

HOUSE BILL 89

Introduced by Kasten

12/11 Introduced
12/11 Referred to Appropriations
12/11 First Reading
12/11 Fiscal Note Requested
12/13 Hearing
12/13 Committee Report--Bill Passed
12/14 Fiscal Note Received
12/14 Fiscal Note Printed
12/14 2nd Reading Passed as Amended
12/14 3rd Reading Passed

Transmitted to Senate
12/15 First Reading
12/15 Referred to Finance & Claims
12/16 Hearing
12/17 Committee Report-Bill Concurred as Amended
12/17 2nd Reading Concurred
12/17 3rd Reading Concurred

Returned to House with Amendments
12/18 Motion Failed to Not Concur in Senate
Amendments on 2nd Reading
12/18 2nd Reading Amendments Concurred
12/18 3rd Reading Amendments Concurred
12/18 Signed by Speaker
12/27 Signed by President
12/17 Transmitted to Governor
1/04 Signed by Governor
Chapter Number 39
Effective Date: 07/01/94

1 House BILL NO. 89
2 INTRODUCED BY Koster
3 BY REQUEST OF THE HOUSE APPROPRIATIONS COMMITTEE
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOCATING TO THE STATE
6 GENERAL FUND CERTAIN REVENUE PREVIOUSLY DEPOSITED IN THE
7 TRAFFIC EDUCATION ACCOUNT; ELIMINATING STATE TRAFFIC
8 EDUCATION REIMBURSEMENTS TO SCHOOL DISTRICTS; REVISING
9 DUTIES OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION RELATING
10 TO TRAFFIC EDUCATION; AMENDING SECTIONS 3-10-601, 20-7-502,
11 20-7-504, 20-7-507, AND 61-5-121, MCA; REPEALING SECTIONS
12 20-7-505, 20-7-506, AND 20-9-510, MCA; AND PROVIDING AN
13 EFFECTIVE DATE."

14
15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

16 **Section 1.** Section 3-10-601, MCA, is amended to read:

17 "3-10-601. Collection and disposition of fines,
18 penalties, forfeitures, and fees. (1) Each justice of the
19 peace shall collect the fees prescribed by law for justices'
20 courts and shall pay them into the county treasury of the
21 county ~~wherein--he~~ in which the justice of the peace holds
22 office, on or before the 10th day of each month, to be
23 credited to the general fund of the county.

24 (2) All fines, penalties, and forfeitures that this
25 code requires to be imposed, collected, or paid in a

1 justice's court must, for each calendar month, be paid by
2 the justice's court on or before the 5th day of the
3 following month to the treasurer of the county in which the
4 justice's court is situated, except that they may be
5 distributed as provided in 44-12-206 if imposed, collected,
6 or paid for a violation of Title 45, chapter 9 or 10.

7 (3) The county treasurer shall, in the manner provided
8 in 15-1-504, distribute money received under subsection (2)
9 as follows:

10 (a) 50% to the state treasurer; and

11 (b) 50% to the county general fund.

12 (4) The state treasurer shall distribute money received
13 under subsection (3) as follows:

14 (a) ~~27.88%~~ 61.74% to the state general fund;

15 (b) 9.09% to the fish and game account in the state
16 special revenue fund;

17 (c) 11.76% to the state highway account in the state
18 special revenue fund;

19 (d) ~~33.86%--to--the--traffic--education--account--in--the~~
20 ~~state--special--revenue--fund;~~

21 ~~(e)~~ 0.57% to the department of livestock account in the
22 state special revenue fund;

23 ~~(f)~~ (e) 15.9% to the crime victims compensation account
24 in the state special revenue fund; and

25 ~~(g)~~ (f) 0.94% to the department of family services

special revenue account for the battered spouses and domestic violence grant program."

Section 2. 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 driver's licenses 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 25% of each driver's license fee and of each duplicate driver's license fee must be deposited into an account in the state special revenue fund. The department shall transfer the funds from this account to the Montana highway patrol officers' retirement pension trust fund as provided in 19-6-404.

(b) (i) If the fees are collected by a county treasurer or other agent of the department, the amount of 3.75% 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 general fund.

(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 general fund.

~~(d) The amount of 17.5% of each driver's license fee and of each duplicate driver's license fee must be deposited into the state traffic education account.~~

~~(e)~~ In addition to the amounts deposited pursuant to subsections (1)(b)(ii) and (1)(c)(ii), the amount of 53.75% 71.25% of each driver's license fee and of each duplicate driver's license fee must be deposited into the state general fund.

~~(f)~~(e) If the fee is collected by the county treasurer or other agent of the department, the amount of 3.75% of each commercial driver's license fee must be deposited into the county general fund, otherwise all of the fee must be deposited in the state general fund.

~~(g)~~(f) The amount of 95% of each motorcycle endorsement fee must be deposited into ~~the state traffic education account~~ in the state ~~special revenue~~ general fund.

(2) (a) If fees from driver's licenses, commercial driver's licenses, motorcycle endorsements, and duplicate driver's licenses are collected by a county treasurer or other agent of the department, the county treasurer or agent shall deposit the amounts provided for in subsections

(1)(b)(i) and (1)(c)(i) into the county general fund. The county treasurer or agent shall then remit to the state treasurer all remaining fees, together with a statement indicating what portion of each fee is to be deposited into the account in the state special revenue fund as provided in subsection (1)(a), ~~the state traffic education account~~, and the state general fund. The state treasurer, upon receipt of the fees and statement, shall deposit the fees as provided in subsections (1)(a) and (1)(d) through ~~†††††~~(1)(f).

(b) If fees from driver's licenses, commercial driver's licenses, motorcycle endorsements, and duplicate driver's licenses are collected by the department, it shall remit all fees to the state treasurer, together with a statement indicating what portion of each fee is to be deposited into the account in the state special revenue fund as provided in subsection (1)(a), the state special revenue fund, ~~the state traffic education account~~, and the state general fund. The state treasurer, upon receipt of the fees and statement, shall deposit the fees as provided in subsections (1)(a), (1)(b)(ii), (1)(c)(ii), and (1)(d) through ~~†††††~~(1)(f)."

