

Amendments to House Bill No. 179  
3rd Reading Copy

Requested by Representative Bob Lake

For the Senate Business, Labor, and Economic Affairs Committee

Prepared by Pat Murdo  
March 19, 2005 (8:22am)

1. Title, page 1, line 10.

Following: "~~PROGRAM,~~"

Insert: "ELIMINATING THE REQUIREMENT THAT THE SECRETARY OF STATE PARTICIPATE IN THE MONTANA SMALL BUSINESS LICENSING COORDINATION PROGRAM AND ON THE BOARD OF REVIEW;"

Strike: "SECTION"

Insert: "SECTIONS"

Following: "30-16-201"

Insert: ", "

Following: "~~30-16-303~~"

Insert: "30-16-302, AND 30-16-303"

2. Page 3.

Following: line 16

Insert: "Section 2. Section 30-16-302, MCA, is amended to read:

"30-16-302. Board of review. (1) There is a board of review. The board of review's duty is to provide policy direction to the department of revenue in the establishment and operation of the system. The board of review includes the directors of the departments of agriculture, labor and industry, environmental quality, livestock, revenue, justice, and public health and human services, ~~the secretary of state,~~ a member appointed by the president of the senate, and a member appointed by the speaker of the house. If an agency that is not a member of the board of review requests inclusion in the streamlined registration and licensing plan as provided in 30-16-303, that agency's director must be appointed to the board of review by the governor.

(2) The governor shall appoint a presiding officer from among the members of the board of review.

(3) The board of review shall meet at the call of the presiding officer at least once each calendar quarter to:

(a) establish interagency policy and guidelines for the plan;

(b) review the findings, status, and problems of system operations and recommend courses of action; and

(c) receive reports from industry and agency task forces that the board of review may request to inquire into particular issues.

(4) The board of review may implement a plan for

streamlined registration and licensing to include licenses not specified in 30-16-301, as provided in 30-16-303.

(5) The board of review is attached to the department of revenue for administrative purposes only as provided in 2-15-121."

{ Internal References to 30-16-302:

x16-11-120	x16-11-122	x 30-12-203	x30-13-203
x30-13-206	x30-16-104	x50-50-203	x50-50-207
x50-50-214	x50-57-203	x80-7-106	x80-7-106
x81-9-201	x81-20-201	x82-15-105}	"

**Insert: "Section 3.** Section 30-16-303, MCA, is amended to read:

**"30-16-303. Participation of state agencies.** (1) The legislature directs full participation in the implementation of this chapter by:

(a) the departments of agriculture, environmental quality, revenue, justice, labor and industry, and public health and human services;

~~(b) the secretary of state;~~

~~(c)~~ (b) the public service commission; and

~~(d)~~ (c) other agencies as directed by the governor.

(2) The board of review may include licenses not specified in 30-16-301 in a plan for streamlined registration and licensing if:

(a) the agency administering the license requests that the license be included in the plan;

(b) the board of review approves including the license by a majority vote of a quorum of the board of review; and

(c) licensees affected by the license's inclusion in the plan are given 60 days' notice of the plan's implementation and the notice sets forth in detail the changes in the licensing procedures.

(3) If a license is included in a streamlined registration and licensing plan pursuant to subsection (2):

(a) the agency administering the license may provide for a variance in the timing of the payment of the license fee and a variance in the application form, filing date, and penalty provisions in order to conform with the plan's criteria;

(b) the board of review shall provide for the equitable proration to the agency administering the license of any fees paid by a licensee prior to the plan's implementation; and

(c) the license must be processed and issued by the department of revenue as provided in this chapter.

(4) (a) In order to defray the costs associated with administering a streamlined registration and licensing plan, the department may require a transfer of funds from the participating agencies in an amount equal to no more than one-half of the total cost of processing and issuing a license.

(b) The amount remaining of the total cost of processing and issuing a license may be charged to the license applicant.

(c) The amount of funds transferred by an agency must be

based on the number of licenses processed and issued on behalf of that agency versus the total number of licenses processed and issued under the streamlined registration and licensing plan."

{Internal References to 30-16-303:

a30-16-302 a30-16-302}"

- END -