

HOUSE BILL 6

Introduced by Pavlovich

12/27	Fiscal Note Requested
1/02	Introduced
1/02	Referred to Fish & Game
1/05	Hearing
1/09	Fiscal Note Received
1/09	Fiscal Note Printed
2/14	Tabled in Committee

HOUSE BILL NO. 6

INTRODUCED BY PAVLOVICH

A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE A TEMPORARY MOTORBOAT PERMIT FOR A MOTORBOAT OPERATED WITHIN A COUNTY IF THE MOTORBOAT IS FROM A STATE REQUIRING A SIMILAR TEMPORARY PERMIT; AND AMENDING SECTIONS 7-16-2121 AND 23-2-511, MCA."

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

Section 1. Section 7-16-2121, MCA, is amended to read:

"7-16-2121. Temporary permit for operation of out-of-state motorboat -- violation -- penalty -- disposition of proceeds. (1) A temporary permit may-be is required ~~by-a-county~~ for the operation of a motorboat on waters within the a county if the motorboat is from a state that requires a similar temporary permit for operation in that state of a motorboat licensed in Montana. The permit may be purchased from the county for a fee of \$10. When properly affixed to the motorboat, such permit authorizes the operation of the motorboat for a period of 30 days within the county. The county shall provide reasonable notice of the permit requirement and shall make the permits available to the public.

(2) The temporary permit must be issued in the form of a decal that must denote the time during which it is valid.

The decal must be conspicuously displayed on the motorboat during all times of operation.

(3) A person who operates a motorboat in violation of 23-2-511(1)(c) or this section is guilty of a misdemeanor and shall be fined no more than \$50.

(4) All proceeds received by the county from payment of the permit fee must be used in enforcing compliance with the temporary permit and developing and maintaining public boating access and facilities."

Section 2. Section 23-2-511, MCA, is amended to read:

"23-2-511. Operation of unnumbered motorboats prohibited -- display of decals. (1) Every motorboat on the waters of this state, propelled by a motor or an engine of any description, must be properly numbered and display valid license decals. No person may operate or give permission for the operation of any motorboat on such waters unless the motorboat is numbered and displays valid license decals in accordance with this part, with applicable federal law, or with a federally approved numbering system of another state and unless:

(a) the certificate of number assigned to the motorboat is in full force and effect;

(b) the identifying number set forth in the certificate of number and the valid license decals are displayed on such motorboat; and



1 (c) a temporary permit has been obtained from the
2 county in which the boat is being operated if ~~that--county~~
3 ~~requires--a-temporary-permit-for-out-of-state-motorboats~~ the
4 motorboat is from a state that requires a similar temporary
5 permit, as provided in 7-16-2121.

6 (2) Upon transfer of ownership of a motorboat from a
7 registered boat dealer or manufacturer, the transferred
8 motorboat may be operated on the waters of this state for 20
9 consecutive calendar days immediately following the transfer
10 of ownership without displaying the numbers and license
11 decal required by subsection (1) provided that when the
12 motorboat is operated during those 20 consecutive calendar
13 days, a bill of sale or other evidence of transfer reciting
14 the date of the transfer of ownership is retained in the
15 motorboat and is exhibited to a warden or other officer upon
16 request."

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB 006, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act to require a temporary motorboat permit for a motorboat operated within a county if the motorboat is from a state requiring a similar temporary permit.

ASSUMPTIONS:

1. Current law revenues assume 38,000 boats would be certified and pay \$2.00 certification fee. (RMV)
2. Approximately 280 boats in FY 90 and 200 boats in FY 91 would pay the proposed \$10.00 temporary permit. (FWP)
3. The decrease in boats from FY90 to FY91 results in a loss of fishing license revenue in FY91. (FWP)
4. Each boat contains 2.5 fishermen. (FWP)
5. The average nonresident fisherman spends \$20 for fishing licenses in Montana each season. (FWP)

FISCAL IMPACT:Revenue Impact:

	FY90			FY91		
	Current Law	Proposed Law	Difference	Current Law	Proposed Law	Difference
Motorboat fees	\$ 76,000	\$ 78,800	\$2,800	\$ 76,000	\$ 78,000	\$ 2,000
Fishing Licenses	1,991,000	1,991,000	0	1,991,000	1,987,000	(4,000)
Net Impact	\$2,067,000	\$2,069,800	\$2,800	\$2,067,000	\$2,065,000	\$(2,000)

Fund Information:

Earmarked						
Special Revenue	\$1,991,000	\$1,991,000	0	\$1,991,000	\$1,987,000	\$ (4,000)
(Fishing Licenses)						
Other						
(County	\$ 76,000	\$ 78,800	\$ 2,800	\$ 76,000	\$ 78,000	\$ 2,000
Compliance +						
Maintenance)						

Ray Shackelford

RAY SHACKLEFORD, BUDGET DIRECTOR
Office of Budget and Program Planning

1/7/89
DATE

Robert J. Pavlovich

ROBERT J. PAVLOVICH, PRIMARY SPONSOR

1/09/89
DATE

Fiscal Note for HB006, as introduced

HB 6

EFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:

There will be an increase in county revenue collection of \$2,800 in FY 90 and \$2,000 in FY 91 under this proposal. This money is earmarked for boating access and facility maintenance and for compliance.

TECHNICAL NOTE:

Recreational motor boat users from other states would have to buy permits for each Montana county on whose waters They operate their boats. In some cases, waters on which they operate are located in more than one county.