Section 3. Section 20-7-502, MCA, is amended to read:

"20-7-502. Duties of superintendent of public instruction. The superintendent of public instruction shall:

(1) develop, administer, and supervise a program of instruction in traffic education;

(2) establish basic course requirements in instruction for traffic education;

(3) establish the qualifications for a teacher of traffic education and an instructor of motorcycle safety training. Qualifications for an instructor of motorcycle safety training must be based upon national standards promulgated by the motorcycle safety foundation or a similar organization recognized by the superintendent.

(4) approve teachers of traffic education and instructors of motorcycle safety training when the teachers or instructors are qualified;

(5) establish criteria for traffic education and motorcycle safety training course approval based on the basic course requirements, teacher of traffic education qualifications, and the requirements of law;

(6) approve traffic education courses when the courses meet the criteria for approval;

(7) ~~promulgate a policy for the distribution of the traffic education money to approved traffic education courses and annually order the distribution of the proceeds of the traffic education account in the manner required by law;~~

~~††~~ assist districts with the conduct of traffic education; and

~~††~~(8) periodically conduct onsite driver education

1 program reviews and motorcycle safety training course
2 monitoring."

3 **Section 4.** Section 20-7-504, MCA, is amended to read:

4 "20-7-504. State traffic education account -- proceeds
5 earmarked for the account. {1} There is a traffic education
6 account in the treasury of the state of Montana. There must
7 be paid into this account a portion of the fines and
8 forfeitures collected in any court except a justice's court
9 from persons apprehended or arrested by highway patrol
10 officers or department of transportation peace officers for
11 any violation of chapter 37, part 1 of chapter 4, or chapters
12 5 through 10 of Title 61 relating to the operation or use of
13 motor vehicles in the following amounts:

14 {a}--if a fine is imposed, 25% of the fine imposed;

15 {b}--if multiple offenses are involved, 25% of the total
16 sum of all fines imposed;

17 {c}--if a fine is suspended, in whole or in part, 25% of
18 the fine actually paid; and

19 {d}--if any deposit of bail is made for an offense to
20 which this section applies and the bail is forfeited, 25% of
21 the forfeited bail.

22 {2}--A portion of all money from the collection of fees
23 from driver's licenses, motorcycle endorsements, and
24 duplicate driver's licenses must be contributed to the
25 traffic education account as provided in 61-5-121.

1 {3} Money collected and accrued from motorcycle safety
2 training courses, designated grants, and motorcycle
3 registration fees or an amount equal to that amount must be
4 deposited in the state traffic education account as provided
5 in 20-7-513 and 20-7-514 and must be available to support
6 only approved motorcycle safety training courses,
7 appropriate motorcycle safety instructor training, and other
8 related motorcycle safety training activities."

9 **Section 5.** Section 20-7-507, MCA, is amended to read:

10 "20-7-507. District traffic education fund. The
11 trustees of any district maintaining a traffic education
12 course shall establish a special nonbudgeted fund with the
13 county treasurer for traffic education. ~~The state traffic~~
14 ~~education reimbursement and all~~ All nontax receipts for
15 traffic education shall must be deposited in the district's
16 traffic education fund. The expenditure of the moneys money
17 deposited in the district's traffic education fund shall is
18 not be subject to the budgeting provisions of this title,
19 and the moneys money may be expended for traffic education."

20 NEW SECTION. **Section 6.** Repealer. Sections 20-7-505,
21 20-7-506, and 20-9-510, MCA, are repealed.

22 NEW SECTION. **Section 7.** Effective date. [This act] is
23 effective July 1, 1994.

-End-

STATE OF MONTANA - FISCAL NOTE
Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0089, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION: An act allocating to the state general fund certain revenue previously deposited in the traffic education account; eliminating state traffic education reimbursements to school districts; revising duties of the superintendent of public instruction relating to traffic education.

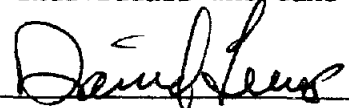
ASSUMPTIONS:

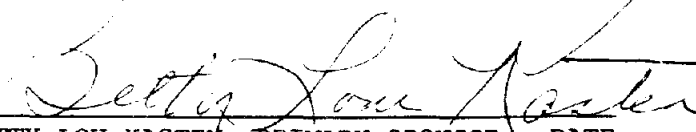
1. Receipts to the Traffic and Safety Education account (AE 02402) totaled \$1,650,971 in fiscal 1993. These receipts included \$1,059,731 from fines and forfeitures, \$492,656 from driver's license fees, and \$26,947 from motorcycle endorsements. Revenues from these three sources would be transferred to the general fund in fiscal 1995 under House Bill 89. The revenue gain to the general fund is estimated to be \$1,579,334 for fiscal 1995.
2. The fees from motorcycle registration for safety training will continue to be placed in the state traffic safety account. This fee generated \$59,282 in fiscal 1993. Motorcycle safety training course fees will also be placed in the state traffic safety account. Those fees generated \$11,935 in fiscal 1993.
3. House Bill 89 retains the authority of the Superintendent of Public Instruction to establish teacher qualifications, approve course offerings, and review and monitor programs for traffic education and motorcycle safety.
4. The Office of Public Instruction would no longer receive earmarked driver's license and fine and forfeiture funds to administer the Traffic and Safety Education program (appropriations and contingency appropriations in HB2 would partially offset the loss of earmarked funds. see Technical Notes below). The fiscal 1995 budget for this program was estimated to be \$299,620 with 4.00 FTE. Funds to administer the motorcycle safety portion of the program would continue however at a reduced level as \$72,000 would be available while FY95 costs is estimate to be \$110,000.
5. The Superintendent of Public Instruction would continue to administer the Traffic Education and Safety program and the Motorcycle Safety program, but would receive earmarked funding only for the motorcycle safety portion.

