

IN THE HOUSE

APRIL 7, 1987

RECEIVED FROM SENATE.

SECOND READING, AMENDMENTS
CONCURRED IN.

APRIL 8, 1987

THIRD READING, AMENDMENTS NOT
CONCURRED IN.

ON MOTION, CONFERENCE COMMITTEE
REQUESTED AND APPOINTED.

IN THE SENATE

APRIL 10, 1987

ON MOTION, CONFERENCE COMMITTEE
REQUESTED AND APPOINTED.

IN THE HOUSE

APRIL 16, 1987

CONFERENCE COMMITTEE REPORTED.

IN THE SENATE

APRIL 16, 1987

CONFERENCE COMMITTEE
REPORT REJECTED.

ON MOTION, FREE CONFERENCE COMMITTEE
REQUESTED AND APPOINTED.

IN THE HOUSE

APRIL 16, 1987

ON MOTION, CONFERENCE COMMITTEE
DISSOLVED.

ON MOTION, FREE CONFERENCE COMMITTEE
REQUESTED AND APPOINTED.

APRIL 17, 1987

FREE CONFERENCE COMMITTEE REPORTED.

APRIL 20, 1987

SECOND READING, FREE CONFERENCE
COMMITTEE REPORT ADOPTED.

APRIL 21, 1987

THIRD READING, FREE CONFERENCE
COMMITTEE REPORT ADOPTED.

APRIL 21, 1987

IN THE SENATE

FREE CONFERENCE
COMMITTEE REPORT ADOPTED.

APRIL 21, 1987

IN THE HOUSE

SENT TO ENROLLING.

Handwritten notes:
J.M.
Lacomb
Keller
Cobbs

HB BILL NO. *102* *Kelsted* *Ul Meyers*

INTRODUCED BY *Frank Brannan* *Meridian* *Cobb* *Trent* *Smith*
Hayne *Rays* *Smith* *Abraham* *John H. Lewis* *Johnson*

A BILL FOR AN ACT ENTITLED "AN ACT ASSESSING A 50-CENT WEED CONTROL FEE UPON THE ANNUAL REGISTRATION OF PASSENGER CARS AND TRUCKS UNDER 8,001 POUNDS GVW; ALLOCATING THE PROCEEDS TO BE USED FOR NOXIOUS WEED MANAGEMENT; AND PROVIDING AN EFFECTIVE DATE."

WHEREAS, noxious weeds infest 6.5 million acres of rangeland and are costing the State of Montana an estimated \$47 million annually; and

WHEREAS, vehicles have been shown to be one of the major contributors to the spread of noxious weeds in Montana, and county and state funds are inadequate for stopping the spread of these weeds from roadsides and trails into adjacent rangeland; and

WHEREAS, the amount of \$125,000 in annual revenue generated by the herbicide surcharge to fund weed control projects through the noxious weed management trust fund is inadequate to address the current weed problem; and interest income from the permanent account of the noxious weed management trust fund cannot be used to fund weed management projects in Montana until the fund reaches \$2.5 million; and

WHEREAS, during this period, the spread of noxious

weeds will continue at the rate of about 27% annually; and WHEREAS, current weed management projects prove the success of well-planned, organized, and cooperative programs.

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

Section 1. Weed control fee. (1) A special weed control fee of 50 cents must be assessed on the annual registration or reregistration of each passenger car and truck under 8,001 pounds GVW. The fee must be collected by the county treasurer.

(2) The following vehicles are exempt from the fee:

(a) vehicles owned or controlled by the United States or a state, county, or city;

(b) vehicles exempt from payment of registration fees by 61-3-321(7); and

(c) vehicles or equipment which is not self-propelled or which requires towing when moved upon a highway of this state.

Section 2. Disposition of proceeds. Proceeds from the fee imposed in [section 1] must be deposited in the special revenue fund and must be expended as provided in 80-7-814(2) and (3).

Section 3. Extension of authority. Any existing authority of the department of agriculture to make rules on



LC 0419/01

1 the subject of the provisions of this act is extended to the
2 provisions of this act.

3 Section 4. Effective date. This act is effective July
4 1, 1987.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB102, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

A bill for an act to assess a 50 cent weed control fee upon the annual registration of passenger cars and trucks under 8,001 pounds GVW; allocating the proceeds for noxious weed management and providing an effective date.

ASSUMPTIONS:

1. 691,000 vehicles under 8,001 pounds GVW will be registered or re-registered in FY88 and FY89.
2. Assume special weed control fee will be assessed and collected by county treasurers.
3. Assume collections received will be deposited in the special revenue account to be expended through grants or contracts for noxious weed management projects.
4. Staff currently handling weed control grants will be responsible for the handling of the new grants generated through these revenues. No additional staff would be required.
5. 125 programming hours at a cost of \$32 per hour would be required to rewrite the registration system. This would be a one time expenditure.

