

HOUSE FINAL STATUS

HB 46 INTRODUCED BY WILLIAMS, M.

RULEMAKING AUTHORITY FOR DEPARTMENT OF REVENUE FOR  
PUBLIC SERVICE COMMISSION AND CONSUMER COUNSEL TAX

BY REQUEST OF DEPARTMENT OF REVENUE

1/05 INTRODUCED

1/05 REFERRED TO TAXATION

1/07 HEARING

1/09 COMMITTEE REPORT--BILL NOT PASSED

1/10 ADVERSE COMMITTEE REPORT ADOPTED

1                    HOUSE    BILL NO.    46  
 2    INTRODUCED BY    WILLIAMS  
 3                    BY REQUEST OF THE DEPARTMENT OF REVENUE  
 4  
 5    A BILL FOR AN ACT ENTITLED:    "AN ACT AUTHORIZING THE  
 6    DEPARTMENT OF REVENUE TO ADOPT RULES RELATING TO COLLECTION  
 7    OF FEES THAT FUND THE DEPARTMENT OF PUBLIC SERVICE  
 8    REGULATION AND THE CONSUMER COUNSEL; AMENDING SECTION  
 9    69-1-403, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."  
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 11    BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
 12                    Section 1.    Section 69-1-403, MCA, is amended to read:  
 13                    "69-1-403.    (Temporary) Determination and collection of  
 14    fee -- rulemaking.    (1) The fee provided for in 69-1-402 to  
 15    be paid by regulated companies must be determined in the  
 16    manner set forth in 69-1-224 for determining the consumer  
 17    counsel fee.  
 18                    (2) The fee provided for in 69-1-402 may be computed  
 19    and collected in the manner provided in 69-1-225 through  
 20    69-1-227.  
 21                    (3) All fees paid by a regulated company pursuant to  
 22    this section are immediately recoverable by the regulated  
 23    company in its rates and charges.    Within 30 days after the  
 24    issuance by the department of revenue of notices required by  
 25    69-1-224(1) and (2), the public service commission shall by

1    separate order authorize each regulated company to fully  
 2    recover in its rates and charges, on an annual basis, the  
 3    fees levied by this part.  
 4                    (4) The department of revenue may adopt rules relating  
 5    to the collection of the fee provided for in 69-1-402. The  
 6    rules adopted may be identical to the rules adopted pursuant  
 7    to [section 2] to implement 69-1-224 through 69-1-227.  
 8    (Effective July 1, 1986, and terminates July 1, 1987--sec.  
 9    7, Ch. 32, Sp. L. June 1986.)"  
 10                    NEW SECTION.    Section 2.    Rulemaking authority.    The  
 11    department of revenue may adopt rules to implement 69-1-224  
 12    through 69-1-227.  
 13                    NEW SECTION.    Section 3.    Codification instruction.  
 14    Section 2 is intended to be codified as an integral part of  
 15    Title 69, chapter 1, part 2, and the provisions of Title 69,  
 16    chapter 1, part 2, apply to section 2.  
 17                    NEW SECTION.    Section 4.    Effective date.    This act is  
 18    effective on passage and approval.

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