

HOUSE BILL NO. 556

INTRODUCED BY REAM, SVRCEK

IN THE HOUSE

FEBRUARY 1, 1991                   INTRODUCED AND REFERRED TO COMMITTEE  
ON FISH & GAME.

FEBRUARY 2, 1991                   FIRST READING.

FEBRUARY 20, 1991                  COMMITTEE RECOMMEND BILL  
DO PASS AS AMENDED. REPORT ADOPTED.

FEBRUARY 21, 1991                  PRINTING REPORT.

                                      POSTED ON ALTERNATIVE CONSENT CALENDAR.

FEBRUARY 23, 1991                  THIRD READING, PASSED.  
AYES, 90; NOES, 8.

                                      TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 25, 1991                  INTRODUCED AND REFERRED TO COMMITTEE  
ON FISH & GAME.

                                      FIRST READING.

MARCH 27, 1991                    COMMITTEE RECOMMEND BILL BE  
CONCURRED IN AS AMENDED. REPORT  
ADOPTED.

APRIL 1, 1991                     SECOND READING, CONCURRED IN.

APRIL 2, 1991                     THIRD READING, CONCURRED IN.  
AYES, 47; NOES, 2.

                                      RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

APRIL 9, 1991                     RECEIVED FROM SENATE.

                                      SECOND READING, AMENDMENTS  
CONCURRED IN.

APRIL 10, 1991                    THIRD READING, AMENDMENTS  
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0556, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

This bill revises the law regarding game farms and game farm animals, including the identification, transportation, taxation, and inspection of game farm animals and reports required of game farm licensees, and provides that importation permits and health certificates are required of game farm animals.

ASSUMPTIONS:

1. The Department of Livestock currently monitors the importation of game farm animals.
2. Individual identification of game animals will be conducted at the owners expense.
3. Violations of the law and enforcement could increase department expenditures, but this will be absorbed in the current budget for the 1993 biennium.

FISCAL IMPACT:


No significant fiscal impact.

LONG-RANGE EFFECTS:

The Department of Livestock will monitor expenses resulting from this proposed legislation and report to the next session of the Legislature. It may become necessary to include game farm animals under the per capita tax collected for operation of the department.

TECHNICAL OR MECHANICAL DEFECTS:

Section 3(2) providing 30 days may be too long a time period for effective enforcement. Ten days is recommended by the department.

  
\_\_\_\_\_  
ROD SUNDSTED, BUDGET DIRECTOR      2-6-91  
Office of Budget and Program Planning      DATE

  
\_\_\_\_\_  
ROBERT REAM, PRIMARY SPONSOR      2-8-91  
DATE

Fiscal Note for HB0556, as introduced

**HB 556**

1 House BILL NO. 556  
 2 INTRODUCED BY Ream Smith  
 3  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LAW  
 5 REGARDING GAME FARMS AND GAME FARM ANIMALS, INCLUDING THE  
 6 IDENTIFICATION, TRANSPORTATION, TAXATION, AND INSPECTION OF  
 7 GAME FARM ANIMALS AND REPORTS REQUIRED OF GAME FARM  
 8 LICENSEES; PROVIDING THAT IMPORTATION PERMITS AND HEALTH  
 9 CERTIFICATES ARE REQUIRED OF GAME FARM ANIMALS; AND AMENDING  
 10 SECTIONS 81-2-702, 87-4-408, 87-4-414, 87-4-415, 87-4-417,  
 11 87-4-420, AND 87-4-423, MCA."

12  
 13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 **Section 1.** Section 87-4-408, MCA, is amended to read:

15 "87-4-408. Department jurisdiction -- applicability of  
 16 livestock laws and rules. (1) The department has primary  
 17 jurisdiction over game farms.

18 (2) A game farm licensee must also comply with all  
 19 applicable laws and rules administered by the department of  
 20 livestock relating to marking, inspection, transportation,  
 21 and health."

22 **Section 2.** Section 87-4-414, MCA, is amended to read:

23 "87-4-414. Game farm animals as private property. (1)  
 24 All game farm animals lawfully raised on a licensed game  
 25 farm are the private property of the licensee.

1 (2) The licensee may acquire, breed, grow, keep,  
 2 pursue, capture, kill, use, sell, or dispose of the game  
 3 farm animals and their progeny in any quantity, at any time  
 4 of year, and in any manner, as long as he complies with the  
 5 requirements of this part.