FISCAL IMPACT:

	FY88			FY89		
	Current Law	Proposed Law	Difference	Current Law	Proposed Law	Difference
<u>Expenditures:</u>						
Personal Services	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Operating Expenses	0	4,000	4,000	0	0	0
TOTAL	\$ 0	\$ 4,000	\$ 4,000	\$ 0	\$ 0	\$ 0

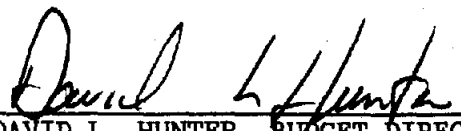
There will be no additional expenditures in FY89.


Revenues:

1% Surcharge Tax	\$ 125,000	\$ 125,000	\$ 0	\$ 125,000	\$ 125,000	\$ 0
50 ¢ Special Assessment	0	345,000	345,000	0	345,000	345,000
TOTAL	\$ 125,000	\$ 470,000	\$ 345,000	\$ 125,000	\$ 470,000	\$ 345,000

EFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:

The impact on local entities will be governed by 80-7-814(2) M.C.A.

 DATE 1/16/87
 DAVID L. HUNTER, BUDGET DIRECTOR
 Office of Budget and Program Planning

 DATE 1-19-87
 ED GRADY, PRIMARY SPONSOR

Fiscal Note for HB102, as introduced.

HB-102

Fiscal Note Request, HB102, as introduced.

Form BD-15

Page 2

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

N/A

TECHNICAL OR MECHANICAL DEFECTS IN PROPOSED LEGISLATION OR CONFLICTS WITH EXISTING LEGISLATION:

N/A

HB-102

APPROVED BY COMMITTEE
ON TAXATION

HOUSE BILL NO. 102

INTRODUCED BY GRADY, BRANDEWIE, MENAHAN, CAMPBELL,
KOLSTAD, MEYERS, GALT, GIACOMETTO, JENKINS, JACOBSON,
HAYNE, RAPP-SVRCEK, LYNCH, COBB, TVEIT, SWYSGOOD, SPAETH,
BECK, JONES, ABRAMS, ANDERSON, HANSON, KELLER, POFF,
HOFFMAN, C. SMITH, MARKS, HARPER

A BILL FOR AN ACT ENTITLED: "AN ACT ASSESSING A 50-CENT
WEED CONTROL FEE UPON THE ANNUAL REGISTRATION OF PASSENGER
CARS AND TRUCKS UNDER 8,000 42,001 POUNDS GVW; ALLOCATING
THE PROCEEDS TO BE USED FOR CHEMICAL AND NONCHEMICAL NOXIOUS
WEED MANAGEMENT; REVISING THE PERMITTED USE OF NOXIOUS WEED
MANAGEMENT FUNDS; AMENDING SECTION 80-7-814, MCA; AND
PROVIDING AN EFFECTIVE DATE."

WHEREAS, noxious weeds infest 6.5 million acres of
rangeland and are costing the State of Montana an estimated
\$47 million annually; and

WHEREAS, vehicles have been shown to be one of the
major contributors to the spread of noxious weeds in
Montana, and county and state funds are inadequate for
stopping the spread of these weeds from roadsides and trails
into adjacent rangeland; and

WHEREAS, the amount of \$125,000 in annual revenue
generated by the herbicide surcharge to fund weed control

projects through the noxious weed management trust fund is
inadequate to address the current weed problem; and interest
income from the permanent account of the noxious weed
management trust fund cannot be used to fund weed management
projects in Montana until the fund reaches \$2.5 million; and

WHEREAS, during this period, the spread of noxious
weeds will continue at the rate of about 27% annually; and

WHEREAS, current weed management projects prove the
success of well-planned, organized, and cooperative
programs.

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

NEW SECTION. Section 1. Weed control fee. (1) A
special weed control fee of 50 cents must be assessed on the
annual registration or reregistration of each passenger car
and truck under 8,000 42,001 pounds GVW. The fee must be
collected by the county treasurer.

(2) The following vehicles are exempt from the fee:

(a) vehicles owned or controlled by the United States
or a state, county, or city;

(b) vehicles exempt from payment of registration fees
by 61-3-321(7); and

(c) vehicles or equipment which is not self-propelled
or which requires towing when moved upon a highway of this
state.

