. With the enactment of Senate Bill 82 by the 2005 Legislature, the fee is 6% of a facility's quarterly revenue divided by the quarterly bed days.

#### Statutory Reference:

Tax Rate (MCA) – Nursing facility utilization fee (15-60-102), intermediate care facility utilization fee (15-67-102(2))

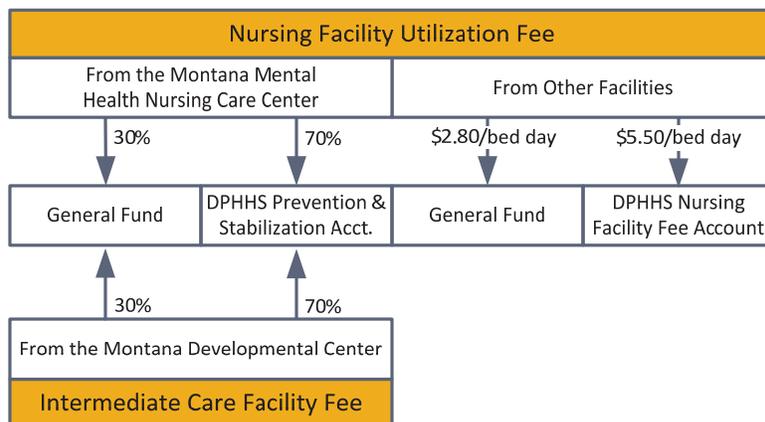
Tax Distribution (MCA) – Nursing facility utilization fee (15-60-102 & 15-60-210), intermediate care facility utilization fee (15-67-102(3))

Date Due – Nursing facility utilization fee due the last day of the month following the close of the calendar quarter (15-60-201), intermediate care facility utilization fee due the month following the close of the calendar quarter (15-67-201(1))

**Applicable Tax Rate(s):** Nursing facility utilization fee of \$8.30 per bed day, and Intermediate care facility utilization fee of 6% of a facility's quarterly revenue divided by the quarterly bed days

**Distribution:** Nursing facility utilization fee: for fees paid by the Montana Mental Health Nursing Care Center, 30% to the general fund and 70% to the prevention and stabilization account; for all other facilities, \$2.80/bed day to the general fund and \$5.50/bed day to the nursing facility fee account. Intermediate care facility utilization fee: for fees paid by the Montana Developmental Center, 30% to the general fund and 70% to the prevention and stabilization account.

#### Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** Quarterly

# Legislative Fiscal Division

## Revenue Estimate Profile Nursing Facilities Fee

### % of Total General Fund Revenue:

FY 2004 – 0.43%	FY 2007 – 0.31%	FY 2010 – 0.33%
FY 2005 – 0.39%	FY 2008 – 0.29%	FY 2011 – 0.29%
FY 2006 – 0.33%	FY 2009 – 0.30%	FY 2012 – 0.27%

### Revenue Estimate Methodology:

#### Data

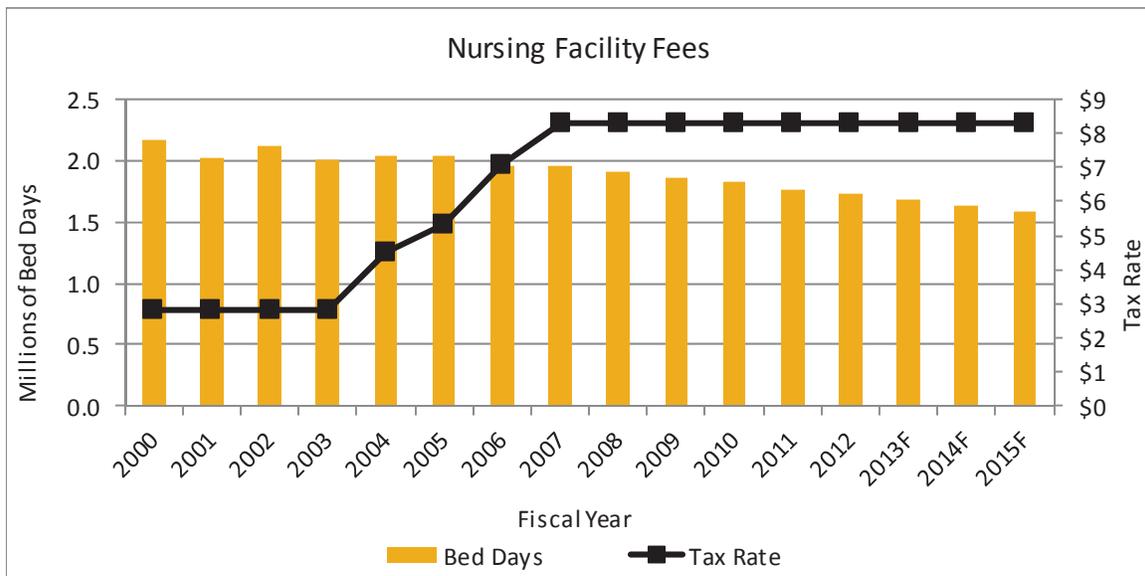
Data for this source are obtained from the Department of Revenue (DOR), the Department of Public Health and Human Services (DPHHS), and the state accounting system (SABHRS). DOR provides the number of taxable bed days occupied by clientele of private and state run nursing homes. DPHHS provides counts on the bed days at the Montana Developmental Center (MDC) and total revenues collected, which are used in the calculation of the intermediate care facility fee. SABHRS data provides aggregate historic collections of the nursing facility fees.