6 (3) A licensee shall mark each game farm animal in a  
 7 manner approved by the department of livestock that  
 8 facilitates individual identification of animals for  
 9 inspection, transportation, reporting, and taxation  
 10 purposes.

11 ~~(3)~~(4) Before allowing hunting of any game farm animals  
 12 on a game farm, the game farm licensee must obtain a game  
 13 farm shooting license from the department.

14 ~~(4)~~(5) The Except for importation permits and health  
 15 certificates required under 81-2-703, laws applicable to  
 16 game animals do not apply to game farm animals raised on a  
 17 licensed game farm."

18 **Section 3.** Section 87-4-415, MCA, is amended to read:

19 "87-4-415. Transportation and sale of game farm animals  
 20 -- quarantine. (1) Whenever the licensee of a licensed game  
 21 farm sells or disposes of one or more game farm animals, he  
 22 shall, at the same time, deliver to the recipient or  
 23 otherwise cause to accompany each ~~such~~ game farm animal an  
 24 invoice or bill of sale signed by the licensee or his agent  
 25 stating the number of the game farm license, the date of

1 acquisition and disposition, the species, the number  
 2 individual game animals disposed of, and the name and  
 3 address of the transferee. This invoice or bill of sale,  
 4 along with the required health certificate, authorizes  
 5 transportation of the game farm animal or animals being  
 6 sold, transferred, or disposed of.

7 (2) Within ~~a-reasonable-time~~ 30 days after disposition,  
 8 the licensee or his agent shall mail postpaid a duplicate of  
 9 the invoice or bill of sale to the department of livestock  
 10 and the department.

11 (3) The department of livestock may quarantine any game  
 12 farm animal pending inspection and health certification. The  
 13 department shall advise the department of livestock  
 14 regarding the importation or transportation of any game farm  
 15 animal that the department reasonably believes may be  
 16 infected with a disease specific to wildlife."

17 **Section 4.** Section 87-4-417, MCA, is amended to read:

18 "87-4-417. Records and reporting. (1) Each game farm  
 19 licensee shall keep and maintain for 3 years accurate  
 20 written records of all purchases, transfers, and sales of  
 21 game farm animals showing:

22 (a) the number of each species of game farm animal  
 23 purchased by the game farm licensee and from whom purchased;

24 (b) the number of each species of game farm animal  
 25 transferred or sold, the date of transfer or sale, and the

1 name and address of the person to whom the transfer or sale  
 2 was made; and

3 (c) individual identification of each game farm animal  
 4 purchased, transferred, or sold.

5 (2) On or before January 31 of each year, the game farm  
 6 licensee shall file a report with the director, showing the  
 7 number and species of game farm animals on hand as of  
 8 January 1 and the number and species of game farm animals  
 9 bought or sold during the past year."

10 **Section 5.** Section 87-4-420, MCA, is amended to read:

11 "87-4-420. Taxation. All game farm animals raised on a  
 12 game farm may be assessed as personal property of the owner,  
 13 but in no case may the assessed value be less than the  
 14 restitution value set for each species in 87-1-111."

15 **Section 6.** Section 87-4-423, MCA, is amended to read:

16 "87-4-423. Revocation of license -- penalty. (1) A game  
 17 farm license may be revoked for failure to operate the game  
 18 farm according to the provisions of this part or rules  
 19 adopted under this part.

20 (2) Upon discovery of a violation, the department shall  
 21 give notice of the violation to the licensee, with a  
 22 statement of ~~a--specific--time-in-which~~ that the violation  
 23 must be corrected within 30 days of the notice, unless a  
 24 longer period is approved by the department.

25 (3) Upon failure of the licensee to correct the

1 violation, the department may institute revocation  
 2 proceedings. If the department institutes revocation  
 3 proceedings, it shall provide reasonable notice and  
 4 opportunity for a hearing to the licensee. After hearing and  
 5 upon proof of violation, the department may revoke the game  
 6 farm license.

7 (4) In addition to the revocation of a license allowed  
 8 by this section, a licensee who violates this part or a rule  
 9 adopted under this part is subject to a fine of not less  
 10 than \$5,000 or imprisonment in the state prison for not less  
 11 than 1 year, or both."

12 **Section 7.** Section 81-2-702, MCA, is amended to read:

13 "81-2-702. Definitions. As used in this part, the  
 14 following definitions apply:

15 (1) "Animals" means livestock, dogs, cats, rabbits,  
 16 rodents, game animals, game farm animals, fur-bearing and  
 17 wild animals, and poultry and other birds.

