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As of: August 28, 2018 (3:20pm)

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**** Bill No. ****

Introduced By *****

By Request of the *****

****For discussion by the EQC at its September 2018 meeting****

A Bill for an Act entitled: "An Act revising laws related to aquatic invasive species programs; requiring an aquatic invasive species prevention pass for operation of vessels and migratory bird hunting; establishing fees; revising prevention pass fees for anglers; providing for transfers of general fund; providing a statutory appropriation; amending sections 15-1-122, 17-7-502, 80-7-1004, 87-2-130, and 87-2-903, MCA, Section 21, Chapter 387, Laws of 2017, and Section 19, Chapter 387, Laws of 2017; repealing section 7, chapter 387, laws of 2017; and providing effective dates."

Be it enacted by the Legislature of the State of Montana:

NEW SECTION. **Section 1. Aquatic invasive species**

prevention pass for vessels. (1) For each vessel operated on the waters of this state, a person must purchase from the department an aquatic invasive species prevention pass, which must be retained on the vessel unless an electronic copy of the pass is available for inspection at the request of a warden, other officer, or employee of the department. The pass must include a description of the vessel for which it was purchased.

(2) The annual fee for an aquatic invasive species prevention pass purchased pursuant to this section is:

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(a) \$10 for a motorized vessel registered in Montana pursuant to 61-3-321;

(b) \$60 for a motorized vessel exempt from registration in Montana pursuant to 61-3-321;

(c) \$5 for a nonmotorized vessel owned by a resident; and

(d) \$10 for a nonmotorized vessel owned by a nonresident.

(3) An aquatic invasive species prevention pass purchased pursuant to this section expires at the end of each calendar year and is not transferrable between vessels.

(4) Fees collected pursuant to this section must be deposited in the invasive species account established in 80-7-1004.

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

"15-1-122. (Temporary -- bracketed language effective July 1, 2023) Fund transfers. (1) There is transferred from the state general fund to the adoption services account, provided for in 42-2-105, a base amount of \$59,209, and the amount of the transfer must be increased by 10% in each succeeding fiscal year.

(2) For fiscal years 2016 through 2019, there is transferred \$1.275 million on an annual basis from the state general fund to the research and commercialization state special revenue account provided for in 90-3-1002.

(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

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provided for in Title 75, chapter 10, part 5, 1.48% of the motor vehicle revenue deposited in the state general fund in each fiscal year. The amount of 9.48% of the allocation in each fiscal year must be used for the purpose of reimbursing the hired removal of abandoned vehicles. Any portion of the allocation not used for abandoned vehicle removal reimbursement must be used as provided in 75-10-532.

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

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

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

(A) used to:

(I) acquire and maintain pumpout equipment and other boat facilities, 4.8% in each fiscal year;

(II) administer and enforce the provisions of Title 23, chapter 2, part 5, 19.1% in each fiscal year;

(III) enforce the provisions of 23-2-804, 11.1% in each fiscal year; and

(IV) develop and implement a comprehensive program and to plan appropriate off-highway vehicle recreational use, 16.7% in each fiscal year; and

(B) deposited in the state special revenue fund established in 23-1-105 in an amount equal to 48.3% in each fiscal year;

(ii) 0.10% of the motor vehicle revenue deposited in the state general fund in each fiscal year, with 50% of the amount to

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be used for enforcing the purposes of Title 23, chapter 2, part 6, and 50% of the amount designated for use in the development, maintenance, and operation of snowmobile facilities; and

(iii) 0.16% of the motor vehicle revenue deposited in the state general fund in each fiscal year to be deposited in the motorboat account to be used as provided in 23-2-533;

(d) 0.81% of the motor vehicle revenue deposited in the state general fund in each fiscal year, with 24.55% to be deposited in the state veterans' cemetery account provided for in 10-2-603 and with 75.45% to be deposited in the veterans' services account provided for in 10-2-112(1); and

(e) to the search and rescue account provided for in 10-3-801, 0.04% of the motor vehicle revenue deposited in the state general fund in each fiscal year.

(4) The amount of \$200,000 is transferred from the state general fund to the livestock loss [reduction and] mitigation restricted state special revenue account provided for in 81-1-112 in each fiscal year.

