

CHAPTER NO. 620.

SENATE BILL NO. 351

INTRODUCED BY TURNAGE

IN THE SENATE

February 3, 1979	Introduced and referred to Committee on State Administration.
February 5, 1979	Fiscal note requested.
February 7, 1979	Fiscal note returned.
February 17, 1979	Committee recommend bill do pass as amended. Report adopted.
February 19, 1979	Printed and placed on members' desks.
February 20, 1979	Second reading, do pass.
February 21, 1979	Considered correctly engrossed.
February 22, 1979	Third reading, passed. Transmitted to second house.

IN THE HOUSE

February 23, 1979	Introduced and referred to Committee on State Administration.
March 13, 1979	Committee recommend bill be concurred in as amended. Report adopted.
March 14, 1979	Second reading, concurred in.
March 15, 1979	On motion referred to Committee on Appropriations.
April 9, 1979	Committee recommend bill be concurred in as amended. Report adopted.
April 10, 1979	Second reading, concurred in.
April 12, 1979	Third reading, concurred in as amended.

IN THE SENATE

April 13, 1979

Returned from second house.
Concurred in as amended.

April 16, 1979

Second reading, amendments
adopted.

April 17, 1979

Third reading, amendments
adopted. Sent to enrolling.

Reported correctly enrolled.

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Spice BILL NO. 351
Turnage

INTRODUCED BY _____
A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE SALARY FOR THE CHAIRMAN OF THE STATE TAX APPEAL BOARD; AND TO PROVIDE FOR THE GOVERNOR TO DESIGNATE THE SALARY FOR THE BOARD MEMBERS; AMENDING SECTION 15-2-102, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
Section 1. Section 15-2-102, MCA, is amended to read:
"15-2-102. Qualification and compensation. To be appointed a member of the state tax appeal board, a person must possess knowledge of the subject of taxation and skill in matters pertaining thereto. No person so appointed may hold any other office under the laws of this state or any other state or any office under the government of the United States or under the government of any other state. He shall devote his entire time to the duties of the office and shall not hold any other position of trust or profit or engage in any occupation or business interfering or inconsistent with his duties. The state tax appeal board is transferred to the department of administration for administrative purposes only as is specified in 2-15-121. However, the board may hire its own personnel, and 2-15-121(2)(d) does not apply. The member designated chairman as provided for in 15-2-103

1 shall receive additional compensation of not more than ~~4500~~
2 ~~11,000~~ a year, payable in the same manner as the salary. The
3 state tax appeal board shall be paid such salary as
4 determined by the governor and travel expenses, as provided
5 for in 2-18-501 through 2-18-503, as amended, when away from
6 the capital on official business."

-End-

SB 351
INTRODUCED BILL

STATE OF MONTANA

Request No. 218-79

FISCAL NOTE

Form BD-15

In compliance with a written request received February 5 1979, there is hereby submitted a Fiscal Note for Senate Bill 351 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:

This bill would increase the salary of the chairman of the State Tax Appeal Board by \$500 per year and would provide that the Governor set the salaries of the Board members.

ASSUMPTIONS:

1. Responsibilities and work load of the State Tax Appeal Board entitle its members to the same salary as members of the Public Service Commission.
2. Under the Governor's budget for fiscal 1980-81, the Board members' salaries would increase by 5.5 percent for each fiscal year. As now provided by statute, the chairman would receive \$500 more per annum than the other members.
3. Calculations are based on the present salaries of the members of the Public Service Commission, which is \$25,000 per annum.

FISCAL IMPACT:

	<u>FY 80</u>	<u>FY 81</u>
Personal services expenditures under current law	\$59,051	\$62,270
Personal services expenditures under proposed law	<u>76,000</u>	<u>76,000</u>
Additional cost of proposed legislation	<u>\$16,949</u>	<u>\$13,730</u>

The additional cost must be funded from the State General Fund.

Richard L. Drayton
 BUDGET DIRECTOR
 Office of Budget and Program Planning
 Date: 2/7/79

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 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE SALARY
 5 FOR THE CHAIRMAN AND MEMBERS OF THE STATE TAX APPEAL BOARD;
 6 ~~AND TO PROVIDE FOR THE GOVERNOR TO DESIGNATE THE SALARY FOR~~
 7 ~~THE BOARD MEMBERS; AMENDING SECTION 15-2-102, MCA."~~

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 10 Section 1. Section 15-2-102, MCA, is amended to read:
 11 "15-2-102. Qualification and compensation. To be
 12 appointed a member of the state tax appeal board, a person
 13 must possess knowledge of the subject of taxation and skill
 14 in matters pertaining thereto. No person so appointed may
 15 hold any other office under the laws of this state or any
 16 other state or any office under the government of the United
 17 States or under the government of any other state. He shall
 18 devote his entire time to the duties of the office and shall
 19 not hold any other position of trust or profit or engage in
 20 any occupation or business interfering or inconsistent with
 21 his duties. The state tax appeal board is transferred to the
 22 department of administration for administrative purposes
 23 only as is specified in 2-15-121. However, the board may
 24 hire its own personnel, and 2-15-121(2)(d) does not apply.
 25 The member designated chairman as provided for in 15-2-103

1 shall receive ~~additional compensation of not more than~~ A
 2 SALARY OF ~~\$21,500 \$500 \$12,800~~ a year, payable in the same
 3 ~~manner as the salary.~~ The REMAINING state tax appeal board
 4 MEMBERS shall be paid ~~such salary as~~ A SALARY OF \$20,500 A
 5 YEAR, ~~determined by the governor and~~ ALL MEMBERS OF THE
 6 BOARD SHALL RECEIVE travel expenses, as provided for in
 7 2-18-501 through 2-18-503, as amended, when away from the
 8 capital on official business."

