

EXHIBIT 4  
DATE 1-28-05  
102

Amendments to House Bill No. 102  
1st Reading Copy

Requested by Representative Ralph Lenhart

For the House State Administration Committee

Prepared by Sheri Heffelfinger  
March 7, 2005 (9:01am)

1. Title, page 1, line 5.

**Following:** "ACT"

**Insert:** "DEPOSITING FEES FROM THE REGISTRATION OF CERTAIN  
VEHICLES AND DRIVER'S LICENSES TO THE STATE GENERAL FUND;"

2. Title, page 1, line 6.

**Following:** "AND"

**Strike:** "THE"

**Insert:** "A"

3. Title, page 1, line 7 through line 8.

**Strike:** "DEDICATED" on line 7 through "LICENSES" on line 8

**Insert:** "THE AMOUNTS REQUIRED TO PAY CERTAIN SUPPLEMENTAL  
BENEFITS UNDER THE HIGHWAY PATROL OFFICERS' RETIREMENT  
SYSTEM"

4. Title, page 1, line 8.

**Following:** "SECTIONS"

**Insert:** "15-1-122,"

**Following:** "17-7-502,"

**Insert:** "19-6-401, 19-6-404,"

5. Title, page 1, line 9.

**Strike:** "IMMEDIATE"

6. Page 1.

**Following:** line 12

**Insert:** "NEW SECTION. Section 1. State contribution for  
supplemental benefits -- statutory appropriation. The state shall  
annually contribute to the pension trust fund the lump-sum amount  
determined by the board as required to pay benefits under 19-6-  
709. The amount is statutorily appropriated, as provided in 17-7-  
502, from the general fund to the pension trust fund."

**Insert:** "Section 2. Section 15-1-122, MCA, is amended to read:

"15-1-122. Fund transfers. (1) There is transferred from  
the state general fund to the adoption services account, provided  
for in 42-2-105, \$36,764 for fiscal year 2003. Beginning with

fiscal year 2004, the amount of the transfer must be increased by 10% in each succeeding fiscal year.

(2) There is transferred from the state general fund to the department of transportation state special revenue nonrestricted account the following amounts:

~~(a) \$75,000 in fiscal year 2003;~~  
~~(b)(a) \$0 in fiscal years 2004 and 2005;~~  
~~(c)(b) \$3,050,205 in fiscal year 2006; and~~  
~~(d)(c) in each succeeding fiscal year, the amount in subsection ~~(2)(c)~~ (2)(b), increased by 1.5% in each succeeding fiscal year.~~

(3) For each fiscal year, there is transferred from the state general fund to the accounts, entities, or recipients indicated the following amounts:

(a) to the motor vehicle recycling and disposal program provided for in Title 75, chapter 10, part 5:

(i) \$2 for each new application for a motor vehicle title and for each transfer of a motor vehicle title for which a fee is paid pursuant to 61-3-203; and

(ii) \$1 for each passenger car or truck under 8,001 pounds GVW that is registered for licensing pursuant to Title 61, chapter 3, part 3, and \$5 for each permanently registered light vehicle. Fifteen cents of each dollar must be used for the purpose of reimbursing the hired removal of abandoned vehicles during the calendar year following the calendar year in which the fee was paid. Any portion of the 15 cents not used for abandoned vehicle removal reimbursement during the calendar year following its payment must be used as provided in 75-10-532.

(b) to the noxious weed state special revenue account provided for in 80-7-816:

(i) \$1 in fiscal year 2006 and, in each subsequent year, \$2.75 for each off-highway vehicle for which the fee in lieu of tax is paid, as provided for in 23-2-803; and

(ii) for vehicles registered or reregistered pursuant to 61-3-321:

(A) \$1.50 for each registered light vehicle, truck or bus weighing less than 1 ton, logging truck, vehicle weighing more than 1 ton, and motor home; and

(B) \$1.50 in fiscal year 2006 and, in each subsequent year, \$3.65 for each motorcycle and quadricycle; and

(C) \$7.50 for each permanently registered light vehicle;

(c) to the department of fish, wildlife, and parks:

(i) \$2.50 in fiscal year 2006 and, in each subsequent year, \$14.50 for each motorboat, sailboat, or personal watercraft receiving a certificate of number under 23-2-512, with 20% of the amount received to be used to acquire and maintain pumpout equipment and other boat facilities;

(ii) \$5 in fiscal year 2006 and, in each subsequent year, \$19 for each snowmobile registered under 23-2-616, with 50% of the amount to be used for enforcing the purposes of 23-2-601, 23-2-602, 23-2-611, 23-2-614 through 23-2-619, 23-2-621, 23-2-622, 23-2-626, 23-2-631 through 23-2-635, and 23-2-641 through 23-2-644 and 50% of the amount designated for use in the development, maintenance, and operation of snowmobile facilities;

