### SENATE BILL NO. 5

# INTRODUCED BY B. BROWN BY REQUEST OF THE COMMISSIONER OF POLITICAL PRACTICES AND THE OFFICE OF BUDGET AND PROGRAM PLANNING

	IN THE SENATE
NOVEMBER 29, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION.
	FIRST READING.
DECEMBER 7, 1993	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
DECEMBER 8, 1993	PRINTING REPORT.
	SECOND READING, DO PASS.
DECEMBER 9, 1993	ENGROSSING REPORT.
	THIRD READING, PASSED. AYES, 47; NOES, 2.
	TRANSMITTED TO HOUSE.
	IN THE HOUSE
DECEMBER 10, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION.
	FIRST READING.
DECEMBER 15, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
DECEMBER 16, 1993	SECOND READING, CONCURRED IN.
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	THIRD READING, CONCURRED IN. AYES, 88; NOES, 12.
	THIRD READING, CONCURRED IN.

RECEIVED FROM HOUSE.

SENT TO ENROLLING.

DECEMBER 17, 1993

REPORTED CORRECTLY ENROLLED.

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4	AND THE OFFICE OF BUDGET AND PROGRAM PLANNING
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6	A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE LICENSE
7	FEE FOR CERTAIN LOBBYISTS; AMENDING SECTION 5-7-103, MCA;
8	AND PROVIDING AN EFFECTIVE DATE."
9	
10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
11	Section 1. Section 5-7-103, MCA, is amended to read:
12	"5-7-103. Licenses fees eligibility. (1) Any
13	adult of good moral character who is otherwise qualified
14	under this chapter may be licensed as a lobbyist. The
15	commissioner shall provide a license application form. The
16	application form may be obtained from and must be filed in
17	the office of the commissioner and-filed-therein. Upon
18	approval of the application and receipt of the license fee
19	of\$10 by the commissioner, a license shall must be issued
20	which that entitles the licensee to practice lobbying on
21	behalf of one or more enumerated principals. The license fee
22	is \$25 for each lobbyist, except that the fee is \$10 for
23	each lobbyist who is a state government employee and who
24	registers as a lobbyist on behalf of a state government

agency. Each license shall-expire expires on December 31 of

Montana legislit se council

each even-numbered year or may be terminated at the request
of the lobbyist.

(2) (a) Except as provided in subsection (2)(b), an

- application may not be disapproved without affording the applicant a hearing. The hearing must be held and the
- 6 decision entered within 10 days of the date of the filing of
- 7 the application.

3

- 8 (b) An application may not be approved if a principal has failed to file reports required under 5-7-208.
- 10 (3) The fines and license fees collected under this
  11 chapter shall must be deposited in the state treasury."
- NEW SECTION. Section 2. Effective date. [This act] is effective January 1, 1994.

#### STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB0005, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION: Increases the registration fee for lobbyists.

#### ASSUMPTIONS:

- 1. The current registration fee is \$10 for non-state employee lobbyists. This fee will increase to \$25 for about 500 registered lobbyists. The increase in general fund revenue is estimated to be  $$7,500 (500 \times $15)$ .
- 2. The current registration fee for state employees is -0-. This will increase to \$10 for about 300 state employee lobbyists. The increase in general fund revenue is estimated to be \$3,000 (300 x \$10).
- 3. It is assumed that payment of the \$10 fees will be allocated among various fund types and will have a minimal impact on the expenditures of state agencies.

#### FISCAL IMPACT:

		FY '94			FY '95	
Revenue:	Current Law	Proposed Law	Difference	<u>Current Law</u>	Proposed Law	Difference
General Fund (01)-lobbying licen	se 50	50	0	5,000	15,500	10,500

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES: None.

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

Increased general fund revenue of about \$10,500 per biennium.

DAVID LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

ROBERT "BOB" BROWN, PRIMARY SPONSOR DA Fiscal Note for SB0005, as introduced

SB 5

## APPROVED BY COMMITTEE ON STATE ADMINISTRATION

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7	FEE FOR CERTAIN LOBBYISTS; PROVIDING FOR WAIVER OF THE FEE;
8	AMENDING SECTION 5-7-103, MCA; AND PROVIDING AN EFFECTIVE
9	DATE DATES."
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11	STATEMENT OF INTENT
12	A STATEMENT OF LEGISLATIVE INTENT IS NECESSARY FOR THIS
13	BILL BECAUSE 5-7-103 AUTHORIZES THE COMMISSIONER OF
14	POLITICAL PRACTICES TO ADOPT RULES IMPLEMENTING THE WAIVER
15	PROVISIONS OF SUBSECTION (1) OF THAT SECTION.
16	THE LEGISLATURE INTENDS THAT RULES ADOPTED BY THE
17	COMMISSIONER SPECIFY THE PROCEDURES TO BE USED BY A LOBBYIST
18	WHEN APPLYING FOR A HARDSHIP WAIVER AND THE STANDARDS TO BE
19	USED BY THE COMMISSIONER IN DETERMINING WHETHER A HARDSHIP
20	EXISTS. THE COMMISSIONER MAY SPECIFY CATEGORIES OF LICENSES
21	OR LOBBYISTS FOR WHICH HARDSHIP WAIVERS WILL BE GRANTED.
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23	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
24	Section 1. Section 5-7-103, MCA, is amended to read:
25	"5-7-103. Licenses fees eligibility WAIVER.

ì	(1) Any adult of good moral character who is otherwise
2	qualified under this chapter may be licensed as a lobbyist.
3	The commissioner shall provide a license application form.
4	The application form may be obtained from and must be filed
5	in the office of the commissioner andfiledtherein. Upon
6	approval of the application and receipt of the license fee
7	of-\$10 by the commissioner, a license shall must be issued
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9	behalf of one or more enumerated principals. The license fee
10	is \$25 \$50 for each lobbyisty-except-that-the-fee-is-\$10-for
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application may not be disapproved without affording the

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  6 WAIVER PROVISIONS OF SUBSECTION (1)."
- NEW SECTION. Section 2. Effective Tdate DATES. TTRIS

  act;-is (1) [SECTION 1(4) AND THIS SECTION ] ARE effective
- 9 January-17-1994 ON PASSAGE AND APPROVAL.
- 10 (2) [SECTION 1(1) THROUGH (3)] IS EFFECTIVE JANUARY 1,
  11 1994.

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2	qualified under this chapter may be licensed as a lobbyist.
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#### SB 0005/02

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