HOUSE BILL NO. 560

INTRODUCED BY STANG, COCCHIARELLA, DAILY, SVRCEK

IN THE HOUSE

FEBRUARY 1, 1991 INTRODUCED AND REFERRED TO COMMITTEE ON HIGHWAYS & TRANSPORTATION.

FEBRUARY 2, 1991 FIRST READING.

FEBRUARY 15, 1991 COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.

FEBRUARY 16, 1991 PRINTING REPORT.

MARCH 7, 1991 SECOND READING, DO PASS.

ON MOTION, REREFERRED TO COMMITTEE ON APPROPRIATIONS.

MARCH 25, 1991 COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.

PRINTING REPORT.

MARCH 27, 1991 SECOND READING, DO PASS.

MARCH 28, 1991 ENGROSSING REPORT.

THIRD READING, PASSED. AYES, 84; NOES, 15.

TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 28, 1991

10 B. 1

INTRODUCED AND REFERRED TO COMMITTEE ON FINANCE & CLAIMS.

COMMITTEE RECOMMEND BILL BE

CONCURRED IN. REPORT ADOPTED.

SECOND READING, CONCURRED IN.

FIRST READING.

APRIL 3, 1991

APRIL 13, 1991

APRIL 15, 1991 THIRD READING, CONCURRED IN. AYES, 47; NOES, 1.

RETURNED TO HOUSE.

IN THE HOUSE

APRIL 16, 1991

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

Hause BILL NO. 560 1 INTRODUCED BY 2 Duskatilla 3 A BILL FOR AN ACT ENTITLED: "AN ACT TO CREDIT REVENUE FROM 4 THE DRIVER'S LICENSE MOTORCYCLE ENDORSEMENT FEE TO THE 5 MOTORCYCLE SAFETY TRAINING ACCOUNT ADMINISTERED BY THE 6 7 SUPERINTENDENT OF PUBLIC INSTRUCTION; AMENDING SECTIONS 8 61-2-406 AND 61-5-121, MCA; AND PROVIDING AN EFFECTIVE 9 DATE." 10 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 12 Section 1. Section 61-2-406, MCA, is amended to read: "61-2-406. (Temporary) Motorcycle safety training 13 account -- source of funds -- statutory appropriation. (1)

14 account -- source of funds -- statutory appropriation. (1) 15 There is a motorcycle safety training account in the special 16 revenue fund of the state treasury. All revenue collected 17 pursuant to 61-2-404 and, 61-2-405, and 61-5-121 must be 18 credited to this account.

(2) The money in the motorcycle safety training account
is statutorily appropriated, as provided in 17-7-502, to the
superintendent of public instruction to administer
motorcycle safety training. (Terminates June 30, 1993--sec.
10, Ch. 324, L. 1989.)"

Section 2. Section 61-5-121, MCA, is amended to read:
"61-5-121. Disposition of fees. (1) The disposition of



1	the fees from driver's licenses provided for in							
2	<pre>61-5-111(7)(a), motorcycle endorsements provided for in</pre>							
3	61-5-111(7)(b), commercial vehicle operator's endorsements							
4	provided for in 61-5-111(7)(c), and duplicate driver's							
5	licenses provided for in 61-5-114 is as follows:							
6	(a) The amount of 33 1/3% of each driver's license fee							
7	and of each duplicate driver's license fee must be deposited							
8	into an account in the state special revenue fund. The							
9	department shall transfer the funds from this account to the							
10	Montana highway patrol officers' retirement pension trust							
11	fund as provided in 19-6-404. Funds transferred from the							
12	account are statutorily appropriated, as provided in							
13	17-7-502, to the pension trust fund.							
14	(b) (i) If the fees are collected by a county treasurer							
15	or other agent of the department, the amount of 5% of each							
16	driver's license fee and of each duplicate driver's license							
17	fee must be deposited into the county general fund.							
18	(ii) If the fees are collected by the department, the							
19	amount provided for in subsection (1)(b)(i) must be							
20	deposited into the state special revenue fund for use by the							
21	department to defray the costs of issuing licenses or							
22	duplicate licenses.							
23	(c) (i) If the fee is collected by a county treasurer							
24	or other agent of the department, the amount of 5% of each							
25	motorcycle endorsement must be deposited into the county							
	-2- INTRODUCED BILL							
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LC 1559/01

1 general fund.

