HOUSE BILL NO. 188

INTRODUCED BY FAGG

BY REQUEST OF THE DEPARTMENT OF REVENUE

IN THE HOUSE

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January 16, 1979	Introduced and referred to Committee on Taxation.
January 19, 1979	Committee recommend bill do pass. Report adopted.
January 20, 1979	Printed and placed on members' desks.
January 22, 1979	Second reading, do pass.
January 23, 1979	Considered correctly engrossed.
January 24, 1979	Third reading, passed. Transmitted to second house.
IN THE SE	ENATE
January 25, 1979	Introduced and referred to Committee on State Administration.
March 2, 1979	Committee recommend bill be concurred in. Report adopted.
March 5, 1979	Second reading, concurred in.
March 7, 1979	Third reading, concurred in.
IN THE HO	DUSE
March 8, 1979	Returned from second house. Concurred in. Sent to enrolling.

Reported correctly enrolled.

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INTRODUCED BY FACE.

BY REQUEST OF THE DEPARTMENT OF REVENUE

LC 0686/01

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A BILL FOR AN ACT ENTITLED: "AN ACT TO REDUCE THE NUMBER OF RESIDENT/NONRESIDENT DETERMINATIONS TO BE MADE BY THE DEPARTMENT OF REVENUE REGARDING PUBLIC CONTRACTORS: AND REPEALING SECTIONS 18-1-104 AND 18-1-105. HCA.*

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

Section 1. Department of revenue to determi ne residency of selected contractors -- applications for redetermination -- determination as prima facie evidence. (1) The department of revenue shall determine whether or not certain contractors, issued public contractor's licenses under the provisions of Title 15, chapter 50, are residents of the state of Montana within the meaning of 18-1-102 and 18-1-103. Any public agency charged by law with the responsibility for the execution of any contract subject to the provisions of 18-1-102 may request that a determination of resident/nonresident status be made by the department. All requests must specify the name and address of the licensed public contractor for whom a determination of resident/nonresident status is required.

(2) If a determination is made that a licensed public

contractor is not a resident but he thereafter qualifies as

such, he may apply to the department of revenue for a

3 redetermination of his residency. If, upon redetermination,

the licensed public contractor is found to qualify as a

resident, he shall be furnished a letter by the department

attesting to such status.

(3) The determination of the department of revenue 7

that a licensed public contractor is or is not a resident

within the meaning of 18-1-102 and 18-1-103 is prima facie

10 evidence of that fact.

Section 2. Repealer. Sections 18-1-104 and 18-1-105. 11

12 MCA, are repealed.

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Approved by Committee on Texation

1 Asua Bill No. 188
2 INTRODUCED BY FAX

BY REQUEST OF THE DEPARTMENT OF REVENUE

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO REDUCE THE NUMBER OF 6 RESIDENT/NONRESIDENT DETERMINATIONS TO BE MADE BY THE 7 DEPARTMENT UF REVENUE REGARDING PUBLIC CONTRACTORS; AND

8 REPEALING SECTIONS 18-1-104 AND 18-1-105. HCA.

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

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(1) The department of revenue shall determine whether or not certain contractors, issued public contractor's licenses under the provisions of Title 15, chapter 50, are residents of the state of Montana within the meaning of 18-1-102 and 18-1-103. Any public agency charged by law with the responsibility for the execution of any contract subject to the provisions of 18-1-102 may request that a determination of resident/nonresident status be made by the department. All requests must specify the name and address of the licensed public contractor for whom a determination of resident/nonresident status is required.

(2) If a determination is made that a licensed public

contractor is not a resident but he thereafter qualifies as such, he may apply to the department of revenue for a redetermination of his residency. If, upon redetermination, the licensed public contractor is found to qualify as a resident, he shall be furnished a letter by the department attesting to such status.

(3) The determination of the department of revenue that a licensed public contractor is or is not a resident within the meaning of 18-1-102 and 18-1-103 is prima facie evidence of that fact.

Section 2. Repealer. Sections 18-1-104 and 18-1-105.

MCA. are repealed.

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A BILL FOR AN ACT ENTITLED: "AN ACT TO REDUCE THE NUMBER OF RESIDENT/NONRESIDENT DETERMINATIONS TO BE MADE BY THE DEPARTMENT OF REVENUE REGARDING PUBLIC CONTRACTORS; AND REPEALING SECTIONS 18-1-104 AND 18-1-105, MCA."

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Section 1. Department of revenue to determine residency of selected contractors -- applications for redetermination -- determination as prima facie evidence. (1) The department of revenue shall determine whether or not certain contractors, issued public contractor's licenses under the provisions of Title 15. chapter 50. are residents of the state of Montana within the meaning of 18-1-102 and 18-1-103. Any public agency charged by law with the responsibility for the execution of any contract subject to the provisions of 18-1-102 may request that a determination of resident/nonresident status be made by the department. All requests must specify the name and address of the licensed public contractor for whom a determination of resident/nonresident status is required.

(2) If a determination is made that a licensed public

- 1 contractor is not a resident but he thereafter qualifies as
- such, he may apply to the department of revenue for a
- 3 redetermination of his residency. If upon redetermination,
- the licensed public contractor is found to qualify as a
- 5 resident, he shall be furnished a letter by the department
- 6 attesting to such status.
- 7 (3) The determination of the department of revenue
- 8 that a licensed public contractor is or is not a resident
- 9 within the meaning of 10-1-102 and 18-1-103 is prima facie
- 10 evidence of that fact.
- 11 Section 2. Repealer. Sections 18-1-104 and 18-1-105,
- 12 MCA, are repealed.

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evidence of that fact.

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6	RESIDENT/NONRESIDENT DETERMINATIONS TO BE MADE BY THE
7	DEPARTMENT OF REVENUE REGARDING PUBLIC CONTRACTORS; AND
8	REPEALING SECTIONS 18-1-104 AND 18-1-105. MCA.
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10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
11	Section 1. Department of revenue to determine
12	residency of selected contractors applications for
13	redetermination determination as prima facie evidence.
14	(1) The department of revenue shall determine whether or not
15	certain contractors, issued public contractor's licenses
16	under the provisions of Title 15, chapter 50, are residents
17	of the state of Montana within the meaning of 18-1-102 and
18	18-1-103. Any public agency charged by law with the
19	responsibility for the execution of any contract subject to
20	the provisions of 18-1-102 may request that a determination
21	of resident/nonresident status be made by the department.
22	All requests must specify the name and address of the
23	licensed public contractor for whom a determination of
24	resident/nonresident status is required.

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that a licensed public contractor is or is not a resident

within the meaning of 18-1-102 and 18-1-103 is prima facie

Section 2. Repealer. Sections 18-1-104 and 18-1-105.

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