

1 *Senate* BILL NO. *57*  
 2 INTRODUCED BY *Shirley Flynn, Jackson, Mather*  
 3 *Olson, & Smith Thresen*

1 entitled to collect.

-End-

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR  
 5 DISCLOSURE TO THE DIVISION OF WORKMEN'S COMPENSATION OF  
 6 ATTORNEY FEE ARRANGEMENTS, AND REGULATING ATTORNEY FEES IN  
 7 WORKMEN'S COMPENSATION CASES."

8  
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Attorney's fees. (1) When an attorney  
 11 represents or acts on behalf of a claimant on any workmen's  
 12 compensation claim, the attorney shall submit to the  
 13 division an affidavit stating specifically the terms of the  
 14 fee arrangement between the attorney and the claimant.

15 (2) The administrator of the division may regulate the  
 16 amount of the attorney's fee in any workmen's compensation  
 17 case. In regulating the amount of the fee, the  
 18 administrator shall consider the time the attorney was  
 19 required to spend on the case, the complexity of the case,  
 20 and any other relevant matter the administrator may consider  
 21 appropriate.

22 (3) If an attorney violates a provision of this  
 23 section, a rule adopted under this section, or an order  
 24 fixing attorney's fee under this section, he shall forfeit  
 25 the right to any fee which he may have collected or been

*SB57*

## STATE OF MONTANA

REQUEST NO. 23:75

## FISCAL NOTE

Form BD-15

In compliance with a written request received January 11, 19 75, there is hereby submitted a Fiscal Note for House Bill 57 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

## DESCRIPTION OF PROPOSED LEGISLATION:

An act to eliminate the 10% surcharge for individual income tax purposes. This bill is identical to House Bill 16 except that House Bill 57 provides for an immediate effective date.

## ASSUMPTIONS:

1. Estimated total income tax collections are \$104.8 million in FY 76 and \$124.0 million in FY 77.
2. House Bill 57 will be passed by April 1; withholding tables will be adjusted accordingly to reflect the tax decrease on entire CY 75 income. Thus, underwithholding will occur from April 1 to December 31 to balance the overwithholding from January 1 to March 31.
3. All of CY 75 loss will be realized in FY 76.

## FISCAL IMPACT:

	FY 76	FY 77
Estimated individual income tax collections under current law	\$ 104.8 million	\$ 124.0 million
Estimated collections under proposed law	<u>95.3 million</u>	<u>112.7 million</u>
Decrease in collections	<u>\$ 9.5 million</u>	<u>\$ 11.3 million</u>

## CONCLUSION:

Enactment of House Bill 57 would result in a maximum revenue loss of \$20.8 million during the 76-77 biennium. Income tax collections are allocated 64% to the General Fund, 25% to the School Equalization Aid Earmarked Revenue Fund, and 11% to the Long-Range Building Program.

## NOTE:

In reference to the fiscal note prepared on House Bill 16, the difference in effective dates will not change the fiscal impact since the reduced withholdings in the last quarter of FY 75 will not be collected until FY 76.



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: January 16, 1975

Approved by Committee  
on Labor & Employment  
Relations

SENATE BILL NO. 57

INTRODUCED BY HIMSL, FLYNN, GRAHAM, MATHERS,

OLSON, R. SMITH, THIESSEN

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HOUSE OF REPRESENTATIVES

Date: March 8, 1975

HOUSE COMMITTEE OF THE WHOLE AMENDMENT TO SENATE BILL 57 - Third  
Reading Copy

1. Amend section 1, line 12.  
Following: "Claimant"  
Insert: "or any other party"

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