

SENATE BILL NO. 5

INTRODUCED BY DEVLIN

BY REQUEST OF THE DEPARTMENT OF REVENUE

IN THE SENATE

JANUARY 3, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON BUSINESS & INDUSTRY.
	FIRST READING.
JANUARY 9, 1989	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
JANUARY 10, 1989	PRINTING REPORT.
JANUARY 11, 1989	SECOND READING, DO PASS.
JANUARY 12, 1989	ENGROSSING REPORT.
JANUARY 13, 1989	THIRD READING, PASSED. AYES, 50; NOES, 0.
	TRANSMITTED TO HOUSE.

IN THE HOUSE

JANUARY 13, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON BUSINESS & ECONOMIC DEVELOPMENT.
FEBRUARY 20, 1989	FIRST READING.
MARCH 7, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 8, 1989	SECOND READING, CONCURRED IN.
MARCH 9, 1989	THIRD READING, CONCURRED IN. AYES, 93; NOES, 0.
	RETURNED TO SENATE.

IN THE SENATE

MARCH 10, 1989	RECEIVED FROM HOUSE.
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SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR A CONTINUOUS LICENSE FOR ANY PERSON OTHER THAN A LICENSED GASOLINE DISTRIBUTOR; ELIMINATING THE LICENSE FEE; AND AMENDING SECTION 15-70-203, MCA."

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

Section 1. Section 15-70-203, MCA, is amended to read:

"15-70-203. License to sell gasoline on which refund may be claimed. (1) Any person other than a licensed distributor shall obtain a license from the department of revenue prior to selling gasoline on which a refund may be claimed. The application for license shall contain the applicant's name, address, place or places of business in the state of Montana, and other information which may be required by the department. Licenses issued shall bear a license number and the date of issuance. The department shall keep a record of all licenses issued, canceled, or suspended. A nontransferable license shall be issued for 3 years upon payment of a fee of \$3. Licenses must be renewed and the fee paid every 3 years from date of issuance and be effective until canceled or suspended by the department."

(2) Any person failing to comply with this section shall be subject to a fine of not less than \$25 or more than \$200 or imprisonment in the county jail for a period not less than 10 days or more than 60 days or both fine and imprisonment."

Section 2. Extension of authority. Any existing authority to make rules on the subject of the provisions of [this act] is extended to the provisions of [this act].

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB005, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act providing for a continuous license for any person other than a licensed gasoline distributor and eliminating the license fee.

ASSUMPTIONS:

1. Gasoline distributors license fee revenues are estimated to be \$944 in FY1990, and \$0 in FY1991 under current law. (The fee is collected on a 3-year cycle, so there's no effect in FY1991.)
2. The proposal is not expected to impact department expenditures.

FISCAL IMPACT:Revenue Impact:

	FY '90			FY '91		
	Current Law	Proposed Law	Difference	Current Law	Proposed Law	Difference
Gasoline Distrib. License Fee	\$944	\$ 0	\$ (944)	\$ 0	\$ 0	\$ 0

Fund Information:

DOH Special Rev. Fund	\$944	\$ 0	\$ (944)	\$ 0	\$ 0	\$ 0
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TECHNICAL NOTE:

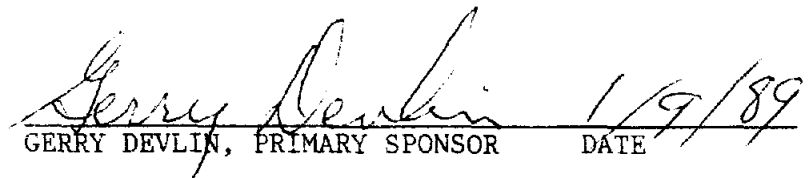
Since this bill does not specifically state an effective date, the bill will be effective on October 1, 1989. This would probably result in some gasoline distributors continuing to pay the \$3.00 license fee for one more year while those that renew after October 1, 1989, would not have to pay the license fee.



1/7/89

RAY SHACKLEFORD, BUDGET DIRECTOR
Office of Budget and Program Planning

DATE



1/9/89

GERRY DEVLIN, PRIMARY SPONSOR
DATE

Fiscal Note for SB005, as introduced

SB 5

APPROVED BY COMM. ON
BUSINESS & INDUSTRY

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years--upon-payment-of-a-fee-of-\$3;-licenses-must-be-renewed
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(2) Any person failing to comply with this section
shall be subject to a fine of not less than \$25 or more than
\$200 or imprisonment in the county jail for a period not
less than 10 days or more than 60 days or both fine and
imprisonment."

NEW SECTION. **Section 2.** Extension of authority. Any
existing authority to make rules on the subject of the
provisions of [this act] is extended to the provisions of
[this act].

NEW SECTION. **SECTION 3.** EFFECTIVE DATE. [THIS ACT]
IS EFFECTIVE ON JULY 1, 1989.

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