



RECEIVED
JAN 06 2017
CITY OF SHELBY

December 30, 2016

City of Shelby
Attn. Mayor Bonderud
112 First Street South
Shelby, MT 59474

Dear Mayor Bonderud,

The following is the total plant revenue and repairs accounting on our jointly owned 12-600 hot plant for the year 2016.

Revenue:	3,855.74 TN @ \$3.25/TN = \$12,531.16
	<u>4,426.54 TN @ \$4.75/TN = \$21,026.08</u>
Total Revenue	\$33,557.24
Total Repairs (detail listing enclosed)	<u>(\$30,482.85)</u>
Balance remaining after repairs	\$3,074.39
City of Shelby (50% Share)	\$1,537.20

Let us know if you have any questions.

Sincerely,

Tracy Golik
CFO
Century Companies, Inc.

PO Box 579
510 1st Ave. N.
Lewistown, MT 59457

406-535-1200
Fax 406-535-1205

www.centuryci.com

Lori Stratton

From: Larry Bonderud
Sent: Sunday, January 01, 2017 10:12 AM
To: Lori Stratton
Subject: Fwd: Daily summary Dec 31st 2016

Council.

Sent from my iPhone

Mayor Lar

Begin forwarded message:

From: Statehill <no-reply@statehill.com>
Date: January 1, 2017 at 4:05:12 AM MST
To: <larry@shelbymt.com>
Subject: Daily summary Dec 31st 2016



Hi Larry, here's your daily summary from yesterday Dec 31st 2016.

Updates

LC1388 Interim study of crossroads correctional center
Council: Draft finalized

LC2323 Provide funding for the St. Mary irrigation rehabilitation project
Council: Draft requested

Introduced

Nothing was introduced yesterday.

Requested

LC2323 Provide funding for the St. Mary irrigation rehabilitation project

LC2324 Revise the effective date provisions for the Montana medical marijuana act

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Lori Stratton

From: Larry Bonderud
Sent: Monday, January 02, 2017 10:40 AM
To: Lori Stratton
Subject: Fwd: Daily summary Jan 1st 2017

Council

Sent from my iPhone

Mayor Lar

Begin forwarded message:

From: Statehill <no-reply@statehill.com>
Date: January 2, 2017 at 4:05:16 AM MST
To: <larry@shelbymt.com>
Subject: Daily summary Jan 1st 2017



Hi Larry, here's your daily summary from yesterday Jan 1st 2017.

Updates

LC1211 Revise coal tax trust fund laws
Council: Draft review

LC1387 Generally revise rural electric cooperative laws
Council: Draft review

LC1695 Generally revise telephone cooperative laws
Council: Draft review

Introduced

Nothing was introduced yesterday.

Requested

LC2325 Generally revise tax laws related to a local option infrastructure tax

LC2326 Generally revise DUI laws

Lori Stratton

From: Larry Bonderud
Sent: Tuesday, January 03, 2017 4:10 PM
To: Lori Stratton
Subject: Fwd: City of Shelby 41P-30072725 & 41P-30072726

Next packets.

Sent from my iPhone

Mayor Lar

Begin forwarded message:

From: "Abigail J. St. Lawrence" <astlawrence@helenalaw.com>
Date: January 3, 2017 at 3:52:40 PM MST
To: "larry@shelbymt.com" <larry@shelbymt.com>, "DavidD@hydrosi.com" <DavidD@hydrosi.com>, "LukeO@hydrosi.com" <LukeO@hydrosi.com>, "Jason.Crawford@kljeng.com" <Jason.Crawford@kljeng.com>
Subject: Fwd: City of Shelby 41P-30072725 & 41P-30072726

Good news!! Our permit should issue shortly. Hooray!

Abigail J. St. Lawrence
BLOOMQUIST LAW FIRM, P.C.
3355 Colton Drive, Suite A
Helena, MT 59602
(406) 502-1244
www.helenalaw.com

This message may contain confidential privileged material, including attorney-client communications and attorney work product. This electronic transmission does not constitute a waiver of privilege. Please contact sender immediately if you have received this message in error. Thank you.

Begin forwarded message:

From: "Price, Jamie" <jsprice@mt.gov>
Date: January 3, 2017 at 3:41:33 PM MST
To: "Abigail J. St. Lawrence" <astlawrence@helenalaw.com>
Cc: "Jennifer L. Maichel" <jmaichel@helenalaw.com>
Subject: City of Shelby 41P-30072725 & 41P-30072726

Abby,

Just letting you know I did not receive any objections to either of the City of Shelby applications (41P-30072725 & 41P-30072726). I am sending the public notice information back to the Havre Regional Office and they will be able to finish processing these applications and issue.

Happy New Year!

Jamie Price

DNRC, Hearings Assistant
Water Rights Bureau
406-444-6615
jsprice@mt.gov

This electronic mail transmission may contain ***confidential or privileged*** information. If you believe that you have received this message in error, please notify the sender immediately by reply transmission and delete the message without copying or disclosing it.

Lori Stratton

From: Larry Bonderud
Sent: Wednesday, January 04, 2017 5:21 PM
To: Lori Stratton
Subject: Fwd: HB 3

Council.

Sent from my iPhone

Mayor Lar

Begin forwarded message:

From: Melissa Lewis <melissa@mlewisassoc.com>
Date: January 4, 2017 at 4:26:42 PM MST
To: Larry Bonderud <larry@shelbymt.com>
Subject: HB 3

I'm sitting in a hearing for HB 3, a supplemental appropriations bill. Within the bill, additional funds have been requested for the MT Department of Corrections. It has been a favorable hearing for the City of Shelby, with a nice contrast drawn between the efficiencies of a private prison versus the cost overruns associated with Montana's State Prisons. Mark Baker is here also for Crossroads Corrections Center. Melissa

Lori Stratton

From: Larry Bonderud
Sent: Wednesday, January 04, 2017 11:05 AM
To: Lori Stratton
Subject: Fwd: More proposed MT budget cuts
Attachments: HB0003.pdf; ATT00001.htm

Council.

Sent from my iPhone

Mayor Lar

Begin forwarded message:

From: Melissa Lewis <melissa@mlewisassoc.com>
Date: January 4, 2017 at 11:04:07 AM MST
To: Larry Bonderud <larry@shelbymt.com>
Subject: **More proposed MT budget cuts**

Mayor,

The Joint Appropriations and Finance & Claims Committees met today to discuss House Bill 3. HB 3 is essentially a reverse supplemental. HB 3 does not affect the 2017 base, but it essentially gives the Governor's Office "rescind authority" to reduce unspent 2017 appropriations and then utilize those savings to backfill the General Fund and increase the projected ending fund balance.

At 3pm today, the House Appropriations Committee will hold a hearing on HB 3. The discussion is expected to start with the "555" cuts recommended in the Governor's Budget and add additional items. The 555's are the Governor's recommended cuts based on 2016 actuals, which is NOT the full 5% percent across the board reduction. The financial impact of the 555's is about a \$74 million reduction in state spending. I will attend the hearing and relay information to you this evening once the hearing concludes.

You may hear the following terms throughout the 2017 session, so here are cliff notes for reference.

555: Governor's recommended budget cuts. Specific, targeted reductions. Reduces state spending by approximately \$74 million.

DP50: 5% budget reduction which would reduce state spending by \$200 million

DP51: Additional 2% vacancy cut

DP52: Additional cuts proposed in HB 3. 30% of any cuts would return to the base at the end of 2019, as an incentive to Departments and Agencies to voluntarily, proactively identify additional cuts to 2017 appropriations.

Tomorrow morning at 8am, House Appropriations and Senate Finance and Claims will meet again jointly in Room 317. We're picking up (but still need to confirm) that Department heads are expected to attend the meeting and reject the additional recommended HB 3 cuts.

Obviously, the impacts of HB 3 would carry over to appropriations subcommittee discussions, which begin Friday from 8am-noon. Friday's appropriations subcommittee meetings are organizational in nature, which means there will not be any hearings or much opportunity for public comment other than basic introductions.

Let me know if you have any questions!

Melissa

Melissa Lewis
800 E. 6th Avenue
Helena, MT 59601
Cell: 406-465-8045
Office: 406-422-0988
www.mlewisassoc.com

1 HOUSE BILL NO. 3

2 INTRODUCED BY N. BALLANCE

3 BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING

4

5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING EXPENDITURES AND APPROPRIATING MONEY TO
6 VARIOUS STATE AGENCIES FOR THE FISCAL YEAR ENDING JUNE 30, 2017; AUTHORIZING THE
7 GOVERNOR TO MANDATE REDUCTIONS TO EXPENDITURES FOR THE FISCAL YEAR ENDING JUNE 30,
8 2017; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

9

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

11

12 NEW SECTION. **Section 1. Time limits.** The appropriations contained in [section 2] are intended to
13 provide necessary and ordinary expenditures for the fiscal year ending June 30, 2017. The unspent balance of
14 any appropriation must revert to the appropriate fund.

15

16 NEW SECTION. **Section 2. Appropriations.** The following money is appropriated, subject to the terms
17 and conditions of [section 1]:

18 Agency and Program	Amount	Fund
19 Office of Public Instruction		
20 Base Aid	\$16,500,000	General Fund
21 Office of Commissioner of Higher Education		
22 STEM Scholarships	\$358,000	General Fund
23 Department of Corrections		
24 Secure Facilities	\$3,148,125	General Fund
25 Department of Commerce		
26 Coal Board Grants	\$1,945,617	State Special Revenue

27

28

1 **NEW SECTION. Section 3. Authority to reduce expenditures.** (1) Except as provided in subsection
2 (7), the governor, taking into account the criteria provided in subsection (5), shall mandate reductions to agency
3 expenditures for the biennium ending June 30, 2017.

4 (2) The governor may mandate up to \$16 million in reductions to expenditures from the general fund for
5 the biennium.

6 (3) The governor may not require an agency to reduce general fund spending for any program, as
7 defined in the general appropriations act, by more than 10%.

8 (4) Departments or agencies headed by elected officials or the board of regents may not be required to
9 reduce general fund spending by a percentage greater than the percentage of general fund spending reductions
10 required for the total of all other executive branch agencies.

11 (5) Prior to mandating reductions, the governor shall consider whether an agency program is mandatory
12 or permissive and analyze the impact of the proposed reduction in spending on the purpose of the program.
13 Reductions in spending must be designed to have the least adverse impact on the provision of services
14 determined to be most integral to the discharge of the agency's statutory responsibilities.

15 (6) The office of budget and program planning shall submit a report that identifies the governor's
16 reductions to expenditures within 30 days of the passage and approval of [this act]. The report must be provided
17 in an electronic format to the chair of the house appropriations committee and to the legislative fiscal analyst.

18 (7) Reductions in spending for the following may not be directed by the governor:

19 (a) payment of interest and principal on state debt;

20 (b) the legislative branch;

21 (c) the judicial branch;

22 (d) the school BASE funding program, including special education; and

23 (e) salaries of elected officials during their terms of office.

24

25 **NEW SECTION. Section 4. Effective date.** [This act] is effective on passage and approval.

26

- END -

Lori Stratton

From: Larry Bonderud
Sent: Friday, January 06, 2017 7:44 AM
To: Lori Stratton
Subject: Fwd: Daily summary Jan 5th 2017

Packets.

Sent from my iPhone

Mayor Lar

Begin forwarded message:

From: Statehill <no-reply@statehill.com>
Date: January 6, 2017 at 4:05:41 AM MST
To: <larry@shelbymt.com>
Subject: Daily summary Jan 5th 2017



Hi Larry, here's your daily summary from yesterday Jan 5th 2017.

Updates

LC2117 Revise water permitting laws related to wells and developed springs
Council: Draft review

Introduced

HB178 Provide ANB funding for 19 year olds

HB192 Raise legal dropout age to 18 or upon graduation

HB184 Revise health care practitioner gun shot reporting requirement laws

HB168 Provide for expungement of criminal records for misdemeanors

HB177 Revise administration of immunization laws

HB181 Establish requirements for police dogs

HB173 Provide deadline for treatment plans and permanency hearings

HB182 Declaration of policy regarding foster parents and foster children
SB88 Create a build Montana trust fund
HB180 Restrict cell phone use in work and school zones
HB175 Revise laws related to medical savings accounts
HB176 Revise mental health screening laws
HB169 Raise minimum wage in Montana
HB171 Exempt military pensions from state income tax
HB170 Reducing vehicle fees for seniors
HB167 Encourage school-community partnerships for arts education
SB87 Revise campaign finance report laws
SB86 Reinstate the enhanced recovery tax incentive for oil
HB185 Establish grant program to eliminate tuition for certain postsecondary programs
HJ3 Interim study of water right change process
HB187 Establish an angel investor/venture capital tax credit
HB179 Clarify failure to return rental-purchase item not subject to criminal liability
HB183 Remove termination date on outfitter assistant laws
HB174 Revising vehicle requirements for the use of headlamps and tail lamps
HB188 Enact a Small Business Growth Encouragement Act

Requested

Nothing was requested yesterday.

Today's calendar

Hearing on HB88 (HB88)
Room 172 at 8:30 AM

Hearing on SB39 (SB39)
Room 405 at 3:00 PM

Hearing on SB19 (SB19)
Room 335 at 3:00 PM

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Lori Stratton

From: Larry Bonderud
Sent: Thursday, January 05, 2017 7:12 PM
To: Lori Stratton
Subject: Fwd: Weekly Summary
Attachments: SB0035.pdf; ATT00001.htm; SB0027.pdf; ATT00002.htm; HB0049.pdf; ATT00003.htm; HB0078.pdf; ATT00004.htm; 2017 Shelby Bill Tracking List_Jan 5 2017.pdf; ATT00005.htm

Packets.

