GHAPIER IND. 206

.

----·,

SENATE BILL NO. 196

INTRODUCED BY CONOVER, JERGESON, MANLEY, KOLSTAD, HAGER, JOHNSON, H. ROBBINS, E. SMITH

IN THE SENATE

January 23, 1979	Introduced and referred to Committee on Highways and Transportation.
January 24, 1979	Fiscal note requested.
January 30, 1979	Fiscal note returned.
February 3, 1979	Committee recommend bill do pass. Report adopted.
February 5, 1979	Printed and placed on members' desks.
February 6, 1979	Second reading, do pass.
February 7, 1979	Considered correctly engrossed.
February 8, 1979	Third reading, passed. Transmitted to second house.
IN THE HOUS	Ξ
February 9, 1979	Introduced and referred to Committee on Highways and Transportation.
March 2, 1979	Committee recommend bill be concurred in. Report adopted.
March 3, 1979	Second reading, pass consideration.
March 5, 1979	Second reading, concurred in as amended.
March 7, 1979	Third reading, concurred in • as amended.

IN THE SENATE

March 8, 1979Returned from second house.
Concurred in as amended.March 9, 1979Second reading, amendments
adopted.March 10, 1979Third reading, amendments
adopted. Sent to enrolling.

Reported correctly enrolled.

and the second second

.

•

1	Jenste BILL NO. 196
2	INTRODUCED BY Conover Jergeson Many Kulid
3	Hag - Johnson H. Robbin E. Amith
4	A BILL FOR AN ACT ENTITLED: WAN ACT AMENDING SECTION
5	15-24-1001, MCA, TO REQUIRE A CUSTOM COMBINER'S FEF FOR
6	MONTANA RESIDENT CUSTOM COMBINERS SIMILAR TO THE FEE PAID BY
7	NONRESIDENTS AND IN LIEU OF FEES PRESENTLY REQUIRED."
8	
9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10	Section 1. Section 15-24-1001, MCA, is amended to
11	read:
12	"15-24-1001. Custom combiner's tax collection
13	distribution not transferable. (1) In lieu of the taxes
14	required by 15-24-301, motor vehicle license fees and gross
15	vehicle weight fees, overwidth and overheight permits, Title
16	61, a nonresident engaged in the business of custom
17	combining who brings equipment into the state shall pay a
13	fee of \$40 per unit for a period beginning July 1 and ending
19	October 31. A unit shall include:
20	(a) one truck suitable for hauling grain;
21	(b) one header trailer or one combine trailer; and
22	(c) pickup trucks and all other equipment+ except
23	combines, used by a nonresident and brought into the state
24	as part of his business of custom combining.
25	[2] In lieu of gross vehicle weight fees and overwidth

1	and overheight permits, Montana residents engaged in the
Z	business of custom combining may pay the annual farm gross
3	vehicle weight fees and a fee of \$20 per unit for a period
4	beginningJuly1_and_ending_October_31_of_the_same_year+_A
5	unit_includes:
ь	(a) one truck suitable for having grain:
7	(b) one header trailer or one combine trailer: and
8	<u>(c) pickup trucks used by the resident in his business</u>
9	of custom combining.
10	[2][3] The fee required by this section shall be
11	collected by the department of highways. Upon payment of the
12	fee: the department of highways shall provide an identifying
13	device to be displayed on each truck, header trailer, or
14	combine trailer and other equipment used by the nonresident
15	or resident in his business of custom combining in the
16	state, which device shall be valid for a period beginning
17	July 1 and ending October 31.
13	<pre>f3;(4) All fees collected under this section shall be</pre>
19	distributed not later than December 1 immediately following
2 0	the period of license as follows: 62 1/2% to the county
21	general fund in the county in which the permittee declares
22	the greatest amount of time will be spent to operate.
23	37 1/2% to the earmarked revenue fund for the department of
24	highways.
25	(4)(5) The identifying devices and fee paid for each

-2- INTRODUCED BILL SB196

1 unit shall not be transferable from one vehicle to another or transferable on the sale or change of ownership. 2 • (5)(6) Any owner or operator of any equipment included 3 4 in the unit definition in subsection (1) or (2) of this section who violates any provision of this section is guilty 5 of a misdemeanor and shall be punished by a fine of not more 6 7 than \$300 or by a sentence of not more than 60 days in the 8 county jail+ or both+*