FISCAL IMPACT:

	FY '94			FY '95		
	Current Law	Proposed Law	Difference	Current Law	Proposed Law	Difference
Expenditures:						
OPI-Traffic Ed Administration	409,620	409,620	0	409,620	72,000	(337,620)
OPI-Traffic Ed Pmts to Districts	1,262,380	1,262,380	0	1,262,380	0	(1,262,380)
Total	1,672,000	1,672,000	0	1,672,000	72,000	(1,600,000)
Revenues:						
Traffic & Safety Ed Acct	1,672,000	1,672,000	0	1,672,000	72,000	(1,600,000)
General Fund	2,399,260	2,399,260	0	2,399,260	3,999,260	1,600,000
Total	4,071,260	4,071,260	0	4,071,260	4,071,260	0

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES: If traffic education courses are offered, the costs will be borne by the individuals who take the courses or increased school district support.

 12-14
DAVID LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning


BETTY LOU KASTEN, PRIMARY SPONSOR DATE
Fiscal Note for HB0089, as introduced

Fiscal Note Request, HB0089, as introduced
Form BD-15 page 2
(continued)

TECHNICAL NOTES: House Bill 89 removes funding and FTE for administering Traffic Education and Safety programs from the Superintendent of Public Instruction, but retains the authority of the State Superintendent of Public Instruction for this program. In HB2 \$65,936 of general fund from the OPI FY94 appropriation is moved to FY95 to combine with \$33,968 of FY95 general fund savings to support driver's education administrative functions, and HB2 appropriates \$100,000 general fund in FY95 for driver's education contingent on passage of this bill. Therefore \$199,904 general fund is provided for replacement of the \$337,620 reduction in administrative funds as a result of this bill.

APPROVED BY COMMITTEE
ON APPROPRIATIONS

1 House BILL NO. 89
2 INTRODUCED BY Koster
3 BY REQUEST OF THE HOUSE APPROPRIATIONS COMMITTEE
4
5 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOCATING TO THE STATE
6 GENERAL FUND CERTAIN REVENUE PREVIOUSLY DEPOSITED IN THE
7 TRAFFIC EDUCATION ACCOUNT; ELIMINATING STATE TRAFFIC
8 EDUCATION REIMBURSEMENTS TO SCHOOL DISTRICTS; REVISING
9 DUTIES OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION RELATING
10 TO TRAFFIC EDUCATION; AMENDING SECTIONS 3-10-601, 20-7-502,
11 20-7-504, 20-7-507, AND 61-5-121, MCA; REPEALING SECTIONS
12 20-7-505, 20-7-506, AND 20-9-510, MCA; AND PROVIDING AN
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17 "3-10-601. Collection and disposition of fines,
18 penalties, forfeitures, and fees. (1) Each justice of the
19 peace shall collect the fees prescribed by law for justices'
20 courts and shall pay them into the county treasury of the
21 county wherein--he in which the justice of the peace holds
22 office, on or before the 10th day of each month, to be
23 credited to the general fund of the county.
24 (2) All fines, penalties, and forfeitures that this
25 code requires to be imposed, collected, or paid in a

1 justice's court must, for each calendar month, be paid by
2 the justice's court on or before the 5th day of the
3 following month to the treasurer of the county in which the
4 justice's court is situated, except that they may be
5 distributed as provided in 44-12-206 if imposed, collected,
6 or paid for a violation of Title 45, chapter 9 or 10.
7 (3) The county treasurer shall, in the manner provided
8 in 15-1-504, distribute money received under subsection (2)
9 as follows:
10 (a) 50% to the state treasurer; and
11 (b) 50% to the county general fund.
12 (4) The state treasurer shall distribute money received
13 under subsection (3) as follows:
14 (a) ~~27.88%~~ 61.74% to the state general fund;
15 (b) 9.09% to the fish and game account in the state
16 special revenue fund;
17 (c) 11.76% to the state highway account in the state
18 special revenue fund;
19 (d) ~~33.86%--to--the--traffic--education--account--in--the~~
20 ~~state-special-revenue-fund;~~
21 ~~(e)~~ 0.57% to the department of livestock account in the
22 state special revenue fund;
23 ~~(f)~~ (e) 15.9% to the crime victims compensation account
24 in the state special revenue fund; and
25 ~~(g)~~ (f) 0.94% to the department of family services

special revenue account for the battered spouses and domestic violence grant program."

Section 2. 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 driver's licenses 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 25% of each driver's license fee and of each duplicate driver's license fee must be deposited into an account in the state special revenue fund. The department shall transfer the funds from this account to the Montana highway patrol officers' retirement pension trust fund as provided in 19-6-404.

(b) (i) If the fees are collected by a county treasurer or other agent of the department, the amount of 3.75% 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 general fund.

(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 general fund.

~~(d) The amount of 17.5% of each driver's license fee and of each duplicate driver's license fee must be deposited into the state traffic education account.~~

~~(e)~~ In addition to the amounts deposited pursuant to subsections (1)(b)(ii) and (1)(c)(ii), the amount of 53.75% 71.25% of each driver's license fee and of each duplicate driver's license fee must be deposited into the state general fund.

~~(f)~~(e) If the fee is collected by the county treasurer or other agent of the department, the amount of 3.75% of each commercial driver's license fee must be deposited into the county general fund, otherwise all of the fee must be deposited in the state general fund.

~~(g)~~(f) The amount of 95% of each motorcycle endorsement fee must be deposited into ~~the state traffic education account~~ in the state ~~special revenue~~ general fund.

(2) (a) If fees from driver's licenses, commercial driver's licenses, motorcycle endorsements, and duplicate driver's licenses are collected by a county treasurer or other agent of the department, the county treasurer or agent shall deposit the amounts provided for in subsections

1 (1)(b)(i) and (1)(c)(i) into the county general fund. The
 2 county treasurer or agent shall then remit to the state
 3 treasurer all remaining fees, together with a statement
 4 indicating what portion of each fee is to be deposited into
 5 the account in the state special revenue fund as provided in
 6 subsection (1)(a), ~~the state traffic education account,~~ and
 7 the state general fund. The state treasurer, upon receipt of
 8 the fees and statement, shall deposit the fees as provided
 9 in subsections (1)(a) and (1)(d) through ~~(1)(g)~~ (1)(f).