Sent from my iPhone

Mayor Lar

Begin forwarded message:

From: Melissa Lewis <melissa@mlewisassoc.com>
Date: January 5, 2017 at 7:11:55 PM MST
To: Larry Bonderud <larry@shelbymt.com>
Subject: Weekly Summary

Mayor,

The first week of the 2017 legislative session is complete. After Monday's opening ceremonies, the legislature spent the first half of the week on committee organizational meetings at which interim topics are discussed, rules are established and introductions are made. Committee Chairs introduce staff, agency officials and lobbyists.

Also this week, the Senate Finance and Claims Committee met jointly with House Appropriations to discuss **HB 3**. HB 3 is essentially a **reverse supplemental**. It does not affect the 2017 base, but it essentially gives the Governor's Office "rescind authority" to reduce unspent 2017 appropriations and then utilize those savings to backfill the General Fund and increase the projected ending fund balance. This morning all Department heads (except the Department of Revenue) bucked the legislature's request to identify opportunities for 2017 cost savings. The Executive Branch feels that if such cuts occur, it needs to be by the hand of the legislature, not Governor Bullock.

Today there was a hearing on **SB 70** to add a member to **the Board of Optometry**, which will bring the member count from four to five. Four of the five members must be registered optometrists of Montana. One member must be a representative of the public who is not engaged in the practice of optometry. The bill is effective upon passage and approval. An acquaintance of mine Eve Franklin is lobbying for the optometrists this session in case you have questions.

Tomorrow morning will be the first **TIF** hearing on **SB 34**, but it does not apply to Shelby. The bill would require a member of a school district within the municipality and a county representative who lives in the same county to be appointed by the mayor to the urban renewal agency board. The mayor must appoint these two new members from a list of three people each submitted by the school board and by the county commission. Opponents are expected to be the City of Kalispell, the City of Missoula, the City of Columbia Falls, the City of Great Falls and the City of Bozeman.

There will also be a hearing on **HB 2**, the **General Appropriations Act** at 9am tomorrow.

The following hearings are scheduled for next week.

Monday, Jan 9

HB 49, Clarify process for updating water right transfers (monitor)

Revises disclosure laws related to water rights and clarifies the process for disclosing transfers of water rights. It also authorizes water judges and water masters to terminate water rights if a party fails to provide adequate information during a pending proceeding for the adjudication of existing water rights.

Tuesday, Jan 10

SB 27, Amend TIF laws related to public hearings and reporting

See attached. Please review and let me know if you want me to testify.

SB 35, Revise laws concerning deposit and expenditure of highway revenue

See attached. Please review and let me know if you want me to testify.

Wednesday, Jan 11

HB 78, Revise temporary water right lease laws (monitor)

Revises MCA 85-2-427 so that the amount of water leased may not exceed a total consumptive use of 180 acre-feet per year. Also may not be leased for more than 2 consecutive or nonconsecutive years during any 10-year period. Additionally, the total volume of water leased may not exceed a total consumptive use of 180 acre-feet per year. It also requires applicants to submit an application that includes the following new information: a plan for the exercise of the lease in priority to other existing water rights, certificates, permits or state water reservations or other perfected or planned uses or developments of water for which a permit or certificate has been issued. Finally, after approval but prior to the exercise of the lease, the Department of Natural Resources would need to notice and allow the public to file a written objection to the lease. Finally, it requires the lessee to notify the Department no more than 14 days after the lease is put to use.

See attached Shelby Bill Tracking List for a listing of all the bills I'm monitoring for Shelby this session.

Throughout the session I'll be available on demand by phone. I'll also send weekly reports. This is the first weekly report. Please call or email if you'd like to see a different method of keeping you informed this session!

Melissa

Melissa Lewis
800 E. 6th Avenue
Helena, MT 59601
Cell: 406-465-8045
Office: 406-422-0988
www.mlewisassoc.com

Lori Stratton

From: Larry Bonderud
Sent: Thursday, January 05, 2017 5:57 PM
To: Lori Stratton
Subject: Fwd: Update

Packets.

Sent from my iPhone

Mayor Lar

Begin forwarded message:

From: Melissa Lewis <melissa@mlewisassoc.com>
Date: January 5, 2017 at 5:56:56 PM MST
To: Larry Bonderud <larry@shelbymt.com>
Subject: Update

Mayor,

House Appropriations and Senate Finance and Claims met again this morning for a joint work session to discuss HB 3. As discussed yesterday, HB 3 essentially gives Governor Bullock "rescind authority" to reduce unspent 2017 funds and use savings to bolster the General Fund, which could be south of \$50 million depending on who you ask.

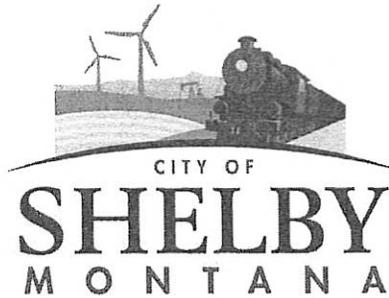
As predicted, all Department heads (except the Department of Revenue) bucked the legislature's request to identify opportunities for 2017 cost savings. The Executive Branch feels that if such cuts occur, it needs to be by the hand of the legislature, not Governor Bullock.

Melissa

Melissa Lewis
800 E. 6th Avenue
Helena, MT 59601
Cell: 406-465-8045
Office: 406-422-0988
www.mlewisassoc.com

CITY OF SHELBY

112 First Street South
Shelby, MT 59474
Telephone: (406) 434-5222
FAX: (406) 434-2039
www.shelbymt.com



Mayor: Larry J. Bonderud
Council: Deb Clark, Eugene Haroldson,
Bill Moritz, Lyle Kimmet,
Don Lee, John "Chip" Miller, Jr.
Animal Control: Mark Warila
Attorney: William E. Hunt, Jr.
Building Inspector: Rob Tasker
Community Development: Lorette Carter
Finance Officer: Jade Goroski
Judge: Joe Rapkoch
Recreation Director: Cindy Florez
Superintendent: Loren Skartved

January 6, 2017

Shelby Area Chamber of Commerce
100 Montana Avenue
Shelby, MT 59474

Dear Chamber members,

As we begin a new year I want to personally thank you, the Shelby Area Chamber of Commerce for your tireless work and support of Shelby. The Chamber's mission statement to promote a positive business environment as a voice and resource in partnership with business, education, agriculture, civic and community organizations ~ aptly describes your efforts in bringing together organizations, groups and resources for the betterment of our community.

We are very grateful to Executive Director Audie Bancroft for her tireless work on your behalf. In Audie's tenure we have seen many successful community building projects and programs that have made a positive impact within Shelby.

As we begin 2017, I ask for your continued support and positive influence as together we continue to make Shelby a great place to live, work and raise our families.

Sincerely,

Larry J. Bonderud, Mayor
City of Shelby

Cc: Shelby City Council



Dan A. Fransen
General Manager, Montana Division

BNSF Railway Company
1555 Campus Way
Billings, MT 59102
(406) 256-4035
Dan.Fransen@bnsf.com

January 6, 2017

Mayor Larry Bonderud
112 1st Street South
Shelby, MT 59474

Dear Mayor Bonderud,

Happy New Year to you and the City of Shelby from the BNSF Railway Montana Division. 2016 was a standout year for BNSF's operations team as we performed at service levels our customers expect, and completed our work with a steadfast commitment to safety, reinforcing BNSF's position as an industry leader in both categories.

Though 2016 was a challenging year for some of our business units including coal, agriculture volume was the highest it's ever been, breaking carload records for BNSF. Serving Montana producers has long been the backbone of our operations in Montana.

We also completed another record capital plan, maintaining and expanding our network. During the last three years, BNSF has invested \$500 million on capital improvements in Montana. I'm proud to say that the railroad is in the best shape it's ever been and we stand ready for growth.

Here on the BNSF Montana Division, we continue our focus on fostering and growing connections with the cities and communities that we serve. Our employees volunteer countless hours across the state, and since 2010, the BNSF Railway Foundation has donated over \$3 million to non-profits in Montana. BNSF employs nearly 2,500 Montanans with a payroll of nearly \$200 million, and we count ourselves lucky to live in many of the great communities across the state.

I want to make sure you have a direct connection to BNSF Railway and to my office for any and all questions or concerns. Please see my contact information above, this phone number is answered Monday-Friday, 8 am to 4 pm, however even outside of these hours please feel free to leave a message and I will be sure to return it at my earliest opportunity. Additionally, I can be reached at the e-mail address shown.

Happy New Year and I look forward to working with you in 2017.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Fransen", written over a horizontal line.

Dan Fransen
General Manager

Lori Stratton

From: Larry Bonderud
Sent: Saturday, January 07, 2017 5:41 AM
To: Lori Stratton
Subject: Fwd: Daily summary Jan 6th 2017

Packets.

Sent from my iPhone

Mayor Lar

Begin forwarded message:

From: Statehill <no-reply@statehill.com>
Date: January 7, 2017 at 4:06:03 AM MST
To: <larry@shelbymt.com>
Subject: Daily summary Jan 6th 2017



Hi Larry, here's your daily summary from yesterday Jan 6th 2017.

Updates

SB93 Provide notification at certain dwellings for oil and gas operations
Senate: First reading

SB93 Provide notification at certain dwellings for oil and gas operations
Senate: Introduced

LC2117 Revise laws related to exempt appropriations of water
Council: Draft legal review

Introduced

SB92 Allow for proxy decision-making in medical care

SB93 Provide notification at certain dwellings for oil and gas operations

HB198 Revise distribution of death certificate fee increase

HB197 Generally revise board of real estate appraisers terms of service

SB91 Clarify what constitutes as shooting from a vehicle for hunting purposes

HB195 Revise laws related to pharmacies and prescription drugs

HB200 Revise laws regarding shared equity properties

HB196 Institute vehicle registration fee for volunteer EMS

HB194 Prohibit local restrictions on electronic devices while driving

HB199 Revise legislator constituency fund laws

Requested

Nothing was requested yesterday.

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Lori Stratton

From: Larry Bonderud
Sent: Monday, January 09, 2017 8:42 AM
To: Lori Stratton
Subject: Fwd: HB 159 WED
Attachments: Veteran's Memorial Flag article 2005.pdf; ATT00001.htm

City Council packets.

Sent from my iPhone

Mayor Lar

Begin forwarded message:

From: "Lorette Carter" <shbcdc@3rivers.net>
To: "'Melissa Lewis'" <melissa@mlewisassoc.com>
Cc: "Larry Bonderud" <larry@shelbymt.com>
Subject: RE: HB 159 WED

*Good Morning and Happy New Year Melissa,
Here is the narrative as well as article on the dedication of the flag in 2005. Please feel free to edit/revise.*

Six Shelby – area Vietnam veterans spearheaded the Veteran’s Memorial build in Shelby. Through generous gifts of local individuals, businesses and organizations of funding, time and labor, the flag sits proudly at the intersection of US Highway 2 and Interstate 15. This section is known as the 163rd Infantry Regiment Heritage Highway, the First Special Forces Memorial Highway between Helena, Montana and Lethbridge, Alberta as a tribute to all who served. The site includes the massive 30’ by 50’ American flag and 6 smaller flags representing the branches of armed services and tribute to POWs. The Veterans Memorial Park below the flag site features a steel silhouette replica of the infamous raising of the flag on Iwo Jima. The 20’ tall by 12’ wide “blue collar bronze” was created locally by hand. A 12’ pentagon stands at the heart of the memorial with a cast iron eagle perched atop. The stand features metal representations of the five armed services. Flanking the Iwo Jima silhouette are two display stands with bricks recognizing veterans and supporters of the memorial project.

The Veteran’s Memorial Flag flies proudly over Shelby honoring all those who have served our country.

From: Melissa Lewis [<mailto:melissa@mlewisassoc.com>]
Sent: Friday, January 06, 2017 5:01 PM
To: Larry Bonderud <larry@shelbymt.com>
Cc: Lorette Carter <shbcdc@3rivers.net>
Subject: RE: HB 159 WED

Thank you!

From: Larry Bonderud [<mailto:larry@shelbymt.com>]
Sent: Friday, January 06, 2017 4:53 PM

To: Melissa Lewis; Lorette Carter

Subject: Re: HB 159 WED

Yes. We do.

Lorette

Could you do a little write up on the site and get to Melissa on Monday/Tuesday.???

Sent from my iPhone

Mayor Lar

On Jan 6, 2017, at 4:49 PM, Melissa Lewis <melissa@mlewisassoc.com> wrote:

HB159 – Designate Shelby veterans' memorial (Rob Cook)

Hearing is 3pm Wednesday. Let me know if you want me to testify as a proponent.
Please email me talking points/handouts. Thanks!

<http://leg.mt.gov/bills/2017/billpdf/HB0159.pdf>

Melissa

Melissa Lewis
800 E. 6th Avenue
Helena, MT 59601
Cell: 406-465-8045
Office: 406-422-0988
www.mlewisassoc.com

Veterans Memorial Flag proudly soars west of Shelby.

By James V. Smith Jr. for the Promoter | Posted: Thursday, July 7, 2005 12:00 am

A group of six Vietnam veterans-with the help of hundreds of generous and patriotic Montanans-ran the 30- by 50-ft. Veterans Memorial Flag project up a 100-ft. flagpole west of Shelby Friday in time for people to salute it over the Fourth of July holiday.