(5) For fiscal years 2018 through 2021, there is transferred \$2 million on an annual basis from the state general fund to the sage grouse stewardship account provided for in 76-22-109.

(6) For the purposes of this section, "motor vehicle revenue deposited in the state general fund" means revenue received from:

(a) fees for issuing a motor vehicle title paid pursuant to 61-3-203;

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(b) fees, fees in lieu of taxes, and taxes for vehicles, vessels, and snowmobiles registered or reregistered pursuant to 61-3-321 and 61-3-562;

(c) GVW fees for vehicles registered for licensing pursuant to Title 61, chapter 3, part 3; and

(d) all money collected pursuant to 15-1-504(3).

(7) Except as provided in subsections (2) and (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.

(Terminates June 30, 2021--sec. 8, Ch. 360, L. 2017; bracketed language in subsection (4) effective July 1, 2023--sec. 6, Ch. 284, L. 2017.)

15-1-122. (Effective July 1, 2021 -- bracketed language effective July 1, 2023) Fund transfers. (1) There is transferred from the state general fund to the adoption services account, provided for in 42-2-105, a base amount of \$59,209, and the amount of the transfer must be increased by 10% in each succeeding fiscal year.

(2) For fiscal years 2016 through 2019, there is transferred \$1.275 million on an annual basis from the state general fund to the research and commercialization state special revenue account provided for in 90-3-1002.

(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

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provided for in Title 75, chapter 10, part 5, 1.48% of the motor vehicle revenue deposited in the state general fund in each fiscal year. The amount of 9.48% of the allocation in each fiscal year must be used for the purpose of reimbursing the hired removal of abandoned vehicles. Any portion of the allocation not used for abandoned vehicle removal reimbursement must be used as provided in 75-10-532.

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

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

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

(A) used to:

(I) acquire and maintain pumpout equipment and other boat facilities, 4.8% in each fiscal year;

(II) administer and enforce the provisions of Title 23, chapter 2, part 5, 19.1% in each fiscal year;

(III) enforce the provisions of 23-2-804, 11.1% in each fiscal year; and

(IV) develop and implement a comprehensive program and to plan appropriate off-highway vehicle recreational use, 16.7% in each fiscal year; and

(B) deposited in the state special revenue fund established in 23-1-105 in an amount equal to 48.3% in each fiscal year;

(ii) 0.10% of the motor vehicle revenue deposited in the state general fund in each fiscal year, with 50% of the amount to

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be used for enforcing the purposes of Title 23, chapter 2, part 6, and 50% of the amount designated for use in the development, maintenance, and operation of snowmobile facilities; and

(iii) 0.16% of the motor vehicle revenue deposited in the state general fund in each fiscal year to be deposited in the motorboat account to be used as provided in 23-2-533;

(d) 0.81% of the motor vehicle revenue deposited in the state general fund in each fiscal year, with 24.55% to be deposited in the state veterans' cemetery account provided for in 10-2-603 and with 75.45% to be deposited in the veterans' services account provided for in 10-2-112(1); and

(e) to the search and rescue account provided for in 10-3-801, 0.04% of the motor vehicle revenue deposited in the state general fund in each fiscal year.

(4) The amount of \$200,000 is transferred from the state general fund to the livestock loss [reduction and] mitigation restricted state special revenue account provided for in 81-1-112 in each fiscal year.

(5) Starting July 1, 2021, in each fiscal year, an amount equal to the difference between \$6,500,000 and the amount of fees collected pursuant to [section 1] and 87-2-130 in the prior fiscal year is transferred from the state general fund to the invasive species account established in 80-7-1004.

~~(5)~~(6) For the purposes of this section, "motor vehicle revenue deposited in the state general fund" means revenue received from:

(a) fees for issuing a motor vehicle title paid pursuant to

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61-3-203;

(b) fees, fees in lieu of taxes, and taxes for vehicles, vessels, and snowmobiles registered or reregistered pursuant to 61-3-321 and 61-3-562;

(c) GVW fees for vehicles registered for licensing pursuant to Title 61, chapter 3, part 3; and

(d) all money collected pursuant to 15-1-504(3).

~~(6)~~(7) Except as provided in subsection (2), 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. (Bracketed language in subsection (4) effective July 1, 2023--sec. 6, Ch. 284, L. 2017.)"

