



AN ACT AUTHORIZING NECESSARY MEASURES TO IMPLEMENT THE GENERAL APPROPRIATIONS ACT; ESTABLISHING A TEMPORARY STATE LANDS REIMBURSEMENT BLOCK GRANT; PROVIDING FOR LEGISLATIVE INTENT; CREATING A BUREAU OF CRIME CONTROL; PROVIDING TRANSITION INSTRUCTIONS; REQUIRING REPORTING ON THE TRANSITION OF ALLOCATING THE BOARD OF CRIME CONTROL TO THE DEPARTMENT OF CORRECTIONS FOR ADMINISTRATIVE PURPOSES; AND PROVIDING EFFECTIVE DATES AND A TERMINATION DATE.

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

Section 1. Legislative intent. The legislature intends that for the biennium beginning July 1, 2017, the department of corrections will amend its contract with Great Falls Pre-Release Services, Inc., to remove the contract language related to the "Booters" as a result of the passage of House Bill No. 650. The legislature further intends that the department of corrections work cooperatively with Great Falls Pre-Release Services, Inc., to develop an alternative purpose for the contract that is mutually agreeable to both organizations.

Section 2. Crime control bureau. There is a bureau within the office of the director called the crime control bureau. The purpose of the bureau is to provide staff and support to the board of crime control established in 2-15-2006.

Section 3. Transition instructions and reporting. (1) The staff of the board of crime control, the department of justice, and the department of corrections shall develop a transition plan to allow for the least impactful transition of the board to the department of corrections. The plan must be presented to the legislative finance committee no later than June 30, 2017.

(2) From July 1, 2017, to December 31, 2017, the staff of the board of crime control, in collaboration with the department of corrections, shall implement the plan to fully transition the board to the department of corrections by January 1, 2018, in a manner that ensures the least amount of:

- (a) delay in grant recipients receiving funds;
- (b) impact in reporting for affected grant recipients; and
- (c) impact for transitioning grants between DUNS numbers with the federal government.

(3) To the extent transferring a grant from the department of justice to the department of corrections jeopardizes the grant, as determined by the budget director, the grant may not be transferred to the department of corrections.

(4) The department of corrections shall report at least three times to each of the following committees during the biennium beginning July 1, 2017, on the progress of the transition implementation:

- (a) the legislative finance committee;
- (b) the legislative audit committee;
- (c) the law and justice interim committee; and
- (d) the local government interim committee.

Section 4. State lands reimbursement block grant. (1) (a) For each fiscal year of the biennium beginning July 1, 2017, the office of public instruction shall provide a state lands reimbursement block grant of \$100,000 to each school district in a county with greater than 20% of the county's land area composed of state school trust lands.

(b) The electronic reporting system that is used by the office of public instruction and school districts must be used to allocate the block grant amount into each district's general fund budget as an anticipated revenue source.

(2) Each year, 70% of each district's block grant must be distributed in November and 30% of each district's block grant must be distributed in May at the same time that guaranteed tax base aid is distributed.

Section 5. Codification instruction. (1) [Section 2] is intended to be codified as an integral part of Title 2, chapter 15, part 23, and the provisions of Title 2, chapter 15, part 23, apply to [section 2].

(2) [Section 4] is intended to be codified as an integral part of Title 20, chapter 9, part 6, and the provisions of Title 20, chapter 9, part 6, apply to [section 4].

Section 6. Coordination instruction. If both [this act] and House Bill No. 650 are passed and approved

and House Bill No. 650 amends 61-3-321, then the section amending 61-3-321 in House Bill No. 650 is void and 61-3-321 must be amended as follows:

"61-3-321. Registration fees of vehicles and vessels -- certain vehicles exempt from registration fees -- disposition of fees. (1) Except as otherwise provided in this section, registration fees must be paid upon registration or, if applicable, renewal of registration of motor vehicles, snowmobiles, watercraft, trailers, semitrailers, and pole trailers as provided in subsections (2) through (20).