Approved by Committee on Highways & Transportation

Junate BILL NO. 196 INTRODUCED BY Corrover Jergeson Man Hage Johnson H. Robbini E. Amith 1 2 З A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION 4 15-24-1001, MCA, TO REQUIRE A CUSTOM COMBINER'S FEE FOR 5 MONTANA RESIDENT CUSTOM COMBINERS SIMILAR TO THE FEE PAID BY 6 NONRESIDENTS AND IN LIEU OF FEES PRESENTLY REQUIRED." 7 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NONTANA: 9 Section 1. Section 15-24-1001, MCA, is amended to 10 11 read: "15-24-1001. Custom combiner's tax -- collection --12 distribution -- not transferable. (1) In lieu of the taxes 13 required by 15-24-301, motor vehicle license fees and gross 14 vehicle weight fees, overwidth and overheight permits, Title 15 61, a nonresident engaged in the business of custom 16 combining who brings equipment into the state shall pay a 17 fee of \$40 per unit for a period beginning July 1 and ending 13 October 31. A unit shall include: 19 (a) one truck suitable for hauling grain; 20 (b) one header trailer or one combine trailer; and 21

(c) pickup trucks and all other equipment, except
combines, used by a nonresident and brought into the state
as part of his business of custom combining.

(2) In lieu of gross vehicle weight fees and overwidth 25

and overheight permits. Montana residents engaged in the 1 2 business of custom combining may pay the annual farm gross vehicle weight fees and a fee of \$20 per unit for a period з beginning July 1 and ending October 31 of the same year. A unit includes: -5 (a) one truck suitable for hauling grain; 6 7 (b) one header trailer or one combine trailer; and 8 (c) pickup trucks used by the resident in his business 9 of custom combinings ' (2)(3) The fee required by this section shall be 10 collected by the department of highways. Upon payment of the 11 fee, the department of highways shall provide an identifying 12 13 device to be displayed on each truck, header trailer, or 14 combine trailer and other equipment used by the nonresident 15 or resident in his business of custom combining in the 16 state, which device shall be valid for a period beginning July 1 and ending October 31. 17 18 (3)(4) All fees collected under this section shall be distributed not later than December 1 immediately following 19 20 the period of license as follows: 62 1/2% to the county 21 general fund in the county in which the permittee declares the greatest amount of time will be spent to operate. 22 37 1/2% to the earmarked revenue fund for the department of 23 24 highways. +++151 The identifying devices and fee paid for each 25

ng devices and fee paid for each -2- SB 196 SECOND READING

unit shall not be transferable from one vehicle to another 1 2 or transferable on the sale or change of ownership. (5)(6) Any owner or operator of any equipment included 3 in the unit definition in subsection (1) or (2) of this 4 section who violates any provision of this section is guilty 5 of a misdemeanor and shall be punished by a fine of not more 6 than \$300 or by a sentence of not more than 60 days in the 7 county jail, or both." 8

INTRODUCED BY Consure Jargeson Manly Kolid Hag - Johnson H. Raberi E. Armith 1 2 3 A BILL FOR AN ACT ENTITLED: MAN ACT AMENDING SECTION 4 15-24-1001, MCA, TO REQUIRE A CUSTON CONBINER'S FEE FOR 5 MONTANA RESIDENT CUSTOM COMBINERS SIMILAR TO THE FEE PAID BY 6 NONRESIDENTS AND IN LIEU OF FEES PRESENTLY REQUIRED." 7 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 Section 1. Section 15-24-1001, NCA, is amended to 10 11 read: *15-24-1001. Custom combiner's tax -- collection ---12 13 distribution -- not transferable. (1) In lieu of the taxes required by 15-24-301, motor vehicle license fees and gross 14 vehicle weight fees, overwidth and overheight permits, Title 15 61, a nonresident engaged in the business of custom 16 combining who brings equipment into the state shall pay a 17 18 fee of \$40 per unit for a period beginning July 1 and ending October 31. A unit shall include: 19 (a) one truck suitable for hauling grain; 20 (b) one header trailer or one combine trailer; and 21 (c) pickup trucks and all other equipment, except 22 combines, used by a nonresident and brought into the state 23

24 as part of his business of custom combining.