18 (2) "Biologics" means medicinal preparations made from  
 19 living organisms and their products. It includes but is not  
 20 limited to serums, vaccines, antigens, and antitoxins.

21 (3) "Department" means the department of livestock.

22 (4) "Health certificate" means a legible record written  
 23 on an official health certificate form of the state of  
 24 origin or on an equivalent form of the U.S. department of  
 25 agriculture attesting that the animals, animal semen, or

1 animal biologics described thereon have been visually  
 2 inspected by a federally accredited veterinarian and found  
 3 to meet the entry requirements of the state of Montana.

4 (5) "Livestock" means cattle, horses, mules, asses,  
 5 sheep, llamas, bison, swine, and goats.

6 (6) "Permit" means an official document issued by the  
 7 department after proper application that allows the movement  
 8 of animals, animal semen, or animal biologics into Montana.

9 (7) "Poultry" means domesticated birds, including but  
 10 not limited to chickens, turkeys, ducks, geese, guinea fowl,  
 11 pigeons, and pheasants."

-End-

APPROVED BY COMM.  
ON FISH AND GAME

HOUSE BILL NO. 556

INTRODUCED BY REAM, SVRCEK

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LAW REGARDING GAME FARMS AND GAME FARM ANIMALS, INCLUDING THE IDENTIFICATION, TRANSPORTATION, TAXATION, AND INSPECTION OF GAME FARM ANIMALS AND REPORTS REQUIRED OF GAME FARM LICENSEES; PROVIDING THAT IMPORTATION PERMITS AND HEALTH CERTIFICATES ARE REQUIRED OF GAME FARM ANIMALS; RESTRICTING THE IMPORTATION OF CERTAIN SPECIES FOR GAME FARM PURPOSES; AND AMENDING SECTIONS 81-2-702, 87-4-408, 87-4-414, 87-4-415, 87-4-417, 87-4-420, AND 87-4-423, MCA."

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

**Section 1.** Section 87-4-408, MCA, is amended to read:

"87-4-408. Department jurisdiction -- applicability of livestock laws and rules. (1) The department has primary jurisdiction over game farms.

(2) A game farm licensee must also comply with all applicable laws and rules administered by the department of livestock relating to marking, inspection, transportation, and health."

**Section 2.** Section 87-4-414, MCA, is amended to read:

"87-4-414. Game farm animals as private property. (1) All game farm animals lawfully raised on a licensed game

farm are the private property of the licensee.

(2) The licensee may acquire, breed, grow, keep, pursue, capture, kill, use, sell, or dispose of the game farm animals and their progeny in any quantity, at any time of year, and in any manner, as long as he complies with the requirements of this part.

(3) A licensee shall mark each game farm animal in a manner approved by the department of livestock that facilitates individual OWNERSHIP identification of animals for inspection, transportation, reporting, and taxation purposes.

~~(3)~~(4) Before allowing hunting of any game farm animals on a game farm, the game farm licensee must obtain a game farm shooting license from the department.

~~(4)~~(5) The Except for importation permits and health certificates required under 81-2-703, laws applicable to game animals do not apply to game farm animals raised on a licensed game farm.

**Section 3.** Section 87-4-415, MCA, is amended to read:

"87-4-415. Transportation and sale of game farm animals -- quarantine. (1) Whenever the licensee of a licensed game farm sells or disposes of one or more game farm animals, he shall, at the same time, deliver to the recipient or otherwise cause to accompany each such game farm animal OR ANIMALS an invoice or bill of sale signed by the licensee or

SECOND READING

1 his agent stating the number of the game farm license, the  
 2 date of acquisition and OR disposition, the species, the  
 3 number individual AGE, SEX, AND CLASS OF game animals  
 4 disposed of, and the name and address of the transferee.  
 5 This invoice or bill of sale, along with the ANY required  
 6 health certificate CERTIFICATIONS, authorizes transportation  
 7 of the game farm animal or animals being sold, transferred,  
 8 or disposed of.

9 (2) Within ~~a--reasonable--time~~ 30 10 days after  
 10 disposition MOVEMENT OR SALE, the licensee or his agent  
 11 shall mail postpaid a duplicate of the invoice or bill of  
 12 sale to the department of livestock and the department.

13 (3) The department of livestock may quarantine any game  
 14 farm animal pending inspection and health certification. The  
 15 department shall advise the department of livestock  
 16 regarding the importation or transportation of any game farm  
 17 animal that the department reasonably believes may be  
 18 infected with a disease specific to wildlife."