#### Analysis

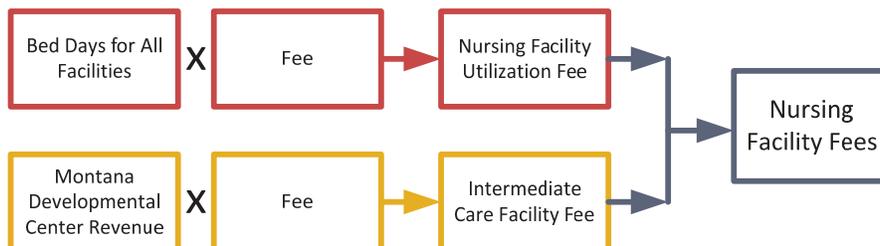
The nursing facility fees are estimated using a negative time trend to project future bed days at nursing care facilities. In addition to private nursing homes, the Montana Mental Health Nursing Care Center (MMHNCC) is required to pay the nursing facility fee. The MMHNCC component of the tax is calculated separately, making use of the bed days that are calculated in the estimate for “Institutional Reimbursements.” The bed days are multiplied by the fee of \$8.30 to obtain the estimate for the MMHNCC nursing fee.

MDC is the only intermediate care facility in Montana. The intermediate facility fee is projected by applying the average growth rate of the past fiscal years to the last year of actual revenue collections at MDC, FY 2012.

The fiscal year estimates for these two sources are summed to provide the total nursing facility fees estimates.



### Forecast Methodology:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Nursing Facilities Fee

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	<u>t</u>	<u>Total Tax</u>	<u>GF Tax</u>	<u>Nursing</u>	<u>Bed</u>	<u>Intermediate</u>	<u>Intermediate</u>	<u>MMHNCC</u>
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Facilities</u>	<u>Days</u>	<u>Care</u>	<u>Care</u>	<u>Tax</u>
				<u>Fee</u>	<u>Millions</u>	<u>Rate</u>	<u>Revenue</u>	<u>Millions</u>
Actual	2002	5.918	5.918	2.80	2.114			
Actual	2003	6.178	5.860	2.80	2.008	5.0%	11.131	
Actual	2004	10.022	5.916	4.50	2.035	5.0%	17.261	
Actual	2005	11.602	5.912	5.30	2.034	5.0%	16.438	
Actual	2006	14.650	5.712	7.05	1.951	6.0%	14.954	
Actual	2007	17.074	5.717	8.30	1.951	6.0%	14.625	
Actual	2008	16.759	5.610	8.30	1.912	6.0%	14.845	0.122
Actual	2009	16.348	5.469	8.30	1.860	6.0%	15.129	0.095
Actual	2010	16.019	5.300	8.30	1.820	6.0%	15.233	0.095
Actual	2011	15.541	5.197	8.30	1.760	6.0%	15.526	0.091
Actual	2012	15.176	5.077	8.30	1.722	6.0%	14.700	0.088
Forecast	2013	14.748	4.876	8.30	1.674	6.0%	14.304	0.093
Forecast	2014	14.435	4.740	8.30	1.627	6.0%	13.919	0.099
Forecast	2015	14.028	4.603	8.30	1.580	6.0%	13.544	0.104

Total Tax = Nursing Facilities × Bed + Intermediate Care Rate × Intermediate Care Revenue + MMHNCC