1 NEW SECTION. Section 2. Disposition of proceeds.
 2 Proceeds THREE PERCENT OF THE PROCEEDS from the fee imposed
 3 in [section 1] MAY BE RETAINED BY THE COUNTY TREASURER FOR
 4 COSTS OF COLLECTION. THE REMAINDER must be deposited in the
 5 special revenue fund and must be expended as provided in
 6 80-7-814(2) and (3). TWENTY-FIVE PERCENT OF THE MONEY
 7 DEPOSITED IN THE SPECIAL REVENUE FUND UNDER THIS SECTION
 8 MUST BE USED FOR RESEARCH AND DEVELOPMENT OF NONCHEMICAL
 9 METHODS OF WEED MANAGEMENT.

10 SECTION 3. SECTION 80-7-814, MCA, IS AMENDED TO READ:

11 "80-7-814. Administration and expenditure of funds.

12 (1) Money deposited in the noxious weed management trust
 13 fund may not be committed or expended until the principal
 14 reaches \$2,500,000, except as provided by 80-7-815 in case
 15 of a noxious weed emergency. Once this amount is
 16 accumulated, any interest or revenue generated by the trust
 17 fund and by other funding measures provided by this part
 18 must be deposited in the special revenue fund and may be
 19 expended for noxious weed management projects in accordance
 20 with this section, so long as the principal of the trust
 21 fund remains at least \$2,500,000.

22 (2) The department may expend funds under this section
 23 through grants or contracts to communities, weed control
 24 districts, or other entities it considers appropriate for
 25 noxious weed management projects. A project is eligible to

1 receive funds only if the county in which the project occurs
 2 has significantly funded its own weed management program
 3 ~~with a levy in an amount not less than 1.6 mills or an~~
 4 ~~equivalent amount from another source.~~

5 (3) The department may expend funds without the
 6 restrictions specified in subsection (2) for the following:

7 (a) employment of a new and innovative noxious weed
 8 management project or the development, implementation, or
 9 demonstration of any noxious weed management project that
 10 may be proposed, implemented, or established by local,
 11 state, or national organizations, whether public or private.
 12 Such expenditures must be on a cost-share basis with such
 13 organizations.

14 (b) cost-share noxious weed management programs with
 15 local weed control districts;

16 (c) special grants to local weed control districts to
 17 eradicate or contain significant noxious weeds newly
 18 introduced into the county. These grants may be issued
 19 without matching funds from the district.

20 (d) costs of collecting the surcharge imposed by
 21 80-7-812, not to exceed 3% of the total surcharge proceeds;
 22 and

23 (e) administrative expenses incurred by the noxious
 24 weed management advisory council; and

25 (f) any project recommended by the noxious weed

1 management advisory committee, if the department determines
2 the project will significantly contribute to the management
3 of noxious weeds within the state.

4 (4) In making such expenditures, the department must
5 give preference to weed control districts and community
6 groups.

7 (5) If the noxious weed management trust fund is
8 terminated by law, the money in the fund must be divided
9 between all counties according to rules adopted by the
10 department for that purpose."

11 NEW SECTION. Section 4. Extension of authority. Any
12 existing authority of the department of agriculture to make
13 rules on the subject of the provisions of this act is
14 extended to the provisions of this act.

15 NEW SECTION. Section 5. Effective date. This act is
16 effective July 1, 1987.

-End-

1 HOUSE BILL NO. 102

2 INTRODUCED BY GRADY, BRANDEWIE, MENAHAN, CAMPBELL,
3 KOLSTAD, MEYERS, GALT, GIACOMETTO, JENKINS, JACOBSON,
4 HAYNE, RAPP-SVRCEK, LYNCH, COBB, TVEIT, SWYSGOOD, SPAETH,
5 BECK, JONES, ABRAMS, ANDERSON, HANSON, KELLER, POFF,
6 HOFFMAN, C. SMITH, MARKS, HARPER

7
8 A BILL FOR AN ACT ENTITLED: "AN ACT ASSESSING A 50-CENT
9 WEED CONTROL FEE UPON THE ANNUAL REGISTRATION OF PASSENGER
10 CARS AND TRUCKS UNDER ~~8,000~~ 42,001 POUNDS GVW; ALLOCATING
11 THE PROCEEDS TO BE USED FOR CHEMICAL AND NONCHEMICAL NOXIOUS
12 WEED MANAGEMENT; REVISING THE PERMITTED USE OF NOXIOUS WEED
13 MANAGEMENT FUNDS; AMENDING SECTION 80-7-814, MCA; AND
14 PROVIDING AN EFFECTIVE DATE."