19 **Section 4.** Section 87-4-417, MCA, is amended to read:

20 **"87-4-417. Records and reporting.** (1) Each game farm  
 21 licensee shall keep and maintain for 3 years accurate  
 22 written records of all purchases, transfers, and sales of  
 23 game farm animals showing:

24 (a) the number of each species of game farm animal  
 25 purchased by the game farm licensee and from whom purchased;

1 (b) the number of each species of game farm animal  
 2 transferred or sold, the date of transfer or sale, and the  
 3 name and address of the person to whom the transfer or sale  
 4 was made; and

5 (c) individual identification of each game farm animal  
 6 purchased, transferred, or sold.

7 (2) On or before January 31 of each year, the game farm  
 8 licensee shall file a report with the director, showing the  
 9 number and species of game farm animals on hand as of  
 10 January 1 and the number and species of game farm animals  
 11 bought or sold during the past year."

12 **Section 5.** Section 87-4-420, MCA, is amended to read:

13 **"87-4-420. Taxation.** All game farm animals raised on a  
 14 game farm may be assessed as personal property of the owner,  
 15 but in no case may the assessed value be less than the  
 16 restitution value set for each species in 87-1-111."

17 **Section 6.** Section 87-4-423, MCA, is amended to read:

18 **"87-4-423. Revocation of license -- penalty.** (1) A game  
 19 farm license may be revoked for failure to operate the game  
 20 farm according to the provisions of this part or rules  
 21 adopted under this part.

22 (2) Upon discovery of a violation, the department shall  
 23 give notice of the violation to the licensee, with a  
 24 statement of-a-specific-time-in--which that the violation  
 25 must be corrected within 30 days of the notice, unless a



1 longer period is approved by the department.

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3 violation, the department may institute revocation  
4 proceedings. If the department institutes revocation  
5 proceedings, it shall provide reasonable notice and  
6 opportunity for a hearing to the licensee. After hearing and  
7 upon proof of violation, the department may revoke the game  
8 farm license.

9 (4) In addition to the revocation of a license allowed  
10 by this section, a licensee PERSON who violates this part or  
11 a rule adopted under this part is subject to a fine of not  
12 less MORE than \$5,000 or imprisonment in the state--prison  
13 COUNTY JAIL for not less MORE than 1 year, or both."

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9 department after proper application that allows the movement  
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11 (7) "Poultry" means domesticated birds, including but  
12 not limited to chickens, turkeys, ducks, geese, guinea fowl,  
13 pigeons, and pheasants."

14 **NEW SECTION. SECTION 8. IMPORTATION OF CERTAIN SPECIES**  
15 **PROHIBITED. (1) THE FOLLOWING SPECIES OR SUBSPECIES AND**  
16 **THEIR HYBRIDS WITH NATIVE SPECIES ARE RESTRICTED FROM**  
17 **IMPORTATION FOR PURPOSES OF GAME FARMING:**

18 (A) ALL EURASIAN SUBSPECIES OF RED DEER UNLESS  
19 SURGICALLY STERILIZED OR NEUTERED;

20 (B) ALL EURASIAN SHEEP AND GOATS IN THE SUBFAMILY  
21 CAPRINAE OF THE CAPRINI TRIBE UNLESS SURGICALLY NEUTERED;  
22 AND

23 (C) WHITE-TAILED DEER FROM EAST OF THE 100TH MERIDIAN  
24 IN NORTH AMERICA.

25 (2) THE DEPARTMENT OR THE DEPARTMENT OF LIVESTOCK MAY

HB 0556/02

1 ADD OTHER SPECIES THAT ARE DETERMINED THROUGH SCIENTIFIC  
2 INVESTIGATION TO POSE A THREAT TO NATIVE WILDLIFE OR  
3 LIVESTOCK THROUGH NONSPECIFIC GENETIC DILUTION, PARASITES,  
4 OR DISEASE.

5 NEW SECTION. SECTION 9. CODIFICATION INSTRUCTION.  
6 [SECTION 8] IS INTENDED TO BE CODIFIED AS AN INTEGRAL PART  
7 OF TITLE 87, CHAPTER 4, PART 4, AND THE PROVISIONS OF TITLE  
8 87, CHAPTER 4, PART 4, APPLY TO [SECTION 8].

-End-

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 10 January 1 and the number and species of game farm animals  
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12 **Section 5.** Section 87-4-420, MCA, is amended to read:

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 24 statement ~~of a specific time in which~~ that the violation  
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8 87, CHAPTER 4, PART 4, APPLY TO [SECTION 8].