(2) ~~Unless (a)~~ Except as provided in subsection (2)(b), unless a light vehicle is permanently registered under 61-3-562, the annual registration fee for light vehicles, trucks and buses under 1 ton, and logging trucks less than 1 ton is as follows:

- ~~(a)~~(i) if the vehicle is 4 or less years old, \$217;
- ~~(b)~~(ii) if the vehicle is 5 through 10 years old, \$87; and
- ~~(c)~~(iii) if the vehicle is 11 or more years old, \$28.

(b) For a light vehicle with a manufacturer's suggested retail price of more than \$150,000 that is 10 years old or less, the annual registration fee is the amount provided for in subsection (2)(a) plus \$825.

(3) Except as provided in subsection (15), the one-time registration fee based on the declared weight of a trailer, semitrailer, or pole trailer is as follows:

- (a) if the declared weight is less than 6,000 pounds, \$61.25; or
- (b) if the declared weight is 6,000 pounds or more, \$148.25.

(4) Except as provided in subsection (15), the one-time registration fee for motor vehicles owned and operated solely as collector's items pursuant to 61-3-411, based on the weight of the vehicle, is as follows:

- (a) 2,850 pounds and over, \$10; and
- (b) under 2,850 pounds, \$5.

(5) Except as provided in subsection (15), the one-time registration fee for off-highway vehicles other than a quadricycle or motorcycle is \$61.25.

(6) The annual registration fee for heavy trucks, buses, and logging trucks in excess of 1 ton is \$22.75.

(7) (a) ~~The~~ Except as provided in subsection (7)(c), the annual registration fee for a motor home, based on the age of the motor home, is as follows:

- (i) less than 2 years old, \$282.50;
- (ii) 2 years old and less than 5 years old, \$224.25;

(iii) 5 years old and less than 8 years old, \$132.50; and

(iv) 8 years old and older, \$97.50.

(b) The owner of a motor home that is 11 years old or older and that is subject to the registration fee under this section may permanently register the motor home upon payment of:

(i) a one-time registration fee of \$237.50;

(ii) unless a new set of license plates is being issued, an insurance verification fee of \$5, which must be deposited in the account established under 61-6-158;

(iii) if applicable, five times the renewal fees for personalized license plates under 61-3-406; and

(iv) if applicable, the donation fee for a generic specialty license plate under 61-3-480 or a collegiate license plate under 61-3-465.

(c) For a motor home with a manufacturer's suggested retail price of more than \$300,000 that is 10 years old or less, the annual registration fee is the amount provided in subsection (7)(a) plus \$800.

(8) (a) Except as provided in subsection (15), the one-time registration fee for motorcycles and quadricycles registered for use on public highways is \$53.25, and the one-time registration fee for motorcycles and quadricycles registered for both off-road use and for use on the public highways is \$114.50.

(b) An additional fee of \$16 must be collected for the registration of each motorcycle or quadricycle as a safety fee, which must be deposited in the state motorcycle safety account provided for in 20-25-1002.

(9) Except as provided in subsection (15), the one-time registration fee for travel trailers, based on the length of the travel trailer, is as follows:

(a) under 16 feet in length, \$72; and

(b) 16 feet in length or longer, \$152.

(10) Except as provided in subsection (15), the one-time registration fee for a motorboat, sailboat, personal watercraft, or motorized pontoon required to be numbered under 23-2-512 is as follows:

(a) for a personal watercraft or a motorboat, sailboat, or motorized pontoon less than 16 feet in length, \$65.50;

(b) for a motorboat, sailboat, or motorized pontoon at least 16 feet in length but less than 19 feet in length, \$125.50; and

(c) for a motorboat, sailboat, or motorized pontoon 19 feet in length or longer, \$295.50.

(11) (a) Except as provided in subsections (11)(b) and (15), the one-time registration fee for a

snowmobile is \$60.50.

