

SENATE BILL NO. 166

INTRODUCED BY SMITH, KOLSTAD, HAMMOND, TVEIT, DONALDSON

IN THE SENATE

January 17, 1981	Introduced and referred to Committee on Agriculture, Livestock, and Irrigation. Fiscal note requested.
January 22, 1981	Fiscal note returned.
February 7, 1981	Committee recommend bill do pass as amended. Report adopted.
February 9, 1981	Bill printed and placed on members' desks.
February 10, 1981	Second reading, do pass.
February 11, 1981	Correctly engrossed.
February 12, 1981	Third reading, passed. Ayes, 49; Noes, 0. Transmitted to House.

IN THE HOUSE

February 13, 1981	Introduced and referred to Committee on Agriculture.
March 5, 1981	Committee recommend bill be concurred in. Report adopted.
March 7, 1981	Second reading, concurred in.
March 10, 1981	Third reading, concurred in. Ayes, 97; Noes, 0.

IN THE SENATE

March 11, 1981	Returned from House. Concurred in. Sent to enrolling.
March 12, 1981	Correctly enrolled.

March 12, 1981	Signed by President.
March 13, 1981	Delivered to Governor.
March 19, 1981	Returned from Governor with recommended amendments.
March 20, 1981	On motion, consideration be passed for the day.
March 21, 1981	Second reading, Governor's amendments concurred in.
March 24, 1981	Third reading, Governor's amendments concurred in. Ayes, 47; Noes, 1. Transmitted to House.

IN THE HOUSE

March 26, 1981	Second reading, Governor's amendments concurred in.
March 28, 1981	Third reading, Governor's amendments concurred in. Ayes, 94; Noes, 0.

IN THE SENATE

March 31, 1981	Returned from House. Concurred in. Sent to enrolling. Reported correctly enrolled.
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1 *House* BILL NO. *166*
 2 INTRODUCED BY *Smith, Robert, Hammond, Twist, Donaldson*

3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE THE
 5 PORK RESEARCH AND MARKETING ACT; RAISING ASSESSMENTS;
 6 REVISING ALLOCATION OF EXPENDITURES; AMENDING SECTIONS
 7 81-8-605, 81-8-607, AND 81-8-610, MCA."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 81-8-605, MCA, is amended to read:
 11 "81-8-605. Election of chairman -- time of meetings.
 12 At the first meeting of the committee, it shall elect a
 13 chairman from among its members. The committee shall meet
 14 at least ~~once every 6 months~~ twice every year and at such
 15 other times as called by the chairman or by any two members
 16 of committee."

17 Section 2. Section 81-8-607, MCA, is amended to read:
 18 "81-8-607. Assessments. There is hereby assessed a per
 19 head levy of ~~10~~ 22 cents on all swine sold by producers to
 20 purchasers beginning July 1, ~~1975~~ 1981. The assessment
 21 shall be deducted and collected at the time of sale from the
 22 producer's receipt of sale and remitted to department of
 23 livestock by purchaser under the provisions of this part."

24 Section 3. Section 81-8-610, MCA, is amended to read:
 25 "81-8-610. Research and marketing account -- sources

1 -- use -- expenditures. (1) The proceeds of all assessments
 2 made, paid, and collected under this part and the proceeds
 3 from all gifts, grants, or donations to the department of
 4 livestock for research authorized by this part shall be
 5 deposited in the federal and private revenue fund for the
 6 use of the committee as provided in this part.

7 (2) The account shall be maintained for the purposes
 8 of this part and shall be separate and apart from all other
 9 accounts of the department.

10 ~~(3) Ten percent of all unrefunded assessments shall be~~
 11 ~~paid to the national meat board.~~

12 ~~(4)~~ 31 Ten Fifty percent of all unrefunded assessments
 13 shall be paid to the national pork producer council.

14 ~~(5)~~ (4) The committee may be assessed costs by the
 15 department only for those services requested by the
 16 committee."

-End-

INTRODUCED BILL
 SB 166

STATE OF MONTANA

REQUEST NO. 152-81

FISCAL NOTE

Form BD-15

In compliance with a written request received January 20, 19 81, there is hereby submitted a Fiscal Note for Senate Bill 166 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

Description of Proposed Legislation

Senate Bill 166 increases assessments to fund the Pork Research and Marketing Committee from 10¢ to 20¢ per head on all swine sold. It also deletes the requirement to pay 10% of net revenue to the National Meat Board and increases the amount paid to the National Pork Council from 10% to 50% of net revenue.

