

1 House BILL NO. 773  
 2 INTRODUCED BY Assembly Way Vincent  
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CREATE A LEGISLATIVE  
 5 REVENUE OVERSIGHT COMMITTEE AND PRESCRIBING ITS FUNCTIONS."  
 6

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

8 Section 1. Revenue oversight committee -- manner of  
 9 appointment. (1) There is created a legislative revenue  
 10 oversight committee as a permanent joint committee of the  
 11 legislature. The committee consists of four members of the  
 12 senate taxation committee, appointed by the chairman of that  
 13 committee, and four members of the house of representatives  
 14 taxation committee, appointed by the chairman of that  
 15 committee. No more than two members from each house may be  
 16 of the same political party.

17 (2) Appointments shall be made before the 60th  
 18 legislative day of a regular session for terms ending on the  
 19 day the next regular session convenes. A vacancy shall be  
 20 filled as the original appointment was made.

21 Section 2. Chairman -- meetings -- compensation. (1)  
 22 The committee shall elect one of its members as chairman and  
 23 such other officers as it considers necessary.

24 (2) The committee shall meet as often as necessary,  
 25 upon the call of the chair. Members of the committee shall

1 be compensated and reimbursed for attending committee  
 2 meetings, as provided under 43-310, from the general  
 3 appropriation to the department of revenue.

4 Section 3. Committee duties. (1) The committee shall  
 5 exercise continuing legislative oversight of the department  
 6 of revenue, including without limitation the review of:

- 7 (a) proposed and adopted rules;
- 8 (b) proposed budgets;
- 9 (c) proposed legislation;
- 10 (d) pending litigation; and
- 11 (e) major contracts and personnel actions of the
- 12 department.

13 (2) The committee shall prepare a biennial critique of  
 14 the department's activities, which shall be published by the  
 15 department as an appendix to the biennial report of the  
 16 department.

-End-

INTRODUCED BILL

HB 773

## STATE OF MONTANA

REQUEST NO. 606-77

## FISCAL NOTE

Form BD-15

In compliance with a written request received March 7, 19 77, there is hereby submitted a Fiscal Note for House Bill 773 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

This bill creates a legislative revenue oversight committee and prescribes its functions.

ASSUMPTIONS

It is impossible to anticipate the exact composition of the committee and the number of meetings it might have during the biennium. The following assumptions represent an estimate of what is considered to be the maximum possible impact which enactment of this bill would have upon expenditures.

1. The bill will be amended as indicated in the technical note so that a committee will be appointed for the 78-79 biennium.  
\*IF ASSUMPTION #1 IS NOT MET THEN THERE WILL BE NO FISCAL IMPACT DURING THE BIENNIUM.
2. There would be four meetings in FY 78 and four meetings in FY 79.
3. Each meeting would take two days including travel time. Committee members would be compensated at a rate of \$20 per day.
4. The average committee member would make a round trip of 400 miles for each meeting. Travel would be compensated at a rate of fifteen cents per mile.
5. The average committee member would have actual expenses of \$35 per meeting.

FISCAL IMPACT

	<u>FY 78</u>	<u>FY 79</u>
Total expenditures for meetings of Legislative Oversight Committee under current law	\$ 0	\$ 0
Total expenditures for meetings of Legislative Oversight Committee under proposed law	<u>\$4,320</u>	<u>\$4,320</u>
TOTAL EXPENDITURES FOR BIENNIUM	<u>\$4,320</u>	<u>\$4,320</u>

(Continued on page 2)

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: \_\_\_\_\_

## FISCAL NOTE

Form BD-15

In compliance with a written request received March 7, 19 77, there is hereby submitted a Fiscal Note for House Bill 773 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.

Page 2

LONG-RANGE EFFECT

Expenditures of about the same size would be required in subsequent fiscal years.

TECHNICAL NOTE

The bill, as it stands, would not become law until July 1, 1977 which precludes the appointment of such a committee during the 78-79 biennium. (Since section 1 (2) calls for appointment of members by the sixtieth legislative day.) In order to have a functioning oversight committee during the coming biennium either section 1 (2) will have to be amended to allow for appointment of a full committee after the effective date or the committee for the first two year period could be appointed by joint resolution.