(b) (i) A snowmobile that is licensed by a Montana business and is owned exclusively for the purpose of daily rental to customers is assessed:

(A) a fee of \$40.50 in the first year of registration; and

(B) if the business reregisters the snowmobile for a second year, a fee of \$20.

(ii) If the business reregisters the snowmobile for a third year, the snowmobile must be permanently registered and the business is assessed the registration fee imposed in subsection (11)(a).

(12) (a) The one-time registration fee for a low-speed electric vehicle is \$25.

(b) The one-time registration fee for a golf cart that is owned by a person who has or is applying for a low-speed restricted driver's license is \$25.

(c) The one-time registration fee for golf carts authorized to operate on certain public streets and highways pursuant to 61-8-391 is \$25. Upon receipt of the fee, the department shall issue the owner a decal, which must be displayed visibly on the golf cart.

(13) (a) Except as provided in subsection (13)(b), a fee of \$10 must be collected when a new set of standard license plates, a new single standard license plate, or a replacement set of special license plates required under 61-3-332 is issued. The \$10 fee imposed under this subsection does not apply when previously issued license plates are transferred under 61-3-335. All registration fees imposed under this section must be paid if the vehicle to which the plates are transferred is not currently registered.

(b) An additional fee of \$15 must be collected if a vehicle owner elects to keep the same license plate number from license plates issued before January 1, 2010, when replacement of those plates is required under 61-3-332(3).

(c) The fees imposed in this subsection (13) must be deposited in the account established under 61-6-158, except that \$2 of the fee imposed in subsection (13)(a) must be deposited in the state general fund.

(14) The provisions of this part with respect to the payment of registration fees do not apply to and are not binding upon motor vehicles, trailers, semitrailers, snowmobiles, watercraft, or tractors owned or controlled by the United States of America or any state, county, city, or special district, as defined in 18-8-202, or to a vehicle or vessel that meets the description of property exempt from taxation under 15-6-201(1)(a), (1)(d), (1)(e), (1)(g), (1)(h), (1)(i), (1)(k), (1)(l), (1)(n), or (1)(o), 15-6-203, or 15-6-215, except as provided in 61-3-520.

(15) Whenever ownership of a trailer, semitrailer, pole trailer, off-highway vehicle, motorcycle,

quadricycle, travel trailer, motor home, motorboat, sailboat, personal watercraft, motorized pontoon, snowmobile, motor vehicle owned and operated solely as a collector's item pursuant to 61-3-411, or low-speed electric vehicle is transferred, the new owner shall title and register the vehicle or vessel as required by this chapter and pay the fees imposed under this section.

(16) A person eligible for a waiver under 61-3-460 is exempt from the fees required under this section.

(17) Except as otherwise provided in this section, revenue collected under this section must be deposited in the state general fund.

(18) The fees imposed by subsections (2) through (12) are not required to be paid by a dealer for the enumerated vehicles or vessels that constitute inventory of the dealership.

(19) (a) Unless a person exercises the option in either subsection (19)(b) or (19)(c), an additional fee of \$6 must be collected for each light vehicle registered under this part. This fee must be accounted for and transmitted separately from the registration fee. The fee must be deposited in an account in the state special revenue fund to be used for state parks, for fishing access sites, and for the operation of state-owned facilities. Of the \$6 fee, the department of fish, wildlife, and parks shall use \$5.37 for state parks, 25 cents for fishing access sites, and 38 cents for the operation of state-owned facilities at Virginia City and Nevada City.

(b) A person who registers a light vehicle may, at the time of annual registration, certify that the person does not intend to use the vehicle to visit state parks and fishing access sites and may make a written election not to pay the additional \$6 fee provided for in subsection (19)(a). If a written election is made, the fee may not be collected.

(c) (i) A person who registers one or more light vehicles may, at the time of annual registration, certify that the person does not intend to use any of the vehicles to visit state parks and fishing access sites and may make a written election not to pay the additional \$6 fee provided for in subsection (19)(a). If a written election is made, the fee may not be collected at any subsequent annual registration unless the person makes the written election to pay the additional fee on one or more of the light vehicles.