Assumptions

1. There will be 300,000 hogs sold each year.
2. All fees will be collected and there will be no refunds.

Fiscal Impact

Revenue from the sale of 300,000 hogs under current law is \$30,000; under proposed law is \$60,000.

	<u>FY 1982</u>	<u>FY 1983</u>
Budgeted expenditures under current law	\$28,429	\$30,732
Expenditures under proposed law:		
Deduct 10% of net revenue to the National Meat Board	(3,000)	(3,000)
Deduct 10% of net revenue to the National Pork Council	(3,000)	(3,000)
Add 50% of net revenue to the National Pork Council	<u>30,000</u>	<u>30,000</u>
Expenditures under proposed law	\$52,429	\$54,732
Net revenue increased under proposed law	\$30,000	\$30,000
Net expenditure increase under proposed law	<u>24,000</u>	<u>24,000</u>
Net Effect	\$ 6,000	\$ 6,000

The measure would increase revenues \$12,000 over the biennium.

David M. Leurs

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-21-81

Approved by Committee
on Agriculture Livestock
& Irrigation

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 8 81-8-613, MCA; AND PROVIDING AN EFFECTIVE DATE."
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 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 11 Section 1. Section 81-8-605, MCA, is amended to read:
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 13 At the first meeting of the committee, it shall elect a
 14 chairman from among its members. The committee shall meet
 15 at least ~~once--every-6-months~~ twice every year and at such
 16 other times as called by the chairman or by any two members
 17 of committee."
 18 Section 2. Section 81-8-607, MCA, is amended to read:
 19 "81-8-607. Assessments. There is hereby assessed a per
 20 head levy of ~~10~~ 20 cents on all swine sold by producers to
 21 purchasers beginning July 1, ~~1975~~ 1981. The assessment
 22 shall be deducted and collected at the time of sale from the
 23 producer's receipt of sale and remitted to department of
 24 livestock by purchaser under the provisions of this part."
 25 Section 3. Section 81-8-610, MCA, is amended to read:

1 "81-8-610. Research and marketing account -- sources
 2 -- use -- expenditures. (1) The proceeds of all assessments
 3 made, paid, and collected under this part and the proceeds
 4 from all gifts, grants, or donations to the department of
 5 livestock for research authorized by this part shall be
 6 deposited in the federal and private revenue fund for the
 7 use of the committee as provided in this part.
 8 (2) The account shall be maintained for the purposes
 9 of this part and shall be separate and apart from all other
 10 accounts of the department.
 11 ~~(3)--Ten-percent-of-all-unrefunded-assessments-shall-be~~
 12 ~~paid-to-the-national-meat-board~~
 13 ~~(4)(3)~~ Forty five percent of all unrefunded assessments
 14 shall be paid to the national pork producer council.
 15 ~~(5)(4)~~ The committee may be assessed costs by the
 16 department ~~only--for--those--services--requested--by--the~~
 17 committee FOR THE SERVICES IT PROVIDES UPON REQUEST OF THE
 18 DEPARTMENT OR PURSUANT TO 2-15-121. HOWEVER, THE COSTS
 19 CHARGED MUST HAVE A SUBSTANTIAL RELATIONSHIP TO THE COST OF
 20 THE SERVICES PROVIDED."
 21 SECTION 4. REPEALER. SECTION 81-8-613, MCA, IS
 22 REPEALED.
 23 SECTION 5. EFFECTIVE DATE. THIS ACT IS EFFECTIVE ON
 24 JULY 1, 1981.

-End-

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16 other times as called by the chairman or by any two members
17 of committee."

18 Section 2. Section 81-8-607, MCA, is amended to read:

19 "81-8-607. Assessments. There is hereby assessed a per
20 head levy of ~~10~~ 20 cents on all swine sold by producers to
21 purchasers beginning July 1, ~~1975~~ 1981. The assessment
22 shall be deducted and collected at the time of sale from the
23 producer's receipt of sale and remitted to department of
24 livestock by purchaser under the provisions of this part."

25 Section 3. Section 81-8-610, MCA, is amended to read:

1 "81-8-610. Research and marketing account -- sources
2 -- use -- expenditures. (1) The proceeds of all assessments
3 made, paid, and collected under this part and the proceeds
4 from all gifts, grants, or donations to the department of
5 livestock for research authorized by this part shall be
6 deposited in the federal and private revenue fund for the
7 use of the committee as provided in this part.

8 (2) The account shall be maintained for the purposes
9 of this part and shall be separate and apart from all other
10 accounts of the department.