For the veterans the flag was a statement that fulfilled the vision of project chairman Bob Longcake of Shelby, who said 10 months ago at the group's first meeting, "The Vietnam vet typically hangs back and keeps quiet, because that's what he was expected to do during Vietnam. It's time for us to step up and speak out for our guys being sent to Iraq."

The flag monument was publicly announced in ceremonies on Veterans Day, Nov. 11, just weeks before the deployment of a battalion of Montana's 163rd Infantry Regiment to Iraq. The flag unfurled by more than a hundred veterans at that emotional ceremony will eventually be retired and donated to the 163rd Infantry as a memento after the unit's return from Iraq.

Immediately after the November ceremonies, donations began pouring in to fund the project, including offers of labor, land, equipment, pipe, concrete and other materials from all across Montana. Several large donations came from out of state. Corporations, businesses and individuals have agreed to buy a flag a year to sustain the project in coming years. Organizers of the not-for-profit project estimate that \$100,000 worth of time, effort and materials went into raising the first flag.

So it was only fitting that when a stiff breeze caught the flag, billowing it like a mainsail and tossing Vietnam vets around the hilltop, the men called for help once again, and bystanders closed in to keep the project from flying out of control in its 11th hour.

The veterans were determined all along to fly the colors over the Fourth, but a combination of factors had threatened the timetable for weeks, according to Longcake. Heavy rains delayed excavation and concrete pouring. That delay was compounded by the need to cure the reinforced concrete block and steel base set 12 feet in the ground. The first electric winch sent was not the one ordered and would not spool enough cable to fully raise the flag. While awaiting a new winch, the group learned that the only crane in the area capable of lifting the 100-ft. flagpole into position was stuck in the mud on another job site.

Thursday, though, things began to click. Heavy equipment donated to the project by Alme Construction of Cut Bank arrived on site within hours of the delivery of the flagpole from

Sunburst by Dick Irvin Inc. The DII crane labored up the hill later in the day and raised the pole without incident on the only wind-free day of the week. The 8,000 pole, 18 inches at the base with walls more than half an inch thick, was bolted into position on its base within five minutes, according to project engineer John Alstad of Sunburst, a feat that would not have been possible in Friday's 20 mph winds, he said.

Friday, the replacement winch, sent by express air, did not arrive until 11 a.m. But by 1 p.m., with the ad hoc crew holding the whipping flag, the final cable hookups were made one at a time.

Until finally, with KSEN radio playing the rousing "Under the Double Eagle," the patriotic music blaring from radio speakers from a work truck on the hill, the order was given to release the flag. The wind and the winch did the rest.

Rippling and snapping in the west wind, the flag shot up the pole without incident. From miles away, the group learned later, men and women crowded to the office windows to watch the flag flutter in a bright blue sky dotted with cotton-ball clouds. Shelby Mayor Larry Bonderud was the first to point out that the flag was visible on a direct line from the front of City Hall and the Toole County Courthouse, an unintended consequence. In fact, the flag, lighted by two 1,000 watt light towers can be glimpsed spots from all over the town and from all the major approaches to Shelby, winking in and out of view.

Atop the hill, though, the crew, veterans and drafted works alike applauded as the flag soared upward on its maiden 100-ft flight.

Committee member Larry Nelson said, "This is going to be my best Fourth ever."

And Alstad said, "I can't remember the last time I felt so proud to be a veteran."

With the Veterans Memorial Flag in place and flying, the most visible part of Phase I of the project is completed, but project chairman Bob Longcake emphasized that the work-and the need for funds-is far from over.

Before the group can meet its obligations under their leasing agreement, the hill site must be fenced, gated and locked for liability purposes and to prevent vandalism.

In Phase II of the project, flagpoles for the flags of each of the major services are to go up. A parking area will be improved with park benches installed. Landscaping will be done with native shrubs and grasses, and the road will be graveled to allow access for lowering the flag before forecast storms hit. Area law enforcement units have volunteered to perform those duties.

A Phase III has been added to the vision for the completed monument. A series of metal sculptures representing an infantry squad climbing the west slope of the monument hill will be placed. Also, Friday's experience of dealing with the flag in a brisk wind has shown the group

they will have to design and install a mechanical device that will allow two men to handle the flag in a breeze.

On a lighter note, comments from Shelby citizens about the flag seeming smaller than it ought to be are a concern to the flag committee, too. The group points out that the dark power pole on the hill is about the height of a tall man, which should lend scale to the viewing experience.

Other viewing notes: when the largest, 30- by 50-ft. flag is flying straight out, it will appear to occupy most of the top third of the pole; when it is hanging straight in the rare windless moment, it will drape slightly more than 58 feet, more than half the pole's height.

Donations may be made to Veterans Memorial Flag Fund, First State Bank, Shelby, MT 59474.

Lori Stratton

From: Larry Bonderud
Sent: Tuesday, January 10, 2017 7:17 AM
To: Lori Stratton
Subject: Fwd: Daily summary Jan 9th 2017

Sent from my iPhone

Mayor Lar

Begin forwarded message:

From: Statehill <no-reply@statehill.com>
Date: January 10, 2017 at 4:05:31 AM MST
To: <larry@shelbymt.com>
Subject: Daily summary Jan 9th 2017



Hi Larry, here's your daily summary from yesterday Jan 9th 2017.

Updates

HB3 Revising expenditures and providing supplemental appropriations
House: Passed committee on [Appropriations](#)

SB93 Provide notification at certain dwellings for oil and gas operations
Senate: Referred to committee on [Energy and Telecommunications](#)

LC2037 Exempt townhouses from certain subdivision sanitation regulations
Council: Draft review

HB203 Provide supplemental funding to department of transportation
House: First reading on [Appropriations](#)

HB203 Provide supplemental funding to department of transportation
House: Referred to committee on [Appropriations](#)

HB203 Provide supplemental funding to department of transportation
House: Introduced

LC2353 Allows credit card purchases as evidence for agricultural use estimate
Council: Draft review

Introduced

SB96 Right to shop act for health care services

SB98 Establish property ownership fairness act

SB97 Prohibit the application of foreign law in state courts

HB201 Provide for appointment of court-appointed special advocate as guardian ad litem

HB203 Provide supplemental funding to department of transportation

HB209 Extend funding to Coal Board

HB207 Revise number and time period for campaign reports

Requested

Nothing was requested yesterday.

Today's calendar

Hearing on HB29 (HB29)
Room 152 at 8:00 AM

Hearing on HB42 (HB42)
Room 152 at 8:00 AM

Hearing on SB27 (SB27)
Room 405 at 9:00 AM

Hearing on SB33 (SB33)
Room 405 at 3:00 PM

Hearing on SB35 (SB35)
Room 405 at 3:00 PM

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HOUSE BILL NO. 49

INTRODUCED BY B. BROWN

BY REQUEST OF THE WATER POLICY INTERIM COMMITTEE

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING DISCLOSURE LAWS RELATED TO WATER RIGHTS; CLARIFYING THE PROCESS FOR DISCLOSING TRANSFERS OF WATER RIGHTS; AUTHORIZING WATER JUDGES AND WATER MASTERS TO TERMINATE WATER RIGHTS IN CERTAIN CASES; AND AMENDING SECTION 85-2-424, MCA."

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

Section 1. Section 85-2-424, MCA, is amended to read:

"85-2-424. Filing. (1) Except in the case of a transfer of real property served by a public service water supply, when a person presents for recording a deed or other instrument evidencing a transfer of real property, the realty transfer certificate must contain a water rights disclosure in which the transferor shall acknowledge, at or before closing or transfer of real property, whether or not any water rights are associated with the property to be transferred and whether or not any water rights will transfer with the real property.

(2) (a) If the realty transfer certificate discloses that the water rights will transfer with the property, the department's records must be updated to reflect the purchaser of the property as the new owner of the water right based on: ~~information received from the department of revenue:~~

- (i) information received from the department of revenue; or
- (ii) an ownership update form provided by the department and submitted to the department with a copy of the deed.

(b) The appropriate fee must be paid at closing or upon completion of the transfer of real property as provided in 85-2-426.

~~(b)(c)~~ The transferee of a water right, after receiving notice provided in subsection ~~(2)(c)~~ (2)(d), is responsible for compliance with this section.

~~(e)(d)~~ If the department receives notice from the department of revenue that a property transfer has occurred and the proper fee was not received by the department, the department shall send a notice to the transferee requesting payment of the fee. If the transferee does not pay the fee within 60 days, the department



1 may assess a penalty against the transferee pursuant to 85-2-431.

2 (3) If the realty transfer certificate discloses the division of a water right among parcels, the person
3 dividing the water right shall complete and file with the department a water right ownership update form, a map,
4 and the required fee.

5 (4) If a person exempts a water right pursuant to 85-2-403, the person shall file with the department, on
6 a form provided by the department, information describing the exempting of the water right and the appropriate
7 fee.

8 (5) If a person severs a water right from appurtenant property without selling the property, the person
9 shall file with the department, on a form provided by the department, information describing the severance and
10 the appropriate fee.

11 (6) If the realty transfer certificate submitted with a deed or other instrument indicates that a water right
12 is being severed, divided, or exempted, the clerk and recorder may not record the deed or instrument unless there
13 is submitted with the deed or instrument a certification under penalty of false swearing, on a form provided by the
14 department and signed by the transferor and transferee, that states either:

15 (a) that the documents and fee necessary to comply with this section are held in escrow, in which case
16 the certification must also be signed by the escrow agent; or

17 (b) if there is no escrow, that the transferor and transferee certify that they have prepared the required
18 documents and will send the required documents and fee to the department within 60 business days of recording,
19 in which case the certification must also require the transferee to acknowledge that failure to file the appropriate
20 documents and fee with the department will result in the department assessing the penalty in 85-2-431 against
21 the transferee.

22 (7) If a party fails to comply with the provisions of this section during a pending proceeding for the
23 adjudication of existing water rights before the water court, the chief water judge, associate water judge, division
24 water judge as provided in 3-7-201, or water master as provided in 3-7-301 may issue an order terminating the
25 water rights appurtenant to the property.

26 ~~(7)~~(8) Any written agreement to transfer land that has appurtenant water rights on record with the
27 department must contain the following disclosure or words of a similar nature:

28 "WATER RIGHT OWNERSHIP UPDATE DISCLOSURE:

29 By Montana law, failure of the parties at closing or transfer of real property to pay the required fee to the
30 Montana Department of Natural Resources and Conservation for updating water right ownership may result in

1 the transferee of the property being subject to a penalty and termination of the water right. Additionally, in the
2 case of water rights being exempted, severed, or divided, the failure of the parties to comply with section
3 85-2-424, MCA, could result in a penalty against the transferee, ~~and~~ rejection of the deed for recording, and
4 termination of the water right.""

5 - END -

1 HOUSE BILL NO. 78

2 INTRODUCED BY R. LYNCH

3 BY REQUEST OF THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

4

5 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING A TEMPORARY LEASE OF WATER RIGHTS;
 6 LIMITING THE VOLUME OF A LEASED WATER RIGHT; PROVIDING FOR A PLAN OF OPERATION TO
 7 EXERCISE A LEASED WATER RIGHT; CLARIFYING TIME PERIOD AND NOTICE REQUIREMENTS;
 8 REPEALING A SUNSET DATE; AMENDING SECTION 85-2-427, MCA; AND REPEALING SECTION 4,
 9 CHAPTER 236, LAWS OF 2013."

10

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

12

13 **Section 1.** Section 85-2-427, MCA, is amended to read:14 **"85-2-427. (Temporary) Temporary lease of appropriation right -- requirements -- rulemaking. (1)**

15 Applications to temporarily lease an appropriation right that comply with the requirements of this section are not
 16 subject to the provisions of 85-2-402, 85-2-407, 85-2-408, or 85-2-436. After obtaining department approval
 17 pursuant to this section, an appropriator may temporarily lease an appropriation right.

18 (2) The amount of water leased may not exceed ~~the total consumptive use of the appropriation right a~~
 19 total consumptive use of 180 acre-feet a year. For an irrigation right, the consumptive volume may not exceed
 20 1 acre-foot per acre irrigated. The department shall determine the consumptive volume limits for other uses by
 21 rule.

22 (3) (a) Each appropriation right leased pursuant to this section:

23 (i) must have been used within 5 years prior to the application date;

24 (ii) may be leased only during the period of diversion for the appropriation right; and

25 (iii) may not be leased for more than 2 consecutive or nonconsecutive years ~~one time~~ during any
 26 consecutive 10-year period.

27 (b) The volume of water leased may not exceed a total consumptive use of 180 acre-feet per year.

28 (c) The point of diversion for the appropriation right may not be changed.

29 (4) The use of any appropriation rights on the place of use associated with a leased appropriation right
 30 is forbidden during the term of the lease.

1 (5) Storage may not be added to the leased appropriation right at the point of diversion or the original
2 place of use.

3 (6) This section does not apply to changes in an appropriation right that would result in leased water
4 being transported outside Montana. Proposed out-of-state uses are subject to the provisions of 85-2-402.

5 (7) Water leased pursuant to this section must be measured at the point of diversion by a meter
6 approved by the department. The appropriator shall report the amount of water measured at the end of the year
7 in which the lease occurred or upon request of the department.

