

HOUSE BILL NO. 656

INTRODUCED BY GRADY, HOFMAN, MILLER, MENKE, PISTORIA,
DEMARS, RUSSELL, JENKINS, SCHYE, TVEIT, KOEHNKE, DONALDSON

IN THE HOUSE

FEBRUARY 7, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON HIGHWAYS & TRANSPORTATION.

MARCH 20, 1987 ON MOTION, TAKEN FROM COMMITTEE ON
HIGHWAYS & TRANSPORTATION AND PLACED
ON SECOND READING THIS DAY.

MARCH 23, 1987 PRINTING REPORT.

MARCH 24, 1987 SECOND READING, DO PASS AS AMENDED.

ENGROSSING REPORT.

MARCH 26, 1987 THIRD READING, PASSED.
AYES, 88; NOES, 11.

TRANSMITTED TO SENATE.

IN THE SENATE

APRIL 9, 1987 ON MOTION, RULES SUSPENDED TO ALLOW
RECEIPT OF HB NO. 656.

APRIL 10, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON HIGHWAYS & TRANSPORTATION.

APRIL 11, 1987 COMMITTEE RECOMMEND BILL BE
CONCURRED IN. REPORT ADOPTED.

APRIL 14, 1987 SECOND READING, CONCURRED IN.

ON MOTION, RULES SUSPENDED TO PLACE
BILL ON THIRD READING THE 83RD
LEGISLATIVE DAY.

THIRD READING, CONCURRED IN.
AYES, 50; NOES, 0.

RETURNED TO HOUSE.

IN THE HOUSE

APRIL 15, 1987

RECEIVED FROM SENATE.

SENT TO ENROLLING.

1 House BILL NO. 656
 2 INTRODUCED BY Dorothy Huffman
 3 Miller, Wenz, Bistonia, Dumas, Nicoll, Selby
 4 A BILL FOR AN ACT ENTITLED: "AN ACT INCLUDING FERTILIZER
 5 HAULERS AMONG THOSE ELIGIBLE TO PAY GROSS VEHICLE WEIGHT
 6 FEES OF 55 PERCENT OF SCHEDULES; AMENDING SECTION 61-10-205,
 7 MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."
 8

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

10 Section 1. Section 61-10-205, MCA, is amended to read:

11 "61-10-205. Special fees -- haulers of ready-mix
 12 concrete -- haulers of fertilizer. There shall be paid and
 13 collected annually a fee equal to 55% of the fees provided
 14 in Schedule I and Schedule II, as provided in 61-10-201 and
 15 61-10-202, on:

16 (1) concrete mixer trucks, concrete mixer trailers,
 17 and concrete mixer semitrailers used exclusively for hauling
 18 ready-mix or ready-to-pour concrete and truck tractors used
 19 exclusively in hauling concrete mixer semitrailers; and

20 (2) fertilizer tender trucks and tender trailers and
 21 fertilizer spreader trucks and spreader trailers used
 22 exclusively to transport or to apply fertilizer to
 23 agricultural fields and plots. The applicant for a special
 24 fee under this subsection shall show, when the fee is paid
 25 as provided in 61-10-222, a valid fertilizer dealer license

1 issued by the department of agriculture as provided in
 2 80-10-202."

3 NEW SECTION. Section 2. Extension of authority. Any
 4 existing authority of the department of highways to make
 5 rules on the subject of the provisions of this act is
 6 extended to the provisions of this act.

7 NEW SECTION. Section 3. Effective date. This act is
 8 effective January 1, 1988.

-End-



-2- INTRODUCED BILL
HB-656

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB656, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act including fertilizer haulers among those eligible to pay gross vehicle weight fees of 55% of schedules; and providing a delayed effective date.

ASSUMPTIONS:

1. Fertilizer tender trucks, tender trailers, spreader trucks and spreader trailers would qualify for 55% G.V.W. fees.
2. The trucks and trailers are currently paying 100% G.V.W. fees.
3. 250 trucks will be affected - 85 tender trucks and 165 spreader trucks.
4. Tender trucks will license at an average of 46,000 pounds G.V.W. and spreader trucks at 28,000 pounds G.V.W..
5. 1,500 trailers will be affected. Trailers will license at an average 14,000 pounds G.V.W..
6. The proposal fully impacts FY88.

FISCAL IMPACT:

	<u>FY88</u>			<u>FY89</u>		
	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>
Revenues:						
Highway Earmarked Special Revenue Fund	\$110,556	\$ 60,813	(\$ 49,743)	\$110,556	\$ 60,813	(\$ 49,743)

EFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:

The proposed legislation would decrease county revenue by \$2,618 each year.

David L. Hunter DATE 2/12/87
 DAVID L. HUNTER, BUDGET DIRECTOR
 Office of Budget and Program Planning

Rep Grady DATE 2-13
 EDWARD GRADY, PRIMARY SPONSOR

Fiscal Note for HB656, as introduced.

HB 656

LC 1609/01
COMMITTEE
ON HIGHWAYS & TRANSPORTATION
WITHOUT RECOMMENDATION
MOTION TO MOVE FROM
COMMITTEE TO 2ND READING

House BILL NO. 656

INTRODUCED BY

Dorothy Hoffman

Michelle Weyler, Patricia Demars Russell, Seth West, Feenke & Maltsa

A BILL FOR AN ACT ENTITLED: "AN ACT INCLUDING FERTILIZER HAULERS AMONG THOSE ELIGIBLE TO PAY GROSS VEHICLE WEIGHT FEES OF 55 PERCENT OF SCHEDULES; AMENDING SECTION 61-10-205, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

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

Section 1. Section 61-10-205, MCA, is amended to read:

"61-10-205. Special fees -- haulers of ready-mix concrete -- haulers of fertilizer. There shall be paid and collected annually a fee equal to 55% of the fees provided in Schedule I and Schedule II, as provided in 61-10-201 and 61-10-202, on:

(1) concrete mixer trucks, concrete mixer trailers, and concrete mixer semitrailers used exclusively for hauling ready-mix or ready-to-pour concrete and truck tractors used exclusively in hauling concrete mixer semitrailers; and

(2) fertilizer tender trucks and tender trailers and fertilizer spreader trucks and spreader trailers used exclusively to transport or to apply fertilizer to agricultural fields and plots. The applicant for a special fee under this subsection shall show, when the fee is paid as provided in 61-10-222, a valid fertilizer dealer license

issued by the department of agriculture as provided in 80-10-202."

NEW SECTION. Section 2. Extension of authority. Any existing authority of the department of highways to make rules on the subject of the provisions of this act is extended to the provisions of this act.

NEW SECTION. Section 3. Effective date. This act is effective January 1, 1988.

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DEMARS, RUSSELL, JENKINS, SCHYE, TVEIT, KOEHNKE, DONALDSON

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and concrete mixer semitrailers used exclusively for hauling
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exclusively in hauling concrete mixer semitrailers; and

(2) ~~fertilizer-tender-trucks-and-tender-trailers--and~~
fertilizer spreader trucks and spreader trailers used
exclusively to transport or to apply fertilizer to
agricultural fields and plots. The applicant for a special
fee under this subsection shall show, when the fee is paid

as provided in 61-10-222, a valid fertilizer dealer license
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