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INTRODUCED BY

*W. Ryan* **House** BILL NO. **378**

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE DEPARTMENT OF REVENUE TO SUPPLY EMPLOYEES WHO ARE APPRAISERS WITH CELLULAR PHONES; REQUIRING APPRAISERS TO PAY CELLULAR PHONE CHARGES THAT EXCEED REIMBURSEMENT LIMITS, EXCEPT FOR EMERGENCY PHONE USE; AND PROVIDING AN EFFECTIVE DATE."

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

**NEW SECTION. Section 1. Appraiser safety -- communications equipment.** (1) For the primary purpose of appraiser safety while conducting appraisals, the department shall:

(a) equip each person employed by the department as an appraiser with a cellular telephone for the appraiser to use exclusively for work-related or emergency purposes; and

(b) reimburse each person who is issued a cellular phone on a monthly basis and in the amount specified for the government rate plan provided in the current cellular telephone service and equipment agreement administered by the department of administration in accordance with the Montana Procurement Act, Title 18, chapter 4.

(2) (a) Except as provided in subsection (2)(b), a person who is employed by the department as an appraiser and who is issued a cellular phone by the department shall pay all charges related to the use of the phone that exceed the monthly reimbursement provided for in subsection (1)(b).

(b) A person who is employed by the department as an appraiser and who is issued a cellular phone is not required to pay any charge in excess of the amount provided for in subsection (1)(b) if the charge is, in the department's judgment, consequent to the use of the phone in an emergency situation.

**NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 15, chapter 7, part 1, and the provisions of Title 15, chapter 7, part 1, apply to [section 1].

**NEW SECTION. Section 3. Effective date.** [This act] is effective July 1, 1997.

-END-

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STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0378, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

An act requiring the Department of Revenue (MDOR) to supply employees who are appraisers with cellular phones; requiring appraisers to pay cellular phone charges that exceed reimbursement limits, except for emergency phone use.

ASSUMPTIONS:

1. There will be 115 department appraisers who would receive cellular phones (MDOR).
2. The contract cost of providing cellular phones is \$17 per month per phone (MDOR). The total contract cost for 115 appraisers would be \$23,460 per year (115 x \$17 x 12).
3. Individual appraisers are responsible for costs over the \$17 monthly charge (MDOR).
4. The Governor's Executive Budget for the 1999 biennium contains a new proposal for \$10,980 each year for cellular phones for appraisers. These amounts was approved by the Joint Appropriations Subcommittee on General Government and Transportation on January 21, 1997.
5. The increased expenditures due to the proposed law not included in the budget are \$12,480 general fund each year.

FISCAL IMPACT:

**Department of Revenue:**

	<u>FY98</u>	<u>FY99</u>
<u>Expenditures:</u>	<u>Difference</u>	<u>Difference</u>
Operating (not in Executive Budget)	12,480	12,480
Operating (as shown in Exec Budget)	<u>10,980</u>	<u>10,980</u>
Total	23,460	23,460

Funding:

General fund (not in Executive Budget)	12,480	12,480
General fund (as shown in Exec Budget)	<u>10,980</u>	<u>10,980</u>
Total	23,460	23,460

*Dave Lewis* 1-31-97

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

BILL RYAN, PRIMARY SPONSOR DATE

Fiscal Note for HB0378, as introduced

**HB 378**