GF Tax = MMHNCC × 30% + (Nursing Fee × Bed Days - MMHNCC) × \$2.80/\$8.30 +

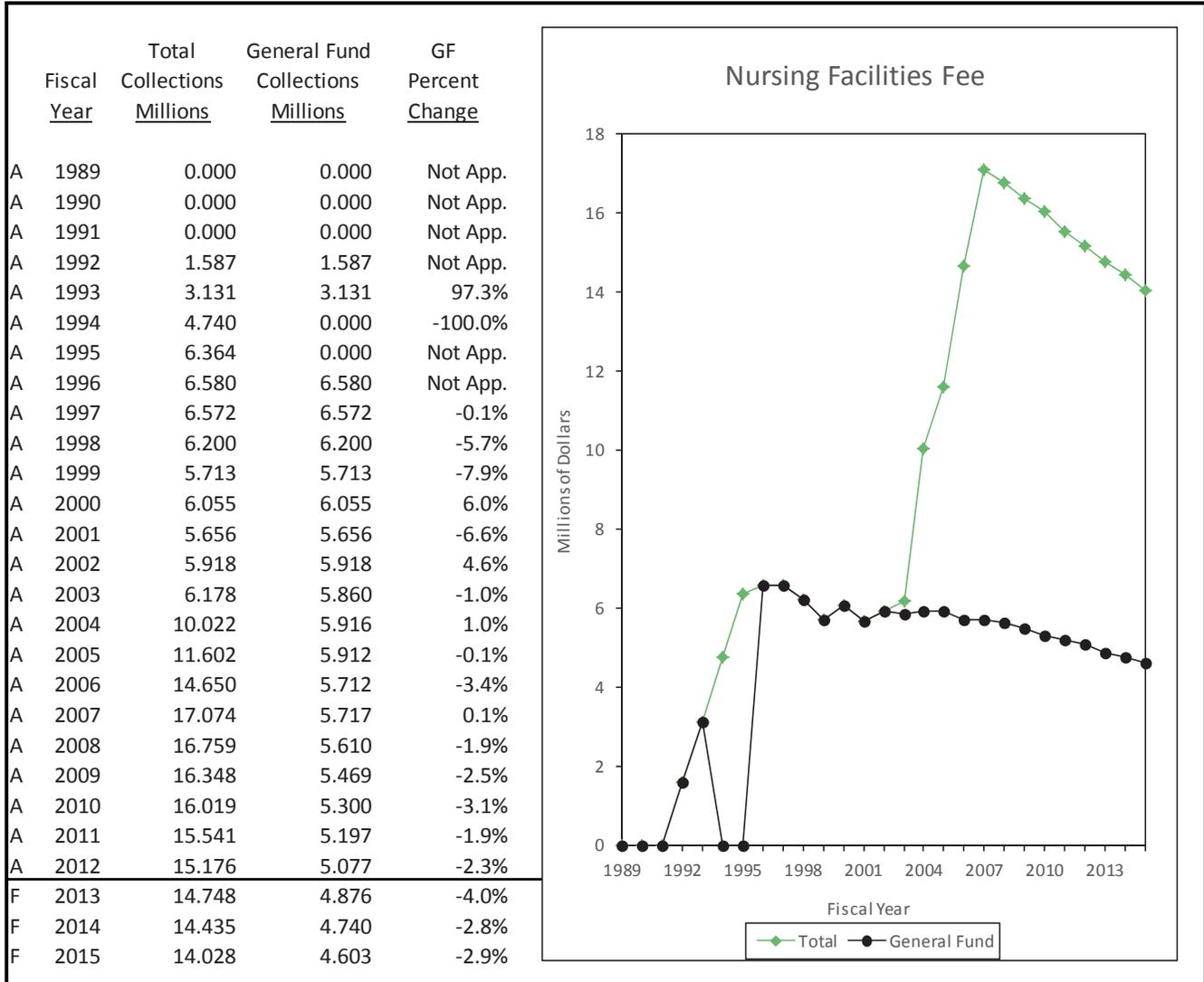
Care Revenue × Care Rate × 30%

# Legislative Fiscal Division

## Revenue Estimate Profile

### Nursing Facilities Fee

#### Revenue Projection:



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# Legislative Fiscal Division

## Revenue Estimate Profile

### Tobacco Settlement

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**Revenue Description:** Montana receives revenue as a settling party to a Master Settlement Agreement (MSA) with four original tobacco companies and 56 subsequent companies to end a four-year legal battle with 46 states, Puerto Rico, American Samoa, the U.S. Virgin Islands, the North Mariana Island, Guam and the District of Columbia (52 total settling entities). This revenue source represents only the payments from that settlement (highlighted in the distribution chart below), additional revenue seen in the distribution chart comes from interest on the Tobacco Trust Fund. Details on that revenue source can be found in Tobacco Trust Interest under the Interest section.

Montana was eligible for four types of payments: reimbursement for legal costs (FY 2000), five initial payments (FY 2000 through FY 2003), on-going annual payments, and strategic contribution payments (FY 2008 through 2017). The MSA places no restrictions on how the settling parties spend the money.

The total amount of tobacco settlement funds available to Montana is affected by a number of adjustments. These may include inflation, sales volume changes, non-participating manufacturers (NPM) adjustment for the loss of market shares, operating income of the original four tobacco companies, number and operating income of subsequent participating manufactures, number of states reaching state specific finality, settlements reached by the four states not party to the agreement (Florida, Texas, Minnesota, and Mississippi), litigation offsets, disputed payments, and federal tobacco legislation offsets among others.

The reduction for the NPM adjustment was first included in the revenue estimates beginning FY 2006. Amounts paid by manufacturers who participate in the MSA may decrease if they have lost market shares and it is proven that a significant portion of the loss (to companies not participating in the MSA) is due to the disadvantages caused by the MSA. An economics firm must determine if this is the case. The adjustment does not apply if a state has enacted "model statutes" and enforced them. Although it has not yet been determined if all these conditions have been met, it is expected that participating manufactures will withhold a portion of their payments in disputed escrow accounts until the matter is resolved, thus reducing payments to the settling entities.

