



SENATE STANDING COMMITTEE REPORT

March 9, 2007

Page 1 of 1

Mr. President:

We, your committee on **Highways and Transportation** recommend that **House Bill 334** (third reading copy -- blue) **be concurred in.**

Signed: *Gerald Pease*
Senator Gerald Pease, Chair

To be carried by Senator Frank Smith

- END -

Committee Vote:

Yes 9, No 0

Fiscal Note Required

KF

500956SC.spb



SENATE STANDING COMMITTEE REPORT

March 9, 2007

Page 1 of 1

Mr. President:

We, your committee on **Highways and Transportation** recommend that **House Bill 143** (third reading copy -- blue) be concurred in.

Signed: *Gerald Pease*
Senator Gerald Pease, Chair

To be carried by Senator John Brueggeman

- END -

Committee Vote:

Yes 9, No 0

Fiscal Note Required

KF

500957SC.spb



SENATE STANDING COMMITTEE REPORT

March 9, 2007

Page 1 of 2

Mr. President:

We, your committee on **Highways and Transportation** recommend that **House Bill 31** (third reading copy -- blue) be concurred in as amended.

Signed: *Gerald Pease*
Senator Gerald Pease, Chair

To be carried by Senator Vicki Cocchiarella

And, that such amendments read:

1. Title, line 8.

Following: "FEES;"

Insert: "INCREASING CONSUMER AND MANUFACTURER ARBITRATION FILING FEES;"

2. Title, line 8.

Strike: "SECTION"

Insert: "SECTIONS"

3. Title, line 8.

Following: "~~AND 61-4-517~~"

Insert: "AND 61-4-517"

4. Page 2.

Following: line 29

Insert: "Section 2. Section 61-4-517, MCA, is amended to read:

"61-4-517. Implementation of arbitration. (1) A consumer may initiate a request for arbitration by filing a notice with the department. The consumer shall file, on a form prescribed by the department, any information considered relevant to the resolution of the dispute and shall return the form, along with a \$50 \$100 filing fee, within 5 days after receiving the form. The form must offer the consumer the choice of presenting any subsequent testimony orally or in writing, but not both.

(2) The department shall determine whether the complaint alleges the violation of any applicable warranty under this part.

Committee Vote:

Yes 9, No 0

Fiscal Note Required *KZ*

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If the department determines that a complaint does not allege a warranty violation, it shall refund the filing fee.

(3) Upon acceptance of a complaint, the department shall notify the manufacturer of the filing of a request for arbitration and shall obtain from the manufacturer, on a form prescribed by the department, any information considered relevant to the resolution of the dispute. The manufacturer shall return the form within 15 days of receipt, with a filing fee of ~~\$250~~ \$750.

(4) Fees collected under this section must be deposited in a special revenue account for the use of the department in administering this part.

(5) The manufacturer's fee provided in subsection (3) is due only if the department's arbitration procedures are used."

Renumber: subsequent section

- END -

SENATE PROXY FORM

According to Senate Rule 30-70 (13) (f) , a committee member may vote by proxy using a standard form.

PROXY VOTE

I, the undersigned, hereby authorize Senator Perce

to vote my proxy on any issue before the Senate Highways

Transportation Committee

held on March 8, , 2007.

HB-143 yes reconsiders HB-428 yes
HB-334 yes
HB-428 yes
HB-31 yes

Don Kietzberg
SENATOR
STATE OF MONTANA



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2009 Biennium

Bill # HB0334

Title: Make build-design highway program permanent

Primary Sponsor: McChesney, Bill

Status: Select status

- Significant Local Gov Impact
- Needs to be included in HB 2
- Technical Concerns
- Included in the Executive Budget
- Significant Long-Term Impacts
- Dedicated Revenue Form Attached

FISCAL SUMMARY

	<u>FY 2008</u> <u>Difference</u>	<u>FY 2009</u> <u>Difference</u>	<u>FY 2010</u> <u>Difference</u>	<u>FY 2011</u> <u>Difference</u>
Expenditures:				
General Fund	\$0	\$0	\$0	\$0
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL ANALYSIS

Assumptions:

1. This bill will have no fiscal impact to the state.

WJmc
Sponsor's Initials

1-21-07
Date

[Signature]
Budget Director's Initials

1/19/07
Date

HB 334



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2009 Biennium

Bill # HB0143

Title: Transfer quarterly report requirement for motor vehicle wrecking facility

Primary Sponsor: Reinhart, M.

Status: As Introduced

- Significant Local Gov Impact
 Include in HB 2
 Technical Concerns
 Included in the Executive Budget
 Significant Long-Term Impacts
 Dedicated Revenue Form Attached

FISCAL SUMMARY

	<u>FY 2008 Difference</u>	<u>FY 2009 Difference</u>	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>
Expenditures:				
General Fund	\$0	\$0	\$0	\$0
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL ANALYSIS

Assumptions:

1. This bill moves the DOJ reporting submittal requirements for motor vehicle wrecking facilities from DEQ 75-10-513, MCA to Title 61, Chapter 3, part 2 to the DOJ.
2. There will be a minor reduction to DEQ staff workload with no fiscal impact.
3. There will be minor additional workload associated with reporting submittals already performed by DOJ Title and Registration Bureau staff.
4. This bill has no fiscal impact to the Department of Environmental Quality (DEQ) or the Department of Justice (DOJ).

MKR

Sponsor's Initials

1/4/07

Date

[Signature]

Budget Director's Initials

1/3/07

Date



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2009 Biennium

Bill # HB0031

Title: Increase new motor vehicle arbitration fee

Primary Sponsor: Kottel, D.

Status: As Introduced

- Significant Local Gov Impact
 Include in HB 2
 Technical Concerns
 Included in the Executive Budget
 Significant Long-Term Impacts
 Dedicated Revenue Form Attached

FISCAL SUMMARY

Description of Fiscal Impact:

	<u>FY 2008 Difference</u>	<u>FY 2009 Difference</u>	<u>FY 2010 Difference</u>	<u>FY 2011 Difference</u>
Expenditures:				
State Special Revenue	\$ -	\$ -	\$ -	\$ -
Revenue:				
State Special Revenue	\$ 2,200	\$ 2,200	\$ 2,200	\$ 2,200
Net Impact-General Fund Balance	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>

FISCAL ANALYSIS

Assumptions:

1. The Office of Consumer Protection will have an estimated four arbitrations per year under the New Motor Vehicle Warranty Act.
2. An increase in the current consumer filing fee from \$50 to \$100 will yield a \$200 increase in revenue.
3. The manufactures filing fee increase from \$250 to \$750 shall prove an additional \$2,000 increase.

HB 31

	<u>FY 2008</u> <u>Difference</u>	<u>FY 2009</u> <u>Difference</u>	<u>FY 2010</u> <u>Difference</u>	<u>FY 2011</u> <u>Difference</u>
<u>Revenues:</u>				
State Special Revenue (02)	\$ 2,200	\$ 2,200	\$ 2,200	\$ 2,200
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>				
State Special Revenue (02)	\$ 2,200	\$ 2,200	\$ 2,200	\$ 2,200

<u>NRK</u>	<u>1-3-07</u>	<u>J. E. [Signature]</u>	<u>1/3/07</u>
Sponsor's Initials	Date	Budget Director's Initials	Date