

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.
	THIRD READING, CONCURRED IN. AYES, 88; NOES, 12.
	RETURNED TO SENATE.

IN THE SENATE

DECEMBER 17, 1993	RECEIVED FROM HOUSE.
	SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

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A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE LICENSE  
FEE FOR CERTAIN LOBBYISTS; AMENDING SECTION 5-7-103, MCA;  
AND PROVIDING AN EFFECTIVE DATE."

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

**Section 1.** Section 5-7-103, MCA, is amended to read:

"5-7-103. Licenses -- fees -- eligibility. (1) Any  
adult of good moral character who is otherwise qualified  
under this chapter may be licensed as a lobbyist. The  
commissioner shall provide a license application form. The  
application form may be obtained from and must be filed in  
the office of the commissioner ~~and--filed--therein~~. Upon  
approval of the application and receipt of the license fee  
~~of--\$10~~ by the commissioner, a license ~~shall~~ must be issued  
~~which that~~ entitles the licensee to practice lobbying on  
behalf of one or more enumerated principals. The license fee  
is \$25 for each lobbyist, except that the fee is \$10 for  
each lobbyist who is a state government employee and who  
registers as a lobbyist on behalf of a state government  
agency. Each license ~~shall-expire~~ expires on December 31 of

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

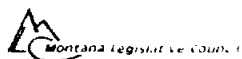
(2) (a) Except as provided in subsection (2)(b), an  
application may not be disapproved without affording the  
applicant a hearing. The hearing must be held and the  
decision entered within 10 days of the date of the filing of  
the application.

(b) An application may not be approved if a principal  
has failed to file reports required under 5-7-208.

(3) The fines and license fees collected under this  
chapter ~~shall~~ must be deposited in the state treasury."

NEW SECTION. **Section 2.** Effective date. [This act] is  
effective January 1, 1994.

-End-



SB5  
INTRODUCED BILL

## 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 x \$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:

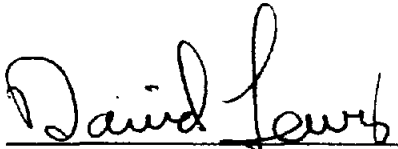
	FY '94			FY '95		
<u>Revenue:</u>	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>
General Fund (01)-lobbying license	50	50	0	5,000	15,500	10,500

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.

 11-25  
DAVID LEWIS, BUDGET DIRECTOR DATE  
Office of Budget and Program Planning

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

SB 5

APPROVED BY COMMITTEE  
ON STATE ADMINISTRATION

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AMENDING SECTION 5-7-103, MCA; AND PROVIDING AN EFFECTIVE  
DATE DATES."

STATEMENT OF INTENT

A STATEMENT OF LEGISLATIVE INTENT IS NECESSARY FOR THIS  
BILL BECAUSE 5-7-103 AUTHORIZES THE COMMISSIONER OF  
POLITICAL PRACTICES TO ADOPT RULES IMPLEMENTING THE WAIVER  
PROVISIONS OF SUBSECTION (1) OF THAT SECTION.

THE LEGISLATURE INTENDS THAT RULES ADOPTED BY THE  
COMMISSIONER SPECIFY THE PROCEDURES TO BE USED BY A LOBBYIST  
WHEN APPLYING FOR A HARDSHIP WAIVER AND THE STANDARDS TO BE  
USED BY THE COMMISSIONER IN DETERMINING WHETHER A HARDSHIP  
EXISTS. THE COMMISSIONER MAY SPECIFY CATEGORIES OF LICENSES  
OR LOBBYISTS FOR WHICH HARDSHIP WAIVERS WILL BE GRANTED.

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The commissioner shall provide a license application form.  
The application form may be obtained from and must be filed  
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HARDSHIP.

(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  
decision entered within 10 days of the date of the filing of  
the application.

1 (b) An application may not be approved if a principal  
2 has failed to file reports required under 5-7-208.

3 (3) The fines and license fees collected under this  
4 chapter ~~shall~~ must be deposited in the state treasury.

5 (4) THE COMMISSIONER MAY ADOPT RULES TO IMPLEMENT THE  
6 WAIVER PROVISIONS OF SUBSECTION (1)."

7 NEW SECTION. Section 2. Effective ~~date~~ DATES. ~~THIS~~  
8 ~~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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