#### Statutory Reference:

Tax Rate – NA

Tax Distribution (MCA) – Montana Constitution, Article X11, Section 4; 17-6-606; 53-4-1011

Date Due – annual payments from settling entities due April 15<sup>th</sup> (Master Settlement Agreement, Chapter IX(c)), General Tobacco annual payments through calendar 2016 due August 30<sup>th</sup> (General Tobacco Adherence Agreement)

**Applicable Tax Rate(s):** NA

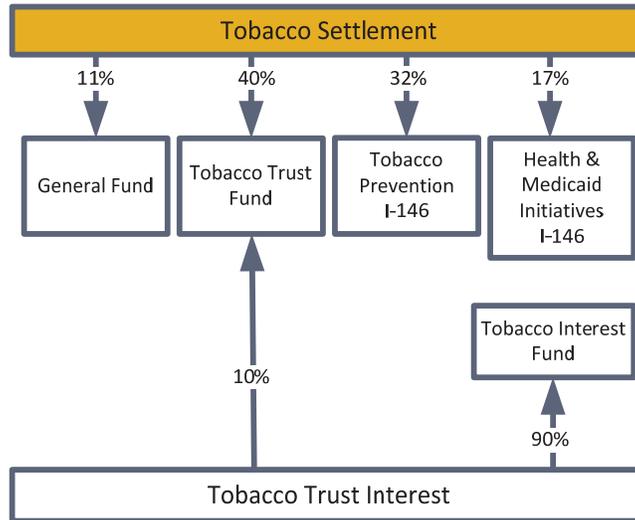
**Distribution:** Due to passage of Constitutional Amendment 35 by the electorate in November 2000, the legislature is required to dedicate no less than 40% of tobacco settlement money to a permanent trust fund. Since the legislature has not yet determined the exact percentage to be deposited to the trust fund, the revenue estimate assumes 40%. For FY 2003, the remaining 60% of the money was deposited to the general fund. Due to passage of Initiative 146 by the electorate in November 2002, beginning FY 2004, 32% of the tobacco settlement money funds tobacco prevention programs and 17% of the funds is used for the Children's Health Insurance Program (except in the 2011 biennium [due the enactment of HB 676] when the allocation was used to fund the healthy Montana kids plan). In HB 743, the 2007 Legislature added chronic disease programs to the allowable uses of the 32% distribution. The remaining 11% of the money is deposited to the general fund.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Tobacco Settlement

#### Distribution Chart:



**Summary of Legislative Action:** The 63<sup>rd</sup> Legislature did not enact legislation that impacted this source.

**Collection Frequency:** Annual payments are expected each April 15<sup>th</sup> into perpetuity. General Tobacco, a subsequent participating manufacturer, is required to make annual payments every August 30<sup>th</sup> through calendar 2016 for obligations incurred from 2000 to 2003.

#### % of Total General Fund Revenue:

FY 2004 – 0.21%	FY 2007 – 0.16%	FY 2010 – 0.21%
FY 2005 – 0.19%	FY 2008 – 0.19%	FY 2011 – 0.18%
FY 2006 – 0.16%	FY 2009 – 0.23%	FY 2012 – 0.18%

#### Revenue Estimate Methodology:

The derivation of the tobacco settlement revenue estimate involves many factors. The Master Settlement Agreement specifies base amounts to be paid by all participating manufacturers, but also allows various adjustments to be made to these payments.

#### Data

The Master Settlement Agreement, signed by the settling entities and participating tobacco manufacturers (PM), is the driving document for the procedure to use in determining how much the original participating manufacturers (OPM) to the agreement and the subsequent participating manufacturers (SPM) have to pay to the settling entities. PriceWaterhouseCoopers, the independent auditor to the agreement, gathers all the data and makes all the calculations required by the Master Settlement Agreement for determining what the PM owe. Documents produced by PriceWaterhouseCoopers provide the historic data needed to project future payments. Staff at the Montana Attorney General's Office and the National Association of Attorneys General may also be consulted. Since an adjustment for a change in volume of cigarettes shipped is necessary, various knowledgeable sources are consulted as to expected changes in smoking or the sale of cigarettes.

#### Payments

Currently, there are two types of payments from OPM:

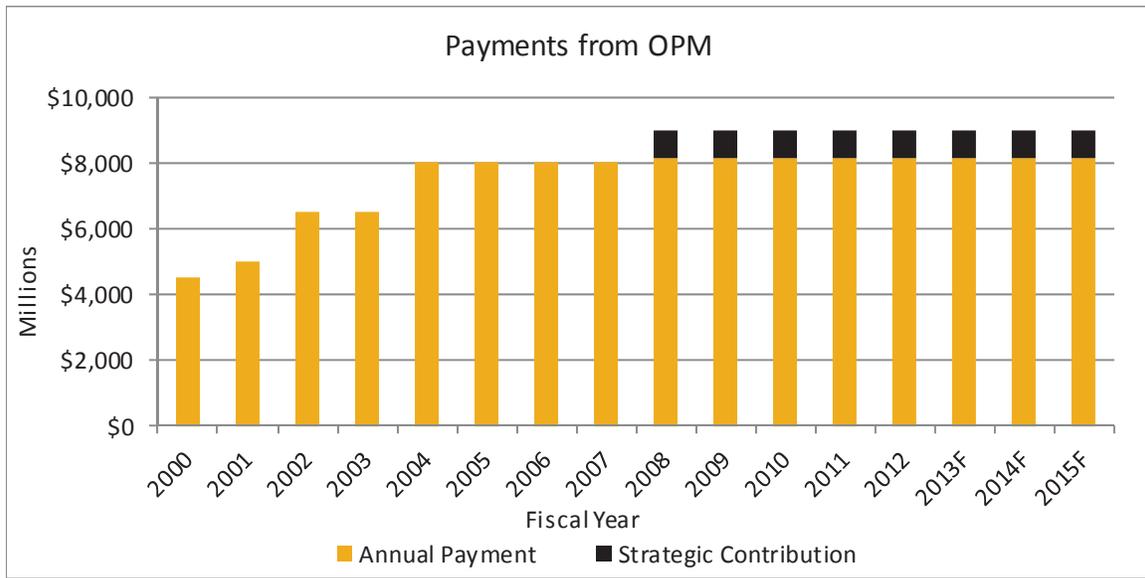
1. On-going annual payments to be received April 15<sup>th</sup> each year of which Montana receives 0.4247591%. These payments are to be made in perpetuity and increased in FY 2008 and will increase again in FY 2018; and
2. Strategic contribution payments are to be made from FY 2008 through FY 2017 of which Montana receives 1.0447501%.