15
16 WHEREAS, noxious weeds infest 6.5 million acres of
17 rangeland and are costing the State of Montana an estimated
18 \$47 million annually; and

19 WHEREAS, vehicles have been shown to be one of the
20 major contributors to the spread of noxious weeds in
21 Montana, and county and state funds are inadequate for
22 stopping the spread of these weeds from roadsides and trails
23 into adjacent rangeland; and

24 WHEREAS, the amount of \$125,000 in annual revenue
25 generated by the herbicide surcharge to fund weed control

1 projects through the noxious weed management trust fund is
2 inadequate to address the current weed problem; and interest
3 income from the permanent account of the noxious weed
4 management trust fund cannot be used to fund weed management
5 projects in Montana until the fund reaches \$2.5 million; and
6 WHEREAS, during this period, the spread of noxious
7 weeds will continue at the rate of about 27% annually; and
8 WHEREAS, current weed management projects prove the
9 success of well-planned, organized, and cooperative
10 programs.

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

13 NEW SECTION. Section 1. Weed control fee. (1) A
14 special weed control fee of 50 cents must be assessed on the
15 annual registration or reregistration of each passenger car
16 and truck under ~~8,000~~ 42,001 pounds GVW. The fee must be
17 collected by the county treasurer.

18 (2) The following vehicles are exempt from the fee:

19 (a) vehicles owned or controlled by the United States
20 or a state, county, or city;

21 (b) vehicles exempt from payment of registration fees
22 by 61-3-321(7); and

23 (c) vehicles or equipment which is not self-propelled
24 or which requires towing when moved upon a highway of this
25 state.

1 NEW SECTION. Section 2. Disposition of proceeds.
 2 Proceeds THREE PERCENT OF THE PROCEEDS from the fee imposed
 3 in [section 1] MAY BE RETAINED BY THE COUNTY TREASURER FOR
 4 COSTS OF COLLECTION. THE REMAINDER must be deposited in the
 5 special revenue fund and must be expended as provided in
 6 80-7-814(2) and (3). TWENTY-FIVE PERCENT OF THE MONEY
 7 DEPOSITED IN THE SPECIAL REVENUE FUND UNDER THIS SECTION
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 9 METHODS OF WEED MANAGEMENT.

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 15 of a noxious weed emergency. Once this amount is
 16 accumulated, any interest or revenue generated by the trust
 17 fund and by other funding measures provided by this part
 18 must be deposited in the special revenue fund and may be
 19 expended for noxious weed management projects in accordance
 20 with this section, so long as the principal of the trust
 21 fund remains at least \$2,500,000.

22 (2) The department may expend funds under this section
 23 through grants or contracts to communities, weed control
 24 districts, or other entities it considers appropriate for
 25 noxious weed management projects. A project is eligible to

1 receive funds only if the county in which the project occurs
 2 has significantly funded its own weed management program
 3 ~~with a levy in an amount not less than 1/6 mills or an~~
 4 ~~equivalent amount from another source.~~

5 (3) The department may expend funds without the
 6 restrictions specified in subsection (2) for the following:

7 (a) employment of a new and innovative noxious weed
 8 management project or the development, implementation, or
 9 demonstration of any noxious weed management project that
 10 may be proposed, implemented, or established by local,
 11 state, or national organizations, whether public or private.
 12 Such expenditures must be on a cost-share basis with such
 13 organizations.

14 (b) cost-share noxious weed management programs with
 15 local weed control districts;

16 (c) special grants to local weed control districts to
 17 eradicate or contain significant noxious weeds newly
 18 introduced into the county. These grants may be issued
 19 without matching funds from the district.

20 (d) costs of collecting the surcharge imposed by
 21 80-7-812, not to exceed 3% of the total surcharge proceeds;
 22 and

23 (e) administrative expenses incurred by the noxious
 24 weed management advisory council; and

25 (f) any project recommended by the noxious weed

1 management advisory committee, if the department determines
2 the project will significantly contribute to the management
3 of noxious weeds within the state.

4 (4) In making such expenditures, the department must
5 give preference to weed control districts and community
6 groups.

7 (5) If the noxious weed management trust fund is
8 terminated by law, the money in the fund must be divided
9 between all counties according to rules adopted by the
10 department for that purpose."

11 NEW SECTION. Section 4. Extension of authority. Any
12 existing authority of the department of agriculture to make
13 rules on the subject of the provisions of this act is
14 extended to the provisions of this act.

15 NEW SECTION. Section 5. Effective date. This act is
16 effective July 1, 1987.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB102, third reading copy.

DESCRIPTION OF PROPOSED LEGISLATION:

This bill would assess a .50 cent weed control fee upon the annual registration of passenger cars and trucks under 42,001 pounds GVW; allocating the proceeds to be used for chemical and non-chemical noxious weed management; revising the permitted use of noxious weed management funds; amending Section 80-7-814, MCA; and providing a July 1, 1987 effective date.