-End-

SENATE BILL NO. 351
INTRODUCED BY TURNAGE

A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE AND REQUIRE
THE SALARY COMMISSION TO REVIEW THE SALARY FOR THE CHAIRMAN
AND MEMBERS OF THE STATE TAX APPEAL BOARD; ~~AND TO PROVIDE~~
~~FOR THE GOVERNOR TO DESIGNATE THE SALARY FOR THE BOARD~~
MEMBERS; AMENDING SECTION 15-2-102, MCA."

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

Section 1. Section 15-2-102, MCA, is amended to read:

"15-2-102. Qualification and compensation. (1) To be
appointed a member of the state tax appeal board, a person
must possess knowledge of the subject of taxation and skill
in matters pertaining thereto. No person so appointed may
hold any other office under the laws of this state or any
other state or any office under the government of the United
States or under the government of any other state. He shall
devote his entire time to the duties of the office and shall
not hold any other position of trust or profit or engage in
any occupation or business interfering or inconsistent with
his duties. The state tax appeal board is transferred to the
department of administration for administrative purposes
only as is specified in 2-15-121. However, the board may
hire its own personnel, and 2-15-121(2)(d) does not apply.

(2) The member designated chairman as provided for in
15-2-103 shall receive ~~additional compensation of not more~~
than ~~A SALARY OF \$21,500 \$500 \$1,000~~ a year, payable in the
some manner as the salary. The REMAINING state tax appeal
board MEMBERS shall be paid ~~such salary as A SALARY OF~~
~~\$20,500 A YEAR, determined by the governor and ALL MEMBERS~~
~~OF THE BOARD SHALL RECEIVE~~ travel expenses, as provided for
in 2-18-501 through 2-18-503, as amended, when away from the
capital on official business.

(3) ~~THE SALARY COMMISSION MUST REVIEW THE SALARY FOR~~
~~MEMBERS OF THE BOARD AND SHALL RECOMMEND AN APPROPRIATE~~
~~SALARY TO THE LEGISLATURE."~~

-End-

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4 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE AND REQUIRE
5 THE SALARY COMMISSION TO REVIEW THE SALARY FOR THE CHAIRMAN
6 AND MEMBERS OF THE STATE TAX APPEAL BOARD; ~~AND TO PROVIDE~~
7 ~~FOR THE GOVERNOR TO DESIGNATE THE SALARY FOR THE BOARD~~
8 MEMBERS; AMENDING SECTION 15-2-102, MCA."

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14 must possess knowledge of the subject of taxation and skill
15 in matters pertaining thereto. No person so appointed may
16 hold any other office under the laws of this state or any
17 other state or any office under the government of the United
18 States or under the government of any other state. He shall
19 devote his entire time to the duties of the office and shall
20 not hold any other position of trust or profit or engage in
21 any occupation or business interfering or inconsistent with
22 his duties. The state tax appeal board is transferred to the
23 department of administration for administrative purposes
24 only as is specified in 2-15-121. However, the board may
25 hire its own personnel, and 2-15-121(2)(d) does not apply.

1 (2) The member designated chairman as provided for in
2 15-2-103 shall receive ~~additional compensation of not more~~
3 ~~than~~ A SALARY OF \$21,500 \$500 \$1,000 a year payable in the
4 ~~same manner as the salary \$20,276 IN FISCAL 1980 AND \$21,779~~
5 IN FISCAL 1981. The REMAINING state tax appeal board MEMBERS
6 shall be paid ~~such salary as~~ A SALARY OF \$20,500 A YEAR
7 \$19,843 IN FISCAL 1980 AND \$21,200 IN FISCAL 1981.
8 ~~determined by the governor and~~ ALL MEMBERS OF THE BOARD
9 SHALL RECEIVE travel expenses, as provided for in 2-18-501
10 through 2-18-503, as amended, when away from the capital on
11 official business.

12 (3) THE SALARY COMMISSION MUST REVIEW THE SALARY FOR
13 MEMBERS OF THE BOARD AND SHALL RECOMMEND AN APPROPRIATE
14 SALARY TO THE LEGISLATURE."

-End-

HOUSE OF REPRESENTATIVES
March 13, 1979

STATE ADMINISTRATION COMMITTEE amendments to Senate Bill No. 351, 3rd reading copy, as follows:

1. Title, line 4.

Following: "INCREASE"

Insert: "AND REQUIRE THE SALARY COMMISSION TO REVIEW"

2. Page 1, line 11.

Following: "compensation."

Insert: "(1)"

3. Page 1, line 25.

Following: line 24

Insert: "(2)"

4. Page 2.

Following: line 8

Insert: "(3) The salary commission must review the salary for members of the board and shall recommend an appropriate salary to the legislature."

AND AS AMENDED
BE CONCURRED IN

HOUSE OF REPRESENTATIVES

April 9, 1979

APPROPRIATION COMMITTEE AMENDMENTS TO SENATE BILL 351

Reference copy be amended as follows:

1. Page 2, line 3.

Strike: "\$21,500 a year"

Insert: "\$20,276 in fiscal 1980 and \$21,779 in fiscal 1981"

2. Page 2, line 6.

Strike: "\$20,500 A YEAR"

Insert: "\$19,843 in fiscal 1980 and \$21,200 in fiscal 1981"

AND AS AMENDED BE CONCURRED IN