The table below shows the total of these payments available to all settling entities before any adjustments.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Tobacco Settlement

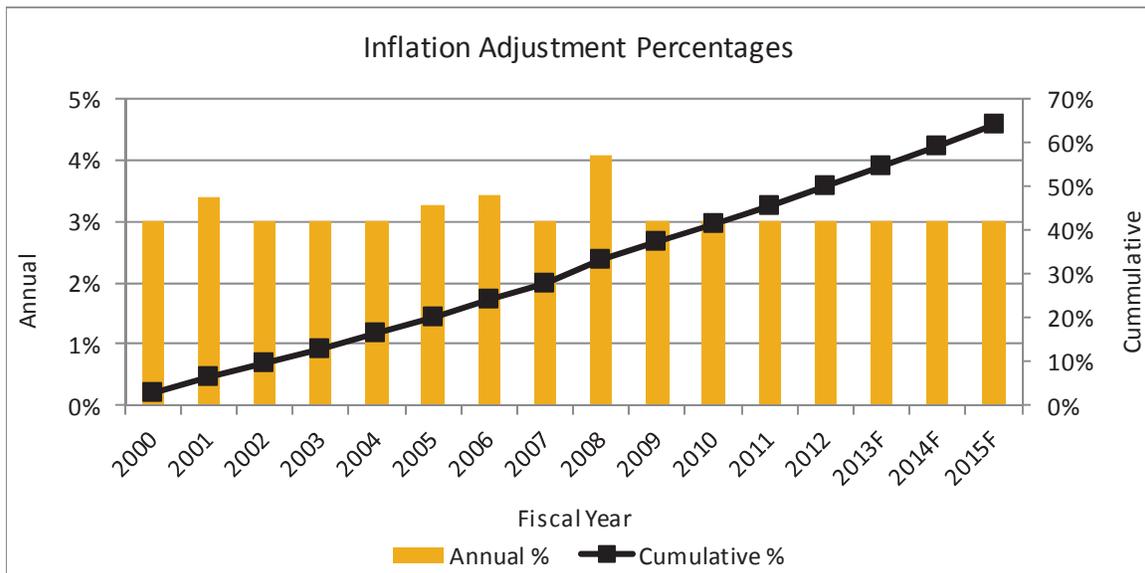


Manufacturers who subsequently participate in the agreement also make payments based on the total annual and strategic contribution payments required by the OPM. The amount of these payments is also subject to various adjustments.

#### Adjustments

There are five potential adjustments to the payments.

1. Inflation – This adjustment increases the amount owed by PM. The set amounts of the annual and the strategic contribution payments are increased by the greater of 3% or the amount of the Consumer Price Index for Urban Consumers. The effect is cumulative so that the previous year’s inflation percentage is increased by the current year’s amount plus the amount of the current year’s percentage. The chart shows the annual and cumulative inflation factors.

