

HOUSE BILL 736

Introduced by Measure, et al.

2/09	Introduced
2/09	Referred to Highways & Transportation
2/11	First Reading
2/11	Fiscal Note Requested
2/15	Fiscal Note Received
2/19	Hearing
2/20	Fiscal Note Printed
3/05	Tabled in Committee

1 HOUSE BILL NO. 736

2 INTRODUCED BY Measur Toth
3 Wright Hayes Fitch

4 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A LOCAL
5 VOLUNTARY BICYCLE FEE; APPROPRIATING A PORTION OF THE
6 GASOLINE LICENSE TAX PROCEEDS FOR MATCHING GRANTS FOR
7 RECREATIONAL PATHWAYS; AND PROVIDING AN EFFECTIVE DATE."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 NEW SECTION. Section 1. Appropriation from gasoline
11 license tax proceeds for recreational pathways. There is
12 appropriated from the proceeds of the tax collected under
13 Title 15, chapter 70, \$50,000 each fiscal year beginning
14 July 1, 1991, to a community recreational pathways account
15 in the state special revenue fund.

16 NEW SECTION. Section 2. Grants from community
17 recreational pathways account. Upon order of the department
18 of highways under the provisions of [section 4], the state
19 treasurer shall pay from the community recreational pathways
20 account to a county, city, or town money to match local
21 funds for the purposes provided in [section 5].

22 NEW SECTION. Section 3. Voluntary bicycle fee. A
23 county, city, or town:

24 (1) may establish a voluntary bicycle fee of not more
25 than \$5 per bicycle per year;

1 (2) may determine the method of collecting the fee and
2 accounting for the fees received; and

3 (3) shall deposit the fees received, less reasonable
4 and necessary costs of collection, in a special account that
5 may be disbursed only for the purposes stated in [section
6 5].

7 NEW SECTION. Section 4. Matching grants from community
8 recreational pathways account -- priority for grants --
9 limit. (1) When the balance in the account established by a
10 county, city, or town under [section 3(3)] reaches at least
11 \$1,000, the county, city, or town may request, on a form
12 approved by the department of highways and describing the
13 project to be undertaken with the grant, a grant from the
14 community recreational pathways account of an equal amount.
15 The department shall, if it determines that the project to
16 be undertaken complies with the objectives and requirements
17 of [section 5] and if there is sufficient money in the
18 community recreational pathways account, order the state
19 treasurer to pay from the community recreational pathways
20 account the amount of the grant approved.

21 (2) The department shall prioritize grant requests on a
22 first-come, first-served basis.

23 (3) A county, city, or town may not receive a matching
24 grant larger than \$25,000, and a county, city, or town that
25 receives a grant may not request another grant for 2 years



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1 from the date of its original application.

2 NEW SECTION. Section 5. Use of bicycle fees and
3 matching grants. The money collected under [section 3] and
4 the matching grants under [section 4] may be disbursed only
5 to pay for the construction of recreational pathways,
6 including designated safe routes, which must meet criteria
7 established by the department of highways, for nonmotorized
8 traffic or for their related expenses.

9 NEW SECTION. Section 6. Codification instruction.
10 [Sections 1 through 5] are intended to be codified as an
11 integral part of Title 60, chapter 3, part 2, and the
12 provisions of Title 60, chapter 3, part 2, apply to
13 [sections 1 through 5].

14 NEW SECTION. Section 7. Three-fifths vote required.
15 Because [section 1] appropriates money from the gasoline
16 license tax for nonhighway purposes, passage of [this act]
17 requires a vote of three-fifths of the members of each house
18 of the legislature, as provided in Article VIII, section 6,
19 of the Montana constitution.

20 NEW SECTION. Section 8. Effective date. [This act] is
21 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 HB0736, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act establishing a local voluntary bicycle fee; appropriating a portion of the gasoline license tax proceeds for matching grants for recreational pathways; and providing an effective date.

ASSUMPTIONS:


1. Review and evaluation of the grant requests would not require additional FTE in the Department of Highways.
2. Some local government entities will establish a voluntary bicycle fee in their FY92 budgets.
3. The Department of Commerce will establish a new bicycle fee accounting entity for local governments.
4. The FY92 appropriation will remain in the state special revenue community recreational pathways account because no local entity will have the required match during the first year of the program.
5. The entire \$100,000 appropriated for the 1993 biennium will be granted in FY93.

FISCAL IMPACT:

Dept. of Highways	FY 92			FY 93		
	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>
<u>Expenditures:</u>						
Grants	0	0	0	0	100,000	100,000
<u>Funding:</u>						
State Special	0	50,000	50,000	0	50,000	50,000

TECHNICAL NOTES:

Title 60, chapter 3, part 3 of the MCA addresses the issue of "Footpaths and Bicycle Trails." The state highway commission shall let to contract in any period of 5 consecutive fiscal years not less than an average of \$200,000 per year for footpaths and bicycle trails.


ROD SUNDSTED, BUDGET DIRECTOR
Office of Budget and Program Planning

2-14-91
DATE


BRUCE MEASURE, PRIMARY SPONSOR
DATE

Fiscal Note for HB0736, as introduced

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