8 (8) An applicant proposing to lease an appropriation right pursuant to this section shall submit a correct
9 and complete application on a form provided by the department and a fee as established by rule. The application
10 must include:

11 (a) the name and address of each lessee;

12 (b) the name of all owners of each appropriation right;

13 (c) the number of each appropriation right;

14 (d) the proposed use and the place of use for the leased water;

15 (e) the source of water to be appropriated;

16 (f) the start and end dates of the proposed lease;

17 (g) the proposed diversion flow rate and volume of water to be used during the lease;

18 (h) evidence that the appropriation right has been used within the last 5 years;

19 (i) a description of how the existing use of the appropriation rights would cease at the place of use during
20 the lease period, including the number and location of acres to be removed from irrigation, if applicable; and

21 (j) ~~an analysis of potential adverse effects and a description of planned actions to mitigate potential~~
22 ~~adverse effects~~ a plan for the exercise of the lease in priority to:

23 (i) other existing water rights, certificates, permits, or state water reservations; or

24 (ii) other perfected or planned uses or developments of water for which a permit or certificate has been
25 issued.

26 (9) Within 30 days of receiving the application, the department shall approve or deny the application. An
27 approved application must be correct and complete and meet the requirements of this section. The department
28 may approve an application with conditions.

29 (10) (a) After approval but prior to the exercise of the lease, the department shall provide notice of the
30 proposed lease that includes the information in subsections (8)(a) through (8)(g). The department shall:

1 ~~(a)~~(i) mail individual notice to potentially affected appropriators identified by the department in the area
2 of the point of diversion; and

3 ~~(b)~~(ii) post the notice on the department's website.

4 **(b) The notice must state that a person may file written objections to a lease application by a date set**
5 **by the department. That date may not be less than 15 days or more than 60 days after the date of publication**
6 **pursuant to this subsection (10).**

7 (11) (a) ~~For 60 days from the date that notice is mailed pursuant to subsection (10), the~~ The department
8 shall accept correct and complete objections to the proposed lease from any person whose property, water rights,
9 or interests would be adversely affected by the proposed appropriation. The objection must be made on a form
10 provided by the department.

11 (b) The department shall determine if an objection is valid. A valid objection contains facts indicating that
12 the rights of other appropriators would be adversely affected by the lease of the appropriation right. If the
13 department determines that an objection is valid, the approval for the use of the appropriation right under the
14 lease is canceled and no water may be used pursuant to the lease.

15 (c) The owner of an appropriation right whose approval is canceled under subsection (11)(b) may
16 request a hearing on the objection pursuant to 2-4-604 within 15 days of notice of the cancellation. The
17 department shall issue an order reinstating approval for the use of the appropriation right under the lease if the
18 applicant proves by a preponderance of the evidence that the water rights of other appropriators will not be
19 adversely affected by the lease.

20 (12) Leased water may not be put to use until a final determination is made pursuant to subsection (11).
21 The lessee shall provide the department with a copy of the executed lease agreement before the leased water
22 is put to use. The lessee shall notify the department no more than 14 days after the leased water is put to use.

23 (13) Violations of this section are subject to the provisions of 85-2-114 and 85-2-122. This subsection
24 does not limit the remedies available to an appropriator to enjoin or seek damages from the owner of an
25 appropriation right who leased the water or from a lessee.

26 (14) The department shall adopt rules to implement this section. The rules must include definitions of
27 consumptive uses and criteria for determining if an appropriation right has been used in the 5 years prior to the
28 temporary lease application.

29 (15) The department shall report annually to the water policy interim committee provided for in 5-5-231.
30 The report must include the number of leases, the amount of water leased, and the number of irrigated acres

1 taken out of production.

2 (16) Pursuant to 85-20-1902, the provisions of this section do not apply within the exterior boundaries
3 of the Flathead Indian reservation. (~~Terminates July 1, 2019--sec. 4, Ch. 236, L. 2013.~~)"

4

5 NEW SECTION. **Section 2. Repealer.** Section 4, Chapter 236, Laws of 2013, is repealed.

6

- END -

1 SENATE BILL NO. 27

2 INTRODUCED BY F. THOMAS

3 BY REQUEST OF THE REVENUE AND TRANSPORTATION INTERIM COMMITTEE

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING TAX INCREMENT FINANCING LAWS; REQUIRING A
6 PUBLIC HEARING BEFORE TAX INCREMENT MAY BE EXPENDED; REQUIRING LOCAL GOVERNMENT
7 ANNUAL FINANCIAL REPORTS TO INCLUDE INFORMATION ON THE FINANCIAL ACTIVITIES OF
8 DISTRICTS USING TAX INCREMENT FINANCING; REQUIRING A LOCAL GOVERNMENT THAT APPROVES
9 TAX INCREMENT FINANCING TO PREPARE AN ANNUAL REPORT; AND AMENDING SECTIONS 2-7-503,
10 7-15-4236, 7-15-4237, 7-15-4254, 7-15-4279, 7-15-4282, 7-15-4288, AND 17-6-316, MCA."

11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13
14 **Section 1.** Section 2-7-503, MCA, is amended to read:

15 **"2-7-503. Financial reports and audits of local government entities.** (1) (a) The governing body or
16 managing or executive officer of a local government entity, other than a school district or associated cooperative,
17 shall ensure that a financial report is made every year. A school district or associated cooperative shall comply
18 with the provisions of 20-9-213. The financial report must cover the preceding fiscal year, be in a form prescribed
19 by the department, and be completed and submitted to the department for review within 6 months of the end of
20 the reporting period.

21 (b) The financial report of a local government that has authorized the use of tax increment financing
22 pursuant to 7-15-4282 must include a report of the financial activities related to the tax increment financing
23 provision.

24 (2) The department shall prescribe a uniform reporting system for all local government entities subject
25 to financial reporting requirements, other than school districts. The superintendent of public instruction shall
26 prescribe the reporting requirements for school districts.

27 (3) (a) The governing body or managing or executive officer of each local government entity receiving
28 revenue or financial assistance in the period covered by the financial report in excess of \$500,000, regardless
29 of the source of revenue or financial assistance, shall cause an audit to be made at least every 2 years. The audit
30 must cover the entity's preceding 2 fiscal years. The audit must commence within 9 months from the close of the

1 last fiscal year of the audit period. The audit must be completed and submitted to the department for review within
2 1 year from the close of the last fiscal year covered by the audit.

3 (b) The governing body or managing or executive officer of a local government entity that does not meet
4 the criteria established in subsection (3)(a) shall at least once every 4 years, if directed by the department, or,
5 in the case of a school district, if directed by the department at the request of the superintendent of public
6 instruction, cause a financial review, as defined by department rule, to be conducted of the financial statements
7 of the entity for the preceding fiscal year.

8 (4) An audit conducted in accordance with this part is in lieu of any financial or financial and compliance
9 audit of an individual financial assistance program that a local government is required to conduct under any other
10 state or federal law or regulation. If an audit conducted pursuant to this part provides a state agency with the
11 information that it requires to carry out its responsibilities under state or federal law or regulation, the state agency
12 shall rely upon and use that information to plan and conduct its own audits or reviews in order to avoid a
13 duplication of effort.

14 (5) In addition to the audits required by this section, the department may at any time conduct or contract
15 for a special audit or review of the affairs of any local government entity referred to in this part. The special audit
16 or review must, to the extent practicable, build upon audits performed pursuant to this part.

17 (6) The fee for the special audit or review must be a charge based upon the costs incurred by the
18 department in relation to the special audit or review. The audit fee must be paid by the local government entity
19 to the state treasurer and must be deposited in the enterprise fund to the credit of the department.

20 (7) Failure to comply with the provisions of this section subjects the local government entity to the
21 penalties provided in 2-7-517."

22

23 **Section 2.** Section 7-15-4236, MCA, is amended to read:

24 **"7-15-4236. Conduct of business.** The powers and responsibilities of an urban renewal agency shall
25 be exercised by the commissioners thereof. A majority of the commissioners ~~shall constitute~~ constitutes a quorum
26 for the purpose of conducting business and exercising the powers and responsibilities of the agency and for all
27 other purposes. Action may be taken by the agency upon a vote of a majority of the commissioners present
28 unless in any case the bylaws shall require a larger number.

29 (2) Meetings of the board of commissioners must be publicly noticed as provided in 7-1-4127 and must
30 provide the opportunity for public comment on matters before the board."

1

2 **Section 3.** Section 7-15-4237, MCA, is amended to read:

3 **"7-15-4237. Annual report.** (1) An agency authorized to transact business and exercise powers under
4 part 43 and this part shall file with the local governing body, on or before September 30 of each year, a report of
5 its activities for the preceding fiscal year. A copy of the annual report must be made available upon request to
6 the county and school districts that include municipal territory.

7 (2) The report must include a complete financial statement setting forth its assets, liabilities, income, and
8 operating expenses and the amount of the tax increment as of the end of the fiscal year. The report must describe
9 the public purpose of expenditures of tax increment and must demonstrate how the expenditures will increase
10 the tax base of the district.

11 (3) At the time of filing the report, the agency shall publish in a newspaper of general circulation in the
12 community a notice to the effect that the report has been filed with the municipality and that the report is available
13 for inspection during business hours in the office of the city clerk and in the office of the agency."
14

15 **Section 4.** Section 7-15-4254, MCA, is amended to read:

16 **"7-15-4254. Municipal power in the preparation of various plans.** (1) Every Subject to subsection
17 (3), every municipality shall have power, within the municipality:

18 (a) to make or have made all plans necessary to the carrying out of the purposes of this part and to
19 contract with any person, public or private, in making and carrying out such plans; and

20 (b) to adopt or approve, modify, and amend such plans.

21 (2) Such plans may include, without limitation:

22 (a) a comprehensive plan or parts thereof for the locality as a whole;

23 (b) urban renewal plans;

24 (c) plans for carrying out a program of voluntary or compulsory repair and rehabilitation of buildings and
25 improvements;

26 (d) plans for the enforcement of state and local laws, codes, and regulations relating to the use of land
27 and the use and occupancy of buildings and improvements and to the compulsory repair, rehabilitation,
28 demolition, or removal of buildings and improvements; and

29 (e) appraisals, title searches, surveys, studies, and other preliminary plans and work necessary to
30 prepare for the undertaking of urban renewal projects.

1 (3) (a) The municipality shall hold an annual public hearing with the opportunity for public comment on
 2 administrative costs associated with the management of an urban renewal area.

3 (b) Except as provided in subsection (3)(a), the municipality shall hold a public hearing with the
 4 opportunity for public comment before expending tax increment or entering into a contract that may lead to the
 5 expenditure of tax increment. At the time of the hearing, the municipality shall set forth the public purpose of the
 6 proposed expenditure of tax increment, in accordance with the provisions of 7-15-4288, and shall set forth how
 7 the expenditure will increase the tax base of the district."

8

9 **Section 5.** Section 7-15-4279, MCA, is amended to read:

10 **"7-15-4279. Targeted economic development districts.** (1) A local government may, by ordinance
 11 and following a public hearing, authorize the creation of a targeted economic development district in support of
 12 value-adding economic development projects. The purpose of the district is the development of infrastructure to
 13 encourage the location and retention of value-adding projects in the state.

14 (2) A targeted economic development district:

15 (a) must consist of a continuous area with an accurately described boundary that is large enough to host
 16 a diversified tenant base of multiple independent tenants;

17 (b) must be zoned:

18 (i) for uses by a local government under Title 76, chapter 2, part 2 or 3, in accordance with the area
 19 growth policy, as defined in 76-1-103; or

20 (ii) if a county has not adopted a growth policy, then for uses in accordance with the development pattern
 21 and zoning regulations or the development district adopted under Title 76, chapter 2, part 1;

22 (c) may not comprise any property included within an existing tax increment financing district;

23 (d) must, prior to its creation, be found to be deficient in infrastructure improvements as stated in the
 24 resolution of necessity adopted under 7-15-4280;

25 (e) must, prior to its creation, have in place a comprehensive development plan adopted by the local
 26 governments that ensures that the district can host a diversified tenant base of multiple independent tenants; and

27 (f) may not be designed to serve the needs of a single district tenant or group of nonindependent tenants.

28 (3) The local government may use tax increment financing pursuant to the provisions of 7-15-4282
 29 through 7-15-4294 for the targeted economic development district. If the local government uses tax increment
 30 financing, the use of and purpose for tax increment financing must be specified in the comprehensive

1 development plan required in subsection (2)(e). The plan must also demonstrate how the expenditure of tax
 2 increment will promote the development of infrastructure to encourage the location and retention of value-adding
 3 projects in the targeted economic development district.

4 (4) (a) The local government shall hold an annual public hearing with the opportunity for public
 5 comment on administrative costs associated with the management of the targeted economic development district.

6 (b) Except as provided in this subsection (4)(b), the local government shall hold a public hearing with
 7 the opportunity for public comment before expending tax increment or entering into a contract that may lead to
 8 the expenditure of tax increment. At the time of the hearing, the local government shall set forth the public
 9 purpose of the proposed expenditure of tax increment, in accordance with the provisions of 7-15-4288, and shall
 10 set forth how the expenditure will promote the development of infrastructure to encourage the location and
 11 retention of value-adding projects in the district.

12 ~~(4)~~(5) For the purposes of 7-15-4277 through 7-15-4280:

13 (a) "secondary value-added products or commodities" means products or commodities that are
 14 manufactured, processed, produced, or created by changing the form of raw materials or intermediate products
 15 into more valuable products or commodities that are capable of being sold or traded in interstate commerce;

16 (b) "secondary value-adding industry" means a business that produces secondary value-added products
 17 or commodities or a business or organization that is engaged in technology-based operations within Montana
 18 that, through the employment of knowledge or labor, adds value to a product, process, or export service resulting
 19 in the creation of new wealth."

