#### HOUSE BILL NO. 6

# INTRODUCED BY PETERSON BY REQUEST OF THE HIGHWAY TRAFFIC SAFETY DIVISION AND THE OFFICE OF BUDGET AND PROGRAM PLANNING

IN THE HOUSE NOVEMBER 29, 1993 INTRODUCED AND REFERRED TO COMMITTEE ON APPROPRIATIONS. FIRST READING. COMMITTEE RECOMMEND BILL DECEMBER 1, 1993 DO PASS. REPORT ADOPTED. PRINTING REPORT. DECEMBER 3, 1993 SECOND READING, DO PASS. ENGROSSING REPORT. THIRD READING, PASSED. AYES, 63; NOES, 35. TRANSMITTED TO SENATE. IN THE SENATE INTRODUCED AND REFERRED TO COMMITTEE DECEMBER 4, 1993 ON FINANCE & CLAIMS.

FIRST READING.

DECEMBER 9, 1993 COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.

DECEMBER 10, 1993 SECOND READING, CONCURRED IN.

THIRD READING, CONCURRED IN.

AYES, 46; NOES, 1.

RETURNED TO HOUSE.

IN THE HOUSE

DECEMBER 11, 1993 RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1	HOUSE BILL NO. 6
2	INTRODUCED BY PETERSON
3	BY REQUEST OF THE HIGHWAY TRAFFIC SAFETY DIVISION
4	AND THE OFFICE OF BUDGET AND PROGRAM PLANNING
5	
6	A BILL FOR AN ACT ENTITLED: "AN ACT DEPOSITING TO THE
7	GENERAL FUND CERTAIN FEES ADMINISTERED BY THE HIGHWAY
8	TRAFFIC SAFETY DIVISION OF THE DEPARTMENT OF JUSTICE;
9	AMENDING SECTION 61-2-107, MCA; AND PROVIDING AN IMMEDIATE
10	EFFECTIVE DATE."
11	
12	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
13	Section 1. Section 61-2-107, MCA, is amended to read:
14	"61-2-107. License reinstatement fee to fund county
14 15	*61-2-107. License reinstatement fee to fund county drinking and driving prevention programs. (1)
15	drinking and driving prevention programs. (1)
15 16	drinking and driving prevention programs. (1)  Notwithstanding the provisions of any other law of the
15 16 17	drinking and driving prevention programs. (1)  Notwithstanding the provisions of any other law of the state, a driver's license that has been suspended or revoked
15 16 17 18	drinking and driving prevention programs. (1)  Notwithstanding the provisions of any other law of the state, a driver's license that has been suspended or revoked under 61-5-205 or 61-8-402 must remain suspended or revoked
15 16 17 18	drinking and driving prevention programs. (1)  Notwithstanding the provisions of any other law of the state, a driver's license that has been suspended or revoked under 61-5-205 or 61-8-402 must remain suspended or revoked until the driver has paid to the department a fee of \$100 in
15 16 17 18 19	drinking and driving prevention programs. (1)  Notwithstanding the provisions of any other law of the state, a driver's license that has been suspended or revoked under 61-5-205 or 61-8-402 must remain suspended or revoked until the driver has paid to the department a fee of \$100 in addition to any other fines, forfeitures, and penalties
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One-half of the fees must be appropriated and used for

1 funding county drinking and driving prevention programs as provided in 61-2-108. For each fiscal year, an amount up to 3 \$50,000 of the money from the fees remaining in the general fund after appropriation for those programs is statutorily appropriated, as provided in 17-7-502, to the department to purchase and maintain equipment used to analyze breath for 7 the presence of alcohol. 8 (b) The-remaining-fees-collected-under--subsection--+1) 9 that--are--not--allocated--under--subsection--{2}fa}-must-be 10 deposited-in-an-account-in-the-state-special-revenue-fund-to 11 be-distributed-to-county-treasurers---The--department--shall 12 distribute--to--each--county--treasurer-money-in-the-account 13 collected-as-license-reinstatement-fees-in-that-county,---The 14 county---treasurer---shall--distribute--the--money--to--each 15 incorporated-city-or-town-in-the-county-in--the--ratio--that 16 the-population-of-the-incorporated-city-or-town-bears-to-the

and-private-entities-working-with-state-and-local-government entities\_-that--operate--programs--within--the--county-that

total--population--of--incorporated--cities--or-towns-in-the county;--based--on--figures--provided--by--the--most--recent

official--census---An--incorporated--city--or---town---shall

distribute-the-money-to-state-and-local-government-entities;

address-the-problems-and-concerns-of-minors;--including--but

24 not---limited---to---substance--abuse--and--delinquency--and

chemical-free-youth-facilities-and-programs:-Up-to--one-half



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#### HB 0006/01

of--the--money--distributed-under-this-subsection-(b)-may-be 2 used--for--adult--chemical--dependency--programs---and---law 3 enforcement--training--programs--and-for-equipment-for-local 4 government-law-enforcement-agencies--within--the--respective 5 jurisdiction On or before June 30, 1994, the department 6 shall transfer to the general fund the balance of the 7 driver's license reinstatement fee state special revenue 8 account." NEW SECTION. Section 2. Effective date. [This act] is 9 10 effective on passage and approval.

-End-

#### STATE OF MONTANA - FISCAL NOTE Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0006, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION: An act depositing in the general fund certain fees received from the reinstatement of driver licenses administered by the Highway Traffic Safety Division of the Department of Justice.

