

SENATE BILL NO. 160

INTRODUCED BY KOLSTAD, GALT, JACOBSEN, GAGE, GRAHAM,
ERNST, ROUSH, YARDLEY, KOEHNKE, THOMAS, MAZUREK,
LANE, CHRISTIAENS, BOYLAN, TVEIT, IVERSON, PAVLOVICH,
HOLLIDAY, CONOVER, NEUMAN, LEE, LYBECK, UNDERDAL, SAUNDERS

IN THE SENATE

January 15, 1983	Introduced and referred to Committee on Agriculture, Livestock and Irrigation.
January 21, 1983	Committee recommend bill do pass. Report adopted.
January 22, 1983	Bill printed and placed on members' desks.
January 24, 1983	Second reading, do pass.
January 25, 1983	Correctly engrossed.
January 26, 1983	Third reading, passed. Ayes, 48; Noes, 1. Transmitted to House.

IN THE HOUSE

January 27, 1983	Introduced and referred to Committee on Agriculture, Livestock and Irrigation.
February 7, 1983	Committee recommend bill be concurrent in. Report adopted.
February 9, 1983	Second reading, concurred in.
February 11, 1983	Third reading, concurred in.

IN THE SENATE

February 11, 1983

Returned to Senate.

February 12, 1983

Sent to enrolling.

Reported correctly enrolled.

1 *State* BILL NO. *160* *Sander*
 2 INTRODUCED BY *Real* *John* *John*
 3 *Ernst* *RUSH*, *gordon* *KORHNE* *John*
 4 *Maxwell* *LANE* *Christine* *John*
 5 A BILL FOR AN ACT ENTITLED: *AN ACT TO INCREASE THE MAXIMUM*
 6 *Three* *Three* *Three* *Three*
 7 ASSESSMENT ALLOWABLE UPON WHEAT AND BARLEY, THE PROCEEDS OF
 8 WHICH ARE USED FOR WHEAT RESEARCH AND MARKETING; ELIMINATING *Lybeck*
 9 DEPARTMENT OF AGRICULTURE POWERS RELATING TO ALCOHOL
 10 BYPRODUCTS; AMENDING SECTION 80-11-206, MCA; REPEALING
 11 SECTIONS 80-11-221 THROUGH 80-11-223, MCA; AND PROVIDING AN
 12 EFFECTIVE DATE."

12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 13 Section 1. Section 80-11-206, MCA, is amended to read:
 14 "80-11-206. Annual ~~Maximum annual~~ assessment on wheat
 15 and barley grown. (1) There is hereby levied an annual
 16 assessment of ~~2-1/2~~ not more than 10 mills per bushel
 17 ~~except for the fiscal years ending on June 30, 1980 through~~
 18 ~~1983, when not more than 5 mills per bushel may be levied;~~
 19 upon all wheat grown and ~~5~~ not more than 15 mills per
 20 hundredweight ~~except for the fiscal years ending on June~~
 21 ~~30, 1980 through 1983, when not more than 10 mills per~~
 22 ~~hundredweight may be levied;~~ on all barley grown in the
 23 state of Montana and sold through commercial channels. The
 24 assessment is hereby levied and imposed on each grower of
 25 wheat or barley in the state of Montana:

1 (a) in the case of sale of wheat or barley, at the
 2 time of any sale of wheat or barley by a grower, and shall
 3 be collected by the first purchaser of the wheat or barley
 4 from the grower at the time of each settlement for wheat or
 5 barley purchased; or

6 (b) in the case of a pledge or mortgage of wheat or
 7 barley as security for a loan under any federal price
 8 support program, the assessment shall be collected by
 9 deducting the amount thereof from the proceeds of such loan
 10 at the time the loan is made by the agency or person making
 11 the loan.

12 (2) The assessment levied under the provisions of this
 13 part shall be deducted and collected as provided by this
 14 part, whether such wheat or barley is stored in this or any
 15 other state. The assessment shall attach to each
 16 transaction, but no grower shall be subject to assessment
 17 more than once irrespective of the number of times it shall
 18 be the subject of a sale, pledge, mortgage, or other
 19 transaction, the assessment being imposed and attaching on
 20 the initial sale, pledge, mortgage, or other transaction in
 21 which the wheat or barley grower parts with title to the
 22 wheat or barley, or creates some interest therein in a
 23 pledgee, mortgagee, or other person."

