

HOUSE BILL NO. 411

INTRODUCED BY KADAS, GRINDE, COBB, JERGSON, KEATING,
PAVLOVICH, SVRCEK
BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE

IN THE HOUSE

JANUARY 28, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON BUSINESS & ECONOMIC DEVELOPMENT.

FIRST READING.

FEBRUARY 6, 1991 COMMITTEE RECOMMEND BILL
DO PASS AS AMENDED. REPORT ADOPTED.

FEBRUARY 7, 1991 PRINTING REPORT.

FEBRUARY 9, 1991 SECOND READING, DO PASS.

FEBRUARY 11, 1991 ENGROSSING REPORT.

FEBRUARY 12, 1991 THIRD READING, PASSED.
AYES, 97; NOES, 0.

TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 13, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON BUSINESS & INDUSTRY.

FIRST READING.

MARCH 12, 1991 COMMITTEE RECOMMEND BILL BE
CONCURRED IN. REPORT ADOPTED.

POSTED ON CONSENT CALENDAR.

MARCH 14, 1991 CONSENT CALENDAR, QUESTIONS AND ANSWERS.

MARCH 15, 1991 THIRD READING, CONCURRED IN.
AYES, 48; NOES, 0.

RETURNED TO HOUSE.

IN THE HOUSE

MARCH 16, 1991 RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 HOUSE BILL NO. 411
 2 INTRODUCED BY ~~REP. Kulas~~ Hon. ~~Conrad~~ Ferguson
 3 BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE Exting
Carlson Swank

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO MAKE PERMISSIVE THE
 5 REPORTS COMMON CARRIERS OF BEER AND CIGARETTES FILE WITH THE
 6 DEPARTMENT OF REVENUE; AND AMENDING SECTIONS 16-3-235 AND
 7 16-11-104, MCA."
 8

9
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 **Section 1.** Section 16-3-235, MCA, is amended to read:

12 "16-3-235. Carriers' reports of beer transported. Every
 13 railroad and every motor carrier transporting beer
 14 manufactured out of this state from points without this
 15 state and delivering the same to points within this state
 16 shall, if requested by the department, on or before the 15th
 17 day of each month, make an exact return to the department of
 18 the amount of such beer so transported and delivered by such
 19 railroad or motor carrier during the previous month and
 20 shall state in such return the name and address of the
 21 consignor, the name and address of the consignee, the date
 22 of delivery, and the amount delivered."

23 **Section 2.** Section 16-11-104, MCA, is amended to read:

24 "16-11-104. Carriers to report cigarette shipments.
 25 Every common carrier hauling, transporting, or shipping into

1 or out of the state of Montana from or to any other state
 2 any cigarettes shall, if requested by the department, report
 3 in writing such shipments or deliveries to the department on
 4 forms furnished by the department, giving the date, the
 5 person to whom the same was consigned and delivered, the
 6 quantity as shown by the bill of lading, and such other
 7 information as the department may require."

-End-

INTRODUCED BILL
 HB 411



APPROVED BY COMM. ON BUSINESS
AND ECONOMIC DEVELOPMENT

HOUSE BILL NO. 411

INTRODUCED BY KADAS, GRINDE, COBB, JERGSON, KEATING,

PAVLOVICH, SVRCEK

BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT TO MAKE PERMISSIVE THE
REPORTS COMMON CARRIERS OF BEER, TABLE WINE, AND CIGARETTES
FILE WITH THE DEPARTMENT OF REVENUE; TO REQUIRE
RECORDKEEPING; AND AMENDING SECTIONS 16-3-235, 16-3-405, AND
16-11-104, MCA."

