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

LC 1809/01

1 HELESTE BILL NO. 736 2 INTRODUCED BY A CALULY 3 WAY A 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."

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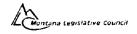
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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

16 <u>NEW SECTION.</u> 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 <u>NEW SECTION.</u> Section 3. Voluntary bicycle fee. A
23 county, city, or town:

24 (1) may establish a voluntary bicycle fee of not more25 than \$5 per bicycle per year;



(2) may determine the method of collecting the fee and
 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 -q limit. (1) When the balance in the account established by a county, city, or town under [section 3(3)] reaches at least 10 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 community recreational pathways account, order the state 18 19 treasurer to pay from the community recreational pathways account the amount of the grant approved. 20

21 (2) The department shall prioritize grant requests on a

22 first-come, first-served basis.

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

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1 from the date of its original application.

2 <u>NEW SECTION.</u> 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 <u>NEW SECTION.</u> 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].

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

20 <u>NEW SECTION.</u> Section 8. Effective date. [This act] is
21 effective July 1, 1991.

-End-

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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 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		
Expenditures:	Current Law	Proposed Law	Difference	Current Law	Proposed Law	Difference
Grants	0	0	0	0	100,000	100,000
Funding:						
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 <u>not</u> less than an average of \$200,000 per year for footpaths and bicycle trails.

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

BRUCE MEASURE, PRIMARY SPOOS DATE

Fiscal Note for HB0736, as introduced

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