PREPARED BY DEPARTMENT OF REVENUE

*Richard L. Drury*  
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-8-77

Approved by Committee  
on Taxation

1 ~~HOUSE~~ BILL NO. 773  
2 INTRODUCED BY House Way Vincent  
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CREATE A LEGISLATIVE  
5 REVENUE OVERSIGHT COMMITTEE AND PRESCRIBING ITS FUNCTIONS."  
6

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

8 Section 1. Revenue oversight committee -- manner of  
9 appointment. (1) There is created a legislative revenue  
10 oversight committee as a permanent joint committee of the  
11 legislature. The committee consists of four members of the  
12 senate; taxation committee, appointed by the chairman of that  
13 committee, and four members of the house of representatives  
14 taxation committee, appointed by the chairman of that  
15 committee. No more than two members from each house may be  
16 of the same political party.

17 (2) Appointments shall be made before the 60th  
18 legislative day of a regular session for terms ending on the  
19 day the next regular session convenes. A vacancy shall be  
20 filled as the original appointment was made.

21 Section 2. Chairman -- meetings -- compensation. (1)  
22 The committee shall elect one of its members as chairman and  
23 such other officers as it considers necessary.

24 (2) The committee shall meet as often as necessary,  
25 upon the call of the chair. Members of the committee shall

1 be compensated and reimbursed for attending committee  
2 meetings, as provided under 43-310, from the general  
3 appropriation to the department of revenue.

4 Section 3. Committee duties. (1) The committee shall  
5 exercise continuing legislative oversight of the department  
6 of revenue, including without limitation the review of:

- 7 (a) proposed and adopted rules;
- 8 (b) proposed budgets;
- 9 (c) proposed legislation;
- 10 (d) pending litigation; and
- 11 (e) major contracts and personnel actions of the  
12 department.

13 (2) The committee shall prepare a biennial critique of  
14 the department's activities, which shall be published by the  
15 department as an appendix to the biennial report of the  
16 department.

-End-

HB 773

1 ~~House~~ BILL NO. 773  
 2 INTRODUCED BY Amelia Wray Vincent  
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CREATE A LEGISLATIVE  
 5 REVENUE OVERSIGHT COMMITTEE AND PRESCRIBING ITS FUNCTIONS."  
 6

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

8 Section 1. Revenue oversight committee -- manner of  
 9 appointment. (1) There is created a legislative revenue  
 10 oversight committee as a permanent joint committee of the  
 11 legislature. The committee consists of four members of the  
 12 senate taxation committee, appointed by the chairman of that  
 13 committee, and four members of the house of representatives  
 14 taxation committee, appointed by the chairman of that  
 15 committee. No more than two members from each house may be  
 16 of the same political party.

17 (2) Appointments shall be made before the 60th  
 18 legislative day of a regular session for terms ending on the  
 19 day the next regular session convenes. A vacancy shall be  
 20 filled as the original appointment was made.

21 Section 2. Chairman -- meetings -- compensation. (1)  
 22 The committee shall elect one of its members as chairman and  
 23 such other officers as it considers necessary.

24 (2) The committee shall meet as often as necessary,  
 25 upon the call of the chair. Members of the committee shall

1 be compensated and reimbursed for attending committee  
 2 meetings, as provided under 43-310, from the general  
 3 appropriation to the department of revenue.

4 Section 3. Committee duties. (1) The committee shall  
 5 exercise continuing legislative oversight of the department  
 6 of revenue, including without limitation the review of:

- 7 (a) proposed and adopted rules;
- 8 (b) proposed budgets;
- 9 (c) proposed legislation;
- 10 (d) pending litigation; and
- 11 (e) major contracts and personnel actions of the  
 12 department.

13 (2) The committee shall prepare a biennial critique of  
 14 the department's activities, which shall be published by the  
 15 department as an appendix to the biennial report of the  
 16 department.

