

HOUSE BILL NO. 366
INTRODUCED BY STANG

IN THE HOUSE

JANUARY 23, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.
JANUARY 24, 1989	FIRST READING.
FEBRUARY 1, 1989	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
FEBRUARY 2, 1989	PRINTING REPORT.
FEBRUARY 3, 1989	SECOND READING, DO PASS.
FEBRUARY 4, 1989	ENGROSSING REPORT.
FEBRUARY 6, 1989	THIRD READING, PASSED. AYES, 97; NOES, 0.
	TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 7, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.
	FIRST READING.
MARCH 8, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 9, 1989	SECOND READING, CONCURRED IN.
MARCH 11, 1989	THIRD READING, CONCURRED IN. AYES, 43; NOES, 1.
	RETURNED TO HOUSE.

IN THE HOUSE

MARCH 11, 1989

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *House* BILL NO. 366
 2 INTRODUCED BY *Aling*
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT 5
 5 PERCENT OF THE FEES COLLECTED BY A COUNTY TREASURER FOR
 6 DRIVER'S LICENSES, DUPLICATE DRIVER'S LICENSES, AND
 7 COMMERCIAL VEHICLE OPERATOR'S ENDORSEMENTS ARE TO BE
 8 DEPOSITED IN THE COUNTY GENERAL FUND; AMENDING SECTION
 9 61-5-121, MCA; AND PROVIDING AN EFFECTIVE DATE."

10
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 **Section 1.** Section 61-5-121, MCA, is amended to read:

13 **"61-5-121. Disposition of fees.** (1) The disposition of
 14 the fees from driver's licenses provided for in
 15 61-5-111(7)(a), motorcycle endorsements provided for in
 16 61-5-111(7)(b), commercial vehicle operator's endorsements
 17 provided for in 61-5-111(7)(c), and duplicate driver's
 18 licenses provided for in 61-5-114 is as follows:

19 (a) The amount of 33 1/3% of each driver's license fee
 20 and of each duplicate driver's license fee must be deposited
 21 into the Montana highway patrolmen's retirement pension
 22 trust fund.

23 (b) (i) If the fees are collected by a county
 24 treasurer or other agent of the department, the amount of
 25 3-1/3% 5% of each driver's license fee and of each duplicate

1 driver's license fee must be deposited into the county
 2 general fund.

3 (ii) If the fees are collected by the department, the
 4 amount provided for in subsection (1)(b)(i) must be
 5 deposited into the state special revenue fund for use by the
 6 department to defray the costs of issuing licenses or
 7 duplicate licenses.

8 (c) (i) If the fee is collected by a county treasurer
 9 or other agent of the department, the amount of 5% of each
 10 motorcycle endorsement must be deposited into the county
 11 general fund.

12 (ii) If the fee is collected by the department, the
 13 amount provided for in subsection (1)(c)(i) must be
 14 deposited into the state special revenue fund for use by the
 15 department to defray the costs of issuing motorcycle
 16 endorsements.

17 (d) The amount of 23 1/3% of each driver's license fee
 18 and of each duplicate driver's license fee and the amount of
 19 35% of each motorcycle endorsement fee must be deposited
 20 into the state traffic education account.

21 (e) The amount of ~~40%~~ 38 1/3% of each driver's license
 22 fee and of each duplicate driver's license fee and the
 23 amount of 60% of each motorcycle endorsement fee must be
 24 deposited into the state general fund.

25 (f) ~~The-entire~~ If the fee is collected by the county

1 treasurer or other agent of the department, the amount of 5%
 2 of each commercial vehicle operator's endorsement fee must
 3 be deposited into the county general fund, otherwise all of
 4 the fee must be deposited in the motor vehicle recording
 5 account established in 61-3-108.

6 (2) (a) If fees from driver's licenses, commercial
 7 vehicle operator's endorsements, motorcycle endorsements,
 8 and duplicate driver's licenses are collected by a county
 9 treasurer or other agent of the department, he shall deposit
 10 the amounts provided for in subsections (1)(b)(i) and
 11 (1)(c)(i) into the county general fund. He shall then remit
 12 to the state treasurer all remaining fees, together with a
 13 statement indicating what portion of each fee is to be
 14 deposited into the Montana highway patrolmen's retirement
 15 pension trust fund, the state traffic education account, and
 16 the state general fund. The state treasurer, upon receipt of
 17 the fees and statement, shall deposit the fees as provided
 18 in subsections (1)(a), (1)(d), (1)(e), and (1)(f).