20

21 **Section 6.** Section 7-15-4282, MCA, is amended to read:

22 **"7-15-4282. Authorization for tax increment financing.** (1) An urban renewal plan as defined in
 23 7-15-4206 or a targeted economic development district comprehensive development plan created as provided
 24 in 7-15-4279 may contain a provision or be amended to contain a provision for the segregation and application
 25 of tax increments as provided in 7-15-4282 through 7-15-4294.

26 (2) The tax increment financing provision must take into account the effect on the county and school
 27 districts that include local government territory.

28 (3) The local governing body of an urban renewal district or targeted economic development district that
 29 authorizes a tax increment financing provision must prepare an annual report that meets the requirements of
 30 7-15-4237. If urban renewal powers are assigned to an urban renewal agency as provided in 7-15-4232, the

1 urban renewal agency is required to prepare the annual report as provided in 7-15-4237."

2

3 **Section 7.** Section 7-15-4288, MCA, is amended to read:

4 **"7-15-4288. Costs that may be paid by tax increment financing -- public hearing. (1)** The tax
5 increments may be used by the local government to pay the following costs of or incurred in connection with an
6 urban renewal area or targeted economic development district as identified in the urban renewal plan or targeted
7 economic development district comprehensive development plan:

8 ~~(1)~~(a) land acquisition;

9 ~~(2)~~(b) demolition and removal of structures;

10 ~~(3)~~(c) relocation of occupants;

11 ~~(4)~~(d) the acquisition, construction, and improvement of public improvements or infrastructure, including
12 streets, roads, curbs, gutters, sidewalks, pedestrian malls, alleys, parking lots and offstreet parking facilities,
13 sewers, sewer lines, sewage treatment facilities, storm sewers, waterlines, waterways, water treatment facilities,
14 natural gas lines, electrical lines, telecommunications lines, rail lines, rail spurs, bridges, publicly owned buildings,
15 and any public improvements authorized by Title 7, chapter 12, parts 41 through 45; Title 7, chapter 13, parts 42
16 and 43; and Title 7, chapter 14, part 47, and items of personal property to be used in connection with
17 improvements for which the foregoing costs may be incurred;

18 ~~(5)~~(e) costs incurred in connection with the redevelopment activities allowed under 7-15-4233;

19 ~~(6)~~(f) acquisition of infrastructure-deficient areas or portions of areas;

20 ~~(7)~~(g) administrative costs associated with the management of the urban renewal area or targeted
21 economic development district;

22 ~~(8)~~(h) assemblage of land for development or redevelopment by private enterprise or public agencies,
23 including sale, initial leasing, or retention by the local government itself at its fair value;

24 ~~(9)~~(i) the compilation and analysis of pertinent information required to adequately determine the needs
25 of the urban renewal area or targeted economic development district;

26 ~~(10)~~(j) the connection of the urban renewal area or targeted economic development district to existing
27 infrastructure outside the area or district;

28 ~~(11)~~(k) the provision of direct assistance to secondary value-adding industries to assist in meeting their
29 infrastructure and land needs within the area or district; and

30 ~~(12)~~(l) the acquisition, construction, or improvement of facilities or equipment for reducing, preventing,

1 abating, or eliminating pollution.

2 (2) The local government shall hold a public hearing with the opportunity for public comment, as provided
3 in 7-15-4254 or 7-15-4279, before expending tax increment or entering into a contract that may lead to the
4 expenditure of tax increment. At the time of the hearing, the local government shall set forth the public purpose
5 of the proposed expenditure of tax increment, in accordance with the provisions of this section, and shall set forth
6 how the expenditure will expand the tax base or promote the development of infrastructure to encourage the
7 location and retention of value-adding projects in the district."

8

9 **Section 8.** Section 17-6-316, MCA, is amended to read:

10 **"17-6-316. Economic development loan -- infrastructure tax credit.** (1) A loan made pursuant to
11 17-6-309(2) must be used to build infrastructure, as provided for in 7-15-4288~~(4)~~(1)(d), such as water systems,
12 sewer systems, water treatment facilities, sewage treatment facilities, and roads, that allows the location or
13 creation of a business in Montana. The loan must be made to a local government that will create the necessary
14 infrastructure. The infrastructure may serve as collateral for the loan. The local government receiving the loan
15 may charge fees to the users of the infrastructure. A loan repayment agreement must provide for repayment of
16 the loan from the entity authorized to charge fees for the use of the services of the infrastructure. Loans made
17 pursuant to 17-6-309(2) qualify for the job credit interest rate reductions under 17-6-318 if the interest rate
18 reduction passes through to the business creating the jobs.

19 (2) A loan pursuant to 17-6-309(2) and this section may not be made until the board is satisfied that the
20 condition in 17-6-309(2) will be met. If the condition contained in 17-6-309(2) is not met, any credits received
21 pursuant to subsection (3) of this section must be returned to the state.

22 (3) A business that is created or expanded as the result of a loan made pursuant to 17-6-309(2) and
23 subsection (1) of this section is entitled to a credit against taxes due under Title 15, chapter 30 or 31, for the
24 portion of the fees attributable to the use of the infrastructure. The total amount of tax credit claimed may not
25 exceed the amount of the loan. The credit may be carried forward for 7 tax years or carried back for 3 tax years."

26

- END -

SENATE BILL NO. 35

INTRODUCED BY B. HOVEN

BY REQUEST OF THE REVENUE AND TRANSPORTATION INTERIM COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS CONCERNING THE DEPOSIT AND EXPENDITURE OF HIGHWAY REVENUE; ESTABLISHING A HIGHWAY RESTRICTED ACCOUNT; PROVIDING FOR DEPOSITS TO THE HIGHWAY RESTRICTED ACCOUNT AND THE HIGHWAY NONRESTRICTED ACCOUNT; PROVIDING FOR PERMISSIBLE EXPENDITURES FROM THE HIGHWAY RESTRICTED ACCOUNT AND THE HIGHWAY NONRESTRICTED ACCOUNT; AMENDING SECTIONS 15-70-101, 15-70-102, 15-70-419, 15-70-456, 17-5-903, 44-1-501, 60-3-201, 60-5-110, 61-3-738, 61-8-204, 61-8-907, 61-10-126, 61-10-225, 61-10-226, AND 75-11-301, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

NEW SECTION. Section 1. Highway restricted account. (1) There is a highway restricted account in the state special revenue fund provided for in 17-2-102. All interest and income earned on the account must, in accordance with the provisions of 17-2-124, be deposited to the credit of the account and any unexpended balance in the account must remain in the account.

(2) Subject to subsection (4), all revenue sources provided for in Article VIII, section 6, of the Montana constitution, must be deposited in the account, including but not limited to:

- (a) all taxes collected under this chapter;
- (b) taxes collected for improperly imported fuel as provided in 15-70-419;
- (c) fees collected for temporary special fuel permits as provided in 15-70-456; and
- (d) GVW license fees as provided in 61-10-225 and 61-10-226.

(3) Except as provided in subsection (5), the money in the account is restricted and may only be used for the purpose of providing funding:

- (a) for statutory refunds and adjustments;
- (b) for debt service on highway revenue bonds;
- (c) to the department for distribution to local governments as provided in 15-70-101;
- (d) to the department for railroad grade crossing protection as provided in 15-70-102;



- 1 (e) to the department of justice for expenses of the highway patrol as provided in 44-1-501;
- 2 (f) for gasoline tax allocations as provided in 60-3-201;
- 3 (g) to the department for administration of the motor carrier services functions;
- 4 (h) to the department for the highways in this state selected and designated by the transportation
- 5 commission provided for in 2-15-2502;
- 6 (i) to the department for the collection of fuel taxes;
- 7 (j) for driver education; and
- 8 (k) for tourist promotion.

9 (4) (a) The portion of money collected from all revenue sources provided for in Article VIII, section 6, of
 10 the Montana constitution on hand at any time that is needed to pay highway bonds and interest on highway bonds
 11 when due and to accumulate and maintain a reserve for payment of highway bonds and interest, as provided in
 12 laws and in resolutions of the state board of examiners authorizing the bonds, must be deposited in the highway
 13 bond account in the debt service fund established by 17-2-102.

14 (b) The department is authorized to maintain a suspense account for gasoline tax refunds and
 15 adjustments.

16 (5) The money in the account may be appropriated for purposes other than those listed in subsection (3)
 17 by a three-fifths vote of the members of each house of the legislature.

18

19 **Section 2.** Section 15-70-101, MCA, is amended to read:

20 **"15-70-101. Disposition of funds.** (1) ~~All taxes collected under this chapter must, in accordance with~~
 21 ~~the provisions of 17-2-124, be placed in a highway revenue account in the state special revenue fund to the credit~~
 22 ~~of the department of transportation. All interest and income earned on the account must be deposited to the credit~~
 23 ~~of the account and any unexpended balance in the account must remain in the account.~~ Those funds allocated
 24 to cities, towns, counties, and consolidated city-county governments in this section must, in accordance with the
 25 provisions of 17-2-124, be paid by the department of transportation from the ~~state special revenue fund~~ highway
 26 restricted account in [section 1] to the cities, towns, counties, and consolidated city-county governments.

27 (2) The amount of \$16,766,000 of the taxes collected under this chapter and deposited in the highway
 28 restricted account in [section 1] is statutorily appropriated, as provided in 17-7-502, to the department of
 29 transportation and must be allocated each fiscal year on a monthly basis to the counties, incorporated cities and
 30 towns, and consolidated city-county governments in Montana for construction, reconstruction, maintenance, and



1 repair of rural roads and city or town streets and alleys, as provided in subsections (2)(a) through (2)(c):

2 (a) The amount of \$100,000 must be designated for the purposes and functions of the Montana local
3 technical assistance transportation program in Bozeman.

4 (b) The amount of \$6,306,000 must be divided among the various counties in the following manner:

5 (i) 40% in the ratio that the rural road mileage in each county, exclusive of the national highway system
6 and the primary system, bears to the total rural road mileage in the state, exclusive of the national highway
7 system and the primary system;

8 (ii) 40% in the ratio that the rural population in each county outside incorporated cities and towns bears
9 to the total rural population in the state outside incorporated cities and towns;

10 (iii) 20% in the ratio that the land area of each county bears to the total land area of the state.

11 (c) The amount of \$10,360,000 must be divided among the incorporated cities and towns in the following
12 manner:

13 (i) 50% of the sum in the ratio that the population within the corporate limits of the city or town bears to
14 the total population within corporate limits of all the cities and towns in Montana;

15 (ii) 50% in the ratio that the city or town street and alley mileage, exclusive of the national highway system
16 and the primary system, within corporate limits bears to the total street and alley mileage, exclusive of the national
17 highway system and primary system, within the corporate limits of all cities and towns in Montana.

18 (3) (a) For the purpose of allocating the funds in subsections (2)(b) and (2)(c) to a consolidated
19 city-county government, each entity must be considered to have separate city and county boundaries. The city
20 limit boundaries are the last official city limit boundaries for the former city unless revised boundaries based on
21 the location of the urban area have been approved by the department of transportation and must be used to
22 determine city and county populations and road mileages in the following manner:

23 (i) Percentage factors must be calculated to determine separate populations for the city and rural county
24 by using the last official decennial federal census population figures that recognized an incorporated city and the
25 rural county. The factors must be based on the ratio of the city to the rural county population, considering the total
26 population in the county minus the population of any other incorporated city or town in the county.

27 (ii) The city and county populations must be calculated by multiplying the total county population, as
28 determined by the latest official decennial census or the latest interim year population estimates from the Montana
29 department of commerce as supplied by the United States bureau of the census, minus the population of any
30 other incorporated city or town in that county, by the factors established in subsection (3)(a)(i).

1 (b) The amount allocated by this method for the city and the county must be combined, and single
2 monthly payments must be made to the consolidated city-county government.

3 (4) All funds allocated by this section to counties, cities, towns, and consolidated city-county
4 governments must be used for the construction, reconstruction, maintenance, and repair of rural roads or city or
5 town streets and alleys or for the share that the city, town, county, or consolidated city-county government might
6 otherwise expend for proportionate matching of federal funds allocated for the construction of roads or streets
7 that are part of the primary or secondary highway system or urban extensions to those systems. The governing
8 body of a town or third-class city, as defined in 7-1-4111, may each year expend no more than 25% of the funds
9 allocated to that town or third-class city for the purchase of capital equipment and supplies to be used for the
10 maintenance and repair of town or third-class city streets and alleys. The governing body of a town or third-class
11 city may place all or a part of the 25% in a restricted asset account within the gas tax apportionment fund that is
12 carried forward until there is a need for the expenditure.

13 (5) All funds allocated by this section to counties, cities, towns, and consolidated city-county
14 governments must be disbursed to the lowest responsible bidder according to applicable bidding procedures
15 followed in all cases in which the contract for construction, reconstruction, maintenance, or repair is in excess
16 of the amounts provided in 7-5-2301 and 7-5-4302.

17 (6) For the purposes of this section in which distribution of funds is made on a basis related to population,
18 the population must be determined annually for counties and biennially for cities according to the latest official
19 decennial census or the latest interim year population estimates from the Montana department of commerce as
20 supplied by the United States bureau of the census.

21 (7) For the purposes of this section in which determination of mileage is necessary for distribution of
22 funds, it is the responsibility of the cities, towns, counties, and consolidated city-county governments to furnish
23 to the department of transportation a yearly certified statement indicating the total mileage within their respective
24 areas applicable to this chapter. All mileage submitted is subject to review and approval by the department of
25 transportation.