10 (b) If fees from driver's licenses, commercial driver's
 11 licenses, motorcycle endorsements, and duplicate driver's
 12 licenses are collected by the department, it shall remit all
 13 fees to the state treasurer, together with a statement
 14 indicating what portion of each fee is to be deposited into
 15 the account in the state special revenue fund as provided in
 16 subsection (1)(a), the state special revenue fund, ~~the state~~
 17 ~~traffic education account,~~ and the state general fund. The
 18 state treasurer, upon receipt of the fees and statement,
 19 shall deposit the fees as provided in subsections (1)(a),
 20 (1)(b)(ii), (1)(c)(ii), and (1)(d) through ~~(1)(g)~~ (1)(f)."

21 **Section 3.** Section 20-7-502, MCA, is amended to read:

22 "20-7-502. Duties of superintendent of public
 23 instruction. The superintendent of public instruction shall:

24 (1) develop, administer, and supervise a program of
 25 instruction in traffic education;

1 (2) establish basic course requirements in instruction
 2 for traffic education;

3 (3) establish the qualifications for a teacher of
 4 traffic education and an instructor of motorcycle safety
 5 training. Qualifications for an instructor of motorcycle
 6 safety training must be based upon national standards
 7 promulgated by the motorcycle safety foundation or a similar
 8 organization recognized by the superintendent.

9 (4) approve teachers of traffic education and
 10 instructors of motorcycle safety training when the teachers
 11 or instructors are qualified;

12 (5) establish criteria for traffic education and
 13 motorcycle safety training course approval based on the
 14 basic course requirements, teacher of traffic education
 15 qualifications, and the requirements of law;

16 (6) approve traffic education courses when the courses
 17 meet the criteria for approval;

18 (7) ~~promulgate a policy for the distribution of the~~
 19 ~~traffic education money to approved traffic education~~
 20 ~~courses and annually order the distribution of the proceeds~~
 21 ~~of the traffic education account in the manner required by~~
 22 ~~law;~~

23 ~~(8)~~ assist districts with the conduct of traffic
 24 education; and

25 ~~(9)~~ (8) periodically conduct onsite driver education

1 program reviews and motorcycle safety training course
2 monitoring."

3 **Section 4.** Section 20-7-504, MCA, is amended to read:

4 "20-7-504. State traffic education account -- proceeds
5 earmarked for the account. {1} There is a traffic education
6 account in the treasury of the state of Montana. There must
7 be paid into this account a portion of the fines and
8 forfeitures collected in any court except a justice's court
9 from persons apprehended or arrested by highway patrol
10 officers or department of transportation peace officers for
11 any violation of chapter 3, part 1 of chapter 4, or chapters
12 5 through 10 of Title 61 relating to the operation or use of
13 motor vehicles in the following amounts:

14 {a} if a fine is imposed, 25% of the fine imposed;

15 {b} if multiple offenses are involved, 25% of the total
16 sum of all fines imposed;

17 {c} if a fine is suspended, in whole or in part, 25% of
18 the fine actually paid; and

19 {d} if any deposit of bail is made for an offense to
20 which this section applies and the bail is forfeited, 25% of
21 the forfeited bail;

22 {2} A portion of all money from the collection of fees
23 from driver's licenses, motorcycle endorsements, and
24 duplicate driver's licenses must be contributed to the
25 traffic education account as provided in 61-5-121.

1 {3} Money collected and accrued from motorcycle safety
2 training courses, designated grants, and motorcycle
3 registration fees or an amount equal to that amount must be
4 deposited in the state traffic education account as provided
5 in 20-7-513 and 20-7-514 and must be available to support
6 only approved motorcycle safety training courses,
7 appropriate motorcycle safety instructor training, and other
8 related motorcycle safety training activities."

9 **Section 5.** Section 20-7-507, MCA, is amended to read:

10 "20-7-507. District traffic education fund. The
11 trustees of any district maintaining a traffic education
12 course shall establish a special nonbudgeted fund with the
13 county treasurer for traffic education. The state traffic
14 education reimbursement and all All nontax receipts for
15 traffic education shall must be deposited in the district's
16 traffic education fund. The expenditure of the moneys money
17 deposited in the district's traffic education fund shall is
18 not be subject to the budgeting provisions of this title,
19 and the moneys money may be expended for traffic education."

20 NEW SECTION. **Section 6.** Repealer. Sections 20-7-505,
21 20-7-506, and 20-9-510, MCA, are repealed.

22 NEW SECTION. **Section 7.** Effective date. [This act] is
23 effective July 1, 1994.

-End-

HOUSE BILL NO. 89

INTRODUCED BY KASTEN

BY REQUEST OF THE HOUSE APPROPRIATIONS COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOCATING TO THE STATE
GENERAL FUND CERTAIN REVENUE PREVIOUSLY DEPOSITED IN THE
TRAFFIC EDUCATION ACCOUNT; ~~ELIMINATING~~ REDUCING STATE
TRAFFIC EDUCATION REIMBURSEMENTS TO SCHOOL DISTRICTS;
REVISING DUTIES OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION
RELATING TO TRAFFIC EDUCATION; AMENDING SECTIONS 3-10-601,
~~20-7-502, 20-7-504, 20-7-506, 20-7-507, AND 61-5-121, MCA;~~
REPEALING SECTIONS SECTION 20-7-505, 20-7-506, AND 20-9-510,
MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 3-10-601, MCA, is amended to read:

"3-10-601. Collection and disposition of fines,
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peace shall collect the fees prescribed by law for justices'
courts and shall pay them into the county treasury of the
county ~~wherein he~~ in which the justice of the peace holds
office, on or before the 10th day of each month, to be
credited to the general fund of the county.