{*Internal References to 15-1-122:*

10-2-112 x 10-2-603 x 10-3-801x 15-35-108x
61-3-321 x 61-3-459x 76-22-109x 81-1-112x
81-1-112x}

Section 3. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be

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listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120; 5-11-407; 5-13-403; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-2-807; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-3-1304; 10-4-301; [10-4-304;] 15-1-121; 15-1-218; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-130; 15-70-433; 16-11-119; 16-11-509; 17-3-106; 17-3-112; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-215; 18-11-112; 19-3-319; 19-3-320; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-534; 20-9-622; 20-9-905; 20-26-617; 20-26-1503; 22-1-327; 22-3-116; 22-3-117; 22-3-1004; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-50-209; 37-51-501; 37-54-113; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-213; 44-13-102; 50-1-115; 53-1-109; 53-6-148; 53-6-1304; 53-9-113; 53-24-108; 53-24-206; 60-11-115; 61-3-321; 61-3-415; 69-3-870; 69-4-527; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 75-26-308; 76-13-150; 76-13-416; 76-17-103; 76-22-109; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-7-1004; 80-11-518; 80-11-1006; 81-1-112; 81-1-113; 81-7-106; 81-10-103; 82-11-161; 85-20-1504; 85-20-1505; [85-25-102]; 87-1-603; 90-1-115; 90-1-205; 90-1-504; 90-3-1003; 90-6-331; and 90-9-306.

(4) There is a statutory appropriation to pay the

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principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates contingently when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 10, Ch. 10, Sp. L. May 2000, secs. 3 and 6, Ch. 481, L. 2003, and sec. 2, Ch. 459, L. 2009, the inclusion of 15-35-108 terminates June 30, 2019; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates contingently upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 6, Ch. 61, L. 2011, the inclusion of 76-13-416 terminates June 30, 2019; pursuant to sec. 11(2), Ch. 17, L. 2013, the inclusion of 17-3-112 terminates on occurrence of contingency; pursuant to sec. 27, Ch. 285, L. 2015, and sec. 1, Ch. 292, L. 2015, the inclusion of 53-9-113 terminates June 30, 2021; pursuant to sec. 6, Ch. 291, L. 2015, the inclusion of 50-1-115 terminates June 30, 2021; pursuant to sec. 28, Ch. 368, L. 2015, the inclusion of 53-6-1304 terminates June 30, 2019; pursuant to sec. 5, Ch. 383, L. 2015, the inclusion of 85-25-102 is effective on occurrence of

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contingency; pursuant to sec. 5, Ch. 422, L. 2015, the inclusion of 17-7-215 terminates June 30, 2021; pursuant to sec. 6, Ch. 423, L. 2015, the inclusion of 22-3-116 and 22-3-117 terminates June 30, 2025; pursuant to sec. 10, Ch. 427, L. 2015, the inclusion of 37-50-209 terminates September 30, 2019; pursuant to sec. 33, Ch. 457, L. 2015, the inclusion of 20-9-905 terminates December 31, 2023; pursuant to sec. 12, Ch. 55, L. 2017, the inclusion of 37-54-113 terminates June 30, 2023; pursuant to sec. 4, Ch. 122, L. 2017, the inclusion of 10-3-1304 terminates September 30, 2025; pursuant to sec. 55, Ch. 151, L. 2017, the inclusion of 30-10-1004 terminates June 30, 2021; pursuant to sec. 1, Ch. 213, L. 2017, the inclusion of 90-6-331 terminates June 30, 2027; pursuant to secs. 5, 8, Ch. 284, L. 2017, the inclusion of 81-1-112, 81-1-113, and 81-7-106 terminates June 30, 2023; pursuant to sec. 1, Ch. 340, L. 2017, the inclusion of 22-1-327 terminates July 1, 2023, and pursuant to sec. 2, Ch. 340, L. 2017, and sec. 32, Ch. 429, L. 2017, is void for fiscal years 2018 and 2019; pursuant to sec. 31(2), Ch. 367, L. 2017, the inclusion of 10-4-301 terminates July 1, 2018, and the inclusion of 10-4-304 is effective July 1, 2018; and pursuant to sec. 10, Ch. 374, L. 2017, the inclusion of 76-17-103 terminates June 30, 2027.)"