-End-

SENATE STANDING COMMITTEE REPORT

Page 1 of 1  
March 27, 1991

MR. PRESIDENT:

We, your committee on Fish and Game having had under consideration House Bill No. 556 (third reading copy -- blue), respectfully report that House Bill No. 556 be amended and as so amended be concurred in:

1. Title, line 6.

Strike: "TAXATION,"

2. Title, line 12.

Strike: "87-4-420,"

3. Page 4, lines 12 through 16.

Strike: section 5 in its entirety

Renumber: subsequent sections

4. Page 5, line 12.

Strike: "\$5,000"

Insert: "\$500"

5. Page 6, line 14.

Strike: "IMPORTATION"

Insert: "Department restrictions on importation"

6. Page 6, lines 15 through 25.

Following: line 14

Strike: line 15 through "(2)" on line 25

Insert: "."

7. Page 7, line 1.

Following: page 6, line 25


Strike: "ADD OTHER"

Insert: "restrict from importation for purposes of game farming  
any species or subspecies and their hybrids with native"

8. Page 7, lines 6 and 8.

Strike: "8"

Insert: "7"

Signed:   
Bob Williams, Chairman

LB 3/27/91

Amd. Coord.

SB 3/27 10:40

Sec. of Senate

SENATE  
HB 556

## 1 HOUSE BILL NO. 556

2 INTRODUCED BY REAM, SVRCEK

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE LAW  
5 REGARDING GAME FARMS AND GAME FARM ANIMALS, INCLUDING THE  
6 IDENTIFICATION, TRANSPORTATION, ~~TAXATION~~, and INSPECTION OF  
7 GAME FARM ANIMALS AND REPORTS REQUIRED OF GAME FARM  
8 LICENSEES; PROVIDING THAT IMPORTATION PERMITS AND HEALTH  
9 CERTIFICATES ARE REQUIRED OF GAME FARM ANIMALS; RESTRICTING  
10 THE IMPORTATION OF CERTAIN SPECIES FOR GAME FARM PURPOSES;  
11 AND AMENDING SECTIONS 81-2-702, 87-4-408, 87-4-414,  
12 87-4-415, 87-4-417, 87-4-420, AND 87-4-423, MCA."

13  
14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

15 Section 1. Section 87-4-408, MCA, is amended to read:

16 "87-4-408. Department jurisdiction -- applicability of  
17 livestock laws and rules. (1) The department has primary  
18 jurisdiction over game farms.19 (2) A game farm licensee must also comply with all  
20 applicable laws and rules administered by the department of  
21 livestock relating to marking, inspection, transportation,  
22 and health."

23 Section 2. Section 87-4-414, MCA, is amended to read:

24 "87-4-414. Game farm animals as private property. (1)  
25 All game farm animals lawfully raised on a licensed game

1 farm are the private property of the licensee.

2 (2) The licensee may acquire, breed, grow, keep,  
3 pursue, capture, kill, use, sell, or dispose of the game  
4 farm animals and their progeny in any quantity, at any time  
5 of year, and in any manner, as long as he complies with the  
6 requirements of this part.7 (3) A licensee shall mark each game farm animal in a  
8 manner approved by the department of livestock that  
9 facilitates individual OWNERSHIP identification of animals  
10 for inspection, transportation, reporting, and taxation  
11 purposes.12 (3)(4) Before allowing hunting of any game farm animals  
13 on a game farm, the game farm licensee must obtain a game  
14 farm shooting license from the department.15 (4)(5) The Except for importation permits and health  
16 certificates required under 81-2-703, laws applicable to  
17 game animals do not apply to game farm animals raised on a  
18 licensed game farm."

19 Section 3. Section 87-4-415, MCA, is amended to read:

20 "87-4-415. Transportation and sale of game farm animals  
21 -- quarantine. (1) Whenever the licensee of a licensed game  
22 farm sells or disposes of one or more game farm animals, he  
23 shall, at the same time, deliver to the recipient or  
24 otherwise cause to accompany each such game farm animal OR  
25 ANIMALS an invoice or bill of sale signed by the licensee or



1 his agent stating the number of the game farm license, the  
 2 date of acquisition and OR disposition, the species, the  
 3 number individual AGE, SEX, AND CLASS OF game animals  
 4 disposed of, and the name and address of the transferee.  
 5 This invoice or bill of sale, along with the ANY required  
 6 health certificate CERTIFICATIONS, authorizes transportation  
 7 of the game farm animal or animals being sold, transferred,  
 8 or disposed of.