(2) All fines, penalties, and forfeitures that this
code requires to be imposed, collected, or paid in a

justice's court must, for each calendar month, be paid by
the justice's court on or before the 5th day of the
following month to the treasurer of the county in which the
justice's court is situated, except that they may be
distributed as provided in 44-12-206 if imposed, collected,
or paid for a violation of Title 45, chapter 9 or 10.

(3) The county treasurer shall, in the manner provided
in 15-1-504, distribute money received under subsection (2)
as follows:

(a) 50% to the state treasurer; and

(b) 50% to the county general fund.

(4) The state treasurer shall distribute money received
under subsection (3) as follows:

(a) ~~27.88% 61.74%~~ 44.81% to the state general fund;

(b) 9.09% to the fish and game account in the state
special revenue fund;

(c) 11.76% to the state highway account in the state
special revenue fund;

(d) ~~33.86%--to--the--traffic--education--account--in--the
state--special--revenue--fund;~~ 16.93% TO THE TRAFFIC EDUCATION
ACCOUNT IN THE STATE SPECIAL REVENUE FUND;

~~(e)~~ (E) 0.57% to the department of livestock account in
the state special revenue fund;

~~(f)~~ (F) 15.9% to the crime victims compensation
account in the state special revenue fund; and

1 ~~†g†f†~~(G) 0.94% to the department of family services
2 special revenue account for the battered spouses and
3 domestic violence grant program."

4 **Section 2.** Section 61-5-121, MCA, is amended to read:

5 "61-5-121. **Disposition of fees.** (1) The disposition of
6 the fees from driver's licenses provided for in
7 61-5-111(7)(a), motorcycle endorsements provided for in
8 61-5-111(7)(b), commercial driver's licenses provided for in
9 61-5-111(7)(c), and duplicate driver's licenses provided for
10 in 61-5-114 is as follows:

11 (a) The amount of 25% of each driver's license fee and
12 of each duplicate driver's license fee must be deposited
13 into an account in the state special revenue fund. The
14 department shall transfer the funds from this account to the
15 Montana highway patrol officers' retirement pension trust
16 fund as provided in 19-6-404.

17 (b) (i) If the fees are collected by a county treasurer
18 or other agent of the department, the amount of 3.75% of
19 each driver's license fee and of each duplicate driver's
20 license fee must be deposited into the county general fund.

21 (ii) If the fees are collected by the department, the
22 amount provided for in subsection (1)(b)(i) must be
23 deposited into the general fund.

24 (c) (i) If the fee is collected by a county treasurer
25 or other agent of the department, the amount of 5% of each

1 motorcycle endorsement must be deposited into the county
2 general fund.

3 (ii) If the fee is collected by the department, the
4 amount provided for in subsection (1)(c)(i) must be
5 deposited into the general fund.

6 ~~(d) The amount of 17.5% of each driver's license fee~~
7 ~~and of each duplicate driver's license fee must be deposited~~
8 ~~into the state traffic education account.~~

9 ~~†e†~~ In addition to the amounts deposited pursuant to
10 subsections (1)(b)(ii) and (1)(c)(ii), the amount of 53.75%
11 71.25% of each driver's license fee and of each duplicate
12 driver's license fee must be deposited into the state
13 general fund.

14 ~~†f†~~(e) If the fee is collected by the county treasurer
15 or other agent of the department, the amount of 3.75% of
16 each commercial driver's license fee must be deposited into
17 the county general fund, otherwise all of the fee must be
18 deposited in the state general fund.

19 ~~†g†~~(f) The amount of 95% of each motorcycle endorsement
20 fee must be deposited into ~~the~~ state traffic education
21 ~~account in the state special revenue~~ general fund.

22 (2) (a) If fees from driver's licenses, commercial
23 driver's licenses, motorcycle endorsements, and duplicate
24 driver's licenses are collected by a county treasurer or
25 other agent of the department, the county treasurer or agent

1 shall deposit the amounts provided for in subsections
 2 (1)(b)(i) and (1)(c)(i) into the county general fund. The
 3 county treasurer or agent shall then remit to the state
 4 treasurer all remaining fees, together with a statement
 5 indicating what portion of each fee is to be deposited into
 6 the account in the state special revenue fund as provided in
 7 subsection (1)(a), ~~the state traffic education account,~~ and
 8 the state general fund. The state treasurer, upon receipt of
 9 the fees and statement, shall deposit the fees as provided
 10 in subsections (1)(a) and (1)(d) through ~~(1)(g)~~ (1)(f).

11 (b) If fees from driver's licenses, commercial driver's
 12 licenses, motorcycle endorsements, and duplicate driver's
 13 licenses are collected by the department, it shall remit all
 14 fees to the state treasurer, together with a statement
 15 indicating what portion of each fee is to be deposited into
 16 the account in the state special revenue fund as provided in
 17 subsection (1)(a), the state special revenue fund, ~~the state~~
 18 ~~traffic education account,~~ and the state general fund. The
 19 state treasurer, upon receipt of the fees and statement,
 20 shall deposit the fees as provided in subsections (1)(a),
 21 (1)(b)(ii), (1)(c)(ii), and (1)(d) through ~~(1)(g)~~ (1)(f)."

22 **Section 3.** ~~Section 20-7-502, MCA, is amended to read:~~

23 ~~"20-7-502. Duties of superintendent of public~~
 24 ~~instruction. The superintendent of public instruction shall:~~
 25 ~~(1) develop, administer, and supervise a program of~~

1 ~~instruction in traffic education;~~

2 ~~(2) establish basic course requirements in instruction~~
 3 ~~for traffic education;~~

4 ~~(3) establish the qualifications for a teacher of~~
 5 ~~traffic education and an instructor of motorcycle safety~~
 6 ~~training. Qualifications for an instructor of motorcycle~~
 7 ~~safety training must be based upon national standards~~
 8 ~~promulgated by the motorcycle safety foundation or a similar~~
 9 ~~organization recognized by the superintendent;~~

10 ~~(4) approve teachers of traffic education and~~
 11 ~~instructors of motorcycle safety training when the teachers~~
 12 ~~or instructors are qualified;~~