-End-

April 5, 1977

SENATE  
STANDING COMMITTEE REPORT  
Taxation Committee

That House Bill No. 773, third reading, be amended as follows:

1. Amend title, line 5.  
Following: "FUNCTIONS"  
Insert: "; providing an immediate effective date"
2. Amend page 1, section 1, line 10.  
Following: "as a"  
Strike: "permanent"
3. Amend page 1, section 1, line 11.  
Following: "legislature"  
Insert: ", until adjournment of the 46th legislature"
4. Amend page 1, section 1, line 13.  
Following: "committee,"  
Strike: "and"
5. Amend page 1, section 1, line 15.  
Following: "committee"  
Insert: ", two senators appointed by the committee on committees,  
and two representatives appointed by the speaker"  
Following: "than"  
Strike: "two"  
Insert: "three"
6. Amend page 1, section 1, line 17.  
Following: "the"  
Strike: "60th"  
Insert: "90th"
7. Amend page 1, section 1, line 19.  
Following: "session"  
Strike: "convenes"  
Insert: "adjourns"
8. Amend page 2, section 1, line 3.  
Following: "the"  
Strike: "department of revenue"  
Insert: "legislative council"
9. Amend page 2, section 1, line 4.  
Following: line 4  
Insert: "make interim studies of the statewide reappraisal of real  
property and its property tax consequences, the taxation of  
financial institutions by methods which could replace the bank  
shares tax, and the appropriate level of taxation of the gross  
proceeds of metal mines. The committee may also"
10. Amend page 2, line 16.  
Following: line 16  
Insert: "Section 4. Effective date. This act is effective upon  
passage and approval."

## HOUSE BILL NO. 773

INTRODUCED BY HUENNEKENS, MELOY, VINCENT

A BILL FOR AN ACT ENTITLED: "AN ACT TO CREATE A LEGISLATIVE REVENUE OVERSIGHT COMMITTEE AND PRESCRIBING ITS FUNCTIONS; PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Revenue oversight committee -- manner of appointment. (1) There is created a legislative revenue oversight committee as a permanent joint committee of the legislature, UNTIL ADJOURNMENT OF THE 46TH LEGISLATURE. The committee consists of four members of the senate taxation committee, appointed by the chairman of that committee, and four members of the house of representatives taxation committee, appointed by the chairman of that committee, AND SENATORS APPOINTED BY THE COMMITTEE ON COMMITTEES, AND TWO REPRESENTATIVES APPOINTED BY THE SPEAKER. No more than two THREE members from each house may be of the same political party.

(2) Appointments shall be made before the 60th 90TH legislative day of a regular session for terms ending on the day the next regular session convenes ADJOURNS. A vacancy shall be filled as the original appointment was made.

Section 2. Chairman -- meetings -- compensation. (1)

The committee shall elect one of its members as chairman and such other officers as it considers necessary.

(2) The committee shall meet as often as necessary, upon the call of the chair. Members of the committee shall be compensated and reimbursed for attending committee meetings, as provided under 43-310, from the general appropriation to the department ~~of revenue~~ LEGISLATIVE COUNCIL.

Section 3. Committee duties. (1) The committee shall MAKE INTERIM STUDIES OF THE STATEWIDE REAPPRAISAL OF REAL PROPERTY AND ITS PROPERTY TAX CONSEQUENCES, THE TAXATION OF FINANCIAL INSTITUTIONS BY METHODS WHICH COULD REPLACE THE BANK SHARES TAX, AND THE APPROPRIATE LEVEL OF TAXATION OF THE GROSS PROCEEDS OF METAL MINES. THE COMMITTEE MAY ALSO exercise continuing legislative oversight of the department of revenue, including without limitation the review of:

- (a) proposed and adopted rules;
- (b) proposed budgets;
- (c) proposed legislation;
- (d) pending litigation; and
- (e) major contracts and personnel actions of the department.

(2) The committee shall prepare a biennial critique of the department's activities, which shall be published by the department as an appendix to the biennial report of the

1 department.