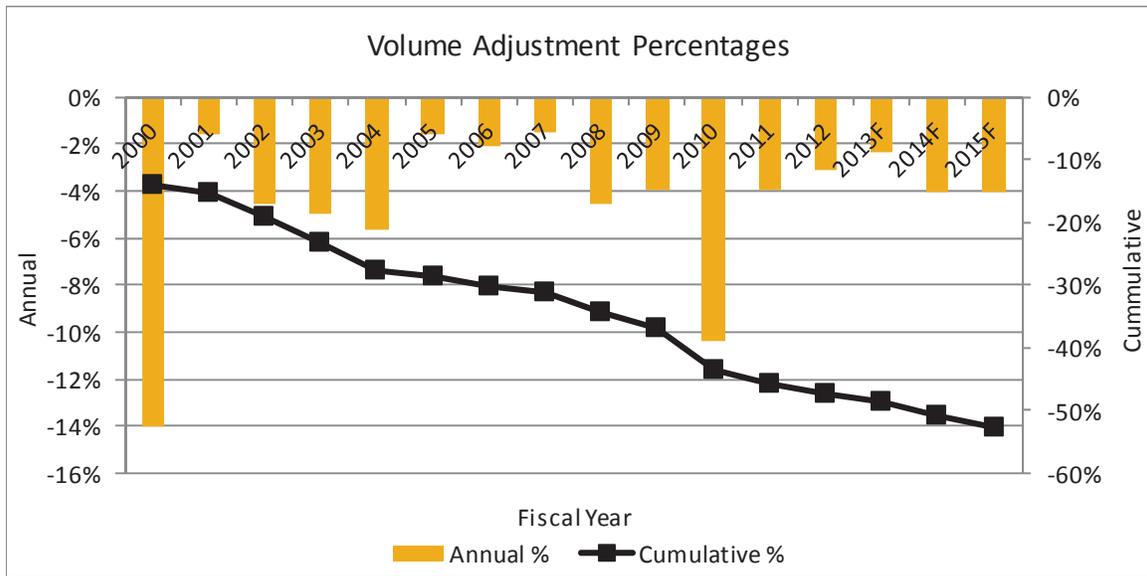


2. Volume – As the number of cigarettes shipped nationally decreases, payments by PM are reduced. The current number of cigarettes is compared to the 1997 base number of 475.7 billion cigarettes. A proxy for the estimated annual change in the number of cigarettes shipped is determined by developing an estimate for the percentage change in cigarette consumption. For this analysis, the trend (downward) of the number of cigarette shipped from FY 2000 to FY 2012 was applied to estimate each subsequent fiscal years. Like the inflation adjustment, the effect is cumulative so that the previous year’s percentage adjustment is increased by the current year’s amount plus the amount of the current year’s percentage. According to the settlement agreement, the cumulative percentage is then reduced by 2%. The chart shows the annual and adjusted cumulative volume factors.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Tobacco Settlement



3. Operating income – If the aggregate operating income from the OPM sales of cigarettes exceeds the 1996 base amount of \$7,060.840 million, as adjusted for inflation (see above) and by the percentage of states who have finalized acceptance of the agreement (100% since calendar 2001), then the dollar amount of the volume reduction is reduced and the amount of OPM payments increases. This adjustment has not been applied since 2000.
4. Previous settling states – Previous to the Master Settlement Agreement, four states had settled lawsuits with certain cigarette manufacturers. The agreement recognized this by allowing reductions to the OPM annual payments (as adjusted for inflation and volume) of 12.45% through the FY 2007 payment, 12.24% through the FY 2017 payment, and 11.07% thereafter.
5. Non-participating manufacturers (NPM) – If tobacco manufacturers who participate in the Master Settlement Agreement lose market share to those manufacturers who do not, their payments may be reduced. It must be shown that there was a loss of market share to NPM and that the disadvantages caused by the agreement were a significant factor contributing to the loss. However, the NPM adjustment does not apply to a state that had a “qualifying statute” in effect for the full year in question and had diligently enforced it. The “qualifying statute” requires a manufacturer who is not a PM to pay into a state-specific escrow account \$0.0167539 per cigarette sold in that state in CY 2006 and \$0.0188482 thereafter. Money in the account may be used to pay a judgment or settlement against the manufacturer. The Montana legislature enacted SB 359 (1999 session) and HB 663 (2003 session) in response to the agreement (see Title 15, Chapter 11, Parts 4 and 5). Although the agreement’s independent auditor calculates the NPM adjustment, it has never applied it to required payments.

The NPM adjustment is three times the market share loss of PM. Market share loss is determined by subtracting the current year market share of PM from the 1997 base market share of 99.5835% less 2% or 97.5835%. This percentage difference is multiplied by the annual payment amount adjusted for inflation, volume, and previous settling states. If the computed market share loss exceeds 16-2/3%, the formula changes to reduce the percentage adjustment. For this to occur, the change in market share for all PM would have to fall to 80%. It is unlikely that this will occur. Based on this formula, the NPM adjustment could reduce Montana’s payments by a maximum of \$4.0 million in FY 2013, \$3.9 million in FY 2014 and \$3.9 million in FY 2015, if all the conditions were met. The estimates include a portion of these reductions; not because all the conditions have been met, but because the PM may dispute a portion of a payment. Many PM feel the adjustment should be applied and have subsequently deposited disputed amounts into special escrow accounts until the issue is resolved. However, not all companies dispute the full amount, so the revenue estimate reduces the maximum amount that could be disputed by a percentage adjustment. The end result for the settling entities is that some portion of the money is unavailable even though the adjustment was not applied to the payments. This unavailability of money has occurred in Montana: FY 2006-\$3.5 million, FY 2007-\$3.0 million, FY 2008-\$2.3 million, FY 2009-\$2.3 million, FY 2010-\$3.2 million, FY 2011-\$4.6, and FY 2012-\$3.9 million. It is anticipated that PM will continue to dispute a portion of future payments.

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# Legislative Fiscal Division

## Revenue Estimate Profile

### Tobacco Settlement

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#### Analysis

Once adjustments amounts have been calculated, the applicable adjustments to the OPM and SMP payments can be applied and other revenue components calculated.