ASSUMPTIONS:

- 1. Fees attributable to the second half of the \$100 driver license reinstatement fee that were collected during the first quarter of FY94 and deposited in a state special revenue account have not been distributed. Under this bill, these fees will be deposited in the general fund on or before June 30, 1994.
- 2. Fees received from the second half of the \$100 driver license reinstatement fee for the second quarter of FY94 and thereafter will be deposited in the general fund.

### FISCAL IMPACT:

Highway Traffic Safety Division:

		FY '94			FY '95	
Expenditures:	Current Law	Proposed Law	<u>Difference</u>	Current Law	Proposed Law	<u>Difference</u>
FTE	8.50	8.50	0.00	8.50	8.50	0.00
Personal Services	300,624	300,624	0	304,422	304,422	0
Operating Expenses	181,746	181,746	0	182,600	182,600	0
Equipment	10,166	10,166	0	7,730	7,730	0
Local Assistance	480,701	180,701	(300,000)	482,172	182,172	(300,000)
Grants	900,000	900,000	0_	900,000	900,000	0
Total	1,873,237	1,573,237	(300,000)	1,876,924	1,576,924	(300,000)
<u>Funding:</u>						
General Fund (01)	180,701	180,701	0	180,696	180,696	0
State Special (02)	382,546	82,546	(300,000)	384,760	84,760	(300,000)
Federal Special (03)	1,309,990	1,309,990	0	1,311,468	1,311,468	0
Total	1,873,237	1,573,237	(300,000)	1,876,924	1,576,924	(300,000)
Revenue:						
General Fund from second half						
\$100 reinstatement fee (01)	0	300,000	300,000	0	300,000	300,000
State Special (02)	300,000	0	(300,000)	300,000	0	(300,000)
Net Impact on Fund Balance:						
General Fund (01)			300,000			300,000

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES: Cities and towns statewide have not and will not receive approximately \$300,000 in annual pass-through distributions.

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION: The general fund will receive approximately \$300,000 revenue each year.

DAVID LEWIS, BUDGET DIRECTOR

Office of Budget and Program Planning

MARY LOU PETERSON, PRIMARY SPONSOR Fiscal Note for HB0006, as introduced

introduced

DATE

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# APPROVED BY COMMITTEE ON APPROPRIATIONS

1	HOUSE BILL NO. 6
2	INTRODUCED BY PETERSON
3	BY REQUEST OF THE HIGHWAY TRAFFIC SAFETY DIVISION
4	AND THE OFFICE OF BUDGET AND PROGRAM PLANNING
5	
6	A BILL FOR AN ACT ENTITLED: "AN ACT DEPOSITING TO THE
7	GENERAL FUND CERTAIN FEES ADMINISTERED BY THE HIGHWAY
8	TRAFFIC SAFETY DIVISION OF THE DEPARTMENT OF JUSTICE;
9	AMENDING SECTION 61-2-107, MCA; AND PROVIDING AN IMMEDIATE
10	EFFECTIVE DATE."
11	
1 2	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
13	Section 1. Section 61-2-107, MCA, is amended to read:
14	"61-2-107. License reinstatement fee to fund county
15	drinking and driving prevention programs. (1)
16	Notwithstanding the provisions of any other law of the
17	state, a driver's license that has been suspended or revoked
18	under 61-5-205 or 61-8-402 must remain suspended or revoked
19	until the driver has paid to the department a fee of \$100 in
20	addition to any other fines, forfeitures, and penalties
21	assessed as a result of conviction for a violation of the
22	traffic laws of the state.
23	(2) (a) The department shall deposit one-half-of the
24	fees collected under subsection (1) in the general fund. te

One-half of the fees must be appropriated and used for

funding county drinking and driving prevention prog	rams	as
provided in 61-2-108. For each fiscal year, an amou	nt up	to
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(b) The-remaining-fees-collected-under--subsection---(1) that--are--not--allocated--under--subsection--+21fal-must-be deposited-in-an-account-in-the-state-special-revenue-fund-to be-distributed-to-county-treasurers---The---department--shall distribute -- to -- each -- county -- treasurer - money - in - the -account collected-as-license-reinstatement-fees-in-that-county:--The county---treasurer---shall--distribute--the--money--to--each incorporated-city-or-town-in-the-county-in--the--ratio--that the-population-of-the-incorporated-city-or-town-bears-to-the total--population--of--incorporated--cities--or-towns-in-the county;--based--on--figures--provided--by--the--most--recent official--census---An--incorporated--city--or---town---shall distribute-the-money-to-state-and-local-government-entities; and-private-entities-working-with-state-and-local-government entities; -- that -- operate -- programs -- within -- the -- county - that address-the-problems-and-concerns-of-minors;--including--but not---limited---to---substance--abuse--and--delinquency--and chemical-free-youth-facilities-and-programs;-Up-to--one-half

1 of--the--money--distributed-under-this-subsection-(b)-may-be used--for--adult--chemical--dependency--programs---and---law 2 enforcement--training--programs--and-for-equipment-for-local 3 government-law-enforcement-agencies--within--the--respective jurisdiction On or before June 30, 1994, the department .5 shall transfer to the general fund the balance of the 7 driver's license reinstatement fee state special revenue account." NEW SECTION. Section 2. Effective date. [This act] is 9 10 effective on passage and approval.

-End-

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1 <b>7</b>	state, a driver's license that has been suspended or revoked
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20	addition to any other fines, forfeitures, and penalties
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22	traffic laws of the state.
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HOUSE BILL NO. 6

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provided in 61-2-108. For each fiscal year, an amount up to
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#### HB 0006/01

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## HB 0006/02

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2	usedforadultchemicaldependencyprogramsandlaw
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4	government-law-enforcement-agencieswithintherespective
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