HOUSE BILL 213

Introduced by Connelly, et al.

1/16	Introduced
1/16	Referred to Local Government
1/17	First Reading
1/17	Fiscal Note Requested
1/21	Fiscal Note Received
1/24	Fiscal Note Printed
	Died in Committee

1   *House* BILL NO. *213*

2   INTRODUCED BY

3

4   A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE WEED

5   CONTROL FEE COLLECTED ON THE ANNUAL REGISTRATION OF MOTOR

6   VEHICLES TO BE DEPOSITED IN THE COUNTY NOXIOUS WEED FUND;

7   AMENDING SECTIONS 7-22-2142 AND 61-3-510, MCA; REPEALING

8   SECTION 80-7-810, MCA; AND PROVIDING AN EFFECTIVE DATE."

9

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

11   **Section 1.** Section 7-22-2142, MCA, is amended to read:

12   "7-22-2142. **Sources of money for noxious weed fund.** (1)

13   The commissioners may create the noxious weed fund by:

14   (a) appropriating money from the general fund of the

15   county;

16   (b) at any time fixed by law for levy and assessment of

17   taxes, levying a tax not exceeding 2 mills on the dollar of

18   total taxable valuation in ~~such~~ the county; ~~and~~

19   (c) levying a tax in excess of 2 mills if authorized by

20   a majority of the qualified electors voting in an election

21   held for this purpose pursuant to 7-6-2531 through 7-6-2536;

22   or

23   (d) depositing the proceeds of the weed control fee

24   collected pursuant to 61-3-510.

25   (2) The proceeds of the tax ~~shall~~ and the fee may be

1   used ~~solely~~ only for the purpose of managing noxious weeds

2   in ~~said~~ the county and ~~shall~~ must be ~~designated-to~~ deposited

3   in the noxious weed fund.

4   (3) Any proceeds from work or chemical sales ~~shall~~

5   revert to the noxious weed fund and ~~shall~~ must be available

6   for reuse within that fiscal year or any subsequent year.

7   (4) The commissioners may accept any private, state, or

8   federal gifts, grants, contracts, or other funds to aid in

9   the management of noxious weeds within the district. These

10   funds must be placed in the noxious weed fund."

11   **Section 2.** Section 61-3-510, MCA, is amended to read:

12   "61-3-510. **Weed control fee.** (1) A special weed control

13   fee of $1.50 must be assessed on the annual registration or

14   reregistration of each motor vehicle subject to

15   registration. The fee must be collected by the county

16   treasurer and deposited in the noxious weed fund required by

17   7-22-2141.

18   (2) For purposes of this section, motor vehicle

19   includes:

20   (a) motor vehicle as defined in 61-1-102;

21   (b) motorcycle as defined in 61-1-105;

22   (c) motor-driven cycle as defined in 61-1-106; and

23   (d) quadricycle as defined in 61-1-133.

24   (3) The following vehicles are exempt from the fee:

25   (a) vehicles owned or controlled by the United States

1   or a state, county, or city;

2   (b) vehicles exempt from payment of registration fees

3   by 61-3-321(7); and

4   (c) vehicles or equipment which is not self-propelled

5   or which requires towing when moved upon a highway of this

6   state."

7   NEW SECTION. **Section 3.** Repealer. Section   80-7-810,

8   MCA, is repealed.

9   NEW SECTION. **Section 4.** Effective date. [This act] is

10   effective July 1, 1991.

                                -End-

STATE OF MONTANA - FISCAL NOTE
Form BD-15
In compliance with a written request, there is hereby submitted a Fiscal Note for HB0213, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

This bill reallocates the vehicle registration noxious weed fee from the state (Department of Agriculture) to county governments where the fee is collected.

ASSUMPTIONS:

1. Redirection of the $1,179,483 vehicle weed fee reduces the Noxious Weed Trust Fund Program of the Department of Agriculture to the FY86 level of funding.
2. The 0.67 FTE administrative assistant position and support operations would be deleted due to loss of vehicle weed fees
3. In FY86 the Department weed coordinator position was funded with general fund. The assumption is that general fund would be reestablished, because of the loss of the vehicle weed funds which have been used to support the weed coordinator position since FY89.
4. There will be a reduction of work and a loss of indirect to the Central Management Division of $27,451 in FY92 and $27,438 in FY93.
5. Research grants on biological agents and nonchemical weed control will decrease by approximately $270,000 per year. Community noxious weed grants will be eliminated.

FISCAL IMPACT:
see next page

ROD SUNDSTED, BUDGET DIRECTOR   DATE
Office of Budget and Program Planning

MARY ELLEN CONNELLY, PRIMARY SPONSOR   DATE

Fiscal Note for HB0213, as introduced

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Fiscal Note Request, HB0213, as introduced
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FISCAL IMPACT:
Department of Agriculture, Environmental Management Division:

	FY '92			FY '93		
	Current Law	Proposed Law	Difference	Current Law	Proposed Law	Difference
Expenditures:						
FTE	1.67	1.00	(0.67)	1.67	1.00	(0.67)
Personal Services	47,636	32,735	(14,901)	47,636	32,735	(14,901)
Noxious Weed Ad. Coun.	12,879	12,879	0	12,879	12,879	0
Operating Costs	11,272	10,020	(1,252)	11,272	10,020	(1,252)
Grants	1,086,826	0	(1,086,826)	1,086,826	0	(1,086,826)
CMD Indirect	33,749	6,298	(27,451)	33,749	6,311	(27,438)
Total	1,192,362	61,932	(1,130,430)	1,192,362	61,945	(1,130,417)
Funding:						
General Fund	0	49,053	49,053	0	49,066	49,066
Noxious Weed Vehicle (02)	1,179,483	0	(1,179,483)	1,179,483	0	(1,179,483)
Total	1,179,483	49,053	(1,130,430)	1,179,483	49,066	(1,130,417)

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

The counties will be retaining about $1,179,483 per year of vehicle registration fees which had previously been received by the Department of Agriculture for the Noxious Weed Program.

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