26 (8) Except by a town or third-class city as provided in subsection (4), the funds authorized by this section
27 may not be used for the purchase of capital equipment.

28 (9) Funds authorized by this section must be used for construction and maintenance programs."
29

30 **Section 3.** Section 15-70-102, MCA, is amended to read:

1 **"15-70-102. Allocation of funds -- participation in railroad grade crossing protection.** (1) The
 2 amount determined necessary may be allocated from the ~~state special revenue fund~~, highway ~~revenue~~ restricted
 3 account in [section 1], for each fiscal year for expenditures and commitments made for participation by the
 4 department of transportation with railroads in construction of railroad grade crossing protection on any public
 5 highway or road, except those designated on the interstate, primary, or urban systems within the state. The
 6 department of transportation shall select those grade crossings in the state that, in the opinion of the department,
 7 are most in need of additional crossing protection and shall finance the cost of the improvements solely from this
 8 fund allocation.

9 (2) Signal protection provided under this section is limited to electric or automatic flashing lights or gates,
 10 depending on the amount and nature of the hazards present at the crossing, and participation in construction of
 11 the signals must be on the same basis and under the same standards as are applicable and used in connection
 12 with protection of grade crossings on federal-aid roads within the state. The highway restricted account may not
 13 be used for protection of grade crossings on the secondary system where the protection is considered necessary
 14 and when the cost is financed in part with federal-aid highway funds.

15 (3) In addition to the funds allocated, counties and cities may authorize the use of funds available to
 16 counties and cities under the provisions of 15-70-101 for participation in the installation in grade crossing
 17 protection within the county or city."
 18

18

19 **Section 4.** Section 15-70-419, MCA, is amended to read:

20 **"15-70-419. Improperly imported fuel -- seizure.** (1) As used in this section, the following definitions
 21 apply:

22 (a) "Conveyance" means a tank car, vehicle, or vessel that is used to transport fuel.

23 ~~(b) "Department" means the department of transportation.~~

24 ~~(c)~~(b) "Peace officer" means an employee of the department of transportation designated or appointed
 25 as a peace officer under 61-10-154 or 61-12-201.

26 (2) Pursuant to 61-12-206(5), a peace officer may:

27 (a) stop and search a conveyance in the state if the peace officer has reasonable cause to believe that
 28 the conveyance is being used to carry improperly imported fuel and is intentionally avoiding fuel tax
 29 responsibilities; and

30 (b) seize without a warrant imported fuel for which the distributor or transporter has not obtained a valid

1 Montana gasoline or special fuel distributor license as required in 15-70-402.

2 (3) The peace officer shall obtain authorization from the director of the department of transportation or
3 the director's designee before seizing fuel.

4 (4) Upon seizing the fuel that the peace officer believes to be improperly imported, the peace officer may:

5 (a) direct the rerouting or transfer of the fuel to a location designated by the department. The department
6 shall reimburse the carrier for transportation costs from the point of seizure to the location designated by the
7 department.

8 (b) unload the fuel; and

9 (c) take three samples of the fuel from the cargo tank for examination.

10 (5) Within 48 hours after seizure of the improperly imported fuel, the department shall issue a notice of
11 right to file claim for the return of interest or title to the fuel. The notice must be issued to:

12 (a) the original owner of the fuel;

13 (b) the owner of the transportation company that conveyed the fuel; and

14 (c) any other interested party.

15 (6) The parties listed in subsections (5)(a) through (5)(c) may file a claim for the return of interest or title
16 to the fuel within 30 days after the date of seizure. If a claim is filed for interest or title to the seized fuel, the
17 department shall:

18 (a) provide the opportunity for a hearing;

19 (b) if requested, conduct the hearing within 5 days after receiving the claim;

20 (c) make a final determination of the party to take interest or title to the fuel within 2 working days after
21 the hearing; and

22 (d) mail notice of the department's determination to interested parties.

23 (7) (a) The department may determine that the seized fuel be forfeited by the original owner and may:

24 (i) sell the fuel to the licensed Montana distributor predetermined through a bidding process established
25 in department administrative rule; or

26 (ii) use the forfeited fuel for a public purpose determined by the department.

27 (b) The department shall issue a certificate of sale to the licensed distributor who purchases the seized
28 fuel.

29 (c) The net proceeds from the sale of the fuel must be deposited in the general fund, less:

30 (i) the applicable taxes; and fees, and penalties; which the department shall deposit in a the highway

1 ~~revenue restricted~~ account in the state special revenue fund, as required in ~~15-70-104~~ provided for in [section
2 1]; and

3 (ii) the interest and penalties collected under this chapter, which the department shall deposit in the
4 highway nonrestricted account provided for in 15-70-125; and

5 ~~(ii)~~(iii) the administrative costs incurred in conjunction with the seizure and disposal of the improperly
6 imported fuel.

7 (8) If the department determines that the original owner of the fuel may reclaim interest or title to the fuel,
8 the department may:

9 (a) return to the owner money, less tax and penalty, equal to the wholesale value of the fuel on the day
10 of the seizure; or

11 (b) return the fuel.

12 (9) A person forfeits the interest, right, and title to improperly imported fuel if the person:

13 (a) fails to file a claim for the seized fuel within the time allowed in subsection (6); or

14 (b) is determined to be guilty of violating fuel tax laws.

15 (10) A person whose fuel is seized under this section is not relieved of any penalties imposed for illegal
16 fuel importation in Title 15, chapter 70."

17

18 **Section 5.** Section 15-70-456, MCA, is amended to read:

19 **"15-70-456. Fees for temporary permits -- duration of temporary permits.** (1) Temporary special fuel
20 permits issued under 15-70-455(1) cost \$30. The permit is valid for a period of time not to exceed 72 hours and
21 is automatically void if the vehicle leaves the state of Montana during the 72-hour period.

22 (2) A temporary special fuel permit for a nonresident operating agricultural harvesting equipment costs
23 \$30 per unit for the calendar year in which the fee is collected. The permit is not transferable. A unit is defined
24 as:

25 (a) one truck suitable for hauling commodities;

26 (b) one harvesting machine; and

27 (c) pickup trucks and any other accessory vehicles.

28 (3) The cost of a special fuel user's agricultural product temporary trip permit for a person operating a
29 vehicle in the movement of that person's agricultural products, as provided in 15-70-455(3), is:

30 (a) \$100 for a permit that is valid for 30 days from the date of issuance; or

1 (b) \$300 for a permit that is valid for 3 months from the date of issuance.

2 (4) All fees collected must be remitted to the department or deposited directly in the ~~state special revenue~~
3 ~~fund~~ highway restricted account provided for in [section 1] for the department."

4
5 **Section 6.** Section 17-5-903, MCA, is amended to read:

6 **"17-5-903. Definitions.** As used in this part, the following definitions apply:

7 (1) "Board" means the board of examiners created under 2-15-1007.

8 (2) "Bonds" means bonds, notes, or other evidences of indebtedness issued pursuant to this part as
9 highway revenue bonds.

10 (3) "Cost", as applied to any highway project, means any cost of construction or acquisition of any part
11 of the highway project, including but not limited to the cost of supervising, inspecting, and constructing the
12 highway project, interest during construction and for up to 6 months thereafter, and all costs and expenses
13 incidental thereto; the costs of locating, surveying, mapping, resurfacing, restoration, and rehabilitation;
14 acquisition of rights-of-way; relocation assistance; elimination of hazards of railroad grade crossings; acquisition
15 of replacement housing sites; and acquisition, rehabilitation, relocation, and construction of replacement housing;
16 and improvements necessary to directly facilitate and control traffic flow, including grade separation of
17 intersections, widening of lanes, channelization of traffic, and traffic control systems.

18 (4) "Department" means the department of transportation provided for in Title 2, chapter 15, part 25.

19 (5) "Highway projects" means the construction, reconstruction, maintenance, and repair of federal-aid
20 highways and state highways as such terms are defined in 60-1-103.

21 (6) "Highway revenues" means the revenues specified in Article VIII, section 6, of the Montana
22 constitution and [section 1] as revenues from gross vehicle weight fees and excise and license taxes (except
23 general sales and use taxes, if any) on gasoline, fuel, and other energy sources used to propel vehicles on public
24 highways and any other revenues, taxes, or receipts credited to the department in the state special revenue fund
25 and the federal special revenue fund.

26 (7) "Outstanding bonds" means bonds issued and outstanding at any particular time but does not include
27 bonds owned by the state, bonds that have been refunded, or bonds for the payment of which an irrevocable
28 deposit of cash and United States government securities has been made in an amount sufficient to pay principal,
29 interest, and redemption premium, if any, when due."

30

1 **Section 7.** Section 44-1-501, MCA, is amended to read:

2 **"44-1-501. Payment of expenses.** All expenses of the highway patrol shall be paid out of the
3 ~~transportation department's~~ department of transportation's highway restricted ~~account in the state special revenue~~
4 ~~fund~~ provided for in [section 1]."

5
6 **Section 8.** Section 60-3-201, MCA, is amended to read:

7 **"60-3-201. Distribution and use of proceeds of gasoline tax.** (1) ~~All money~~ Money received in
8 payment of the gasoline tax under 15-70-403, except those amounts paid out of the department's suspense
9 account for gasoline tax refund, must be deposited in the highway restricted account as provided in
10 [section 1] and used and expended as provided in [section 1] and this section. ~~The portion of that money on hand~~
11 ~~at any time that is needed to pay highway bonds and interest on highway bonds when due and to accumulate~~
12 ~~and maintain a reserve for payment of highway bonds and interest, as provided in laws and in resolutions of the~~
13 ~~state board of examiners authorizing the bonds, must be deposited in the highway bond account in the debt~~
14 ~~service fund established by 17-2-102.~~ After deductions for amounts paid out of the suspense account for gasoline
15 tax refunds, the remainder of the gasoline tax collected under 15-70-403 is allocated as follows:

- 16 (a) 9/10 of 1% to the state park account;
- 17 (b) 15/28 of 1% to a snowmobile account in the state special revenue fund;
- 18 (c) 1/8 of 1% to an off-highway vehicle account in the state special revenue fund;
- 19 (d) 1/25 of 1% to the aeronautics revenue fund of the department under the provisions of 67-1-301; and
- 20 (e) the remaining amount:
- 21 — (i) ~~for use by the department on the highways in this state selected and designated by the commission;~~
- 22 — (ii) ~~for collection of the fuel taxes; and~~
- 23 — (iii) ~~for the enforcement of the Montana highway code under Article VIII, section 6, of the constitution of~~
24 ~~this state for the purposes provided for in [section 1].~~

25 (2) The department shall, in expending this money, carry forward construction from year to year, using
26 the money expended in accordance with this title. Nothing in this title conflicts with Title 23 of the United States
27 Code and the rules by which it is administered.

28 (3) The department may enter into cooperative agreements with the national park service and the federal
29 highway administration for the purpose of maintaining national park approach roads in Montana.

30 (4) Money credited to the state park account in the state special revenue fund may be used only for the

1 creation, improvement, and maintenance of state parks where motorboating is allowed. The legislature finds that
2 of all the fuel sold in the state for consumption in internal combustion engines, except fuel for which refunds have
3 been made, not less than 9/10 of 1% is used for propelling boats on waterways of this state.

4 (5) (a) Money credited to the snowmobile account may be used only to develop and maintain facilities
5 open to the general public at no admission cost, to promote snowmobile safety, for enforcement purposes, and
6 for the control of noxious weeds.

7 (b) Of the amounts deposited in the snowmobile account:

8 (i) 13% of the amount deposited must be used by the department of fish, wildlife, and parks to promote
9 snowmobile safety and education and to enforce snowmobile laws. Two-thirds of the 13% deposited must be
10 used to promote snowmobile safety and education and one-third of the 13% deposited must be used for the
11 enforcement of snowmobile laws.

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

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

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

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

26 (7) Money credited to the aeronautics account of the department of transportation may be used only to
27 develop, improve, and maintain facilities open to the public at no admission cost and to promote aviation safety.
28 The legislature finds that of all the fuel sold in this state for consumption in internal combustion engines, except
29 fuel for which refunds have been made, not less than 1/25 of 1% is used for propelling aircraft in this state."
30

1 **Section 9.** Section 60-5-110, MCA, is amended to read:

2 **"60-5-110. Commercial enterprise or structure prohibited -- exceptions.** (1) Except as provided in
3 60-5-505 and subsections (2) and (3) of this section, a commercial enterprise or structure may not be operated
4 on the publicly owned or leased right-of-way of a controlled-access highway or controlled-access facility.

5 (2) The department may, under the terms and conditions that it considers appropriate, install or allow
6 others to install electronic communication equipment or electronic informational kiosks on the right-of-way of any
7 state highway, including a controlled-access facility. The department may charge a fee for the use of the
8 equipment or kiosk. The fees must be deposited in the highway nonrestricted ~~highway state special revenue~~
9 account provided for in 15-70-125 to be used for highway purposes.

10 (3) (a) The department may, under terms and conditions that it considers appropriate, contract with a
11 blind vendor certified pursuant to Title 18, chapter 5, part 4, for the installation of vending machines on the
12 right-of-way of any state highway, including a controlled-access facility.

13 (b) A blind vendor installing a vending machine pursuant to this subsection (3) is subject to the applicable
14 provisions of Title 18, chapter 5, part 4."