2 (ii) If the fee is collected by the department, the
3 amount provided for in subsection (1)(c)(i) must be
4 deposited into the state special revenue fund for use by the
5 department to defray the costs of issuing motorcycle
6 endorsements.

7 (d) The amount of 23 1/3% of each driver's license fee
8 and of each duplicate driver's license fee and-the-amount-of
9 35%--of--each--motorcycle--endorsement-fee must be deposited
10 into the state traffic education account.

11 (e) The amount of 38 1/3% of each driver's license fee 12 and of each duplicate driver's license fee and-the-amount-of 13 60%--of--each--motorcycle--endorsement-fee must be deposited 14 into the state general fund.

15 (f) If the fee is collected by the county treasurer or 16 other agent of the department, the amount of 5% of each 17 commercial vehicle operator's endorsement fee must be 18 deposited into the county general fund, otherwise all of the 19 fee must be deposited in the state general fund.

(g) The amount of 95% of each motorcycle endorsement
 fee must be deposited into the motorcycle safety training
 account in the state special revenue fund.

23 (2) (a) If fees from driver's licenses, commercial
24 vehicle operator's endorsements, motorcycle endorsements,
25 and duplicate driver's licenses are collected by a county

treasurer or other agent of the department, he shall deposit 1 2 the amounts provided for in subsections (1)(b)(i) and 3 (1)(c)(i) into the county general fund. He shall then remit to the state treasurer all remaining fees, together with a 4 5 statement indicating what portion of each fee is to be 6 deposited into the account in the state special revenue fund 7 as provided in subsection (1)(a), the state traffic education account, the motorcycle safety training account, 8 9 and the state general fund. The state treasurer, upon 10 receipt of the fees and statement, shall deposit the fees as 11 provided in subsections (1)(a), (1)(d), (1)(e), and (1)(f), 12 and (1)(q). 13 (b) If fees from driver's licenses, commercial vehicle 14 operator's endorsements, motorcycle endorsements, and 15 duplicate driver's licenses are collected by the department, 16 it shall remit all fees to the state treasurer, together 17 with a statement indicating what portion of each fee is to 18 be deposited into the account in the state special revenue 19 fund as provided in subsection (1)(a), the state special 20 revenue fund, the state traffic education account, the 21 motorcycle safety training account, and the state general 22 fund. The state treasurer, upon receipt of the fees and 23 statement, shall deposit the fees as provided in subsections 24 (1)(a), (1)(b)(ii), (1)(c)(ii), (1)(d), (1)(e), and (1)(f), and (1)(g)." 25

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- 1 NEW SECTION. Section 3. Effective date. [This act] is
- 2 effective July 1, 1991.

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STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0560, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act to credit revenue from the driver's license motorcycle endorsement fee to the motorcycle safety training account administered by the Superintendent of Public Instruction; amending sections 61-2-406 and 61-5-121, MCA.

ASSUMPTIONS:

- 1. Motorcycle endorsement fee will remain constant.
- 2. Motorcycle endorsement revenue will continue at the FY90 level of about \$31,000 per year.
- 3. The county treasurer or other agent of the department will continue to retain 5% of the fee collected.
- 4. The 60% of the motorcycle endorsement fee currently going to the state general fund will be deposited in the motorcycle safety training account in the state special revenue fund.
- 5. Motorcycle endorsement fees will now be statutorily appropriated in the motorcycle safety training account.

FISCAL IMPACT:

	FY 92			FY 93		
<u>Revenues:</u>	<u>Current Law</u>	Proposed Law	<u>Difference</u>	<u>Current Law</u>	Proposed Law	Difference
General Fund (01)	19,000	0	(19,000)	19,000	0	(19,000)
Traffic Safety (02)	1,416,600	1,405,600	(11,000)	1,416,600	1,405,600	(11,000)
Motorcycle Safety (02)	89,800	119,800	30,000	89,800	119,800	30,000
Net General Fund Impact			(19,000)			(19,000)

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

There will be no effect on county or other local revenues or expenditures.