OPM Annual Payment - The estimate for tobacco settlement revenue from OPM is derived by first multiplying the payment amount by 1 plus the cumulative percentages for the inflation and volume adjustments and the previous settled states' percentage then adding the dollar amount of the operating income adjustment (zero) and the NPM adjustment. To this total amount, Montana's allocation of 0.4247591% is applied.

SPM Annual Payment - The estimate for tobacco settlement revenue from SPM is derived by a five-step process:

1. The volume adjustment (a reduction) is calculated by multiplying the annual OPM amount by the cumulative volume percentage.
2. A market share adjustment (a reduction to the amount owed) is calculated by: a) subtracting the volume adjustment, derived above, from the OPM amount; b) multiplying the result by a market share proxy to derive the base amount owed; c) the inflation adjustment is applied by multiplying the annual OPM amount by the cumulative inflation percentage; and d) the inflation adjustment is added to the base amount owed.
3. The proxy is calculated in the last completed year by dividing the SPM adjusted base payment (adjust for volume) by the total known amount due after adjustments for market share changes. The proxy from the last known fiscal year is used in all subsequent years.
4. The NPM maximum adjustment (a possible reduction), as determined above, is calculated. Since not all companies will dispute the entire amount, a percentage is applied to reduce the reduction. For FY 2008, this percentage was 61.6% and is used in all subsequent years.
5. The total SPM amount is adjusted by the above three adjustments and multiplied by 0.4247591% to obtain Montana's share.

OPM Strategic Contribution Payment – From FY 2008 through FY 2017, the OPM owe yearly strategic contribution payments to the settling entities in the amount of \$861,000,000. This amount is increased by the inflation adjustment and decreased by the volume adjustment, both described above. The result is multiplied by Montana's share of 1.0447501%.

SPM Strategic Contribution Payment – From FY 2008 through FY 2017, the SPM owe yearly strategic contribution payments to the settling entities based on the OPM amount of \$861,000,000. This amount is increased by the inflation adjustment, decreased by the market share adjustment, and decreased by the volume adjustment, all described above. The result is multiplied by Montana's share of 1.0447501%.

General Tobacco – The General Tobacco Company joined the Master Settlement Agreement in August 2004 and will make future payments the same as the other SPM. However, the company entered into a separate agreement with the settling entities for making the required payments owed retroactively from the date of its joining to the date the Master Settlement Agreement was signed. These obligations total \$272.3 million. This “principal” amount will be paid yearly over a 12-year period based on a percentage schedule based on the year.

For FY 2014 and 2015, the percentage of the “principal” to be paid is 12% and 13%, respectively. Interest on unpaid balances at 5% is then added to the “principal” payment. Once the total annual payment is calculated, it is multiplied by 0.4247591% to obtain Montana's share.

#### Adjustments and Distribution

Once total tax revenue for each fiscal year is determined, the applicable distribution percentages are applied.

# Legislative Fiscal Division

## Revenue Estimate Profile

### Tobacco Settlement

#### Forecast Methodology:



# Legislative Fiscal Division

## Revenue Estimate Profile

### Tobacco Settlement

#### Revenue Estimate Assumptions:

This section contains the assumptions used to generate the revenue estimates contained in Senate Joint Resolution 2. It does not reflect changes, if any, enacted by the 2013 Legislature that may affect future estimates of this revenue source.

	t	Total Settle	GF Settle	Initial	Annual	Annual	PSS	GF Allocation
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Payment</u>	<u>Payment</u>	<u>Share</u>	<u>Reduction</u>	<u>Percent</u>
				<u>Millions</u>	<u>Millions</u>	<u>Percent</u>	<u>Percent</u>	<u>Percent</u>
Actual	2002	31.079	18.647	2622.545	6500.000	0.4%	-12.5%	60.0%
Actual	2003	31.166	18.700	2701.221	6500.000	0.4%	-12.5%	60.0%
Actual	2004	26.672	2.934	0.000	8000.000	0.4%	-12.5%	11.0%
Actual	2005	27.071	2.978	0.000	8000.000	0.4%	-12.5%	11.0%
Actual	2006	24.851	2.734	0.000	8000.000	0.4%	-12.5%	11.0%
Actual	2007	25.931	2.861	0.000	8000.000	0.4%	-12.5%	11.0%
Actual	2008	34.614	3.808	0.000	8139.000	0.4%	-12.2%	11.0%
Actual	2009	37.524	4.128	0.000	8139.000	0.4%	-12.2%	11.0%
Actual	2010	31.533	3.469	0.000	8139.000	0.4%	-12.2%	11.0%
Actual	2011	29.625	3.259	0.000	8139.000	0.4%	-12.2%	11.0%
Actual	2012	30.203	3.322	0.000	8139.000	0.4%	-12.2%	11.0%
Forecast	2013	32.291	3.552	0.000	8139.000	0.4%	-12.2%	11.0%
Forecast	2014	31.993	3.519	0.000	8139.000	0.4%	-12.2%	11.0%
Forecast	2015	31.688	3.486	0.000	8139.000	0.4%	-12.2%	11.0%

