

HOUSE BILL NO. 598

1/31 Introduced
1/31 Referred to Business & Labor
2/14 Hearing
2/15 Committee Report-Bill Pass As Amended
2/16 2nd Reading Pass
2/19 3rd Reading Pass

Transmitted to Senate

2/21 Referred to Business & Industry
3/26 Hearing
3/27 Adverse Committee Report
3/27 Bill Killed

1 HOUSE BILL NO. 598
2 INTRODUCED BY Boay
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
5 30-12-409, MCA, TO ALLOW PETROLEUM WHOLESALE DISTRIBUTORS A
6 SEMIANNUAL CHOICE AS TO HOW AND WHERE THEIR PURCHASES OF
7 GASOLINE AND DISTILLATES ARE TO BE MEASURED."
8

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

10 Section 1. Section 30-12-409, MCA, is amended to read:

11 "30-12-409. Sale of gasoline and distillates on other
12 than gross volume basis unlawful -- exception. (1) Except as
13 provided in subsection (2) or in Title 82, chapter 15, part
14 1, the sale, barter, or exchange of gasoline and distillates
15 on a temperature corrected basis or on any basis other than
16 the gross volume of gasoline or distillate actually
17 delivered is void. Any contract in violation of this section
18 shall be unenforceable to the extent of the violation.

19 (2) Suppliers of gasoline and distillates shall at
20 each point of distribution offer Montana petroleum wholesale
21 distributors the option to buy gasoline and distillates
22 either by gross volume actually delivered or on the
23 assumption that the temperature of the product is 60 degrees
24 Fahrenheit or the centigrade equivalent. This purchaser
25 option may be exercised only on an annual a semiannual

1 basis, and may be applied only to single deliveries of 7,500
2 gallons or more or the metric equivalent with the election
3 to be made on April 1 and October 1 for the 6-month period
4 following the election. Any adjustments to volume during the
5 temperature compensation process must be made in accordance
6 with standards set under 82-15-103, 82-15-108, and
7 82-15-109. Purchasers who choose to exercise the option
8 available under this subsection must be provided with
9 invoice listings of both net and gross gallons.

10 (3) This section does not apply to the exchange or
11 transfer of gasoline and distillates between refiners or
12 transporters of petroleum or petroleum products."

-End-

APPROVED BY COMM. ON
BUSINESS AND LABOR

HOUSE BILL NO. 598

INTRODUCED BY ASAY

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION 30-12-409, MCA, TO ALLOW PETROLEUM WHOLESALE DISTRIBUTORS A SEMIANNUAL OR ANNUAL CHOICE AS TO HOW AND WHERE THEIR PURCHASES OF GASOLINE AND DISTILLATES ARE TO BE MEASURED."

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(2) Suppliers of gasoline and distillates shall at each point of distribution offer Montana petroleum wholesale distributors the option to buy gasoline and distillates either by gross volume actually delivered or on the assumption that the temperature of the product is 60 degrees Fahrenheit or the centigrade equivalent. This purchaser option may be exercised only on an annual or a semiannual basis

~~AT REFINERY TERMINALS, and may be applied only to single deliveries of 7,500 gallons or more or the metric equivalent with the election to be made on April 1 and October 1 for the 6-month period following the election, AND ON AN ANNUAL BASIS AT PIPELINE TERMINALS, WITH THE ELECTION TO BE MADE ON OCTOBER 1 FOR THE 12-MONTH PERIOD FOLLOWING THE ELECTION.~~

Any adjustments to volume during the temperature compensation process must be made in accordance with standards set under 82-15-103, 82-15-108, and 82-15-109. Purchasers who choose to exercise the option available under this subsection must be provided with invoice listings of both net and gross gallons.

(3) This section does not apply to the exchange or transfer of gasoline and distillates between refiners or transporters of petroleum or petroleum products."

-End-

SECOND READING

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-End-

THIRD READING