

HOUSE BILL NO. 420

INTRODUCED BY SCHYE, COMPTON, C. SMITH, JONES,  
FULLER, ASAY

BY REQUEST OF THE DEPARTMENT OF COMMERCE

IN THE HOUSE

January 23, 1985	Introduced and referred to Committee on Business and Labor.
February 21, 1985	Committee recommend bill do pass as amended. Report adopted.  Bill printed and placed on members' desks.
February 22, 1985	Second reading, do pass as amended.  Correctly engrossed.
February 23, 1985	Third reading, passed.  Transmitted to Senate.

IN THE SENATE

February 25, 1985	Introduced and referred to Committee on Business and Industry.
March 29, 1985	Committee recommend bill be concurrred in as amended. Report adopted.
March 30, 1985	Second reading, concurrred in as amended.
April 1, 1985	Third reading, concurrred in. Ayes, 38; Noes, 9.  Returned to House with amendments.

IN THE HOUSE

April 2, 1985

Received from Senate.

April 5, 1985

Second reading, amendments  
concurrent in.

April 8, 1985

Third reading, amendments  
concurrent in.

Sent to enrolling.

Reported correctly enrolled.

APPROVED BY COMM. ON  
BUSINESS AND LABOR

1 HOUSE BILL NO. 420  
2 INTRODUCED BY SCHYE, COMPTON, C. SMITH, JONES, FULLER, ASAY  
3 BY REQUEST OF THE DEPARTMENT  
4 OF COMMERCE  
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6 A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING ALLOWABLE  
7 LICENSE FEES OF AIRCRAFT, AIRMEN, AND INSTRUCTORS;  
8 ~~CLARIFYING THE AIRPORT LICENSE FEE PROVISION;~~ AMENDING  
9 SECTION 67-3-101, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE  
10 DATE."

11  
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
13 Section 1. Section 67-3-101, MCA, is amended to read:  
14 "67-3-101. Regulation and licensing -- general  
15 provisions. In order to promote the general public interest  
16 and safety and to carry out the purposes of this title, the  
17 department may:

18 (1) require the annual registration of federal  
19 licenses, permits, or certificates of civil aircraft engaged  
20 in air navigation within this state, of airmen engaged in  
21 aeronautics within this state, and of aeronautics  
22 instructors giving instruction in flying subjects and may  
23 issue certificates of registration. The certificates of  
24 registration constitute licenses of the aircraft, airmen,  
25 and instructors for operations within this state to the

1 extent permitted by the federal licenses, certificates, or  
2 permits so registered. The department may charge a fee for  
3 the registration of each federal license, certificate, or  
4 permit not exceeding \$10. It may accept as evidence of  
5 the holding of a federal license, certificate, or permit the  
6 verified application of the owner of the aircraft, the  
7 airman, or the instructor. The application shall contain  
8 information which the department may by rule or order  
9 prescribe.

10 (2) register aircraft repair shops, aircraft, aircraft  
11 parts and sales dealers, and other persons operating in  
12 aviation and license aircraft repair shops, aircraft,  
13 aircraft parts and dealers, and other persons operating in  
14 aviation, air schools, and aeronautics instructors giving  
15 instruction in ground subjects, in accordance with rules to  
16 be adopted by the department, and may annually renew these  
17 licenses. It may charge for the original licensing of  
18 aircraft repair shops, aircraft, aircraft parts and sales  
19 dealers, and other persons operating in aviation, air  
20 schools, and aeronautics instructors not more than \$10  
21 and for the renewal of a license not more than \$10.

22 ~~(3) approve airport and restricted landing area sites~~  
23 ~~and license airports, restricted landing areas, or other air~~  
24 ~~navigation facilities, in accordance with rules adopted by~~  
25 ~~the department, and may annually renew these licenses.~~



1 licenses--granted--under--this--section--or--under--any--prior--law  
2 shall--be--annually--renewed--upon--payment--of--the--fee--The  
3 department--may--not--charge--for--approving--certificates--of  
4 proposed--property--acquisition--for--airport--or--restricted  
5 landing--area--purposes--It--may--charge--for--the--issuance--and  
6 annual--renewal--of--each--license--for--an--airport--or--restricted  
7 landing--area an amount equal to the costs incurred for such  
8 issuance but not to exceed \$1 \$1,000.

9 (4)(3) upon notification by the ~~civil~~--aeronautics  
10 authority FEDERAL AVIATION ADMINISTRATION that it has  
11 revoked the license or certificate of an aircraft, airman,  
12 air school, or aeronautics instructor, temporarily or  
13 permanently revoke the license or certificate of  
14 registration issued for that aircraft, airman, air school,  
15 or aeronautics instructor, giving reasons for the action."

16 NEW SECTION. Section 2. Effective date. This act is  
17 effective on passage and approval.

-End-

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4 OF COMMERCE

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7 LICENSE FEES OF AIRCRAFT, AIRMEN, AND INSTRUCTORS;  
8 ~~CLARIFYING THE AIRPORT LICENSE FEE PROVISION;~~ CLARIFYING THE  
9 AIRPORT LICENSE FEE PROVISION; AMENDING SECTION 67-3-101,  
10 MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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13 Section 1. Section 67-3-101, MCA, is amended to read:

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19 licenses, permits, or certificates of civil aircraft engaged  
20 in air navigation within this state, of airmen engaged in  
21 aeronautics within this state, and of aeronautics  
22 instructors giving instruction in flying subjects and may  
23 issue certificates of registration. The certificates of  
24 registration constitute licenses of the aircraft, airmen,  
25 and instructors for operations within this state to the

1 extent permitted by the federal licenses, certificates, or  
2 permits so registered. The department may charge a fee for  
3 the registration of each federal license, certificate, or  
4 permit not exceeding ~~the~~ \$10. It may accept as evidence of  
5 the holding of a federal license, certificate, or permit the  
6 verified application of the owner of the aircraft, the  
7 airman, or the instructor. The application shall contain  
8 information which the department may by rule or order  
9 prescribe.