19 (b) If fees from driver's licenses, commercial vehicle
 20 operator's endorsements, motorcycle endorsements, and
 21 duplicate driver's licenses are collected by the department,
 22 it shall remit all fees to the state treasurer, together
 23 with a statement indicating what portion of each fee is to
 24 be deposited into the Montana highway patrolmen's retirement
 25 pension trust fund, the state special revenue fund, the

1 state traffic education account, and the state general fund.
 2 The state treasurer, upon receipt of the fees and statement,
 3 shall deposit the fees as provided in subsections (1)(a),
 4 (1)(b)(ii), (1)(c)(ii), (1)(d), (1)(e), and (1)(f)."

5 NEW SECTION. Section 2. Extension of authority. Any
 6 existing authority to make rules on the subject of the
 7 provisions of [this act] is extended to the provisions of
 8 [this act].

9 NEW SECTION. Section 3. Effective date. [This act] is
 10 effective July 1, 1989.

-End-

APPROVED BY COMM.
ON LOCAL GOVERNMENT

Hansen BILL NO: 366

INTRODUCED BY *Hansen*

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT 5 PERCENT OF THE FEES COLLECTED BY A COUNTY TREASURER FOR DRIVER'S LICENSES, DUPLICATE DRIVER'S LICENSES, AND COMMERCIAL VEHICLE OPERATOR'S ENDORSEMENTS ARE TO BE DEPOSITED IN THE COUNTY GENERAL FUND; AMENDING SECTION 61-5-121, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 61-5-121, MCA, is amended to read:

"61-5-121. **Disposition of fees.** (1) The disposition of the fees from driver's licenses provided for in 61-5-111(7)(a), motorcycle endorsements provided for in 61-5-111(7)(b), commercial vehicle operator's endorsements provided for in 61-5-111(7)(c), and duplicate driver's licenses provided for in 61-5-114 is as follows:

(a) The amount of 33 1/3% of each driver's license fee and of each duplicate driver's license fee must be deposited into the Montana highway patrolmen's retirement pension trust fund.

(b) (i) If the fees are collected by a county treasurer or other agent of the department, the amount of 3-1/3% 5% of each driver's license fee and of each duplicate

driver's license fee must be deposited into the county general fund.

(ii) If the fees are collected by the department, the amount provided for in subsection (1)(b)(i) must be deposited into the state special revenue fund for use by the department to defray the costs of issuing licenses or duplicate licenses.

(c) (i) If the fee is collected by a county treasurer or other agent of the department, the amount of 5% of each motorcycle endorsement must be deposited into the county general fund.

(ii) If the fee is collected by the department, the amount provided for in subsection (1)(c)(i) must be deposited into the state special revenue fund for use by the department to defray the costs of issuing motorcycle endorsements.

(d) The amount of 23 1/3% of each driver's license fee and of each duplicate driver's license fee and the amount of 35% of each motorcycle endorsement fee must be deposited into the state traffic education account.

(e) The amount of ~~40%~~ 38 1/3% of each driver's license fee and of each duplicate driver's license fee and the amount of 60% of each motorcycle endorsement fee must be deposited into the state general fund.

(f) ~~The entire~~ If the fee is collected by the county

1 treasurer or other agent of the department, the amount of 5%
 2 of each commercial vehicle operator's endorsement fee must
 3 be deposited into the county general fund, otherwise all of
 4 the fee must be deposited in the motor vehicle recording
 5 account established in 61-3-108.

