

SENATE BILL NO. 328

INTRODUCED BY HERTEL, KNOX, JERGSON, BACHINI

IN THE SENATE

FEBRUARY 5, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON AGRICULTURE, LIVESTOCK, & IRRIGATION.  FIRST READING.
FEBRUARY 11, 1993	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
FEBRUARY 12, 1993	PRINTING REPORT.  SECOND READING, DO PASS.
FEBRUARY 13, 1993	ENGROSSING REPORT.  THIRD READING, PASSED. AYES, 48; NOES, 2.  TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 23, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON AGRICULTURE, LIVESTOCK, & IRRIGATION.  FIRST READING.
MARCH 3, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 6, 1993	SECOND READING, CONCURRED IN.
MARCH 9, 1993	THIRD READING, CONCURRED IN. AYES, 93; NOES, 3.
MARCH 10, 1993	RETURNED TO SENATE.

IN THE SENATE

MARCH 11, 1993	RECEIVED FROM HOUSE.  SENT TO ENROLLING.  REPORTED CORRECTLY ENROLLED.
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1 Senate BILL NO. 328  
 2 INTRODUCED BY Hester Knox Jorgensen  
 3 Bochner  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT THE  
 5 LIEN AVAILABLE FOR SPRAYING OR DUSTING GRAINS OR CROPS  
 6 INCLUDES BOTH AERIAL AND GROUND APPLICATION AND THE USE OF  
 7 FERTILIZER; AMENDING SECTION 71-3-901, MCA; AND PROVIDING AN  
 8 IMMEDIATE EFFECTIVE DATE."

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

11 **Section 1.** Section 71-3-901, MCA, is amended to read:

12 "71-3-901. Who may have lien -- amount. Any A person,  
 13 firm, corporation, or partnership which--~~shall~~ that under  
 14 contract, express or implied, ~~perform~~ performs labor or  
 15 services or ~~furnish~~ furnishes material in crop dusting or  
 16 spraying grains or crops, whether by aerial or ground  
 17 application, for the purpose of fertilization or weed,  
 18 disease, or insect control for promoting the growth of such  
 19 the grains or crops ~~shall~~-have has a lien upon all such  
 20 grains or crops ~~so-crop~~ dusted or sprayed for and on account  
 21 of the labor or service performed and material furnished,  
 22 upon complying with the provisions of this part;--~~provided,~~  
 23 ~~however, that any such lien shall.~~ A lien may not exceed the  
 24 prevailing price charged in the particular locality in which  
 25 such the grain or crops are sprayed or dusted."

1 NEW SECTION. **Section 2.** Effective date. [This act] is  
 2 effective on passage and approval.

-End-

APPROVED BY COMMITTEE  
ON AGRICULTURE LIVESTOCK  
& IRRIGATION

*Senators* BILL NO. *328*

INTRODUCED BY

*Buchanan* *Hester Knox Jorgensen*

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THAT THE LIEN AVAILABLE FOR SPRAYING OR DUSTING GRAINS OR CROPS INCLUDES BOTH AERIAL AND GROUND APPLICATION AND THE USE OF FERTILIZER; AMENDING SECTION 71-3-901, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

**Section 1.** Section 71-3-901, MCA, is amended to read:

"71-3-901. Who may have lien -- amount. Any A person, firm, corporation, or partnership which--~~shall~~ that under contract, express or implied, perform performs labor or services or furnish furnishes material in crop dusting or spraying grains or crops, whether by aerial or ground application, for the purpose of fertilization or weed, disease, or insect control for promoting the growth of such the grains or crops ~~shall-have~~ has a lien upon all such grains or crops so-crop dusted or sprayed for and on account of the labor or service performed and material furnished, upon complying with the provisions of this part;--~~provided~~ however,--that-any-such-lien-shall. A lien may not exceed the prevailing price charged in the particular locality in which such the grain or crops are sprayed or dusted."

**NEW SECTION. Section 2.** Effective date. [This act] is

effective on passage and approval.

-End-

SB328

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*Senate* BILL NO. *328*  
 INTRODUCED BY *Hestel Knox Jorgensen*  
*B. Jorgensen*

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-End-

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