(ii) The written election not to pay the additional fee on a light vehicle expires if the vehicle is registered to a different person.

(20) For each light vehicle, trailer, semitrailer, pole trailer, heavy truck, motor home, motorcycle, quadricycle, and travel trailer subject to a registration fee under this section, an additional fee of \$5 must be collected and forwarded to the state for deposit in the account established in 44-1-504.

(21) This section does not apply to a motor vehicle, trailer, semitrailer, or pole trailer that is governed by 61-3-721.

(22) (a) The \$800 and \$825 amounts collected based on the manufacturer's suggested retail price in subsections (2) and (7) are exempt from the provisions of 15-1-122 and must be deposited in the motor vehicle division administration account established in [section 4 of House Bill No. 650].

(b) By August 15 of each year, beginning in the fiscal year beginning July 1, 2019, the department of justice shall deposit into the general fund an amount equal to the fiscal yearend balance minus 25% of the current fiscal year appropriation for the motor vehicle division administration account established in [section 4 of House Bill No. 650].

Section 7. Coordination instruction. If both [this act] and House Bill No. 2 are passed and approved, then the following language must be inserted in Section C of House Bill No. 2:

(1) under "DEPARTMENT OF FISH, WILDLIFE, AND PARKS": "If sufficient federal funds are not received by the department for aquatic invasive species response, then the state special revenue appropriation for aquatic invasive species response may be increased and the federal special revenue decreased by like amounts."

(2) Under "DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION": "If sufficient federal funds are not received by the department for aquatic invasive species response, then the state special revenue appropriation for aquatic invasive species response may be increased and the federal special revenue decreased by like amounts."

Section 8. Coordination instruction. If both [this act] and House Bill No. 650 are passed and approved and House Bill No. 650 amends 2-15-2006, then the section amending 2-15-2006 in House Bill No. 650 is void and 2-15-2006 must be amended as follows:

"2-15-2006. Board of crime control -- composition -- allocation. (1) There is a board of crime control.
 (2) The board is allocated to the department ~~for administrative purposes only as prescribed in 2-15-121.~~ However, the board may hire its own personnel, and ~~2-15-121(2)(d) does not apply of corrections.~~

(3) The board is composed of 18 members appointed by the governor in accordance with 2-15-124 and any special requirements of Title I of the Omnibus Crime Control and Safe Streets Act, as amended. The board

shall be representative of state and local law enforcement and criminal justice agencies, including agencies directly related to the prevention and control of juvenile delinquency, units of general local government, and public agencies maintaining programs to reduce and control crime and shall include representatives of citizens and professional and community organizations, including organizations directly related to delinquency prevention."

Section 9. Coordination instruction. If [this act], House Bill No. 650, and Senate Bill No. 59 are all passed and approved, then:

- (1) [section 36 of House Bill No. 650] is void; and
- (2) [section 3(1)(f) of Senate Bill No. 59] is void and [section 3(1)(d) of Senate Bill No. 59] must read as follows:

"(d) two employees of the department of corrections selected by the director, one of whom must have expertise in data collection and reporting."

Section 10. Coordination instruction. If both [this act] and House Bill No. 648 are passed and approved then [section 16 of House Bill No. 648] must be amended to read:

"Section 16. Reductions to appropriations for fiscal year 2017. The following appropriations for fiscal year 2017, as enacted in House Bill No. 2 in Ch. 400, Laws of 2015, are reduced as follows:

Department of Justice

Agency Legal Services Division from \$6,995,799 in general fund to \$6,870,799.

Office of Public Instruction

School Facility Reimbursement from \$8,586,000 in state special revenue to \$0."

Section 11. Coordination instruction. If [this act], House Bill No. 473, and House Bill No. 650 are passed and approved then:

- (1) [section 35 of House Bill No. 650] is void; and
- (2) the reference to 15-70-403(8) and 60-3-201(1)(e) in [section 5(2) of House Bill No. 650] must read "15-70-403(2)(b) and (3)(b)".