24 Section 2. Repealer. Sections 80-11-221 through
 25 80-11-223, MCA, are repealed.

INTRODUCED BILL

1 Section 3. Effective date. This act is effective on
2 July 1, 1983.

-End-

Approved by Committee
on Agriculture Livestock
& Irrigation

SENATE BILL NO. 160

INTRODUCED BY

Ernst RYSH, ~~LANE~~ KOENKE

A BILL FOR AN ACT ENTITLED: AN ACT TO INCREASE THE MAXIMUM

ASSESSMENT ALLOWABLE UPON WHEAT AND BARLEY, THE PROCEEDS OF

WHICH ARE USED FOR WHEAT RESEARCH AND MARKETING; ELIMINATING

DEPARTMENT OF AGRICULTURE POWERS RELATING TO ALCOHOL

BYPRODUCTS; AMENDING SECTION 80-11-206, MCA; REPEALING

SECTIONS 80-11-221 THROUGH 80-11-223, MCA; AND PROVIDING AN

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~~except for the fiscal years ending on June 30, 1980 through~~

~~1983 when not more than 5 mills per bushel may be levied~~

upon all wheat grown and 5 ~~not more than 15~~ mills per

hundredweight ~~except for the fiscal years ending on June~~

~~30, 1980 through 1983 when not more than 10 mills per~~

~~hundredweight may be levied~~ on all barley grown in the

state of Montana and sold through commercial channels. The

assessment is hereby levied and imposed on each grower of

wheat or barley in the state of Montana:

(a) in the case of sale of wheat or barley, at the time of any sale of wheat or barley by a grower, and shall be collected by the first purchaser of the wheat or barley from the grower at the time of each settlement for wheat or barley purchased; or

(b) in the case of a pledge or mortgage of wheat or barley as security for a loan under any federal price support program, the assessment shall be collected by deducting the amount thereof from the proceeds of such loan at the time the loan is made by the agency or person making the loan.

(2) The assessment levied under the provisions of this part shall be deducted and collected as provided by this part, whether such wheat or barley is stored in this or any other state. The assessment shall attach to each transaction, but no grower shall be subject to assessment more than once irrespective of the number of times it shall be the subject of a sale, pledge, mortgage, or other transaction, the assessment being imposed and attaching on the initial sale, pledge, mortgage, or other transaction in which the wheat or barley grower parts with title to the wheat or barley, or creates some interest therein in a pledgee, mortgagee, or other person."

Section 2. Repealer. Sections 80-11-221 through 80-11-223, MCA, are repealed.

SECOND READING

1 Section 3. Effective date. This act is effective on
2 July 1, 1983.

-End-

1 *Spate* BILL NO. *160* *Sanderson*
2 INTRODUCED BY *Kearl* *Latimer* *DePue*
3 *Ernst* *ROUSH* *gordley* *KOENKE* *Thomson*
4 *Magnus* *LANE* *Christine* *Boylan*
5 A BILL FOR AN ACT ENTITLED: *AN ACT TO INCREASE THE MAXIMUM*
6 *Assessment* *ALLOWABLE UPON WHEAT AND BARLEY, THE PROCEEDS OF*
7 *WHICH ARE USED FOR WHEAT RESEARCH AND MARKETING; ELIMINATING* *Lybeck*
8 DEPARTMENT OF AGRICULTURE POWERS RELATING TO ALCOHOL
9 BYPRODUCTS; AMENDING SECTION 80-11-206, MCA; REPEALING
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23 ~~hundredweight may be levied~~ on all barley grown in the
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25 assessment is hereby levied and imposed on each grower of
wheat or barley in the state of Montana:

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2 time of any sale of wheat or barley by a grower, and shall
3 be collected by the first purchaser of the wheat or barley
4 from the grower at the time of each settlement for wheat or
5 barley purchased; or

6 (b) in the case of a pledge or mortgage of wheat or
7 barley as security for a loan under any federal price
8 support program, the assessment shall be collected by
9 deducting the amount thereof from the proceeds of such loan
10 at the time the loan is made by the agency or person making
11 the loan.

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13 part shall be deducted and collected as provided by this
14 part, whether such wheat or barley is stored in this or any
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"80-11-206. ~~Annual~~ Maximum annual assessment on wheat and barley grown. (1) There is hereby levied an annual assessment of ~~2-1/2 not more than 10~~ mills per bushel ~~(except for the fiscal years ending on June 30, 1986 through 1989, when not more than 5 mills per bushel may be levied)~~ upon all wheat grown and ~~5 not more than 15~~ mills per hundredweight ~~(except for the fiscal years ending on June 30, 1986 through 1989, when not more than 10 mills per hundredweight may be levied)~~ on all barley grown in the

state of Montana and sold through commercial channels. The assessment is hereby levied and imposed on each grower of wheat or barley in the state of Montana:

(a) in the case of sale of wheat or barley, at the time of any sale of wheat or barley by a grower, and shall be collected by the first purchaser of the wheat or barley from the grower at the time of each settlement for wheat or barley purchased; or

(b) in the case of a pledge or mortgage of wheat or barley as security for a loan under any federal price support program, the assessment shall be collected by deducting the amount thereof from the proceeds of such loan at the time the loan is made by the agency or person making the loan.

(2) The assessment levied under the provisions of this part shall be deducted and collected as provided by this part, whether such wheat or barley is stored in this or any other state. The assessment shall attach to each transaction, but no grower shall be subject to assessment more than once irrespective of the number of times it shall be the subject of a sale, pledge, mortgage, or other transaction, the assessment being imposed and attaching on the initial sale, pledge, mortgage, or other transaction in which the wheat or barley grower parts with title to the wheat or barley, or creates some interest therein in a

1 pledgee, mortgagee, or other person."

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