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

Section 1. Section 16-3-235, MCA, is amended to read:

"16-3-235. Carriers' reports of beer transported. Every
railroad and every motor carrier transporting beer
manufactured out of this state from points without this
state and delivering the same to points within this state
shall, if requested by the department, on or before the 15th
day of each month, make an exact return to the department of
the amount of such beer so transported and delivered by such
railroad or motor carrier during the previous month and
shall state in such return the name and address of the
consignor, the name and address of the consignee, the date
of delivery, and the amount delivered. A CARRIER SHALL
RETAIN FOR 30 MONTHS ALL PERTINENT AND RELEVANT RECORDS

NECESSARY FOR THE PREPARATION OF THIS REPORT AND ANY OTHER
INFORMATION THE DEPARTMENT MAY REQUIRE."

SECTION 2. SECTION 16-3-405, MCA, IS AMENDED TO READ:

"16-3-405. Carriers' reports of table wine transported.
Every railroad, motor carrier, and airline transporting
table wine manufactured out of this state from points
outside this state and delivering to points within this
state shall, if requested by the department, on or before
the fifteenth day of each month, make an exact return to the
department of revenue of the amount of such table wine so
transported and delivered by such railroad, motor carrier,
or airline during the previous month, and shall state in
such return the name and address of the consignor and
consignee, the date of delivery, and the amount delivered. A
carrier shall retain for 30 months all pertinent and
relevant records necessary for the preparation of this
report and any other information the department may
require."

Section 3. Section 16-11-104, MCA, is amended to read:

"16-11-104. Carriers to report cigarette shipments.
Every common carrier hauling, transporting, or shipping into
or out of the state of Montana from or to any other state
any cigarettes shall, if requested by the department, report
in writing such shipments or deliveries to the department on
forms furnished by the department, giving the date, the

SECOND READING

1 person to whom the same was consigned and delivered, the
2 quantity as shown by the bill of lading, and such other
3 information as the department may require. A CARRIER SHALL
4 RETAIN FOR 30 MONTHS ALL PERTINENT AND RELEVANT RECORDS
5 NECESSARY FOR THE PREPARATION OF THIS REPORT AND ANY OTHER
6 INFORMATION THE DEPARTMENT MAY REQUIRE."

7 NEW SECTION. SECTION 4. COORDINATION INSTRUCTION. IF
8 SENATE BILL NO. 116 IS PASSED AND APPROVED, INCLUDING A
9 SECTION EXTENDING THE STATUTE OF LIMITATIONS FOR ASSESSMENTS
10 BY THE STATE FROM 2 YEARS TO 5 YEARS, THE CODE COMMISSIONER
11 SHALL CHANGE THE LANGUAGE IN THE AMENDMENT TO 16-11-104,
12 REQUIRING THE RETENTION OF RECORDS REGARDING CIGARETTE
13 SHIPMENTS, FROM 30 MONTHS TO 66 MONTHS.

-End-

HOUSE BILL NO. 411

INTRODUCED BY KADAS, GRINDE, COBB, JERGSON, KEATING,

PAVLOVICH, SVRCEK

BY REQUEST OF THE LEGISLATIVE AUDIT COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT TO MAKE PERMISSIVE THE REPORTS COMMON CARRIERS OF BEER, TABLE WINE, AND CIGARETTES FILE WITH THE DEPARTMENT OF REVENUE; TO REQUIRE RECORDKEEPING; AND AMENDING SECTIONS 16-3-235, 16-3-405, AND 16-11-104, MCA."

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

Section 1. Section 16-3-235, MCA, is amended to read:

"16-3-235. Carriers' reports of beer transported. Every railroad and every motor carrier transporting beer manufactured out of this state from points without this state and delivering the same to points within this state shall, if requested by the department, on or before the 15th day of each month, make an exact return to the department of the amount of such beer so transported and delivered by such railroad or motor carrier during the previous month and shall state in such return the name and address of the consignor, the name and address of the consignee, the date of delivery, and the amount delivered. A CARRIER SHALL RETAIN FOR 30 MONTHS ALL PERTINENT AND RELEVANT RECORDS

NECESSARY FOR THE PREPARATION OF THIS REPORT AND ANY OTHER INFORMATION THE DEPARTMENT MAY REQUIRE."