25 (21 In lieu of gross vehicle weight fees and overwidth

1 and overheight permits. Montana residents encaged in the 2 business of custom combining may pay the annual farm gross 3 vehicle velopt fees and a fee of \$20 per unit for a period beginning July 1 and ending October 31 of the same year. A 4 ٩. unit includes: 6 (a) one truck suitable for hauling grain; 7 (b) one header trailer or one combine trailer; and (c) pickup trucks used by the resident in his business R 9 . of custom combining. 10 f2)(3) The fee required by this section shall be collected by the department of highways. Upon payment of the 11 12 fee, the department of highways shall provide an identifying 13 device to be displayed on each truck, header trailer, or 14 combine trailer and other equipment used by the nonresident 15 or resident in his business of custom combining in the 16 state, which device shall be valid for a period beginning 17 July 1 and ending October 31. 18 +3+141 All fees collected under this section shall be 19 distributed not later than December 1 immediately following 20 the period of license as follows: 62 1/22 to the county 21 general fund in the county in which the permittee declares 22 the greatest amount of time will be spent to operate. 23 37 1/2% to the earmarked revenue fund for the department of 24 highways.

25 the identifying devices and fee paid for each

5B196 -2-THIRD READING

unit shall not be transferable from one vehicle to another 1 or transferable on the sale or change of ownership. 2 (5)(6) Any owner or operator of any equipment included 3 in the unit definition in subsection (1) or (2) of this 4 section who violates any provision of this section is guilty 5 of a misdemeanor and shall be punished by a fine of not more 6 than \$300 or by a sentence of not more than 60 days in the 7 county jail, or both." 8

SB 0196/02

1	SENATE BILL NO. 196	ì
2	INTRODUCED BY CONOVER+ JERGESON+ MANLEY+ KOLSTAD+	2
3	HAGER, JOHNSON, H. ROBBINS, E. SMITH	3
4		•
5	A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION	5
6	15-24-1001, MCA, TO REQUIRE A CUSTOM COMBINER'S FEE FOR	6
7	MONTANA RESIDENT CUSTOM COMBINERS SIMILAR TO THE FEE PAID BY	7
8	NONRESIDENTS AND IN LIEU OF FEES PRESENTLY REQUIRED."	8
9		9
10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	10
11	Section 1. Section 15-24-1001, MCA, is amended to	11
12	read:	12
13	"15-24-1001. Custom combiner's tax collection	13
14	distribution not transferable. (1) In lieu of the taxes	14
15	required by 15-24-301, motor vehicle license fees and gross	15
16	vehicle weight fees, overwidth and overheight permits, Title	16
17	61: a nonresident engaged in the business of custom	17
18	combining who brings equipment into the state shall pay a	18
19	fee of \$40 per unit for a period beginning <u>July 1 and ending</u>	19
20	October 31. A unit shall include:	29
21	<pre>[a]ope_truck_suitable_for_hauling_grain;</pre>	21
22	(b) one beader trailer or one combine trailer; and	22
23	<pre>(c) pickup_trucks_and_all_other_equipments_except</pre>	23
24	combinesusedby_a_nonresident_and_brought_into_the_state	24
25	as part of his business of custom combining.	25

1	(2) In lieu of gross vehicle weight fees and overwidth
2	and overheight permits. Nostana residents engaged in the
3	business of custom combining may pay the annual farm gross
4	wehicle weight fees and a fee of \$20 per unit for a period
5	beginning dutyt MAY_1 and ending October 31 of the same
6	year. A upit includes:
7	(a) one truck suitable for houling grain:
8	(b) one header trailer or one combine trailer; and
9	(c) pickup trucks used by the resident in his business
10	of custom combining.
11	<pre>+2+(3) The fee required by this section shall be</pre>
12	collected by the department of highways. Upon payment of the
13	fee, the department of highways shall provide an identifying
14	device to be displayed on each truck, header trailer, or
15	combine trailer and other equipment used by the nonresident
16	or resident in his business of custom combining in the
17	state, which device shall be valid for a period beginning
18	July 1 and ending October 31.
19	<pre>f3f(f) All fees collected under this section shall be</pre>
29	distributed not later than December 1 immediately following
21	the period of license as follows: 62 1/2% to the county
22	general fund in the county in which the permittee declares
23	the greatest amount of time will be spent to operate.
24	37 1/2% to the earmarked revenue fund for the department of
25	highways.