13 ~~(5) establish criteria for traffic education and~~
 14 ~~motorcycle safety training course approval based on the~~
 15 ~~basic course requirements, teacher of traffic education~~
 16 ~~qualifications, and the requirements of law;~~

17 ~~(6) approve traffic education courses when the courses~~
 18 ~~meet the criteria for approval;~~

19 ~~(7) promulgate a policy for the distribution of the~~
 20 ~~traffic education money to approved traffic education~~
 21 ~~courses and annually order the distribution of the proceeds~~
 22 ~~of the traffic education account in the manner required by~~
 23 ~~law;~~

24 ~~(8) assist districts with the conduct of traffic~~
 25 ~~education; and~~

~~{9}{8}--periodically--conduct--onsite--driver--education program--reviews--and--motorcycle--safety--training--course monitoring--"~~

Section 3. Section 20-7-504, MCA, is amended to read:

"20-7-504. State traffic education account -- proceeds earmarked for the account. ~~{1}~~ (1) There is a traffic education account in the treasury of the state of Montana. ~~There--must-be-paid-into-this-account-a-portion-of-the-fines and-forfeitures-collected-in-any-court--except--a--justice's court-from-persons-apprehended-or-arrested-by-highway-patrol officers--or-department-of-transportation-peace-officers-for any-violation-of-chapter-3,-part-1-of-chapter-4,-or-chapters 5-through-10-of-Title-61-relating-to-the-operation-or-use-of motor-vehicles-in-the-following-amounts:~~

~~{a}--if-a-fine-is-imposed,-25%-of-the-fine-imposed;~~

~~{b}--if-multiple-offenses-are-involved,-25%-of-the-total sum-of-all-fines-imposed;~~

~~{c}--if-a-fine-is-suspended,-in-whole-or-in-part,-25%-of the-fine-actually-paid;-and~~

~~{d}--if-any-deposit-of-bail-is-made-for--an--offense--to which-this-section-applies-and-the-bail-is-forfeited,-25%-of the-forfeited-bail;~~

~~{2}--A--portion-of-all-money-from-the-collection-of-fees from--driver's--licenses,-motorcycle--endorsements,-and duplicate--driver's--licenses--must--be--contributed--to-the~~

~~traffic-education-account-as-provided-in-61-5-121.~~

~~{3}{2} MONEY PAID INTO THE ACCOUNT PURSUANT TO 3-10-601 MUST BE DISTRIBUTED TO APPROVED TRAFFIC EDUCATION COURSES AS PROVIDED IN 20-7-506.~~

~~(3)~~ Money collected and accrued from motorcycle safety training courses, designated grants, and motorcycle registration fees or an amount equal to that amount must be deposited in the state traffic education account as provided in 20-7-513 and 20-7-514 and must be available to support only approved motorcycle safety training courses, appropriate motorcycle safety instructor training, and other related motorcycle safety training activities."

SECTION 4. SECTION 20-7-506, MCA, IS AMENDED TO READ:

"20-7-506. Annual allocation and distribution of traffic education account proceeds ~~---allocation--for--state administration.~~ ~~{1}~~ The superintendent of public instruction shall annually order the distribution of all moneys in the traffic education account to the districts conducting approved traffic education courses. The distribution of the traffic education moneys ~~shall~~ must be based on the distribution policy promulgated by the superintendent of public instruction, provided that the reimbursements to districts ~~shall~~ must be based upon the number of pupils who, in a given school fiscal year, complete an approved traffic education course, including both the classroom instruction

and behind-the-wheel driving.

~~{2}--Before--such--fund--is--disbursed,--there--shall--be deducted--an--amount--necessary--to--provide--for--the--state administration--of--the--traffic--education--program--by--the superintendent--of--public--instruction,--Such--state administration--may--include:~~

~~{a}--development,--printing,--and--distribution--of essential--materials;~~

~~{b}--preparation--of--teachers--of--traffic--education;~~

~~{c}--state--supervision--of--the--program;--and~~

~~{d}--any--and--all--other--activities--deemed--necessary--by the--superintendent--of--public--instruction;"~~

Section 5. Section 20-7-507, MCA, is amended to read:

"20-7-507. District traffic education fund. The trustees of any district maintaining a traffic education course shall establish a special nonbudgeted fund with the county treasurer for traffic education. ~~The--state--traffic education--reimbursement--and--all~~ All nontax receipts for traffic education ~~shall~~ must be deposited in the district's traffic education fund. The expenditure of the moneys money deposited in the district's traffic education fund ~~shall~~ is not be subject to the budgeting provisions of this title, and the moneys money may be expended for traffic education."

NEW SECTION. Section 6. Repealer. ~~Sections--20-7-505, 20-7-506,--and~~ SECTION 20-9-510, MCA, are IS repealed.

NEW SECTION. Section 7. Effective date. [This act] is effective July 1, 1994.

-End-

SENATE STANDING COMMITTEE REPORT

Page 1 of 1
December 17, 1993

MR. PRESIDENT:

We, your committee on Finance and Claims having had under consideration House Bill No. 89 (third reading copy -- blue), respectfully report that House Bill No. 89 be amended as follows and as so amended be concurred in.

Signed: Judy H. Jacobson
Senator Judy H. Jacobson, Chair

That such amendments read:

1. Title, lines 12 and 13.

Strike: "REPEALING" on line 12 through "MCA;" on line 13.

2. Page 4, line 8.

Following: "~~account.~~"

Insert: "The amount of 8.75% of each driver's license fee and of each duplicate driver's license fee must be deposited into the state traffic education account.

(e) "

Renumber: subsequent subsections

3. Page 4, line 11.

Strike: "71.25%"

Insert: "62.5%"

4. Page 4, line 21.

Following: "~~in~~"

Insert: "the state traffic education account in"

Following: "~~revenue~~"

Strike: "general"

Insert: "special revenue"

5. Page 5, lines 10 and 21.

Strike: "(1)(f)"

Insert: "(1)(g)"

6. Page 9, lines 24 and 25.

Strike: Section 6 in its entirety.