2 ~~SECTION 4. EFFECTIVE DATE. THIS ACT IS EFFECTIVE UPON~~

3 ~~PASSAGE AND APPROVAL.~~

-End-



1 HOUSE BILL NO. 773  
 2 INTRODUCED BY HUENNEKENS, MELOY, VINCENT  
 3  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CREATE A LEGISLATIVE  
 5 REVENUE OVERSIGHT COMMITTEE AND PRESCRIBING ITS FUNCTIONS;  
 6 PROVIDING AN IMMEDIATE EFFECTIVE DATE."  
 7  
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
 9 Section 1. Revenue oversight committee -- manner of  
 10 appointment. (1) There is created a legislative revenue  
 11 oversight committee as a permanent joint committee of the  
 12 legislature, UNTIL ADJOURNMENT OF THE 46TH LEGISLATURE. The  
 13 committee consists of four members of the senate taxation  
 14 committee, appointed by the chairman of that committee, and  
 15 four members of the house of representatives taxation  
 16 committee, appointed by the chairman of that committee, TWO  
 17 SENATORS APPOINTED BY THE COMMITTEE ON COMMITTEES, AND TWO  
 18 REPRESENTATIVES APPOINTED BY THE SPEAKER. No more than two  
 19 THREE members from each house may be of the same political  
 20 party.  
 21 (2) Appointments shall be made before the 60th 90TH  
 22 legislative day of a regular session for terms ending on the  
 23 day the next regular session convenes ADJOURNS. A vacancy  
 24 shall be filled as the original appointment was made.  
 25 SECTION 2. VACANCY. (1) A VACANCY ON THE COMMITTEE

1 OCCURRING WHEN THE LEGISLATURE IS NOT IN SESSION SHALL BE  
 2 FILLED BY THE SELECTION OF A MEMBER OF THE APPROPRIATE  
 3 POLITICAL PARTY AND APPROPRIATE COMMITTEE BY THE REMAINING  
 4 MEMBERS OF THE COMMITTEE AS PROVIDED IN (SECTION 1 OF THIS  
 5 ACT) TO COMPLETE THE UNEXPIRED TERM. APPOINTMENTS ARE FOR 2  
 6 YEARS AND A MEMBER OF THE COMMITTEE SHALL SERVE UNTIL HIS  
 7 TERM OF OFFICE AS A LEGISLATOR IS ENDED OR HIS SUCCESSOR IS  
 8 APPOINTED, WHICHEVER OCCURS FIRST.  
 9 (2) A VACANCY ON THE COMMITTEE OCCURRING DURING A  
 10 LEGISLATIVE SESSION SHALL BE FILLED AS THE ORIGINAL  
 11 APPOINTMENT WAS MADE.  
 12 Section 3. Chairman -- meetings -- compensation. (1)  
 13 The committee shall elect one of its members as chairman and  
 14 such other officers as it considers necessary.  
 15 (2) The committee shall meet as often as necessary,  
 16 upon the call of the chair. Members of the committee shall  
 17 be compensated and reimbursed for attending committee  
 18 meetings, as provided under 43-310, from the general  
 19 appropriation to the department of revenue LEGISLATIVE  
 20 COUNCIL.  
 21 Section 4. Committee duties. (1) The committee shall  
 22 MAKE INTERIM STUDIES OF THE STATEWIDE REAPPRAISAL OF REAL  
 23 PROPERTY AND ITS PROPERTY TAX CONSEQUENCES, THE TAXATION OF  
 24 FINANCIAL INSTITUTIONS BY METHODS WHICH COULD REPLACE THE  
 25 BANK SHARES TAX, AND THE APPROPRIATE LEVEL OF TAXATION OF

1 ~~THE GROSS PROCEEDS OF METAL MINES. THE COMMITTEE MAY ALSO~~  
2 exercise continuing legislative oversight of the department  
3 of revenue, including without limitation the review of:

- 4 (a) proposed and adopted rules;  
5 (b) proposed budgets;  
6 (c) proposed legislation;  
7 (d) pending litigation; and  
8 (e) major contracts and personnel actions of the  
9 department.

10 (2) The committee shall prepare a biennial critique of  
11 the department's activities, which shall be published by the  
12 department as an appendix to the biennial report of the  
13 department.

14 ~~SECTION 5. EFFECTIVE DATE. THIS ACT IS EFFECTIVE UPON~~  
15 ~~PASSAGE AND APPROVAL.~~

-End-