SECTION 2. SECTION 16-3-405, MCA, IS AMENDED TO READ:

"16-3-405. Carriers' reports of table wine transported. Every railroad, motor carrier, and airline transporting table wine manufactured out of this state from points outside this state and delivering to points within this state shall, if requested by the department, on or before the fifteenth day of each month, make an exact return to the department of revenue of the amount of such table wine so transported and delivered by such railroad, motor carrier, or airline during the previous month, and shall state in such return the name and address of the consignor and consignee, the date of delivery, and the amount delivered. A carrier shall retain for 30 months all pertinent and relevant records necessary for the preparation of this report and any other information the department may require."

Section 3. Section 16-11-104, MCA, is amended to read:

"16-11-104. Carriers to report cigarette shipments. Every common carrier hauling, transporting, or shipping into or out of the state of Montana from or to any other state any cigarettes shall, if requested by the department, report in writing such shipments or deliveries to the department on forms furnished by the department, giving the date, the

THIRD READING

1 person to whom the same was consigned and delivered, the
2 quantity as shown by the bill of lading, and such other
3 information as the department may require. A CARRIER SHALL
4 RETAIN FOR 30 MONTHS ALL PERTINENT AND RELEVANT RECORDS
5 NECESSARY FOR THE PREPARATION OF THIS REPORT AND ANY OTHER
6 INFORMATION THE DEPARTMENT MAY REQUIRE."

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11 SHALL CHANGE THE LANGUAGE IN THE AMENDMENT TO 16-11-104,
12 REQUIRING THE RETENTION OF RECORDS REGARDING CIGARETTE
13 SHIPMENTS, FROM 30 MONTHS TO 66 MONTHS.

-End-

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"16-3-235. Carriers' reports of beer transported. Every railroad and every motor carrier transporting beer manufactured out of this state from points without this state and delivering the same to points within this state shall, if requested by the department, on or before the 15th day of each month, make an exact return to the department of the amount of such beer so transported and delivered by such railroad or motor carrier during the previous month and shall state in such return the name and address of the consignor, the name and address of the consignee, the date of delivery, and the amount delivered. A CARRIER SHALL RETAIN FOR 30 MONTHS ALL PERTINENT AND RELEVANT RECORDS

NECESSARY FOR THE PREPARATION OF THIS REPORT AND ANY OTHER INFORMATION THE DEPARTMENT MAY REQUIRE."

SECTION 2. SECTION 16-3-405, MCA, IS AMENDED TO READ:

"16-3-405. Carriers' reports of table wine transported. Every railroad, motor carrier, and airline transporting table wine manufactured out of this state from points outside this state and delivering to points within this state shall, if requested by the department, on or before the fifteenth day of each month, make an exact return to the department of revenue of the amount of such table wine so transported and delivered by such railroad, motor carrier, or airline during the previous month, and shall state in such return the name and address of the consignor and consignee, the date of delivery, and the amount delivered. A carrier shall retain for 30 months all pertinent and relevant records necessary for the preparation of this report and any other information the department may require."

Section 3. Section 16-11-104, MCA, is amended to read:

"16-11-104. Carriers to report cigarette shipments. Every common carrier hauling, transporting, or shipping into or out of the state of Montana from or to any other state any cigarettes shall, if requested by the department, report in writing such shipments or deliveries to the department on forms furnished by the department, giving the date, the

REFERENCE BILL

HB 411

CONSENT CALENDAR

1 person to whom the same was consigned and delivered, the
2 quantity as shown by the bill of lading, and such other
3 information as the department may require. A CARRIER SHALL
4 RETAIN FOR 30 MONTHS ALL PERTINENT AND RELEVANT RECORDS
5 NECESSARY FOR THE PREPARATION OF THIS REPORT AND ANY OTHER
6 INFORMATION THE DEPARTMENT MAY REQUIRE."

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9 SECTION EXTENDING THE STATUTE OF LIMITATIONS FOR ASSESSMENTS
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-End-