10 (2) register aircraft repair shops, aircraft, aircraft  
11 parts and sales dealers, and other persons operating in  
12 aviation and license aircraft repair shops, aircraft,  
13 aircraft parts and dealers, and other persons operating in  
14 aviation, air schools, and aeronautics instructors giving  
15 instruction in ground subjects, in accordance with rules to  
16 be adopted by the department, and may annually renew these  
17 licenses. It may charge for the original licensing of  
18 aircraft repair shops, aircraft, aircraft parts and sales  
19 dealers, and other persons operating in aviation, air  
20 schools, and aeronautics instructors not more than ~~the~~ \$10  
21 and for the renewal of a license not more than ~~the~~ \$10.

22 ~~(3) approve airport and restricted landing area sites~~  
23 ~~and license airports, restricted landing areas, or other air~~  
24 ~~navigation facilities, in accordance with rules adopted by~~  
25 ~~the department, and may annually renew these licenses.~~

1 ~~licenses granted under this section or under any prior law~~  
 2 ~~shall be annually renewed upon payment of the fee. The~~  
 3 ~~department may not charge for approving certificates of~~  
 4 ~~proposed property acquisition for airport or restricted~~  
 5 ~~landing area purposes. It may charge for the issuance and~~  
 6 ~~annual renewal of each license for an airport or restricted~~  
 7 ~~landing area an amount equal to the costs incurred for such~~  
 8 ~~issuance but not to exceed \$1,000.~~

9 (3) APPROVE AIRPORT AND RESTRICTED LANDING AREA SITES  
 10 AND LICENSE AIRPORTS, RESTRICTED LANDING AREAS, OR OTHER AIR  
 11 NAVIGATION FACILITIES, IN ACCORDANCE WITH RULES ADOPTED BY  
 12 THE DEPARTMENT, AND MAY ANNUALLY RENEW THESE LICENSES.  
 13 LICENSES GRANTED UNDER THIS SECTION OR UNDER ANY PRIOR LAW  
 14 SHALL BE ANNUALLY RENEWED UPON PAYMENT OF THE FEE. THE  
 15 DEPARTMENT MAY NOT CHARGE FOR APPROVING CERTIFICATES OF  
 16 PROPOSED PROPERTY ACQUISITION FOR AIRPORT OR RESTRICTED  
 17 LANDING AREA PURPOSES. IT MAY CHARGE FOR THE ISSUANCE AND  
 18 ANNUAL RENEWAL OF EACH LICENSE FOR AN AIRPORT OR RESTRICTED  
 19 LANDING AREA AN AMOUNT EQUAL TO THE COSTS INCURRED FOR SUCH  
 20 ISSUANCE BUT NOT TO EXCEED \$1,000.

21 ~~{4}{3}(4)~~ upon notification by the civil-aeronautics  
 22 authority FEDERAL AVIATION ADMINISTRATION that it has  
 23 revoked the license or certificate of an aircraft, airman,  
 24 air school, or aeronautics instructor, temporarily or  
 25 permanently revoke the license or certificate of

1 registration issued for that aircraft, airman, air school,  
 2 or aeronautics instructor, giving reasons for the action."  
 3 NEW SECTION. Section 2. Effective date. This act is  
 4 effective on passage and approval.

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SENATE

STANDING COMMITTEE REPORT

MARCH 29 19 85

MR. PRESIDENT

We, your committee on BUSINESS & INDUSTRY

having had under consideration HOUSE BILL No. 420

third reading copy ( blue color )

RAISING LICENSE FEES FOR AIRCRAFT, AIRMEN, INSTRUCTORS, CHANGING AIRPORT FEE (Weeding)

Respectfully report as follows: That HOUSE BILL No. 420

be amended as follows:

- 1. Title, line 10. Following: "MCA" Strike: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"
2. Page 3, line 20. Following: "EXCEED" Strike: "\$1,000" Insert: "\$250"
3. Page 4, lines 3 and 4. Strike: section 2 in its entirety

AND AS AMENDED BE CONCURRED IN

XXXXRASS

XXXXXXXXXX

Sen. Mike Halligan Chairman

# COMMITTEE OF THE WHOLE AMENDMENT

## SENATE

3-30-85

DATE

11:16 p.m.

TIME

MR. CHAIRMAN: I MOVE TO AMEND \_\_\_\_\_ HOUSE BILL No. 420

third reading copy ( blue ) as follows:  
Color

1. Title, lines 8 and 9.

Following: "PROVISION;" on line 8

Strike: remainder of line 8 through "PROVISION;" on line 9

2. Page 3, lines 9 through 20.

Strike: subsection (3) in its entirety

*Go*  
ADOPT

REJECT

*Thomas J. Leary*



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19 dealers, and other persons operating in aviation, air  
20 schools, and aeronautics instructors not more than ~~the~~ \$10  
21 and for the renewal of a license not more than ~~the~~ \$10.

22 ~~{3}--approve--airport-and-restricted-landing-area-sites~~  
23 ~~and-license-airports,--restricted-landing-areas,--or-other-air~~  
24 ~~navigation-facilities,--in-accordance-with-rules--adopted--by~~  
25 ~~the--department,--and--may--annually--renew--these-licenses.~~

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 2 shall be annually renewed upon payment of the fee. The  
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