{*Internal References to 17-7-502:*

2-17-105x	5-11-120	x	5-11-407x	5-13-403x
7-4-2502x	10-1-108	x	10-1-1202x	10-1-1303x
10-2-603x	10-2-807	x	10-3-203	x 10-3-310x
10-3-312	x 10-3-312	x	10-3-314	x 10-3-1304x
10-4-301	x 10-4-304	x	15-1-121	x 15-1-218x
15-35-108	x 15-36-332x	15-36-332x	15-37-117x	
15-37-117x	15-39-110x	15-65-121x	15-70-101x	
15-70-130x	15-70-433x	16-11-119x	16-11-509x	

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17-1-508 x	17-3-106 x	17-3-112 x	17-3-212x
17-3-222 x	17-3-241 x	17-6-101 x	17-7-215x
17-7-501 x	18-11-112 x	19-3-319x	19-3-320x
19-6-404 x	19-6-410 x	19-9-702 x	19-13-604x
19-17-301x	19-18-512 x	19-19-305x	19-19-506x
19-20-604x	19-20-607x	19-21-203x	20-8-107x
20-9-534 x	20-9-534 x	20-9-622x	20-9-905x
20-26-617x	20-26-1503x	22-1-327 x	22-3-116x
22-3-117 x	22-3-1004 x	23-4-105x	23-4-105x
23-5-306 x	23-5-409 x	23-5-612 x	23-7-301x
23-7-402 x	23-7-402 x	23-7-402 x	30-10-1004x
37-43-204x	37-50-209x	37-51-501x	37-54-113x
39-71-503x	41-5-2011x	42-2-105 x	44-4-1101x
44-12-213x	44-13-102x	50-1-115 x	53-1-109x
53-6-148 x	53-6-1304 x	53-6-1304 x	53-9-113x
53-24-108x	53-24-108x	53-24-206x	60-11-115x
61-3-321 x	61-3-415 x	69-3-870 x	69-4-527x
75-1-1101x	75-5-1108x	75-6-214x	75-11-313x
75-26-308x	76-13-150x	76-13-150x	76-13-416x
76-17-103x	76-22-109x	76-22-109x	77-1-108x
77-2-362 x	80-2-222 x	80-4-416 x	80-11-518x
80-11-1006x	81-1-112x	81-1-113x	81-7-106x
81-10-103 x	82-11-161x	82-11-161x	85-20-1504x
85-20-1504x	85-20-1505x	85-25-102x	87-1-603x
90-1-115 x	90-1-115 x	90-1-205x	90-1-504x
90-3-1003x	90-6-331x	90-9-306x}	

Section 4. Section 80-7-1004, MCA, is amended to read:

"80-7-1004. ~~(Temporary)~~ Invasive species account. (1) There is an invasive species account in the state special revenue fund. The account is administered by the department of fish, wildlife, and parks.

(2) Money transferred from any lawful source, including but not limited to fees collected pursuant to ~~87-2-130~~, [section 1], ~~[15-72-601, and 15-72-602,]~~ the general fund, gifts, grants, donations, securities, or other assets, public or private, may be deposited in the account.

(3) Subject to subsection (4), money deposited in the account must be used for projects that prevent or control any

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nonnative, aquatic invasive species pursuant to this part.

(4) Any private contribution deposited in the account for a particular purpose, as stated by the donor, must be used exclusively for that purpose.

(5) General fund monies transferred into the account are statutorily appropriated as provided in 17-7-502.

~~(5)~~(6) At the end of each fiscal year, unreserved funds in the account, including any interest and earnings, must be transferred to the invasive species trust fund established in 80-7-1016.

~~(6)~~(7) The department of fish, wildlife, and parks may not recover indirect costs from the invasive species account. (Terminates February 29, 2020--sec. 21(1), Ch. 387, L. 2017; bracketed language terminates June 30, 2019--sec. 21(3), Ch. 387, L. 2017.)