ASSUMPTIONS:

1. Assume that the special weed control fee will be assessed and collected by county treasurers; with three percent of the proceeds from the imposed fee to be retained by the county commission.
2. Assume that collected revenues (less three percent) would be deposited in the state special revenue account to be expended through grants and contracts for noxious weed management projects.
3. Assume that 25 percent of the collected revenue would be used for research and development of non-chemical methods of weed management.
4. Assume that 745,000 vehicles* under 42,001 pounds will be registered or re-registered in FY88 and FY89; thus subject to the .50 cent fee. (* Estimate from Motor Vehicle Division)

FISCAL IMPACT:

	FY88			FY89		
	Current Law	Proposed Law	Difference	Current Law	Proposed Law	Difference
<u>Expenditures:</u>						
Operating Expenses	\$ 0	\$ 4,000	\$ 4,000	\$ 0	\$ 0	\$ 0
Grants	125,000	482,325	357,325	125,000	486,325	361,325
TOTAL	\$ 125,000	\$ 486,325	\$ 361,325	\$ 125,000	\$ 486,325	\$ 361,325
<u>Revenues:</u>						
1% Surcharge Tax	\$ 125,000	\$ 125,000	\$ 0	\$ 125,000	\$ 125,000	\$ 0
50 ¢ Special Assessment**	0	361,325	361,325	0	361,325	361,325
TOTAL	\$ 125,000	\$ 486,325	\$ 361,325	\$ 125,000	\$ 486,325	\$ 361,325

** This number reflects fee revenue after the three percent reduction for county treasurers.

EFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:

Three percent of total revenue for collection to counties is \$11,175. (assuming 745,000 vehicles).

David L. Hunter DATE 2/21/87
 DAVID L. HUNTER, BUDGET DIRECTOR
 Office of Budget and Program Planning

Rep Ed Grad DATE _____
 ED GRAD, PRIMARY SPONSOR

Fiscal Note for HB102, third reading copy.

HB 102 #2

HOUSE BILL NO. 102

INTRODUCED BY GRADY, BRANDEWIE, MENAHAN, CAMPBELL, KOLSTAD, MEYERS, GALT, GIACOMETTO, JENKINS, JACOBSON, HAYNE, RAPP-SVRCEK, LYNCH, COBB, TVEIT, SWYSGOOD, SPAETH, BECK, JONES, ABRAMS, ANDERSON, HANSON, KELLER, POFF, HOFFMAN, C. SMITH, MARKS, HARPER

A BILL FOR AN ACT ENTITLED: "AN ACT ASSESSING A 50-CENT WEED CONTROL FEE UPON THE ANNUAL REGISTRATION OF PASSENGER CARS-AND-TRUCKS-UNDER 8,000 42,000 POUNDS--GVW ALL MOTOR VEHICLES SUBJECT TO REGISTRATION; ALLOCATING THE PROCEEDS TO BE USED FOR CHEMICAL AND NONCHEMICAL NOXIOUS WEED MANAGEMENT; REVISING THE PERMITTED USE OF NOXIOUS WEED MANAGEMENT FUNDS; AMENDING SECTION 80-7-814, MCA; AND PROVIDING AN EFFECTIVE DATE."

WHEREAS, noxious weeds infest 6.5 million acres of rangeland and are costing the State of Montana an estimated \$47 million annually; and

WHEREAS, vehicles have been shown to be one of the major contributors to the spread of noxious weeds in Montana, and county and state funds are inadequate for stopping the spread of these weeds from roadsides and trails into adjacent rangeland; and

WHEREAS, the amount of \$125,000 in annual revenue

generated by the herbicide surcharge to fund weed control projects through the noxious weed management trust fund is inadequate to address the current weed problem; and interest income from the permanent account of the noxious weed management trust fund cannot be used to fund weed management projects in Montana until the fund reaches \$2.5 million; and

WHEREAS, during this period, the spread of noxious weeds will continue at the rate of about 27% annually; and

WHEREAS, current weed management projects prove the success of well-planned, organized, and cooperative programs.

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

NEW SECTION. Section 1. Weed control fee. (1) A special weed control fee of 50 cents must be assessed on the annual registration or reregistration of each passenger-car and-truck-under 8,000 42,000 pounds--GVW MOTOR VEHICLE SUBJECT TO REGISTRATION. The fee must be collected by the county treasurer.

(2) FOR PURPOSES OF THIS SECTION, MOTOR VEHICLE INCLUDES:

- (A) MOTOR VEHICLE AS DEFINED IN 61-1-102;
(B) MOTORCYCLE AS DEFINED IN 61-1-105;
(C) MOTOR-DRIVEN CYCLE AS DEFINED IN 61-1-106; AND
(D) QUADRICYCLE AS DEFINED IN 61-1-133.