(iii) \$1 for each duplicate snowmobile registration decal

issued under 23-2-617;

(iv) \$5 in fiscal year 2006 and, in each subsequent year, \$13.25 for each off-highway vehicle decal issued under 23-2-804 and each off-highway vehicle duplicate decal issued under 23-2-809, with 40% of the money used to enforce the provisions of 23-2-804 and 60% of the money used to develop and implement a comprehensive program and to plan appropriate off-highway vehicle recreational use;

(v) to the state special revenue fund established in 23-1-105, \$3.50 in fiscal year 2006 and, in each subsequent year, \$8 for each recreational vehicle, motor home, and travel trailer registered or reregistered and subject to the fee in 61-3-321;

(vi) an amount equal to 20% of the funds collected pursuant to 23-2-518 to be deposited in the motorboat account to be used as provided in 23-2-533; and

(vii) to the state special revenue fund established in 23-1-105, \$4 for each passenger car or truck under 8,001 pounds GVW registered for licensing pursuant to 61-3-321(11)(a), with \$3.50 of the money used for state parks, 25 cents used for fishing access sites, and 25 cents used for the operation of state-owned facilities at Virginia City and Nevada City;

(d) to the state veterans' cemetery account, provided for in 10-2-603, \$10 for each veteran's license plate subject to the fee in 61-3-459;

~~(e) to the supplemental benefits for highway patrol officers' retirement account provided for in 19-6-709, 25 cents for each motor vehicle registered, other than:~~

~~(i) trailers or semitrailers registered in other jurisdictions and registered through a proportional registration agreement; and~~

~~(ii) vehicles registered under 61-3-527, 61-3-530, and 61-3-562;~~

~~(f) 25 cents a year for each registered vehicle and \$1.25 for each permanently registered vehicle subject to the fee in 61-3-321(6) for deposit in the state special revenue fund to the credit of the senior citizens and persons with disabilities transportation services account provided for in 7-14-112;~~

~~(g)(f) to the search and rescue account provided for in 10-3-801:~~

~~(i) \$2 a year for each vessel [subject to the search and rescue surcharge] in 23-2-517;~~

~~(ii) \$2 a year for each snowmobile [subject to the search and rescue surcharge] in 23-2-615(1)(b) and 23-2-616(3); and~~

~~(iii) \$2 a year for each off-highway vehicle [subject to the search and rescue surcharge] in 23-2-803; and~~

~~(h)(g) 50 cents a year for each vehicle subject to the fee in 61-3-321(7) for deposit in the state special revenue fund to the credit of the veterans' services account provided for in 10-2-112(1).~~

(4) For each fiscal year, the department of justice shall provide to the department of revenue a count of the vehicles required for the calculations in subsection (3). The department of justice shall provide a separate count of vehicles that are permanently registered pursuant to 61-3-562. A permanently registered vehicle may be included in vehicle counts only in the

year in which the vehicle is registered or reregistered. Transfer amounts in each fiscal year must be based on vehicle counts in the most recent calendar year for which vehicle information is available. Vehicles that are permanently registered may be included in vehicle counts only in the year in which the vehicles are registered by new owners.

(5) The amounts transferred from the general fund to the designated recipient must be appropriated as state special revenue in the general appropriations act for the designated purposes."

{ Internal References to 15-1-122:

x10-2-112	x10-2-603	x10-3-801	x19-6-709
x61-3-321	x61-3-459	x61-3-562	x61-3-562}

**Renumber:** subsequent sections

7. Page 1, line 26.

**Following:** "19-3-319;"

**Insert:** "19-6-404; [section 1];"

8. Page 1, line 29.

**Strike:** "61-3-527" through "61-5-121;"

9. Page 2.

**Following:** line 14

**Insert:** "Section 4. Section 19-6-401, MCA, is amended to read:

"19-6-401. Payments into pension trust fund. There is a pension trust fund for the payment of benefits under the retirement system. All appropriations made by the state, all contributions by members, in the amount specified, and all interest on and increase of earnings from the investments and investment of money under in this pension trust fund, all fees or portions of fees that are required by law to be paid to the retirement system or trust fund, and a portion of the fees from driver's licenses and duplicate driver's licenses as provided in 61-5-121 must be deposited in the pension trust fund."