~~**80-7-1004. (Effective March 1, 2020) Invasive species account.** (1) There is an invasive species account in the state special revenue fund. The account is administered by the department of fish, wildlife, and parks.~~

~~—— (2) Money transferred from any lawful source, including but not limited to gifts, grants, donations, securities, or other assets, public or private, may be deposited in the account.~~

~~—— (3) Subject to subsection (4), money deposited in the account must be used for projects that prevent or control any nonnative, aquatic invasive species pursuant to this part.~~

~~—— (4) Any private contribution deposited in the account for a particular purpose, as stated by the donor, must be used~~

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~~exclusively for that purpose.~~

~~(5) At the end of each fiscal year, unreserved funds in the account, including any interest and earnings, must be transferred to the invasive species trust fund established in 80-7-1016.~~

~~(6) The department of fish, wildlife, and parks may not recover indirect costs from the invasive species account.~~

~~(Subsection (6) terminates June 30, 2027--sec. 21(2), Ch. 387, L. 2017.)"~~

{Internal References to 80-7-1004:

15-72-601 x 15-72-602 x 17-1-106 x 80-7-1008x
80-7-1015 x 80-7-1016x}

Section 5. Section 87-2-130, MCA, is amended to read:

"87-2-130. ~~(Temporary)~~ Aquatic invasive species prevention pass for anglers and migratory bird hunters. (1) To be eligible to ~~fish in Montana or to apply for a fishing license or a combination license that includes a fishing license~~ do the following in Montana, a person must first obtain an aquatic invasive species prevention pass as provided in this section:

(a) fish;

(b) apply for a fishing license or a combination license that includes a fishing license;

(c) hunt migratory game birds;

(d) apply for a migratory game bird license.

(2) The prevention pass must be purchased once each license year.

~~(2) Resident aquatic invasive species prevention passes may be purchased for a fee of \$2.~~

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~~(3) Nonresident aquatic invasive species prevention passes may be purchased for a fee of \$15.~~

(3) The fee for a prevention pass is:

(a) \$2 for a resident angler;

(b) \$7.50 for a nonresident angler;

(c) \$2 for a migratory bird hunter. ~~(Terminates February 29, 2020--sec. 21(1), Ch. 387, L. 2017.)~~

(4) A person buying both a fishing license or a combination license that includes a fishing license and a migratory bird hunting license must pay the prevention pass fee for each activity."

{*Internal References to 87-2-130:*

80-7-1004x 87-2-711x 87-2-816x 87-2-816x
87-2-817 x 87-2-903a}

Section 6. Section 87-2-903, MCA, is amended to read:

"87-2-903. (Temporary) Compensation, fees, and duties of agents -- penalty for late submission of license money. (1)

License agents, except salaried employees of the department, must receive for all services rendered a commission of 50 cents for each transaction, plus any additional amount as determined under subsection (9) and by rules adopted pursuant to subsection (10).

(2) A license agent may charge a convenience fee of up to 3% of the total amount of a transaction if a purchase is made with a credit card or a debit card. A financial institution or credit card company may not prohibit collection of the convenience fee provided for in this subsection.

(3) Each license agent shall submit to the department the

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money received from the sale of licenses and aquatic invasive species prevention passes and from donations received pursuant to [76-17-102 and] 87-1-293, less the appropriate commission and convenience fee.

(4) Each license agent shall submit to the department copies of each paper license sold.

(5) The department may charge license agents appointed after March 1, 1998, an electronic license system fee not to exceed actual costs.

(6) The department may designate classes of license agents and may establish a protocol for each class of agent. Each license agent shall keep the license account open at all reasonable hours to inspection by the department, the director, the wardens, or the legislative auditor.

(7) For purposes of this section, the term "transaction" includes the sale of any license or permit, collection of any data or fee, or issuance of any certificate prescribed by the department. The term does not include donations collected pursuant to [76-17-102 and] 87-1-293 or the sale of aquatic invasive species prevention passes pursuant to [section 1] and 87-2-130.

(8) If a license agent fails to submit to the department all money received from the declared sale of licenses and aquatic invasive species prevention passes and from donations received pursuant to [76-17-102 and] 87-1-293, less the appropriate commission and convenience fee, by the deadline established by the department, an interest charge equal to the rate charged

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under 15-1-216 may be assessed. Acceptance of late payments with interest does not preclude the department from summarily revoking the appointment of a license agent under 87-2-904.