-2- SB 196 REFERENCE BILL

SB 0196/02-

SB 196

(4)(5) The identifying devices and fee paid for each
 unit shall not be transferable from one vehicle to another
 or transferable on the sale or change of ownership (5)(4) Any owner or operator of any equipment included
 in the unit definition in subsection (11 or (2) of this

6 section who violates any provision of this section is guilty 7 of a misdemeanor and shall be punished by a fine of not more 8 than \$300 or by a sentence of not more than 60 days in the 9 county jail+ or both-*

SB 0196/02

ı	SENATE BILL NO. 196
2	INTRODUCED BY CONOVER, JERGESUN, MANLEY, KOLSTAD,
3	HAGER, JOHNSON, H. ROBBINS, E. SMITH
4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
6	15-24-1001, MCA, TO REQUIRE A CUSTOM COMBINER'S FEE FOR
7	MONTANA RESIDENT CUSTON COMBINERS SIMILAR TO THE FEE PAID BY
8	NONPESIDENTS AND IN LIEU OF FEES PRESENTLY REQUIRED."
9	
10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
11	Section 1. Section 15-24-1001, MCA, is amended to
12	read:
13	<pre>"15-24-1001. Custom combiner's tax collection</pre>
14	distribution not transferable. (1) In lieu of the taxes
15	required by 15-24-301, motor vehicle license fees and gross
16	vehicle weight fees, overwidth and overheight permits, Title
17	61+ a nonresident engaged in the business of custom
18	combining who brings equipment into the state shall pay a
19	fee of \$40 per unit for a period beginning July 1 and ending
20	October 31. A unit shall include:
21	(a) one truck suitable for hauling grain;
22	(b) one header trailer or one combine trailer; and
23	(c) pickup trucks and all other equipment, except
24	combines, used by a nonresident and brought into the state
25	as part of his business of custom combining.

1	<u>121In_lieu_of_gross_vehicle_weight_fees_and_overwidth</u>
7	and_gyerbeight_permitsMontanaresidentsengagedinthe
3	business_of_custom_combining_may_pay_the_annual_farm_gross
4	<u>vehicle_weight_fees_and_a_fee_of_\$20_per_unit_fora_period</u>
5	begioning duty::: MAY1 and ending October_31_of_the_same
6	<u>xear_A_woit_iocludes:</u>
7	<u>laloog_truck_suitable_for_hauling_grain:</u>
8	(b)one_beader_trailer_or_one_combine_trailer:_and
9	<u>lcl_pickup_trucks_used_by_the_resident_in_bis_business</u>
10	of_custom_combining.
11	t21[3] The fee required by this section shall be
12	collected by the department of highways. Upon payment of the
13	feet the department of highways shall provide an identifying
14	device to be displayed on each truck, header trailer, or
15	combine trailer and other equipment used by the nonresident
16	<u>or resident</u> in his business of custom combining in the
17	state, which device shall be valid for a period beginning
18	July 1 and ending October 31.
19	<pre>t3)141 All fees collected under this section shall be</pre>
20	distributed not later than December 1 immediately following
21	the period of license as follows: 62 1/2% to the county
22	general fund in the county in which the permittee declares
23	the greatest amount of time will be spent to operater
24	37 1/2% to the earmarked revenue fund for the department of

25 highways.

-2- CORRECTED SB 196

REFERENCE BILL

58 0196/02

t4tisi The identifying devices and fee paid for each 1 unit shall not be transferable from one vehicle to another 2 or transferable on the sale or change of ownership. 3 4 **†57161** Any owner or operator of any equipment included in the unit definition in subsection [1] or (2) of this 5 section who violates any provision of this section is guilty 6 7 of a misdemeanor and shall be punished by a fine of not more than \$300 or by a sentence of not more than 60 days in the 8 9 county jail. or both."

-End+

- 3-

SB 196

HOUSE OF REPRESENTATIVES March 5, 1979

Committee of the Whole Amendments to Senate Bill No. 196, third reading copy, as follows:

1. Page 2, line 4.
Following: "beginning"
Strike: "July 1"
Insert: "May 1"

AND AS AMENDED, BE CONCURRED IN.