6 (2) (a) If fees from driver's licenses, commercial
 7 vehicle operator's endorsements, motorcycle endorsements,
 8 and duplicate driver's licenses are collected by a county
 9 treasurer or other agent of the department, he shall deposit
 10 the amounts provided for in subsections (1)(b)(i) and
 11 (1)(c)(i) into the county general fund. He shall then remit
 12 to the state treasurer all remaining fees, together with a
 13 statement indicating what portion of each fee is to be
 14 deposited into the Montana highway patrolmen's retirement
 15 pension trust fund, the state traffic education account, and
 16 the state general fund. The state treasurer, upon receipt of
 17 the fees and statement, shall deposit the fees as provided
 18 in subsections (1)(a), (1)(d), (1)(e), and (1)(f).

19 (b) If fees from driver's licenses, commercial vehicle
 20 operator's endorsements, motorcycle endorsements, and
 21 duplicate driver's licenses are collected by the department,
 22 it shall remit all fees to the state treasurer, together
 23 with a statement indicating what portion of each fee is to
 24 be deposited into the Montana highway patrolmen's retirement
 25 pension trust fund, the state special revenue fund, the

1 state traffic education account, and the state general fund.
 2 The state treasurer, upon receipt of the fees and statement,
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1 driver's license fee must be deposited into the county
2 general fund.

3 (ii) If the fees are collected by the department, the
4 amount provided for in subsection (1)(b)(i) must be
5 deposited into the state special revenue fund for use by the
6 department to defray the costs of issuing licenses or
7 duplicate licenses.

8 (c) (i) If the fee is collected by a county treasurer
9 or other agent of the department, the amount of 5% of each
10 motorcycle endorsement must be deposited into the county
11 general fund.

12 (ii) If the fee is collected by the department, the
13 amount provided for in subsection (1)(c)(i) must be
14 deposited into the state special revenue fund for use by the
15 department to defray the costs of issuing motorcycle
16 endorsements.

17 (d) The amount of 23 1/3% of each driver's license fee
18 and of each duplicate driver's license fee and the amount of
19 35% of each motorcycle endorsement fee must be deposited
20 into the state traffic education account.

21 (e) The amount of ~~40%~~ 38 1/3% of each driver's license
22 fee and of each duplicate driver's license fee and the
23 amount of 60% of each motorcycle endorsement fee must be
24 deposited into the state general fund.

25 (f) ~~The entire~~ If the fee is collected by the county

1 treasurer or other agent of the department, the amount of 5%
 2 of each commercial vehicle operator's endorsement fee must
 3 be deposited into the county general fund, otherwise all of
 4 the fee must be deposited in the motor vehicle recording
 5 account established in 61-3-108.

6 (2) (a) If fees from driver's licenses, commercial
 7 vehicle operator's endorsements, motorcycle endorsements,
 8 and duplicate driver's licenses are collected by a county
 9 treasurer or other agent of the department, he shall deposit
 10 the amounts provided for in subsections (1)(b)(i) and
 11 (1)(c)(i) into the county general fund. He shall then remit
 12 to the state treasurer all remaining fees, together with a
 13 statement indicating what portion of each fee is to be
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 15 pension trust fund, the state traffic education account, and
 16 the state general fund. The state treasurer, upon receipt of
 17 the fees and statement, shall deposit the fees as provided
 18 in subsections (1)(a), (1)(d), (1)(e), and (1)(f).

19 (b) If fees from driver's licenses, commercial vehicle
 20 operator's endorsements, motorcycle endorsements, and
 21 duplicate driver's licenses are collected by the department,
 22 it shall remit all fees to the state treasurer, together
 23 with a statement indicating what portion of each fee is to
 24 be deposited into the Montana highway patrolmen's retirement
 25 pension trust fund, the state special revenue fund, the

1 state traffic education account, and the state general fund.
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(b) (i) If the fees are collected by a county treasurer or other agent of the department, the amount of 3-1/3% 5% of each driver's license fee and of each duplicate

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(ii) If the fees are collected by the department, the amount provided for in subsection (1)(b)(i) must be deposited into the state special revenue fund for use by the department to defray the costs of issuing licenses or duplicate licenses.

(c) (i) If the fee is collected by a county treasurer or other agent of the department, the amount of 5% of each motorcycle endorsement must be deposited into the county general fund.

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 7 vehicle operator's endorsements, motorcycle endorsements,
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 15 pension trust fund, the state traffic education account, and
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 20 operator's endorsements, motorcycle endorsements, and
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