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

PRIMARY SPONSO DATE for <u>HB0560</u> as introduced HB 560

APPROVED BY COMMITTEE ON HIGHWAYS & TRANSPORTATION

FRUSEBILL NO. 560 1 INTRODUCED BY Hang Association Hang Conte 2 3

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is statutorily appropriated, as provided in 17-7-502, to the
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the fees from driver's licenses provided for in 61-5-111(7)(a), motorcycle endorsements provided for in 61-5-111(7)(b), commercial vehicle operator's endorsements provided for in 61-5-111(7)(c), and duplicate driver's licenses provided for in 61-5-114 is as follows:

6 (a) The amount of 33 1/3% of each driver's license fee and of each duplicate driver's license fee must be deposited 7 8 into an account in the state special revenue fund. The department shall transfer the funds from this account to the 9 10 Montana highway patrol officers' retirement pension trust fund as provided in 19-6-404. Funds transferred from the 11 12 account are statutorily appropriated, as provided in 13 17-7-502, to the pension trust fund.

14 (b) (i) If the fees are collected by a county treasurer 15 or other agent of the department, the amount of 5% of each 16 driver's license fee and of each duplicate driver's license 17 fee must be deposited into the county general fund.

18 (ii) If the fees are collected by the department, the
19 amount provided for in subsection (1)(b)(i) must be
20 deposited into the state special revenue fund for use by the
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22 duplicate licenses.

23 (c) (i) If the fee is collected by a county treasurer
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1 NEW SECTION. Section 3. Effective date. [This act] is

2 effective July 1, 1991.

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52nd Legislature

RE-REFERRED AND COMMITTEE ON APPROPRIATIONS

1 **Hease** BILL NO. 560 2 INTRODUCED BY Hang 3 Calliandia tothe Grade

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18 (ii) If the fees are collected by the department, the 19 amount provided for in subsection (1)(b)(i) must be 20 deposited into the state special revenue fund for use by the 21 department to defray the costs of issuing licenses or 22 duplicate licenses.

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 THIRD READING

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HB 560

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INTRODUCED BY Janep Caselia ulla Long Conte 1 2 З A BILL FOR AN ACT ENTITLED: "AN ACT TO CREDIT REVENUE FROM 4

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THIRD READING

HB 560

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25 and duplicate driver's licenses are collected by a county

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treasurer or other agent of the department, he shall deposit 1 2 the amounts provided for in subsections (1)(b)(i) and (1)(c)(i) into the county general fund. He shall then remit 3 4 to the state treasurer all remaining fees, together with a 5 statement indicating what portion of each fee is to be 6 deposited into the account in the state special revenue fund as provided in subsection (1)(a), the state traffic 7 education account, the motorcycle safety training account, 8 9 and the state general fund. The state treasurer, upon 10 receipt of the fees and statement, shall deposit the fees as 11 provided in subsections (1)(a), (1)(d), (1)(e), and (1)(f), 12 and (1)(g). 13 (b) If fees from driver's licenses, commercial vehicle 14 operator's endorsements, motorcycle endorsements, and duplicate driver's licenses are collected by the department, 15 16 it shall remit all fees to the state treasurer, together 17 with a statement indicating what portion of each fee is to 18 be deposited into the account in the state special revenue 19 fund as provided in subsection (1)(a), the state special revenue fund, the state traffic education account, the 20

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and (1)(g),"

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motorcycle safety training account, and the state general

fund. The state treasurer, upon receipt of the fees and

statement, shall deposit the fees as provided in subsections

(1)(a), (1)(b)(ii), (1)(c)(ii), (1)(d), (1)(e), and (1)(f),

LC 1559/01

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- 1 NEW SECTION. Section 3. Effective date. [This act] is
- 2 effective July 1, 1991.

-End-

2 INTRODUCED BY STANG, COCCHIARELLA, DAILY, SVRCEK
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CREDIT REVENUE FROM
5 THE DRIVER'S LICENSE MOTORCYCLE ENDORSEMENT FEE TO THE
6 MOTORCYCLE SAFETY TRAINING ACCOUNT ADMINISTERED BY THE
7 SUPERINTENDENT OF PUBLIC INSTRUCTION; AMENDING SECTIONS
8 61-2-406 AND 61-5-121, MCA; AND PROVIDING AN EFFECTIVE
9 DATE."

HOUSE BILL NO. 560

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

12 Section 1. Section 61-2-406, MCA, is amended to read: 13 "61-2-406. (Temporary) Motorcycle safety training 14 account -- source of funds -- statutory appropriation. (1) 15 There is a motorcycle safety training account in the special 16 revenue fund of the state treasury. All revenue collected 17 pursuant to 61-2-404 and, 61-2-405, and 61-5-121 must be 18 credited to this account.