1 ~~(2)~~(3) The following vehicles are exempt from the fee:

2 (a) vehicles owned or controlled by the United States
3 or a state, county, or city;

4 (b) vehicles exempt from payment of registration fees
5 by 61-3-321(7); and

6 (c) vehicles or equipment which is not self-propelled
7 or which requires towing when moved upon a highway of this
8 state.

9 NEW SECTION. Section 2. Disposition of proceeds.
10 Proceeds THREE PERCENT OF THE PROCEEDS from the fee imposed
11 in [section 1] MAY BE RETAINED BY THE COUNTY TREASURER FOR
12 COSTS OF COLLECTION. THE REMAINDER must be deposited in the
13 special revenue fund and must be expended as provided in
14 80-7-814(2) and (3). TWENTY-FIVE PERCENT OF THE MONEY
15 DEPOSITED IN THE SPECIAL REVENUE FUND UNDER THIS SECTION
16 MUST BE USED FOR RESEARCH AND DEVELOPMENT OF NONCHEMICAL
17 METHODS OF WEED MANAGEMENT.

18 SECTION 3. SECTION 80-7-814, MCA, IS AMENDED TO READ:

19 "80-7-814. Administration and expenditure of funds.

20 (1) Money deposited in the noxious weed management trust
21 fund may not be committed or expended until the principal
22 reaches \$2,500,000, except as provided by 80-7-815 in case
23 of a noxious weed emergency. Once this amount is
24 accumulated, any interest or revenue generated by the trust
25 fund and by other funding measures provided by this part

1 must be deposited in the special revenue fund and may be
2 expended for noxious weed management projects in accordance
3 with this section, so long as the principal of the trust
4 fund remains at least \$2,500,000.

5 (2) The department may expend funds under this section
6 through grants or contracts to communities, weed control
7 districts, or other entities it considers appropriate for
8 noxious weed management projects. A project is eligible to
9 receive funds only if the county in which the project occurs
10 has significantly funded its own weed management program
11 with--a--levy--in--an--amount--not--less--than--1.6--mills--or--an
12 equivalent--amount--from--another--source WITH A LEVY IN AN
13 AMOUNT NOT LESS THAN 1.6 MILLS OR AN EQUIVALENT AMOUNT FROM
14 ANOTHER SOURCE.

15 (3) The department may expend funds without the
16 restrictions specified in subsection (2) for the following:

17 (a) employment of a new and innovative noxious weed
18 management project or the development, implementation, or
19 demonstration of any noxious weed management project that
20 may be proposed, implemented, or established by local,
21 state, or national organizations, whether public or private.
22 Such expenditures must be on a cost-share basis with such
23 organizations.

24 (b) cost-share noxious weed management programs with
25 local weed control districts;

1 (c) special grants to local weed control districts to
 2 eradicate or contain significant noxious weeds newly
 3 introduced into the county. These grants may be issued
 4 without matching funds from the district.

5 (d) costs of collecting the surcharge imposed by
 6 80-7-812, not to exceed 3% of the total surcharge proceeds;
 7 and

8 (e) administrative expenses incurred by the noxious
 9 weed management advisory council; and

10 (f) any project recommended by the noxious weed
 11 management advisory committee, if the department determines
 12 the project will significantly contribute to the management
 13 of noxious weeds within the state.

14 (4) In making such expenditures, the department must
 15 give preference to weed control districts and community
 16 groups.

17 (5) If the noxious weed management trust fund is
 18 terminated by law, the money in the fund must be divided
 19 between all counties according to rules adopted by the
 20 department for that purpose."

21 NEW SECTION. Section 4. Extension of authority. Any
 22 existing authority of the department of agriculture to make
 23 rules on the subject of the provisions of this act is
 24 extended to the provisions of this act.

25 NEW SECTION. Section 5. Effective date. This act is

1 effective July 1, 1987.

-End-

STANDING COMMITTEE REPORT

SENATE

March 27 19 87

MR. PRESIDENT

We, your committee on SENATE TAXATION

having had under consideration HOUSE BILL No. 102

third reading copy (blue color)

GRADY (STORY)

WEED CONTROL FEE ON MOTOR VEHICLES

Respectfully report as follows: That HOUSE BILL No. 102

be amended as follows:

1. Title, lines 9 and 10.

Following: "OF" on line 9

Strike: "PASSENGER CARS AND TRUCKS UNDER 42,001 POUNDS GVW"

Insert: "ALL MOTOR VEHICLES SUBJECT TO REGISTRATION"

2. Page 2, lines 15 and 16.

Following: "each" on line 15

Strike: "passenger car and truck under 42,001 pounds GVW"

Insert: "motor vehicles subject to registration"

3. page 2.