Renumber: subsequent section.

EXPLANATION: This amendment accomplishes two purposes: 1) it restores section 20-9-510, which requires school districts to establish a traffic education fund within their accounting system; and 2) allows the traffic education account to receive 8.75 percent of driver license fee revenue (under current law the account receives 17.50%). Presently HB 89 proposes that none of the driver license fees be deposited in traffic education fund, but instead be redirected into the general fund.

-END-

M- Amd. Coord.
23 Sec. of Senate

Lutz
Senator Carrying Bill

HB 89
SENATE

HOUSE BILL NO. 89

INTRODUCED BY KASTEN

BY REQUEST OF THE HOUSE APPROPRIATIONS COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOCATING TO THE STATE
GENERAL FUND CERTAIN REVENUE PREVIOUSLY DEPOSITED IN THE
TRAFFIC EDUCATION ACCOUNT; ~~ELIMINATING~~ REDUCING STATE
TRAFFIC EDUCATION REIMBURSEMENTS TO SCHOOL DISTRICTS;
REVISING DUTIES OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION
RELATING TO TRAFFIC EDUCATION; AMENDING SECTIONS 3-10-601,
~~20-7-502, 20-7-504, 20-7-506, 20-7-507, AND 61-5-121, MCA;~~
~~REPEALING SECTIONS SECTION 20-7-505, 20-7-506, AND 20-9-510,~~
~~MCA, AND PROVIDING AN EFFECTIVE DATE."~~

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

Section 1. Section 3-10-601, MCA, is amended to read:

"3-10-601. Collection and disposition of fines,
penalties, forfeitures, and fees. (1) Each justice of the
peace shall collect the fees prescribed by law for justices'
courts and shall pay them into the county treasury of the
county ~~wherein he~~ in which the justice of the peace holds
office, on or before the 10th day of each month, to be
credited to the general fund of the county.

(2) All fines, penalties, and forfeitures that this
code requires to be imposed, collected, or paid in a

justice's court must, for each calendar month, be paid by
the justice's court on or before the 5th day of the
following month to the treasurer of the county in which the
justice's court is situated, except that they may be
distributed as provided in 44-12-206 if imposed, collected,
or paid for a violation of Title 45, chapter 9 or 10.

(3) The county treasurer shall, in the manner provided
in 15-1-504, distribute money received under subsection (2)
as follows:

(a) 50% to the state treasurer; and

(b) 50% to the county general fund.

(4) The state treasurer shall distribute money received
under subsection (3) as follows:

(a) ~~27.88%~~ ~~61.74%~~ 44.81% to the state general fund;

(b) 9.09% to the fish and game account in the state
special revenue fund;

(c) 11.76% to the state highway account in the state
special revenue fund;

(d) ~~33.86% to the traffic education account in the~~
~~state special revenue fund; 16.93% TO THE TRAFFIC EDUCATION~~
ACCOUNT IN THE STATE SPECIAL REVENUE FUND;

~~(e)~~ (E) 0.57% to the department of livestock account in
the state special revenue fund;

~~(f)~~ (F) 15.9% to the crime victims compensation
account in the state special revenue fund; and

~~(g)(f)(G)~~ 0.94% to the department of family services special revenue account for the battered spouses and domestic violence grant program."

Section 2. 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 driver's licenses 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 25% of each driver's license fee and of each duplicate driver's license fee must be deposited into an account in the state special revenue fund. The department shall transfer the funds from this account to the Montana highway patrol officers' retirement pension trust fund as provided in 19-6-404.

(b) (i) If the fees are collected by a county treasurer or other agent of the department, the amount of 3.75% 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 general fund.

(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 general fund.

~~(d) The--amount--of--17.5%--of--each--driver's--license--fee--and--of--each--duplicate--driver's--license--fee--must--be--deposited--into--the--state--traffic--education--account.~~ THE AMOUNT OF 8.75% OF EACH DRIVER'S LICENSE FEE AND OF EACH DUPLICATE DRIVER'S LICENSE FEE MUST BE DEPOSITED INTO THE STATE TRAFFIC EDUCATION ACCOUNT.

~~(e)(E)~~ In addition to the amounts deposited pursuant to subsections (1)(b)(ii) and (1)(c)(ii), the amount of ~~53.75%~~ 71.25% 62.5% of each driver's license fee and of each duplicate driver's license fee must be deposited into the state general fund.

~~(f)(F)~~ If the fee is collected by the county treasurer or other agent of the department, the amount of 3.75% of each commercial driver's license fee must be deposited into the county general fund, otherwise all of the fee must be deposited in the state general fund.

~~(g)(F)(G)~~ The amount of 95% of each motorcycle endorsement fee must be deposited into ~~the--state--traffic--education--account--in~~ THE STATE TRAFFIC EDUCATION ACCOUNT IN the state ~~special-revenue general~~ SPECIAL REVENUE fund.

1 (2) (a) If fees from driver's licenses, commercial
 2 driver's licenses, motorcycle endorsements, and duplicate
 3 driver's licenses are collected by a county treasurer or
 4 other agent of the department, the county treasurer or agent
 5 shall deposit the amounts provided for in subsections
 6 (1)(b)(i) and (1)(c)(i) into the county general fund. The
 7 county treasurer or agent shall then remit to the state
 8 treasurer all remaining fees, together with a statement
 9 indicating what portion of each fee is to be deposited into
 10 the account in the state special revenue fund as provided in
 11 subsection (1)(a), ~~the state traffic education account,~~ and
 12 the state general fund. The state treasurer, upon receipt of
 13 the fees and statement, shall deposit the fees as provided
 14 in subsections (1)(a) and (1)(d) through ~~(1)(g)(1)(f)(1)(G).~~