19 (2) The money in the motorcycle safety training account
20 is statutorily appropriated, as provided in 17-7-502, to the
21 superintendent of public instruction to administer
22 motorcycle safety training. (Terminates June 30, 1993--sec.
23 10, Ch. 324, L. 1989.)"

Section 2. Section 61-5-121, MCA, is amended to read:
"61-5-121. Disposition of fees. (1) The disposition of



1 the fees from driver's licenses provided for in 2 61-5-111(7)(a), motorcycle endorsements provided for in 3 61-5-111(7)(b), commercial vehicle operator's endorsements 4 provided for in 61-5-111(7)(c), and duplicate driver's 5 licenses provided for in 61-5-114 is as follows:

(a) The amount of 33 1/3% of each driver's license fee 6 and of each duplicate driver's license fee must be deposited 7 into an account in the state special revenue fund. The 8 department shall transfer the funds from this account to the 9 Montana highway patrol officers' retirement pension trust 10 11 fund as provided in 19-6-404. Funds transferred from the account are statutorily appropriated, as provided in 12 17-7-502, to the pension trust fund. 13

(b) (i) If the fees are collected by a county treasurer
or other agent of the department, the amount of 5% of each
driver's license fee and of each duplicate driver's license
fee must be deposited into the county general fund.

(ii) If the fees are collected by the department, the amount provided for in subsection (1)(b)(i) must be deposited into the state special revenue fund for use by the department to defray the costs of issuing licenses or duplicate licenses.

(c) (i) If the fee is collected by a county treasurer
 or other agent of the department, the amount of 5% of each
 motorcycle endorsement must be deposited into the county

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1 general fund.

2 (ii) If the fee is collected by the department, the 3 amount provided for in subsection (1)(c)(i) must be 4 deposited into the state special revenue fund for use by the 5 department to defray the costs of issuing motorcycle 6 endorsements.

7 (d) The amount of 23 1/3% of each driver's license fee
8 and of each duplicate driver's license fee and-the-amount-of
9 35%--of--each--motorcycle--endorsement-fee must be deposited
10 into the state traffic education account.

11 (e) The amount of 38 1/3% of each driver's license fee
12 and of each duplicate driver's license fee and-the-amount-of
13 60%--of--each--motorcycle--endorsement-fee must be deposited
14 into the state general fund.

15 (f) If the fee is collected by the county treasurer or 16 other agent of the department, the amount of 5% of each 17 commercial vehicle operator's endorsement fee must be 18 deposited into the county general fund, otherwise all of the 19 fee must be deposited in the state general fund.

20 (g) The amount of 95% of each motorcycle endorsement
21 fee must be deposited into the motorcycle safety training
22 account in the state special revenue fund.

(2) (a) If fees from driver's licenses, commercial
vehicle operator's endorsements, motorcycle endorsements,
and duplicate driver's licenses are collected by a county

treasurer or other agent of the department, he shall deposit 1 the amounts provided for in subsections (1)(b)(i) and 2 (1)(c)(i) into the county general fund. He shall then remit 3 to the state treasurer all remaining fees, together with a 4 statement indicating what portion of each fee is to be 5 deposited into the account in the state special revenue fund 6 as provided in subsection (1)(a), the state traffic 7 education account, the motorcycle safety training account, 8 and the state general fund. The state treasurer, upon 9 receipt of the fees and statement, shall deposit the fees as 10 provided in subsections (1)(a), (1)(d), (1)(e), and (1)(f), 11 12 and (1)(g).

(b) If fees from driver's licenses, commercial vehicle 13 operator's endorsements, motorcycle endorsements, and 14 duplicate driver's licenses are collected by the department, 15 it shall remit all fees to the state treasurer, together 16 with a statement indicating what portion of each fee is to 17 be deposited into the account in the state special revenue 18 fund as provided in subsection (1)(a), the state special 19 revenue fund, the state traffic education account, the 20 motorcycle safety training account, and the state general 21 fund. The state treasurer, upon receipt of the fees and 22 statement, shall deposit the fees as provided in subsections 23 (l)(a), (l)(b)(ii), (l)(c)(ii), (l)(d), (l)(e), and (l)(f), 24 25 and (1)(g)."

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- 1 NEW SECTION. Section 3. Effective date. [This act] is
- 2 effective July 1, 1991.

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-End-

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