15

16 **Section 10.** Section 61-3-738, MCA, is amended to read:

17 **"61-3-738. Deposit and distribution of fees on proportionally registered fleets.** The light vehicle
18 registration fees, fees in lieu of tax, and license fees collected under this part must be deposited with the state
19 treasurer in the highway nonrestricted account provided for in 15-70-125."

20

21 **Section 11.** Section 61-8-204, MCA, is amended to read:

22 **"61-8-204. Reward for information on injury to or removal of sign or marker.** Upon conviction under
23 the provisions of 61-8-713, a person who furnishes information to law enforcement officers leading to the arrest
24 and conviction of the accused person must be paid a reward from the highway nonrestricted account ~~in the state~~
25 special revenue fund provided for in 15-70-125 in the sum of \$100."

26

27 **Section 12.** Section 61-8-907, MCA, is amended to read:

28 **"61-8-907. Inspection -- fees -- decal.** (1) The tow truck equipment of a commercial tow truck operator
29 must have an annual safety inspection. A highway patrol officer, an employee of the department of transportation
30 appointed as a peace officer in accordance with 61-12-201, or an inspector certified by the department shall

1 conduct the inspection and require the commercial tow truck operator to provide proof of compliance with the
2 provisions of 61-8-906.

3 (2) (a) Upon satisfactory completion of the inspection and verification of the insurance requirements, a
4 decal showing the last inspection date and the expiration date of the insurance coverage must be affixed in a
5 prominent place on the tow truck.

6 (b) If the commercial tow truck operator is participating in the law enforcement rotation system, the decal
7 must also show the classification of the operator's tow truck equipment.

8 (3) The department may establish inspection and decal fees that may not exceed the actual costs of the
9 inspection and the decal. The fees for the inspection and decal must be deposited in the ~~state~~ highway
10 nonrestricted account ~~in the state special revenue fund~~ provided for in 15-70-125."

11

12 **Section 13.** Section 61-10-126, MCA, is amended to read:

13 **"61-10-126. Deposit of fees.** All fees collected under 61-10-101 through 61-10-104 and 61-10-106
14 through 61-10-125 must be forwarded to the department of transportation for deposit in the highway nonrestricted
15 account ~~in the state special revenue fund~~ provided for in 15-70-125."

16

17 **Section 14.** Section 61-10-225, MCA, is amended to read:

18 **"61-10-225. Disposition of fees collected by county treasurer.** The county treasurer shall transmit
19 the fees provided for in 61-10-222 to the state, as provided in 15-1-504, for deposit to the credit of the department
20 of transportation in the highway ~~revenue~~ restricted account provided for in [section 1]. The remittance must be
21 made on forms furnished to the county treasurer by the department of transportation."

22

23 **Section 15.** Section 61-10-226, MCA, is amended to read:

24 **"61-10-226. Deposit of state highway money.** (1) Money received for the use of the department of
25 transportation from the receipt or transfer of GVW license fees, as provided by law, or from other state sources
26 must be deposited in the highway ~~revenue~~ restricted account ~~in the state special revenue fund~~ provided for in
27 [section 1] to the credit of the department.

28 (2) Money received from the federal government or other agencies must be deposited in a federal or
29 state special revenue fund to the credit of the department.

30 (3) Money collected for the department as authorized by law must be credited to the appropriate fund

1 by the state treasurer.

2 (4) Money received from the counties must be deposited in the appropriate account in the state special
3 revenue fund to the credit of the department."

4

5 **Section 16.** Section 75-11-301, MCA, is amended to read:

6 **"75-11-301. Intent, findings, and purposes.** (1) The legislature, mindful of its constitutional obligations
7 under Article II, section 3, and Article IX of the Montana constitution, has enacted this part. It is the legislature's
8 intent that the requirements of this part provide adequate remedies for the protection of the environmental life
9 support system from degradation and provide adequate remedies to prevent unreasonable depletion and
10 degradation of natural resources.

11 (2) The legislature finds that the use of petroleum products stored in tanks contributes significantly to
12 the economic well-being and quality of life of Montana citizens.

13 (3) The legislature finds that leaks, spills, and other releases of petroleum products from storage tanks
14 endanger public health and safety, ground water quality, and other state resources.

15 (4) The legislature finds that current administrative and financial resources of the public and private
16 sectors are inadequate to address problems caused by releases from petroleum storage tanks and need to be
17 supplemented by a major program of release detection and corrective action.

18 (5) The legislature finds that proper funding for the program is through a petroleum storage tank cleanup
19 fee paid by persons who use and receive the benefits of petroleum products. The legislature further finds that this
20 general use fee, provided for in 75-11-314, is intended solely to support a program to pay for corrective action
21 and damages caused by releases from petroleum storage tanks. The general use fee is collected from distributors
22 for administrative convenience and is not intended as a method for collecting highway revenue pursuant to the
23 provisions of Article VIII, section 6, of the Montana constitution or [section 1].

24 (6) The purposes of this part are to:

25 (a) protect public health and safety and the environment by providing prompt detection and cleanup of
26 petroleum tank releases;

27 (b) provide adequate financial resources and effective procedures through which tank owners and
28 operators may undertake and be reimbursed for corrective action and payment to third parties for damages
29 caused by releases from petroleum storage tanks;

30 (c) assist certain tank owners and operators in meeting financial assurance requirements under state

1 and federal law governing releases from petroleum storage tanks; and
2 (d) provide tank owners with incentives to improve petroleum storage tank facilities in order to minimize
3 the likelihood of accidental releases."

4

5 NEW SECTION. **Section 17. Codification instruction.** [Section 1] is intended to be codified as an
6 integral part of Title 15, chapter 70, part 1, and the provisions of Title 15, chapter 70, part 1, apply to [section 1].

7

8 NEW SECTION. **Section 18. Effective date.** [This act] is effective July 1, 2017.

9

- END -

2017 Shelby Bill Tracking List

Report by **Statehill**

HB110 Revise laws for filing of exempt water right claims

Sponsors: Bradley Maxon Hamlett

Last action: (H) Referred to Committee -- (H) Natural Resources (Dec 26th 2016)

Stance: tracked

Introduced ✓ ► **House** ► Senate Enacted

HB134 Revise school funding related to facilities

Sponsors: Jeff Essmann

Last action: (H) Referred to Committee -- (H) Education (Dec 26th 2016)

Stance: tracked

Introduced ✓ ► **House** ► Senate Enacted

HB172 Generally revise telephone cooperative laws

Sponsors: Ross Fitzgerald

Last action: (H) Referred to Committee -- (H) Business and Labor (Jan 4th 2017)

Stance: tracked

Requested ✓ ► Final Review ✓ ► Introduced

HB2 General Appropriations Act

Sponsors: Nancy Ballance

Last action: (H) Hearing -- (H) Joint Appropriations Subcommittee on Education (Jan 8th 2017)

Stance: tracked

Introduced ✓ ► **House** ► Senate Enacted

HB3 Revising expenditures and providing supplemental appropriations

Sponsors: Nancy Ballance

Last action: (H) Hearing -- (H) Appropriations (Jan 3rd 2017)

Stance: tracked

Note:

HB 3 is essentially a reverse supplemental. It will reduce the appropriation for various Departments and agencies by some amount to be recommended by Departments and agencies and ultimately determined by the Appropriations Committee. 30 percent would stay in the base and be returned at the end of 2019. This concept is similar to what the Budget Office has requested. It basically gives the Governor's Office rescind authority. The discussion will start with the cuts recommended in the Governor's Budget and add additional items. This does not affect the 2017 base. It would just reduce appropriations for what remains in 2017.

Introduced ✓ ► **House** ► Senate Enacted

HB30 Remove voted levies approved after creation of TIF from tax increment provision

Sponsors: Jeff Essmann

Last action: (H) Referred to Committee -- (H) Taxation (Dec 6th 2016)

Stance: tracked

Introduced ✓ ► **House** ► Senate Enacted

HB49 Clarify process for updating water right transfers

Sponsors: Bob Brown

Last action: (H) Hearing -- (H) Natural Resources (Jan 8th 2017)

Stance: tracked

Note:

Revises disclosure laws related to water rights and clarifies the process for disclosing transfers of water rights. It also authorizes water judges and water masters to terminate water rights if a party fails to provide adequate information during a pending proceeding for the adjudication of existing water rights.

Introduced ✓ ► **House** ► Senate Enacted

HB5 Long-range building appropriations

Sponsors: Jim Keane

Last action: (H) Referred to Committee -- (H) Appropriations (Dec 26th 2016)

Stance: tracked

Introduced ✓ ► **House** ► Senate Enacted

HB6 Renewable resource grants

Sponsors: Jim Keane

Last action: (H) Referred to Committee -- (H) Appropriations (Dec 26th 2016)

Stance: tracked

Introduced ✓ ► **House** ► Senate Enacted

HB7 Reclamation and development grants

Sponsors: Jim Keane

Last action: (H) Referred to Committee -- (H) Appropriations (Dec 26th 2016)

Stance: tracked

Introduced ✓ ► **House** ► Senate Enacted

HB76 Amend laws related to remittance of tax increment

Sponsors: Greg Hertz

Last action: (H) Referred to Committee -- (H) Taxation (Dec 26th 2016)

Stance: tracked

Introduced ✓ ► **House** ► Senate Enacted

HB78 Revise temporary water right lease laws

Sponsors: Ryan Lynch

Last action: (H) Hearing -- (H) Natural Resources (Jan 10th 2017)

Stance: tracked

Note:

Revises MCA 85-2-427 so that the amount of water leased may not exceed a total consumptive use of 180 acre-feet per year. Also may not be leased for more than 2 consecutive or nonconsecutive years during any 10-year period. Additionally, the total volume of water leased may not exceed a total consumptive use of 180 acre-feet per year. It also requires applicants to submit an application that includes the following new information: a plan for the exercise of the lease in priority to other existing water rights, certificates, permits or state water reservations or other perfected or planned uses or developments of water for which a permit or certificate has been issued. Finally, after approval but prior to the exercise of the lease, the Department of Natural Resources would need to notice and allow the public to file a written objection to the lease. Finally, it requires the lessee to notify the Department no more than 14 days after the lease is put to use.

Introduced ✓ ► **House** ► Senate Enacted

HB8 Renewable resource bonds and loans

Sponsors: Jim Keane

Last action: (H) Referred to Committee -- (H) Appropriations (Dec 26th 2016)

Stance: tracked

Introduced ✓ ► **House** ► Senate Enacted

HB9 Cultural and aesthetic grants

Sponsors: Tom Woods

Last action: (H) Referred to Committee -- (H) Appropriations (Dec 26th 2016)

Stance: tracked

Introduced ✓ ► **House** ► Senate Enacted

SB18 Establish wildfire fuel reduction funding process

Sponsors: Pat Connell

Last action: (S) Hearing -- (S) Natural Resources (Jan 10th 2017)

Stance: tracked

Introduced ✓ ► **Senate** ► House Enacted

SB27 Amend TIF laws related to public hearings and reporting

Sponsors: Fred Thomas

Last action: (S) Hearing -- (S) Taxation (Jan 9th 2017)

Stance: tracked

Introduced ✓ ► **Senate** ► House Enacted

SB34 Amend laws related to an urban renewal agency board of commissioners

Sponsors: Brian Hoven

Last action: (S) Hearing -- (S) Local Government (Jan 5th 2017)

Stance: tracked

Introduced ✓ ► **Senate** ► House Enacted

SB35 Revise laws concerning deposit and expenditure of highway revenue

Sponsors: Brian Hoven

Last action: (S) Hearing -- (S) Highways and Transportation (Jan 9th 2017)

Stance: tracked

Introduced ✓ ► **Senate** ► House Enacted

SB42 Revise the major facility siting act

Sponsors: Dick Barrett

Last action: (S) Hearing -- (S) Natural Resources (Jan 15th 2017)

Stance: tracked

Introduced ✓ ► **Senate** ► House Enacted

SB43 Generally revise laws governing the long-range building program

Sponsors: Jon Sesso

Last action: (S) Hearing -- (S) State Administration (Jan 8th 2017)

Stance: tracked

Introduced ✓ ► **Senate** ► House Enacted

SB70 Add member to Board of Optometry

Sponsors: Gene Vuckovich

Last action: (S) Hearing -- (S) Business, Labor, and Economic Affairs (Jan 4th 2017)

Stance: tracked

Note:

SB 70 would add a member to the Board of Optometry, which will bring the member count from four to five. Four of the five members must be registered optometrists of Montana. One member must be a representative of the public who is not engaged in the practice of optometry. The bill is effective upon passage and approval.