Section 12. Coordination instruction. If [this act], House Bill No. 473, and House Bill No. 650 are

passed and approved, then [section 34 of House Bill No. 650] is void.

Section 13. Coordination instruction. If both [this act] and House Bill No. 2 are passed and approved, then the state special revenue appropriations to the department of commerce under "Office of Tourism and Business Development" in Section A of House Bill No. 2 must be increased by \$200,000 in fiscal year 2018 and 2019.

Section 14. Coordination instruction. If House Bill No. 2 and [this act] are passed and approved, then the general fund appropriation for the department of natural resources and conservation under "Water Resources Division" in Section C of House Bill No. 2 must be reduced by \$200,000 in the fiscal year beginning July 1, 2017, and \$200,000 in the fiscal year beginning July 1, 2018. This reduction is intended to apply to the funding for the operation of the Montana reserved water rights compact commission.

Section 15. Coordination instruction. If House Bill No. 2 and [this act] are passed and approved, then the state special revenue fund appropriations for the department of commerce under "Office of Tourism and Business Development" in Section A of House Bill No. 2 must be increased by \$100,000 in the fiscal year beginning July 1, 2017, and by \$100,000 in the fiscal year beginning July 1, 2018. This increase may only be used to provide grants to entities that address employment barriers through coaching and advocacy, develop skills in managing personal finances, or develop a skilled workforce within the community.

Section 16. Coordination instruction. If House Bill No. 2 and [this act] are both passed and approved, then:

(1) the general fund appropriation for reimbursement block grants in House Bill No. 2 must be increased by \$100,000 in each fiscal year of the biennium beginning July 1, 2017, for the purpose of distributing state lands reimbursement block grants as provided in [section 4]; and

(2) the general fund appropriation for BASE aid in House Bill No. 2 must be reduced by \$34,000 in fiscal year 2018 and by \$42,000 in fiscal year 2019 for the purpose of guaranteed tax base reduction related to the distribution of state lands reimbursement block grants as provided in [section 4].

Section 17. Coordination instruction. If House Bill No. 2, Senate Bill No. 309, and [this act] are all passed and approved, then the state special revenue appropriation for Office of Tourism and Business Development in House Bill No. 2 must be increased by \$110,000 in the year beginning July 1, 2017, and \$120,000 in the year beginning July 1, 2018. The funding is restricted to the state-tribal economic development commission for the purposes of Senate Bill No. 309.

Section 18. Severability. If a part of [this act] is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of [this act] is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

Section 19. Effective dates. (1) Except as provided in subsections (2) and (3), [this act] is effective July 1, 2017.

(2) [Sections 9 and 10] and this section are effective on passage and approval.

(3) [Sections 2, 5(1), 6, and 8] are effective January 1, 2018.

Section 20. Termination. [Section 4] terminates June 30, 2019.

- END -

I hereby certify that the within bill,
SB 0095, originated in the Senate.

President of the Senate

Signed this _____ day
of _____, 2017.

Secretary of the Senate

Speaker of the House

Signed this _____ day
of _____, 2017.

SENATE BILL NO. 95
INTRODUCED BY L. JONES

AN ACT AUTHORIZING NECESSARY MEASURES TO IMPLEMENT THE GENERAL APPROPRIATIONS ACT; ESTABLISHING A TEMPORARY STATE LANDS REIMBURSEMENT BLOCK GRANT; PROVIDING FOR LEGISLATIVE INTENT; CREATING A BUREAU OF CRIME CONTROL; PROVIDING TRANSITION INSTRUCTIONS; REQUIRING REPORTING ON THE TRANSITION OF ALLOCATING THE BOARD OF CRIME CONTROL TO THE DEPARTMENT OF CORRECTIONS FOR ADMINISTRATIVE PURPOSES; AND PROVIDING EFFECTIVE DATES AND A TERMINATION DATE.