

HOUSE OF REPRESENTATIVES
Roll Call
STATE ADMINISTRATION COMMITTEE

DATE 1/28/05

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT</u>	<u>EXCUSED</u>
REP. LARRY JENT, CHAIR	✓		
REP. VERONICA SMALL-EASTMAN, VICE CHAIR	✓		
REP. DEE BROWN, VICE CHAIR	✓		
REP. JOAN ANDERSEN	✓		
REP. MARY CAFERRO	✓		
REP. SUE DICKENSON	✓		
REP. EMELIE EATON	✓		
REP. ROBIN HAMILTON	✓		
REP. GORDON HENDRICK	✓		
REP. TERESA HENRY	✓		
REP. HAL JACOBSON	✓		
REP. WILLIAM JONES	✓		
REP. GARY MacLAREN	✓		
REP. BRUCE MALCOLM	✓		
REP. ALAN OLSON	✓		
REP. BERNIE OLSON	✓		



HOUSE STANDING COMMITTEE REPORT

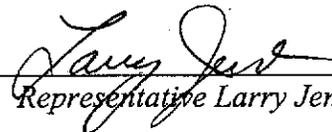
January 28, 2005

Page 1 of 8

Mr. Speaker:

We, your committee on State Administration recommend that **House Bill 102** (first reading copy -- white) do pass as amended.

Signed:


Representative Larry Jent, Chair

And, that such amendments read:

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.

Committee Vote:

Yes 16, No 0.

221155SC.hkh

1/28/05

jlw

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."

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."

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."

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. 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 -



HOUSE STANDING COMMITTEE REPORT

January 28, 2005

Page 1 of 1

Mr. Speaker:

We, your committee on **State Administration** recommend that **House Bill 239** (first reading copy -- white) **do pass**.

Signed: _____

Larry Jent
Representative Larry Jent, Chair

- END -

Committee Vote:
Yes 16, No 0.

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1/28/05
jls

HOUSE OF REPRESENTATIVES

Roll Call Vote

STATE ADMINISTRATION COMMITTEE

DATE 1-28-05 BILL NO. Am 15201 MOTION NO. 1

MOTION: adopt

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. DEE BROWN, VICE CHAIR		✓	
REP. VERONICA SMALL-EASTMAN, VICE CHAIR		✓	
REP. JOAN ANDERSEN		✓	
REP. MARY CAFERRO	X	✓	
REP. SUE DICKINSON		✓	
REP. EMELIE EATON		✓	
REP. ROBIN HAMILTON		✓	
REP. GORDON HENDRICK		✓	
REP. TERESA HENRY		✓	
REP. HAL JACOBSON		✓	
REP. WILLIAM JONES		✓	
REP. GARY MACLAREN		✓	
REP. BRUCE MALCOLM		✓	
REP. ALAN OLSON		✓	
REP. BERNIE OLSON		✓	
REP. LARRY JENT, CHAIRMAN		✓	

30 12

COMMITTEE PROXY

DATE: _____

I request to be excused from the State Administration

Committee because of other commitments. I desire to leave my proxy vote with:

Veronica Small-Eastman

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

HOUSE BILL/AMENDMENT

AYE NO

SENATE BILL/AMENDMENT

AYE NO

1/28/05

HOUSE BILL/AMENDMENT	AYE	NO
HB 102 amend	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
HB 102 ^{am} Amend	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
HB 239	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
HB 239	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
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	<input type="checkbox"/>	<input type="checkbox"/>

SENATE BILL/AMENDMENT	AYE	NO
	<input type="checkbox"/>	<input type="checkbox"/>

Rep./Sen. Walt
(Signature)

**Montana House of Representatives
Visitors Register**

STATE ADMINISTRATION COMMITTEE

Date 1/28/05

Bill No. HB 253 290 297 Sponsor(s) _____

PLEASE PRINT PLEASE PRINT PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
353 Kyrre Bevelsen 1800 Winnie Ave, Helena	Self	✓		
Brad Johnson	SOS HB253 HB297	X		
Don Hargrove	Prole Bopp			✓
Margaret Campbell	HD31	✓		
Charles Brooks	Yellowstone Yellowstone		HB 297	
Robert Throssell	MT Assoc. Chiefs of Police		HB 297	
CRAIG THOMAS	BOPP			✓
Eric Stern	Governor	✓		
Reuel Martin	MT New Parts	HB297		
Tommy Kendall	MT Women Vote	HB297		
Stan Frazier	Self 292	X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.