Following: line 17

Insert: "(2) For purposes of this section, "motor vehicle" includes:

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

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

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

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

Renumber: subsequent subsection

4. Page 4, line 2.

Following: "has"

Strike: "significantly"

5. Page 4, line 4.

Following: "source"

Insert: "with a levy in an amount not less than 1.6 mills or an equivalent amount from another source"

AND AS AMENDED
BE CONCURRED IN

XXXXXXXXXX

KK

George McCallum

SENATOR GEORGE McCALLUM, Chairman

3-31

CONFERENCE COMMITTEE REPORT

Report No. One.....

April 14, 1987...

MR. PRESIDENT

We, your Joint Conference Committee on

House Bill No. 102,

met and considered Senate Committee on Taxation Amendments to the third

reading copy dated March 27, 1987.

We recommend as follows:

- (1) That House Bill No. 102, reference copy, be amended as indicated in the instruction.

INSTRUCTION:

1. Page 4, line 14.

Following: "SOURCE"

Insert: ", or by an amount of not less than \$150,000 for first class counties, as defined in 7-1-2111, with a population greater than 40,000 or \$100,000 for first class counties with a population not greater than 40,000"

And that this Conference Committee report be adopted.

FOR THE SENATE

Story
Story
Lybeck
Lybeck
Beck
Beck

FOR THE HOUSE

Ray Grady
Grady
Holliday
Holliday
Swysgood
Swysgood

CONFERENCE COMMITTEE REPORT

Report No. 2

April 17, 1987

MR. SPEAKER

We, your Joint Free Conference Committee on
House Bill 102

met and considered Senate Committee on Taxation Amendments to the third
reading copy dated March 27, 1987

We recommend as follows:

THAT HOUSE BILL NO. 102, reference copy (salmon), BE AMENDED AS INDICATED IN THE INSTRUCTION.

INSTRUCTION:

1. Page 4, line 14.

Following: " SOURCE "

Insert: ", or by an amount of not less than 100,000 for first class counties, as defined in 7-1-2111 "

And that this Conference Committee report be adopted.

FOR THE SENATE

Van Valkenberg
Vanvalkenberg, Chairman

Lybeck
Lybeck

Beck
Beck

FOR THE HOUSE

Grady
Grady

Holliday
Holliday

Swysgrod
Swysgrod

ADOPT REJECT

1 HOUSE BILL NO. 102

2 INTRODUCED BY GRADY, BRANDEWIE, MENAHAN, CAMPBELL,
 3 KOLSTAD, MEYERS, GALT, GIACOMETTO, JENKINS, JACOBSON,
 4 HAYNE, RAPP-SVRCEK, LYNCH, COBB, TVEIT, SWYSGOOD, SPAETH,
 5 BECK, JONES, ABRAMS, ANDERSON, HANSON, KELLER, POFF,
 6 HOFFMAN, C. SMITH, MARKS, HARPER

7
 8 A BILL FOR AN ACT ENTITLED: "AN ACT ASSESSING A 50-CENT
 9 WEED CONTROL FEE UPON THE ANNUAL REGISTRATION OF PASSENGER
 10 ~~CARS-AND-TRUCKS-UNDER 8700#~~ 42700# POUNDS--~~GVW~~ ALL MOTOR
 11 VEHICLES SUBJECT TO REGISTRATION; ALLOCATING THE PROCEEDS TO
 12 BE USED FOR CHEMICAL AND NONCHEMICAL NOXIOUS WEED
 13 MANAGEMENT; REVISING THE PERMITTED USE OF NOXIOUS WEED
 14 MANAGEMENT FUNDS; AMENDING SECTION 80-7-814, MCA; AND
 15 PROVIDING AN EFFECTIVE DATE."

16
 17 WHEREAS, noxious weeds infest 6.5 million acres of
 18 rangeland and are costing the State of Montana an estimated
 19 \$47 million annually; and

20 WHEREAS, vehicles have been shown to be one of the
 21 major contributors to the spread of noxious weeds in
 22 Montana, and county and state funds are inadequate for
 23 stopping the spread of these weeds from roadsides and trails
 24 into adjacent rangeland; and

25 WHEREAS, the amount of \$125,000 in annual revenue

1 generated by the herbicide surcharge to fund weed control
 2 projects through the noxious weed management trust fund is
 3 inadequate to address the current weed problem; and interest
 4 income from the permanent account of the noxious weed
 5 management trust fund cannot be used to fund weed management
 6 projects in Montana until the fund reaches \$2.5 million; and

7 WHEREAS, during this period, the spread of noxious
 8 weeds will continue at the rate of about 27% annually; and

9 WHEREAS, current weed management projects prove the
 10 success of well-planned, organized, and cooperative
 11 programs.