	t	Annual	Cummulative	Adjustment	Adjusted	Annual	Cummulative	NPM Adj.
	<u>Fiscal</u>	<u>Vol. Change</u>	<u>Vol. Change</u>	<u>Factor</u>	<u>Vol. Change</u>	<u>CPI Change</u>	<u>CPI Change</u>	<u>Factor</u>
		<u>Percent</u>	<u>Percent</u>	<u>Percent</u>	<u>Percent</u>	<u>Percent</u>	<u>Percent</u>	<u>Percent</u>
Actual	2002	-4.6%	-19.2%	98.0%	-18.8%	3.0%	9.7%	
Actual	2003	-4.9%	-23.2%	98.0%	-22.7%	3.0%	13.0%	
Actual	2004	-5.6%	-27.5%	98.0%	-27.0%	3.0%	16.4%	
Actual	2005	-1.6%	-28.7%	98.0%	-28.1%	3.3%	20.2%	
Actual	2006	-2.1%	-30.2%	98.0%	-29.6%	3.4%	24.3%	
Actual	2007	-1.5%	-31.2%	98.0%	-30.6%	3.0%	28.0%	
Actual	2008	-4.5%	-34.3%	98.0%	-33.6%	4.1%	33.2%	61.6%
Actual	2009	-3.9%	-36.9%	98.0%	-36.2%	3.0%	37.2%	61.6%
Actual	2010	-10.3%	-43.4%	98.0%	-42.6%	3.0%	41.3%	61.6%
Actual	2011	-4.0%	-45.7%	98.0%	-44.8%	3.0%	45.6%	61.6%
Actual	2012	-3.1%	-47.3%	98.0%	-46.4%	3.0%	49.9%	61.6%
Forecast	2013	-2.4%	-48.6%	98.0%	-47.6%	3.0%	54.4%	61.6%
Forecast	2014	-4.0%	-50.7%	98.0%	-49.6%	3.0%	59.1%	61.6%
Forecast	2015	-4.0%	-52.6%	98.0%	-51.6%	3.0%	63.8%	61.6%

# Legislative Fiscal Division

## Revenue Estimate Profile

### Tobacco Settlement

	t	Op. Income Adjustment	SPM Payment	General Tobacco	NPM Adjustment	Strategic Payment	Strategic Share	SPM Strat. Pay.
	<u>Fiscal</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Millions</u>	<u>Percent</u>	<u>Millions</u>
Actual	2002	0.000	144.418			0.000	0.0%	
Actual	2003	0.000	240.733			0.000	0.0%	
Actual	2004	0.000	293.807			0.000	0.0%	
Actual	2005	0.000	433.300			0.000	0.0%	
Actual	2006	0.000	441.940	0.072	-2.906	0.000	0.0%	
Actual	2007	0.000	531.993	0.080	-2.477	0.000	0.0%	34.166
Actual	2008	0.000	430.211	0.091	-2.669	861.000	1.0%	45.511
Actual	2009	0.000	512.377	0.112	-3.210	861.000	1.0%	54.203
Actual	2010	0.000	516.812	0.132	-3.038	861.000	1.0%	54.672
Actual	2011	0.000	511.973	0.140	-3.168	861.000	1.0%	54.160
Actual	2012	0.000	511.641	0.147	-3.166	861.000	1.0%	54.125
Forecast	2013	0.000	514.960	0.153	-3.186	861.000	1.0%	54.476
Forecast	2014	0.000	509.915	0.171	-3.155	861.000	1.0%	53.942
Forecast	2015	0.000	504.952	0.175	-3.125	861.000	1.0%	53.417

	t	Strategic NPM Adj.	NPM Adj. Factor	Montana Share
	<u>Fiscal</u>	<u>Millions</u>	<u>Percent</u>	<u>Millions</u>
Actual	2000			
Actual	2001			
Actual	2002			
Actual	2003			
Actual	2004			
Actual	2005			
Actual	2006			
Actual	2007			
Actual	2008	-0.823	61.6%	-0.507
Actual	2009	-0.825	61.6%	-0.508
Actual	2010	-0.769	61.6%	-0.474
Actual	2011	-0.762	61.6%	-0.470
Actual	2012	-0.761	61.6%	-0.469
Forecast	2013	-0.766	61.6%	-0.472
Forecast	2014	-0.759	61.6%	-0.468
Forecast	2015	-0.752	61.6%	-0.463

$$\begin{aligned}
 &+ \text{Op. Income Adjustment} \times \text{Annual Share} + \text{General Tobacco} + (\text{SPM Payment} \times \text{Annual Share}) \\
 &+ (\text{NPM Adjustment} \times \text{NPM Adjustment Factor}) \\
 &+ \text{Strategic Payment} \times ((1 + \text{Cumulative CPI Change}) \times (1 + \text{Adjusted Vol. Change}) + \text{SPM Strategic Payment}) \\
 &\times \text{Strategic Share} \\
 \text{GF Settle} &= \text{Total Settle} \times \text{GF Allocation}
 \end{aligned}$$

# Legislative Fiscal Division

## Revenue Estimate Profile

### Tobacco Settlement

#### Revenue Projection:

