

SENATE BILL NO. 180

INTRODUCED BY B. HOVEN

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE FUNDING SOURCE FOR THE SENIOR CITIZEN
5 AND PERSONS WITH DISABILITIES TRANSPORTATION SERVICES ACCOUNT; ALLOCATING REVENUE
6 FROM THE RENTAL CAR SALES AND USE TAX TO THE ACCOUNT; REMOVING A GENERAL FUND
7 TRANSFER TO THE ACCOUNT; REVISING THE PROVISION OF FUNDS FROM THE ACCOUNT; AMENDING
8 SECTIONS 7-14-112, 10-3-801, 15-1-122, AND 15-68-820, MCA; AND PROVIDING A DELAYED EFFECTIVE
9 DATE AND AN APPLICABILITY DATE."

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

12
13 **Section 1.** Section 7-14-112, MCA, is amended to read:

14 **"7-14-112. Senior citizen and persons with disabilities transportation services account -- use.** (1)

15 There is a senior citizen and persons with disabilities transportation services account in the state special revenue
16 fund. Money must be deposited in the account pursuant to ~~15-1-122(2)(e)~~ 15-68-820(2).

17 (2) ~~Except as provided in subsection (6), the~~ The account must be used to provide operating funds or
18 matching funds for operating grants pursuant to 49 U.S.C. 5311 to counties, incorporated cities and towns, tribal
19 governments, urban transportation districts, or nonprofit organizations for transportation services for persons 60
20 years of age or older and for persons with disabilities.

21 (3) (a) Subject to the conditions of subsection (3)(b), the department of transportation is authorized to
22 award grants to counties, incorporated cities and towns, tribal governments, urban transportation districts, and
23 nonprofit organizations for transportation services using guidelines established in the state management plan for
24 the purposes described in 49 U.S.C. 5310 and 5311.

25 (b) Priority for awarding grants must be determined according to the following factors:

26 (i) the most recent census or federal estimate of persons 60 years of age or older and persons with
27 disabilities in the area served by a county, incorporated city or town, tribal government, urban transportation
28 district, or nonprofit organization;

29 (ii) the annual number of trips provided by the transportation provider to persons 60 years of age or older
30 and to persons with disabilities in the transportation service area; and

1 (iii) the ability of the transportation provider to provide matching money in an amount determined by the
2 department of transportation; and

3 ~~(iv)~~(iii) the coordination of services as required in subsection ~~(5)~~ (4).

4 ~~(4)~~ The department of transportation shall ensure that the available funding is distributed equally among
5 the five transportation districts provided in 2-15-2502.

6 ~~(5)~~(4) In awarding grants, the department of transportation shall give preference to proposals that:

7 (a) include ~~the establishment of a transit authority to coordinate service area or regional transportation~~
8 services participation in a local transportation advisory committee;

9 (b) address and document the transportation needs within the community, county, and service area or
10 region;

11 (c) identify all other transportation providers in the community, county, and service area or region;

12 (d) explain how services are going to be coordinated with the other transportation providers in the service
13 area or region by creating a locally developed transportation coordination plan;

14 (e) indicate how services are going to be expanded to meet the unmet needs of senior citizens and
15 disabled persons within the community, county, and service area or region who are dependent upon public transit;

16 (f) include documentation of coordination with other local transportation programs within the community,
17 county, and service area or region, including:

18 (i) utilization of existing resources and equipment to maximize the delivery of service; and

19 (ii) the projected increase in ridership and expansion of service;

20 (g) invite school districts to participate or be included in the transportation coordination efforts within the
21 community, county, and service area or region; and

22 (h) at a minimum, comply with the provisions in subsections ~~(5)(b)~~ (4)(b) through ~~(5)(f)~~ (4)(f).

23 ~~(6) Any money remaining after grants have been awarded to transportation providers who provide~~
24 ~~transportation services for persons 60 years of age or older and persons with disabilities may be awarded to other~~
25 ~~transportation providers for operating costs or matching funds for operating grants for the purposes described~~
26 ~~in 49 U.S.C. 5311 other than for transportation services for persons 60 years of age or older or persons with~~
27 ~~disabilities."~~

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29 **Section 2.** Section 10-3-801, MCA, is amended to read:

30 **"10-3-801. Account created for funding search and rescue operations -- rules.** (1) There is an

1 account in the state special revenue fund established in 17-2-102. The account must be administered by the
2 disaster and emergency services division of the department exclusively for the purposes of search and rescue
3 as provided in this section. The department may retain up to 5% of the money in the account to pay its costs of
4 administering this section.

5 (2) There must be deposited in the account:

6 (a) fund transfers pursuant to 15-1-122~~(2)(f)~~(2)(e);

7 (b) fund transfers pursuant to 87-1-601(10). These funds may be used only as provided in 87-1-601(10).

8 (c) all money received by the department in the form of gifts, grants, reimbursements, or appropriations
9 from any source intended to be used for search and rescue operations.

10 (3) (a) Not less than 50% of the money in the account must be used by the department to defray costs
11 of:

12 (i) local search and rescue units for search and rescue missions conducted through a county sheriff's
13 office at a maximum of \$6,000 for each rescue mission, regardless of the number of counties or county search
14 and rescue organizations involved. To fulfill the purposes of this subsection (3)(a)(i), the department shall transmit
15 reimbursement money to the county treasurer, who shall deposit the funds in a separate search and rescue fund
16 accessible by the local search and rescue unit that requested the reimbursement. The county treasurer shall
17 notify the reimbursed local search and rescue unit by mail when the deposit occurs.

18 (ii) a county sheriff's office at a maximum of \$6,000 for each rescue mission, regardless of the number
19 of counties or county search and rescue organizations involved.

20 (b) The remaining money in the account may be used by the department:

21 (i) to match local funds for the purchase of equipment for use by local search and rescue units at a
22 maximum of \$6,000 for each unit in a calendar year. The cost-sharing match must be 35% local funds to 65%
23 from the account.

24 (ii) for reimbursement of expenses related to the training of search and rescue volunteers.

25 (4) The department may adopt rules to implement the proper administration of the account. The rules
26 may include:

27 (a) a method of reimbursing local search and rescue units or a county sheriff's office, on a case-by-case
28 basis, for authorized search and rescue operations conducted pursuant to subsection (3)(a), including verification
29 of search missions, claims procedures, fiscal accountability, and the number and circumstances of search
30 missions involving persons engaged in hunting, fishing, and trapping in a fiscal year;

1 (b) methods for processing requests for equipment matching funds and training funds made pursuant
2 to subsection (3)(b), including any verification and accounting necessary to ensure that the provisions of
3 subsection (3)(b) are met, and determining the percentage of all search missions involving persons engaged in
4 hunting, fishing, or trapping in a fiscal year;

5 (c) a system involving input from representatives of county sheriff organizations and state and local
6 search and rescue organizations for assistance in verifying and processing claims for reimbursement, equipment,
7 and training; and

8 (d) a method for compiling and keeping current a contact list of all search and rescue units in Montana
9 and in neighboring states and provinces in order to ensure collaboration, communication, and cooperation
10 between the various county search and rescue units and between the department and the county units and
11 dedication of a page on the department's website for posting the contact list and other relevant search and rescue
12 information."
13

14 **Section 3.** Section 15-1-122, MCA, is amended to read:

15 **"15-1-122. Fund transfers.** (1) There is transferred from the state general fund to the adoption services
16 account, provided for in 42-2-105, a base amount of \$59,209, and the amount of the transfer must be increased
17 by 10% in each succeeding fiscal year.

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

20 (a) to the motor vehicle recycling and disposal program provided for in Title 75, chapter 10, part 5, 1.48%
21 of the motor vehicle revenue deposited in the state general fund in each fiscal year. The amount of 9.48% of the
22 allocation in each fiscal year must be used for the purpose of reimbursing the hired removal of abandoned
23 vehicles. Any portion of the allocation not used for abandoned vehicle removal reimbursement must be used as
24 provided in 75-10-532.

25 (b) to the noxious weed state special revenue account provided for in 80-7-816, 1.50% of the motor
26 vehicle revenue deposited in the state general fund in each fiscal year;

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

28 (i) 0.46% of the motor vehicle revenue deposited in the state general fund, with the applicable
29 percentage to be:

30 (A) used to:

- 1 (I) acquire and maintain pumpout equipment and other boat facilities, 4.8% in each fiscal year;
- 2 (II) administer and enforce the provisions of Title 23, chapter 2, part 5, 19.1% in each fiscal year;
- 3 (III) enforce the provisions of 23-2-804, 11.1% in each fiscal year; and
- 4 (IV) develop and implement a comprehensive program and to plan appropriate off-highway vehicle
- 5 recreational use, 16.7% in each fiscal year; and
- 6 (B) deposited in the state special revenue fund established in 23-1-105 in an amount equal to 48.3% in
- 7 each fiscal year;
- 8 (ii) 0.10% of the motor vehicle revenue deposited in the state general fund in each fiscal year, with 50%
- 9 of the amount to be used for enforcing the purposes of 23-2-601, 23-2-602, 23-2-611, 23-2-614 through 23-2-617,
- 10 23-2-621, 23-2-622, 23-2-631 through 23-2-635, and 23-2-641 through 23-2-644 and 50% of the amount
- 11 designated for use in the development, maintenance, and operation of snowmobile facilities; and
- 12 (iii) 0.16% of the motor vehicle revenue deposited in the state general fund in each fiscal year to be
- 13 deposited in the motorboat account to be used as provided in 23-2-533;
- 14 (d) 0.81% of the motor vehicle revenue deposited in the state general fund in each fiscal year, with
- 15 24.55% to be deposited in the state veterans' cemetery account provided for in 10-2-603 and with 75.45% to be
- 16 deposited in the veterans' services account provided for in 10-2-112(1); and
- 17 ~~(e) 0.30% of the motor vehicle revenue deposited in the state general fund in each fiscal year for deposit~~
- 18 ~~in the state special revenue fund to the credit of the senior citizens and persons with disabilities transportation~~
- 19 ~~services account provided for in 7-14-112; and~~
- 20 ~~(f)~~(e) to the search and rescue account provided for in 10-3-801, 0.04% of the motor vehicle revenue
- 21 deposited in the state general fund in each fiscal year.
- 22 (3) The amount of \$200,000 is transferred from the state general fund to the livestock loss reduction and
- 23 mitigation restricted state special revenue account provided for in 81-1-112 in each fiscal year.
- 24 (4) For the purposes of this section, "motor vehicle revenue deposited in the state general fund" means
- 25 revenue received from:
- 26 (a) fees for issuing a motor vehicle title paid pursuant to 61-3-203;
- 27 (b) fees, fees in lieu of taxes, and taxes for vehicles, vessels, and snowmobiles registered or reregistered
- 28 pursuant to 61-3-321 and 61-3-562;
- 29 (c) GVW fees for vehicles registered for licensing pursuant to Title 61, chapter 3, part 3; and
- 30 (d) all money collected pursuant to 15-1-504(3).

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

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4 **Section 4.** Section 15-68-820, MCA, is amended to read:

5 **"15-68-820. Sales tax and use tax proceeds.** ~~All~~ (1) Except as provided in subsection (2), all money
6 collected under this chapter must, in accordance with the provisions of 17-2-124, be deposited by the department
7 into the general fund.

8 (2) ~~Fifty~~ TWENTY-FIVE percent of the revenue collected on the base rental charge for rental vehicles under
9 15-68-102(1)(b) and 15-68-102(3)(a)(ii) must be deposited in the state special revenue fund to the credit of the
10 senior citizen and persons with disabilities transportation services account provided for in 7-14-112."

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12 NEW SECTION. **Section 5. Notification to tribal governments.** The secretary of state shall send a
13 copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell
14 Chippewa tribe.

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16 NEW SECTION. **Section 6. Effective date.** [This act] is effective January 1, 2016.

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18 NEW SECTION. **Section 7. Applicability.** [This act] applies to rental car sales and use taxes levied
19 after December 31, 2015.

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