

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 HOUSE

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, 1979

Returned from second house.  
Concurred in as amended.

March 9, 1979

Second reading, amendments  
adopted.

March 10, 1979

Third reading, amendments  
adopted. Sent to enrolling.

Reported correctly enrolled.

1 *Senate* BILL NO. 196  
 2 INTRODUCED BY *Conover Ferguson Manly Keld*  
 3 *Hagan Johnson H. Robbins E. Smith*

4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION  
 5 15-24-1001, MCA, TO REQUIRE A CUSTOM COMBINER'S FEE FOR  
 6 MONTANA RESIDENT CUSTOM COMBINERS SIMILAR TO THE FEE PAID BY  
 7 NONRESIDENTS AND IN LIEU OF FEES PRESENTLY REQUIRED."

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 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 overweight permits, Title  
 16 61, a nonresident engaged in the business of custom  
 17 combining who brings equipment into the state shall pay a  
 18 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 overweight permits. Montana residents engaged in the~~  
 2 ~~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 ~~beginning July 1 and ending October 31 of the same year. A~~  
 5 ~~unit includes:~~

- 6 ~~(a) one truck suitable for hauling grain;~~
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- 8 ~~(c) pickup trucks used by the resident in his business~~
- 9 ~~of custom combining.~~

10 ~~(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.~~

18 ~~(4) 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 1/2% 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 ~~(5) The identifying devices and fee paid for each~~

LC 0877/01

1 unit shall not be transferable from one vehicle to another  
2 or transferable on the sale or change of ownership.

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

-End-

Approved by Committee on Highways & Transportation

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24 as part of his business of custom combining.

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

1 and overheight permits. Montana residents engaged in the  
2 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 beginning July 1 and ending October 31 of the same year. A  
5 unit includes:

- 6 (a) one truck suitable for hauling grain;
- 7 (b) one header trailer or one combine trailer; and
- 8 (c) pickup trucks used by the resident in his business  
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.

18 ~~(3)(4)~~ 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 1/2% 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

1 unit shall not be transferable from one vehicle to another  
2 or transferable on the sale or change of ownership.

3 ~~(5)(6)~~ Any owner or operator of any equipment included  
4 in the unit definition in subsection ~~(1)~~ or (2) of this  
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(2) In lieu of gross vehicle weight fees and overwidth  
and overheight permits, Montana residents engaged in the  
business of custom combining may pay the annual farm gross  
vehicle weight fees and a fee of \$20 per unit for a period  
beginning ~~July 1~~ MAY 1 and ending October 31 of the same  
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SB 0196/02

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9 county jail, or both."

-End-

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.