12
 13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 NEW SECTION. Section 1. Weed control fee. (1) A
 15 special weed control fee of 50 cents must be assessed on the
 16 annual registration or reregistration of each ~~passenger--car~~
 17 ~~and--truck--under 8700#~~ 42700# pounds--~~GVW~~ MOTOR VEHICLE
 18 SUBJECT TO REGISTRATION. The fee must be collected by the
 19 county treasurer.

20 (2) FOR PURPOSES OF THIS SECTION, MOTOR VEHICLE
 21 INCLUDES:

22 (A) MOTOR VEHICLE AS DEFINED IN 61-1-102;

23 (B) MOTORCYCLE AS DEFINED IN 61-1-105;

24 (C) MOTOR-DRIVEN CYCLE AS DEFINED IN 61-1-106; AND

25 (D) QUADRICYCLE AS DEFINED IN 61-1-133.

1 ~~(2)~~(3) The following vehicles are exempt from the fee:

2 (a) vehicles owned or controlled by the United States
3 or a state, county, or city;

4 (b) vehicles exempt from payment of registration fees
5 by 61-3-321(7); and

6 (c) vehicles or equipment which is not self-propelled
7 or which requires towing when moved upon a highway of this
8 state.

9 NEW SECTION. Section 2. Disposition of proceeds.
10 Proceeds THREE PERCENT OF THE PROCEEDS from the fee imposed
11 in [section 1] MAY BE RETAINED BY THE COUNTY TREASURER FOR
12 COSTS OF COLLECTION. THE REMAINDER must be deposited in the
13 special revenue fund and must be expended as provided in
14 80-7-814(2) and (3). TWENTY-FIVE PERCENT OF THE MONEY
15 DEPOSITED IN THE SPECIAL REVENUE FUND UNDER THIS SECTION
16 MUST BE USED FOR RESEARCH AND DEVELOPMENT OF NONCHEMICAL
17 METHODS OF WEED MANAGEMENT.

18 SECTION 3. SECTION 80-7-814, MCA, IS AMENDED TO READ:

19 "80-7-814. Administration and expenditure of funds.

20 (1) Money deposited in the noxious weed management trust
21 fund may not be committed or expended until the principal
22 reaches \$2,500,000, except as provided by 80-7-815 in case
23 of a noxious weed emergency. Once this amount is
24 accumulated, any interest or revenue generated by the trust
25 fund and by other funding measures provided by this part

1 must be deposited in the special revenue fund and may be
2 expended for noxious weed management projects in accordance
3 with this section, so long as the principal of the trust
4 fund remains at least \$2,500,000.

5 (2) The department may expend funds under this section
6 through grants or contracts to communities, weed control
7 districts, or other entities it considers appropriate for
8 noxious weed management projects. A project is eligible to
9 receive funds only if the county in which the project occurs
10 has significantly funded its own weed management program
11 ~~with--a--levy--in--an--amount--not--less--than--1.6--mills--or--an~~
12 ~~equivalent--amount--from--another--source~~ WITH A LEVY IN AN
13 AMOUNT NOT LESS THAN 1.6 MILLS OR AN EQUIVALENT AMOUNT FROM
14 ANOTHER SOURCE, OR BY AN AMOUNT OF NOT LESS THAN \$100,000
15 FOR FIRST CLASS COUNTIES, AS DEFINED IN 7-1-2111.

16 (3) The department may expend funds without the
17 restrictions specified in subsection (2) for the following:

18 (a) employment of a new and innovative noxious weed
19 management project or the development, implementation, or
20 demonstration of any noxious weed management project that
21 may be proposed, implemented, or established by local,
22 state, or national organizations, whether public or private.
23 Such expenditures must be on a cost-share basis with such
24 organizations.

25 (b) cost-share noxious weed management programs with

1 local weed control districts;

2 (c) special grants to local weed control districts to
 3 eradicate or contain significant noxious weeds newly
 4 introduced into the county. These grants may be issued
 5 without matching funds from the district.

6 (d) costs of collecting the surcharge imposed by
 7 80-7-812, not to exceed 3% of the total surcharge proceeds;
 8 and

9 (e) administrative expenses incurred by the noxious
 10 weed management advisory council; and

11 (f) any project recommended by the noxious weed
 12 management advisory committee, if the department determines
 13 the project will significantly contribute to the management
 14 of noxious weeds within the state.

15 (4) In making such expenditures, the department must
 16 give preference to weed control districts and community
 17 groups.

18 (5) If the noxious weed management trust fund is
 19 terminated by law, the money in the fund must be divided
 20 between all counties according to rules adopted by the
 21 department for that purpose."

22 NEW SECTION. Section 4. Extension of authority. Any
 23 existing authority of the department of agriculture to make
 24 rules on the subject of the provisions of this act is
 25 extended to the provisions of this act.

1 NEW SECTION. Section 5. Effective date. This act is
 2 effective July 1, 1987.

-End-