11 ~~†3† Ten percent of all unrefunded assessments shall be~~
12 ~~paid to the national meat board.~~

13 ~~†4†~~ (3) Ten Fifty percent of all unrefunded assessments
14 shall be paid to the national pork producer council.

15 ~~†5†~~ (4) The committee may be assessed costs by the
16 department ~~only for those services requested by the~~
17 ~~committee~~ FOR THE SERVICES IT PROVIDES UPON REQUEST OF THE
18 DEPARTMENT OR PURSUANT TO 2-15-121. HOWEVER, THE COSTS
19 CHARGED MUST HAVE A SUBSTANTIAL RELATIONSHIP TO THE COST OF
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20 head levy of ~~to 20~~ cents on all swine sold by producers to
21 purchasers beginning July 1, ~~1975~~ 1981. The assessment
22 shall be deducted and collected at the time of sale from the
23 producer's receipt of sale and remitted to department of
24 livestock by purchaser under the provisions of this part."

25 Section 3. Section 81-8-610, MCA, is amended to read:

1 "81-8-610. Research and marketing account -- sources
2 -- use -- expenditures. (1) The proceeds of all assessments
3 made, paid, and collected under this part and the proceeds
4 from all gifts, grants, or donations to the department of
5 livestock for research authorized by this part shall be
6 deposited in the federal and private revenue fund for the
7 use of the committee as provided in this part.

8 (2) The account shall be maintained for the purposes
9 of this part and shall be separate and apart from all other
10 accounts of the department.

11 ~~{3} Ten percent of all unrefunded assessments shall be~~
12 ~~paid to the national meat boards.~~

13 ~~{4}~~ {3} Ten Fifty percent of all unrefunded assessments
14 shall be paid to the national pork producer council.

15 ~~{5}~~ {4} The committee may be assessed costs by the
16 department ~~only for those services requested by the~~
17 ~~committee~~ FOR THE SERVICES IT PROVIDES UPON REQUEST OF THE
18 DEPARTMENT OR PURSUANT TO 2-15-121. HOWEVER, THE COSTS
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-End-

REFERENCE BILL
SB 166

March 19, 1981

PROPOSED GOVERNOR'S AMENDMENTS TO
SENATE BILL 166.

- (1) Page 2, Line 17
Following: SERVICES
Delete: IT
Insert: THE DEPARTMENT

- (2) Page 2, Line 18
Following: Line 17
Delete: DEPARTMENT
Insert: COMMITTEE

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5 livestock for research authorized by this part shall be
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7 use of the committee as provided in this part.

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10 accounts of the department.

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12 ~~paid-to-the-national-meat-board~~

13 ~~(4)~~ (3) Ten Fifty percent of all unrefunded assessments
14 shall be paid to the national pork producer council.

15 ~~(5)~~ (4) The committee may be assessed costs by the
16 department ~~only--for--those--services--requested--by--the~~
17 ~~committee~~ FOR THE SERVICES IF THE DEPARTMENT PROVIDES UPON
18 REQUEST OF THE DEPARTMENT COMMITTEE OR PURSUANT TO 2-15-121.
19 HOWEVER, THE COSTS CHARGED MUST HAVE A SUBSTANTIAL
20 RELATIONSHIP TO THE COST OF THE SERVICES PROVIDED."

21 SECTION 4. REPEALER. SECTION 81-8-613, MCA, IS
22 REPEALED.

23 SECTION 5. EFFECTIVE DATE. THIS ACT IS EFFECTIVE ON
24 JULY 1, 1981.

-End-

March 13, 1981

The Honorable Jean A. Turnage
President of the Senate
State Capitol Building
Helena, MT 59620

The Honorable Robert L. Marks
Speaker of the House
State Capitol Building
Helena, MT 59620

Dear Senator Turnage and Representative Marks:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return SB 166, "AN ACT TO GENERALLY REVISE THE PORK RESEARCH AND MARKETING ACT; RAISING ASSESSMENTS; REVISING ALLOCATION OF EXPENDITURES; AMENDING SECTIONS 81-8-605, 81-8-607, AND 81-8-610, MCA; REPEALING SECTION 81-8-613, MCA; AND PROVIDING AN EFFECTIVE DATE," without my signature and recommend the attached amendments.

The Department of Livestock may provide certain services to the Pork Research and Marketing Committee. It is the intent of SB 166 to permit the Committee to reimburse the Department for the costs associated with providing those services. The language set forth in Sec. 81-8-610(4) of the bill does not clearly state this.

I am proposing amendments which will accomplish the bill's intent.

I urge your concurrence in these amendments.

Sincerely,

TED SCHWINDEN
Governor