(9) A license agent, except for an electronic service provider, must receive a commission of 50 cents for each ticket the agent processes for a hunting license lottery held pursuant to 87-1-271.

(10) The department may adopt rules necessary to implement this section. ~~(Terminates February 29, 2020--sec. 21(1), Ch. 387, L. 2017.)~~

~~**87-2-903. (Effective March 1, 2020) Compensation, fees, and duties of agents -- penalty for late submission of license money.**~~

~~(1) License agents, except salaried employees of the department, must receive for all services rendered a commission of 50 cents for each transaction, plus any additional amount as determined under subsection (9) and by rules adopted pursuant to subsection (10).~~

~~(2) A license agent may charge a convenience fee of up to 3% of the total amount of a transaction if a purchase is made with a credit card or a debit card. A financial institution or credit card company may not prohibit collection of the convenience fee provided for in this subsection.~~

~~(3) Each license agent shall submit to the department the money received from the sale of licenses and from donations received pursuant to [76-17-102 and] 87-1-293, less the appropriate commission and convenience fee.~~

~~(4) Each license agent shall submit to the department~~

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~~copies of each paper license sold.~~

~~(5) The department may charge license agents appointed after March 1, 1998, an electronic license system fee not to exceed actual costs.~~

~~(6) The department may designate classes of license agents and may establish a protocol for each class of agent. Each license agent shall keep the license account open at all reasonable hours to inspection by the department, the director, the wardens, or the legislative auditor.~~

~~(7) For purposes of this section, the term "transaction" includes the sale of any license or permit, collection of any data or fee, or issuance of any certificate prescribed by the department. The term does not include donations collected pursuant to [76-17-102 and] 87-1-293.~~

~~(8) If a license agent fails to submit to the department all money received from the declared sale of licenses and from donations received pursuant to [76-17-102 and] 87-1-293, less the appropriate commission and convenience fee, by the deadline established by the department, an interest charge equal to the rate charged under 15-1-216 may be assessed. Acceptance of late payments with interest does not preclude the department from summarily revoking the appointment of a license agent under 87-2-904.~~

~~(9) A license agent, except for an electronic service provider, must receive a commission of 50 cents for each ticket the agent processes for a hunting license lottery held pursuant to 87-1-271.~~

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~~“(10) The department may adopt rules necessary to implement this section. (Bracketed language terminates June 30, 2027--sec. 10, Ch. 374, L. 2017.)”~~

{*Internal References to 87-2-903:
87-1-271x*}

Section 7. Section 19, Chapter 387, Laws of 2017, is amended to read:

"Section 19. Effective ~~dates~~ date. ~~(1) Except as provided in subsection (2), [this [This act] is effective May 15, 2017.~~

~~(2) [Section 7] is effective March 1, 2020."~~

Section 8. Section 21, Chapter 387, Laws of 2017, is amended to read:

"Section 21. Termination. ~~(1) [Sections 1, 6, 13, 14, 15, 16, and 17] terminate February 29, 2020.~~

~~(2)(1) [Sections 4 and 7(6) 6(6)] terminate June 30, 2027.~~

~~(3)(2) [Sections 2 and 3] and the references to [sections 2 and 3] in [section 6] [sections 5 and 6] terminate June 30, 2019."~~

NEW SECTION. **Section 9. {standard} Repealer.** Section 7, Chapter 387, Laws of 2017, is repealed.

NEW SECTION. **Section 10. Transfer of funds.** By July 15, 2019, the state treasurer shall transfer \$1.95 million from the

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state general fund to the invasive species account established in 80-7-1004.

NEW SECTION. **Section 11. Transfer of funds.** By July 15, 2020, the state treasurer shall transfer \$3.3 million from the state general fund to the invasive species account established in 80-7-1004.

NEW SECTION. **Section 12. {standard} Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 23, chapter 2, part 5, and the provisions of Title 23, chapter 2, part 5, apply to [section 1].

NEW SECTION. **Section 13. {standard} Effective dates.** (1) Except as provided in subsection (2), [this act] is effective July 1, 2019.

(2) [Section 5] is effective March 1, 2020.

(3) [Section 11] is effective July 1, 2020.

- END -

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