15 (b) If fees from driver's licenses, commercial driver's
 16 licenses, motorcycle endorsements, and duplicate driver's
 17 licenses are collected by the department, it shall remit all
 18 fees to the state treasurer, together with a statement
 19 indicating what portion of each fee is to be deposited into
 20 the account in the state special revenue fund as provided in
 21 subsection (1)(a), the state special revenue fund, ~~the state~~
 22 ~~traffic--education--account,~~ and the state general fund. The
 23 state treasurer, upon receipt of the fees and statement,
 24 shall deposit the fees as provided in subsections (1)(a),
 25 (1)(b)(ii), (1)(c)(ii), and (1)(d) through

1 ~~(1)(g)(1)(f)(1)(G).~~"

2 **Section 3.** ~~Section 20-7-502, MCA, is amended to read:--~~
 3 ~~"20-7-502.---Buties---of---superintendent---of---public~~
 4 ~~instruction;--The superintendent of public instruction shall:~~
 5 ~~(1)--develop, administer, and supervise a program of~~
 6 ~~instruction in traffic education;~~
 7 ~~(2)--establish basic course requirements in instruction~~
 8 ~~for traffic education;~~
 9 ~~(3)--establish the qualifications for a teacher of~~
 10 ~~traffic education and an instructor of motorcycle safety~~
 11 ~~training;--Qualifications for an instructor of motorcycle~~
 12 ~~safety training must be based upon national standards~~
 13 ~~promulgated by the motorcycle safety foundation or a similar~~
 14 ~~organization recognized by the superintendent;~~
 15 ~~(4)--approve teachers of traffic education and~~
 16 ~~instructors of motorcycle safety training when the teachers~~
 17 ~~or instructors are qualified;~~
 18 ~~(5)--establish criteria for traffic education and~~
 19 ~~motorcycle safety training course approval based on the~~
 20 ~~basic course requirements, teacher of traffic education~~
 21 ~~qualifications, and the requirements of law;~~
 22 ~~(6)--approve traffic education courses when the courses~~
 23 ~~meet the criteria for approval;~~
 24 ~~(7)--promulgate a policy for the distribution of the~~
 25 ~~traffic education money to approved traffic education~~

courses--and-annually-order-the-distribution-of-the-proceeds
of-the-traffic-education-account-in-the-manner--required--by
law;

(8)--assist---districts--with--the--conduct--of--traffic
education; and

(9)(8)--periodically--conduct--onsite--driver--education
program--reviews--and--motorcycle--safety--training--course
monitoring."

Section 3. Section 20-7-504, MCA, is amended to read:

"20-7-504. State traffic education account -- proceeds
earmarked for the account. (1) There is a traffic
education account in the treasury of the state of Montana.
There-must-be-paid-into-this-account-a-portion-of-the--fines
and--forfeitures--collected--in-any-court-except-a-justice's
court-from-persons-apprehended-or-arrested-by-highway-patrol
officers-or-department-of-transportation-peace-officers--for
any-violation-of-chapter-37-part-1-of-chapter-47-or-chapters
5-through-10-of-Title-61-relating-to-the-operation-or-use-of
motor-vehicles-in-the-following-amounts:

(a)--if-a-fine-is-imposed, 25% of the fine imposed;

(b)--if-multiple-offenses-are-involved, 25% of the total
sum-of-all-fines-imposed;

(c)--if-a-fine-is-suspended, in whole or in part, 25% of
the-fine-actually-paid; and

(d)--if--any--deposit--of-bail-is-made-for-an-offense-to

which-this-section-applies-and-the-bail-is-forfeited, 25% of
the-forfeited-bail;

(2)--A-portion-of-all-money-from-the-collection-of--fees
from--driver's--licenses,--motorcycle--endorsements,--and
duplicate-driver's--licenses--must--be--contributed--to--the
traffic-education-account-as-provided-in-61-5-121.

(3)(2) MONEY PAID INTO THE ACCOUNT PURSUANT TO 3-10-601
MUST BE DISTRIBUTED TO APPROVED TRAFFIC EDUCATION COURSES AS
PROVIDED IN 20-7-506.

(3) Money collected and accrued from motorcycle safety
training courses, designated grants, and motorcycle
registration fees or an amount equal to that amount must be
deposited in the state traffic education account as provided
in 20-7-513 and 20-7-514 and must be available to support
only approved motorcycle safety training courses,
appropriate motorcycle safety instructor training, and other
related motorcycle safety training activities."

SECTION 4. SECTION 20-7-506, MCA, IS AMENDED TO READ:

"20-7-506. Annual allocation and distribution of
traffic education account proceeds --allocation-for-state
administration. (1) The superintendent of public instruction
shall annually order the distribution of all moneys in the
traffic education account to the districts conducting
approved traffic education courses. The distribution of the
traffic education moneys shall must be based on the

distribution policy promulgated by the superintendent of public instruction, provided that the reimbursements to districts ~~shall~~ must be based upon the number of pupils who, in a given school fiscal year, complete an approved traffic education course, including both the classroom instruction and behind-the-wheel driving.

~~{2}--Before such fund is disbursed, there shall be deducted an amount necessary to provide for the state administration of the traffic education program by the superintendent of public instruction. Such state administration may include:~~

~~{a}--development, printing, and distribution of essential materials;~~

~~{b}--preparation of teachers of traffic education;~~

~~{c}--state supervision of the program; and~~

~~{d}--any and all other activities deemed necessary by the superintendent of public instruction."~~

Section 5. Section 20-7-507, MCA, is amended to read:

"20-7-507. District traffic education fund. The trustees of any district maintaining a traffic education course shall establish a special nonbudgeted fund with the county treasurer for traffic education. ~~The state traffic education reimbursement and all~~ All nontax receipts for traffic education ~~shall~~ must be deposited in the district's traffic education fund. The expenditure of the ~~moneys~~ money

deposited in the district's traffic education fund ~~shall~~ is not be subject to the budgeting provisions of this title, and the ~~moneys~~ money may be expended for traffic education."

~~NEW SECTION. Section 6. Repealer. Sections 20-7-505, 20-7-506, and SECTION 20-9-510, MCA, are is repeated.~~

NEW SECTION. **Section 6.** Effective date. [This act] is effective July 1, 1994.

-End-