{ Internal References to 19-6-401: None. }

**Insert:** "Section 5. Section 19-6-404, MCA, is amended to read:

"19-6-404. State's contribution -- statutory appropriations. The state of Montana shall annually contribute to the pension trust fund an amount equal to 36.33% of the total compensation paid to the members from the following sources:

(1) an amount equal to 26.15% of the total compensation of the members, which is payable, as appropriated by the legislature, from the same source that is used to pay compensation to the members; and

(2) an amount equal to 10.18% of the total compensation of the members, which is payable from a portion of the fees from driver's licenses and duplicate driver's licenses as provided in 61-5-121 statutorily appropriated, as provided in 17-7-502, from the general fund to the pension trust fund."

{Internal References to 19-6-404:  
44-1-518 61-5-121}"

**Renumber:** subsequent sections

10. Page 3, lines 1 and 2.

**Strike:** "of fees"

**Following:** "transferred"

**Insert:** "statutorily"

**Following:** "appropriated"

**Strike:** "to" on line 1 through "61-3-562(1)(b)" on line 2

**Insert:** "under [section 1]"

11. Page 3, line 17.

**Strike:** "\$40"

**Insert:** "\$41.25"

12. Page 4, line 14 through line 19.

**Strike:** subsection (4) in its entirety

**Renumber:** subsequent subsection

13. Page 4, lines 21 and 22.

**Strike:** "(Subsection" on line 21 through "2001.)" on line 22

14. Page 4, line 29.

**Strike:** "\$50"

**Insert:** "\$51.25"

15. Page 5, line 1.

**Strike:** "\$130"

**Insert:** "\$131.25"

16. Page 5, line 8 through line 13.

**Strike:** subsection (4) in its entirety

17. Page 5, line 17.

**Strike:** "(1)(c)"

**Insert:** "(1)(b)"

18. Page 5, line 18.

**Strike:** "\$50"

**Insert:** "\$52"

19. Page 5, line 28 through page 6, line 3.

**Strike:** subsection (b) in its entirety  
**Renumber:** subsequent subsection

20. Page 6, line 20.

**Strike:** "\$50"  
**Insert:** "\$52"

21. Page 6, line 28 through line 29.

**Strike:** "(Subsection (1)(b) terminates on occurrence of contingency--sec. 24, Ch. 191, L. 2001.)"

22. Page 7, line 5 through line 11.

**Strike:** subsection (a) in its entirety  
**Renumber:** subsequent subsections

23. Page 7, line 15.

**Strike:** "(1)(b)(i)"  
**Insert:** "(1)(a)(i)"

24. Page 7, line 19.

**Strike:** "(1)(c)(i)"  
**Insert:** "(1)(b)(i)"

25. Page 7, line 23.

**Strike:** "(1)(b)(ii)"  
**Insert:** "(1)(a)(ii)"  
**Strike:** "(1)(c)(ii)"  
**Insert:** "(1)(b)(ii)"

26. Page 7, line 24.

**Strike:** "54.5%"  
**Insert:** "76.8%"  
**Strike:** "62.5%"  
**Insert:** "87.5%"

27. Page 8, line 4.

**Strike:** "(1)(b)(i)"  
**Insert:** "(1)(a)(i)"  
**Strike:** "(1)(c)(i)"  
**Insert:** "(1)(b)(i)"

28. Page 8, line 6 through line 7.

**Strike:** "account" on line 6 through "(1)(a)" on line 7  
**Insert:** "state traffic education account established in 20-7-504,  
the state motorcycle safety account established in 20-25-

1002"

29. Page 8, line 8 through line 9.

**Strike:** "(1)(a)" on line 8 through "(1)(g)" on line 9

**Insert:** "(1)(c) through (1)(f)"

30. Page 8, line 12 through line 13.

**Strike:** "account" on line 12 through "(1)(a)"

**Insert:** "state traffic education account established in 20-7-504,  
the state motorcycle safety account established in 20-25-  
1002"

31. Page 8, line 15.

**Strike:** "(1)(a)" through "(1)(g)"

**Insert:** "(1)(a)(ii), (1)(b)(ii), and (1)(c) through (1)(f)"

32. Page 8.

**Following:** line 15

**Insert:** "NEW SECTION. **Section 11. Transfer of funds.** On [the effective date of this act], the balance of money remaining in the state special revenue account for the highway patrol officers' retirement pension trust fund that was contained in 61-5-121 must be transferred to the state general fund."

**Insert:** "NEW SECTION. **Section 12. {standard} Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 19, chapter 6, part 4, and the provisions of Title 19, chapter 6, part 4, apply to [section 1]."

**Renumber:** subsequent sections

33. Page 8, line 17.

**Strike:** "on passage and approval"

**Insert:** "July 1, 2005"

34. Page 8, lines 19 and 20.

**Following:** "19-6-709" on line 19

**Strike:** "," on line 19 through "17-7-502" on line 20

**Insert:** "and [section 1]"

- END -