Introduced ✓ ▶ **Senate** ▶ House Enacted

LC0229 Generally revise eminent domain laws

Sponsors: Cary L Smith

Last action: (C) Draft Request Received (Jul 31st 2016)

Stance: tracked

Requested ✓ ▶ Final Review Introduced

LC0421 Provide notification at certain dwellings for oil and gas operations

Sponsors: Duane Ankney

Last action: (C) Draft Delivered to Requester (Jan 4th 2017)

Stance: tracked

Requested ✓ ▶ Final Review ✓ ▶ Introduced

LC0493 Revise eminent domain laws

Sponsors: Chas V Vincent

Last action: (C) Draft On Hold (Dec 1st 2016)

Stance: tracked

Requested ✓ ▶ Final Review Introduced

LC1012 Revise tax increment finance laws

Sponsors: Dick Barrett

Last action: (C) Draft Ready for Delivery (Dec 18th 2016)

Stance: tracked

Requested ✓ ▶ Final Review ✓ ▶ Introduced

LC1101 Revise major facility siting laws

Sponsors: Ryan Lynch

Last action: (C) Draft Request Received (Nov 20th 2016)

Stance: tracked

Requested ✓ ▶ Final Review Introduced

LC1109 Prohibit condemnation of agricultural water
Sponsors: Bradley Maxon Hamlett
Last action: (C) Draft Ready for Delivery (Jan 4th 2017)
Stance: tracked

Requested ✓ ► Final Review Introduced

LC1200 Gen. revise laws on TIF districts & targeted economic development districts
Sponsors: Jeff Essmann
Last action: (C) Draft On Hold (Dec 8th 2016)
Stance: tracked

Requested ✓ ► Final Review Introduced

LC1211 Revise coal tax trust fund laws
Sponsors: Duane Ankney
Last action: (C) Draft to Requester for Review (Dec 31st 2016)
Stance: tracked

Requested ✓ ► Final Review Introduced

LC1387 Generally revise rural electric cooperative laws
Sponsors: Margaret (Margie) Macdonald
Last action: (C) Draft to Requester for Review (Dec 31st 2016)
Stance: tracked

Requested ✓ ► Final Review Introduced

LC1388 Interim study of crossroads correctional center
Sponsors: Margaret (Margie) Macdonald
Last action: (C) Draft Ready for Delivery (Dec 30th 2016)
Stance: tracked

Requested ✓ ► Final Review ✓ ► Introduced

LC1622 Generally revise tax increment financing laws
Sponsors: Greg Hertz
Last action: (C) Draft On Hold (Dec 4th 2016)
Stance: tracked

Requested ✓ ► Final Review Introduced

LC1654 Revise eminent domain laws
Sponsors: Jp Pomnichowski
Last action: (C) Draft Request Received (Dec 2nd 2016)
Stance: tracked

Requested ✓ ► Final Review Introduced

LC1658 Revise major facility siting laws
Sponsors: Jp Pomnichowski
Last action: (C) Draft On Hold (Dec 8th 2016)
Stance: tracked

Requested ✓ ► Final Review Introduced

LC1769 Generally revise tax increment finance laws
Sponsors: Tom Burnett
Last action: (C) Draft Request Received (Dec 4th 2016)
Stance: tracked

Requested ✓ ► Final Review Introduced

LC1789 Replace big sky economic fund with a state parks fund
Sponsors: Margaret (Margie) Macdonald
Last action: (C) Draft Taken Off Hold (Dec 30th 2016)
Stance: tracked

Requested ✓ ► Final Review Introduced

LC1910 Generally revise appropriations
Sponsors: Rob Cook
Last action: (C) Draft Request Received (Dec 4th 2016)
Stance: tracked

Requested ✓ ► Final Review Introduced

LC1911 Generally revise appropriation laws
Sponsors: Rob Cook
Last action: (C) Draft Request Received (Dec 4th 2016)
Stance: tracked

Requested ✓ ► Final Review Introduced

LC1912 Generally revise appropriation laws
Sponsors: Rob Cook
Last action: (C) Draft Request Received (Dec 4th 2016)
Stance: tracked

Requested ✓ ► Final Review Introduced

LC1913 Generally revise appropriation laws
Sponsors: Rob Cook
Last action: (C) Draft Request Received (Dec 4th 2016)
Stance: tracked

Requested ✓ ► Final Review Introduced

LC1914 Generally revise appropriation laws

Sponsors: Rob Cook

Last action: (C) Draft Request Received (Dec 4th 2016)

Stance: tracked

Requested ✓ ► Final Review Introduced

LC1915 Establish Montana food policy council

Sponsors: Daniel Salomon

Last action: (C) Draft On Hold (Dec 15th 2016)

Stance: tracked

Requested ✓ ► Final Review Introduced

LC1916 Revise funding for growth through agriculture program

Sponsors: Daniel Salomon

Last action: (C) Draft On Hold (Dec 8th 2016)

Stance: tracked

Requested ✓ ► Final Review Introduced

LC1917 Incentives to manufacturers for value-added agriculture production/processing

Sponsors: Daniel Salomon

Last action: (C) Draft On Hold (Jan 3rd 2017)

Stance: tracked

Requested ✓ ► Final Review Introduced

LC1970 Generally revise laws regarding state gas tax

Sponsors: Frederick (Eric) Moore

Last action: (C) Draft On Hold (Dec 5th 2016)

Stance: tracked

Requested ✓ ► Final Review Introduced

LC1982 Generally revise wastewater lagoon laws

Sponsors: Frederick (Eric) Moore

Last action: (C) Draft Request Received (Dec 4th 2016)

Stance: tracked

Requested ✓ ► Final Review Introduced

LC1999 Revise municipal and school election laws

Sponsors: Derek Skees

Last action: (C) Draft On Hold (Jan 3rd 2017)

Stance: tracked

Requested ✓ ► Final Review Introduced

LC2000 Revise local government and school district election laws

Sponsors: Derek Skees

Last action: (C) Draft On Hold (Jan 4th 2017)

Stance: tracked

Requested ✓ ▶ Final Review Introduced

LC2027 Revise eminent domain laws

Sponsors: Derek Skees

Last action: (C) Draft Request Received (Dec 4th 2016)

Stance: tracked

Requested ✓ ▶ Final Review Introduced

LC2029 Generally revise local government laws

Sponsors: Roger Webb

Last action: (C) Draft Request Received (Dec 4th 2016)

Stance: tracked

Requested ✓ ▶ Final Review Introduced

LC2035 Generally revise laws related to subdivisions

Sponsors: Adam Hertz

Last action: (C) Draft Request Received (Dec 4th 2016)

Stance: tracked

Requested ✓ ▶ Final Review Introduced

LC2036 Generally revising subdivision regulations

Sponsors: Adam Hertz

Last action: (C) Draft Request Received (Dec 4th 2016)

Stance: tracked

Requested ✓ ▶ Final Review Introduced

LC2037 Generally revise regulations related to subdivisions

Sponsors: Adam Hertz

Last action: (C) Draft Request Received (Dec 4th 2016)

Stance: tracked

Requested ✓ ▶ Final Review Introduced

LC2068 Revise economic development laws

Sponsors: Kimberly Dudik

Last action: (C) Draft Request Received (Dec 4th 2016)

Stance: tracked

Requested ✓ ▶ Final Review Introduced

LC2082 Generally revising laws regarding review of sanitation in subdivisions

Sponsors: Forrest Mandeville

Last action: (C) Draft Request Received (Dec 6th 2016)

Stance: tracked

Requested ✓ ► Final Review Introduced

LC2084 Revising laws relating to exemptions from Montana Subdivision and Platting Act

Sponsors: Forrest Mandeville

Last action: (C) Draft Request Received (Dec 6th 2016)

Stance: tracked

Requested ✓ ► Final Review Introduced

LC2088 Generally revise water right laws

Sponsors: Alan Redfield

Last action: (C) Draft Request Received (Dec 6th 2016)

Stance: tracked

Requested ✓ ► Final Review Introduced

LC2100 Revise aviation fuel taxes

Sponsors: Willis Curdy

Last action: (C) Draft Request Received (Dec 6th 2016)

Stance: tracked

Requested ✓ ► Final Review Introduced

LC2103 Generally revise economic development laws

Sponsors: Ryan Lynch

Last action: (C) Draft Request Received (Dec 7th 2016)

Stance: tracked

Requested ✓ ► Final Review Introduced

LC2106 Revise city park rest area program

Sponsors: Ray Shaw

Last action: (C) Draft Request Received (Dec 7th 2016)

Stance: tracked

Requested ✓ ► Final Review Introduced

LC2108 Reallocate funding for purpose of mitigating impacts to water use agreements

Sponsors: Llew Jones

Last action: (C) Draft Request Received (Dec 7th 2016)

Stance: tracked

Requested ✓ ► Final Review Introduced

LC2115 Prohibit state use of private for-profit prison
Sponsors: Casey Schreiner
Last action: (C) Draft Request Received (Dec 7th 2016)
Stance: tracked

Requested ✓ ► Final Review Introduced

LC2117 Revise water permitting laws related to wells and developed springs
Sponsors: Carl Glimm
Last action: (C) Draft to Requester for Review (Jan 4th 2017)
Stance: tracked

Requested ✓ ► Final Review Introduced

LC2148 provide supplemental funding to department of transportation
Sponsors: Ryan Osmundson
Last action: (C) Draft in Final Drafter Review (Jan 4th 2017)
Stance: tracked

Requested ✓ ► Final Review Introduced

LC2167 Generally revise infrastructure funding laws
Sponsors: Jon Sesso
Last action: (C) Draft On Hold (Dec 27th 2016)
Stance: tracked

Requested ✓ ► Final Review Introduced

LC2203 Generally revise local government laws
Sponsors: Steve Lavin
Last action: (C) Draft Request Received (Dec 18th 2016)
Stance: tracked

Requested ✓ ► Final Review Introduced

LC2214 Generally revise laws related to local government
Sponsors: Steve Hinebauch
Last action: (C) Draft Request Received (Dec 18th 2016)
Stance: tracked

Requested ✓ ► Final Review Introduced

LC2217 Generally revise laws related to water quality
Sponsors: Mary Sheehy Moe
Last action: (C) Draft Request Received (Dec 19th 2016)
Stance: tracked

Requested ✓ ► Final Review Introduced

LC2219 Create FWP noxious weed management trust fund and grant program

Sponsors: Kelly Flynn

Last action: (C) Draft Request Received (Dec 19th 2016)

Stance: tracked

Requested ✓ ► Final Review Introduced

LC2236 Provide for long range building appropriations

Sponsors: Nancy Ballance

Last action: (C) Draft On Hold (Jan 2nd 2017)

Stance: tracked

Requested ✓ ► Final Review Introduced

LC2237 Provide for renewable resource grants

Sponsors: Nancy Ballance

Last action: (C) Draft On Hold (Jan 2nd 2017)

Stance: tracked

Requested ✓ ► Final Review Introduced

LC2238 Provide for reclamation and development grants

Sponsors: Nancy Ballance

Last action: (C) Draft On Hold (Jan 2nd 2017)

Stance: tracked

Requested ✓ ► Final Review Introduced

LC2239 Provide for renewable resource bonds and loans

Sponsors: Nancy Ballance

Last action: (C) Draft On Hold (Jan 2nd 2017)

Stance: tracked

Requested ✓ ► Final Review Introduced

LC2240 Revise treasure state endowment program laws

Sponsors: Nancy Ballance

Last action: (C) Draft On Hold (Jan 2nd 2017)

Stance: tracked

Requested ✓ ► Final Review Introduced

LC2261 Provide for bonding of certain infrastructure projects

Sponsors: Jeff Essmann

Last action: (C) Draft On Hold (Dec 27th 2016)

Stance: tracked

Requested ✓ ► Final Review Introduced

LC2323 Provide funding for the St. Mary irrigation rehabilitation project

Sponsors: Mike Lang

Last action: (C) Draft Request Received (Dec 30th 2016)

Stance: tracked

Requested ✓ ► Final Review Introduced

LC2325 Generally revise tax laws related to a local option infrastructure tax

Sponsors: Mike Phillips

Last action: (C) Draft Request Received (Dec 31st 2016)

Stance: tracked

Requested ✓ ► Final Review Introduced

LC2344 Provide for bonding of infrastructure projects

Sponsors: Mike Cuffe

Last action: (C) Draft Request Received (Dec 31st 2016)

Stance: tracked

Requested ✓ ► Final Review Introduced

LC2345 Provide infrastructure funding for oil/gas impacted counties and communities

Sponsors: Mike Cuffe

Last action: (C) Draft Request Received (Dec 31st 2016)

Stance: tracked

Requested ✓ ► Final Review Introduced

LC2353 Revise gasoline and special fuels tax laws

Sponsors: Scott Staffanson

Last action: (C) Draft Request Received (Jan 1st 2017)

Stance: tracked

Requested ✓ ► Final Review Introduced

LC2364 Generally revise economic development laws

Sponsors: Mark Blasdel

Last action: (C) Draft Request Received (Jan 1st 2017)

Stance: tracked

Requested ✓ ► Final Review Introduced

CITY OF SHELBY
MONTHLY ANIMAL CONTROL REPORT

December 2016
(Month) (Year)

Animal Control Calls and/or Complaints

City Hall or Public Works.....	10	6	4
Sheriff's Office.....	13	12	1
On Patrol.....	9	6	3

Dog-CAT

Fees Collected by Animal Control Officer

Destroyed- Animals brought in.....	0
License.....	0
Pound	560.00
Rabies Shot.....	0

Pound Activity

Animals in pound at end of last month.....	6	1-5
Impounded..... +	4	
Destroyed - Animals from pound..... -	0	
Destroyed - Animals brought in..... +	0	
Released/Returned to owner..... -	5	
Total in Pound Month End - - - - - >	5	0-5

Dead Animals

Marias Vet Clinic.....	0
Other (list where picked up):	
<u>Kitten - 1st st SE</u>	1

Vehicle Log

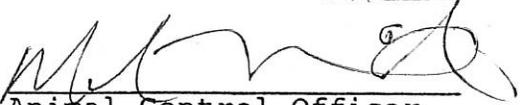
Gallons of Gas.....	34.2
Mileage - current month reading.....	88025
Mileage - previous month reading.....	87815
Total Mileage.....	210

Warnings and/or Citations

Verbal Warnings.....	8
Written Warnings.....	0
Citations Issued.....	0

Licenses Issued

Month.....	2
Year to Date.....	460


Animal Control Officer.

cc: City Superintendent
City Council (deliver to City Hall 1st of month)
Animal Control file