9 (2) Within ~~a reasonable time~~ 30 10 days after  
 10 disposition MOVEMENT OR SALE, the licensee or his agent  
 11 shall mail postpaid a duplicate of the invoice or bill of  
 12 sale to the department of livestock and the department.

13 (3) The department of livestock may quarantine any game  
 14 farm animal pending inspection and health certification. The  
 15 department shall advise the department of livestock  
 16 regarding the importation or transportation of any game farm  
 17 animal that the department reasonably believes may be  
 18 infected with a disease specific to wildlife."

19 **Section 4.** Section 87-4-417, MCA, is amended to read:

20 "87-4-417. Records and reporting. (1) Each game farm  
 21 licensee shall keep and maintain for 3 years accurate  
 22 written records of all purchases, transfers, and sales of  
 23 game farm animals showing:

24 (a) the number of each species of game farm animal  
 25 purchased by the game farm licensee and from whom purchased;

1 (b) the number of each species of game farm animal  
 2 transferred or sold, the date of transfer or sale, and the  
 3 name and address of the person to whom the transfer or sale  
 4 was made; and

5 (c) individual identification of each game farm animal  
 6 purchased, transferred, or sold.

7 (2) On or before January 31 of each year, the game farm  
 8 licensee shall file a report with the director, showing the  
 9 number and species of game farm animals on hand as of  
 10 January 1 and the number and species of game farm animals  
 11 bought or sold during the past year."

12 ~~**Section 5.** Section 87-4-420, MCA, is amended to read:~~  
 13 ~~"87-4-420. Taxation. All game farm animals raised on a~~  
 14 ~~game farm may be assessed as personal property of the owner,~~  
 15 ~~but in no case may the assessed value be less than the~~  
 16 ~~restitution value set for each species in 87-1-111."~~

17 **Section 5.** Section 87-4-423, MCA, is amended to read:

18 "87-4-423. Revocation of license -- penalty. (1) A game  
 19 farm license may be revoked for failure to operate the game  
 20 farm according to the provisions of this part or rules  
 21 adopted under this part.

22 (2) Upon discovery of a violation, the department shall  
 23 give notice of the violation to the licensee, with a  
 24 ~~statement of a specific time in which~~ that the violation  
 25 must be corrected within 30 days of the notice, unless a

1 longer period is approved by the department.

2 (3) Upon failure of the licensee to correct the  
3 violation, the department may institute revocation  
4 proceedings. If the department institutes revocation  
5 proceedings, it shall provide reasonable notice and  
6 opportunity for a hearing to the licensee. After hearing and  
7 upon proof of violation, the department may revoke the game  
8 farm license.

9 (4) In addition to the revocation of a license allowed  
10 by this section, a licensee PERSON who violates this part or  
11 a rule adopted under this part is subject to a fine of not  
12 less MORE than \$5,000 \$500 or imprisonment in the state  
13 prison COUNTY JAIL for not less MORE than 1 year, or both."

14 **Section 6.** Section 81-2-702, MCA, is amended to read:

15 "81-2-702. Definitions. As used in this part, the  
16 following definitions apply:

17 (1) "Animals" means livestock, dogs, cats, rabbits,  
18 rodents, game animals, game farm animals, fur-bearing and  
19 wild animals, and poultry and other birds.

20 (2) "Biologics" means medicinal preparations made from  
21 living organisms and their products. It includes but is not  
22 limited to serums, vaccines, antigens, and antitoxins.

23 (3) "Department" means the department of livestock.

24 (4) "Health certificate" means a legible record written  
25 on an official health certificate form of the state of

1 origin or on an equivalent form of the U.S. department of  
2 agriculture attesting that the animals, animal semen, or  
3 animal biologics described thereon have been visually  
4 inspected by a federally accredited veterinarian and found  
5 to meet the entry requirements of the state of Montana.

6 (5) "Livestock" means cattle, horses, mules, asses,  
7 sheep, llamas, bison, swine, and goats.

8 (6) "Permit" means an official document issued by the  
9 department after proper application that allows the movement  
10 of animals, animal semen, or animal biologics into Montana.

11 (7) "Poultry" means domesticated birds, including but  
12 not limited to chickens, turkeys, ducks, geese, guinea fowl,  
13 pigeons, and pheasants."

14 NEW SECTION. SECTION 7. IMPORTATION DEPARTMENT  
15 RESTRICTIONS ON IMPORTATION OF CERTAIN SPECIES PROHIBITED,  
16 (1) THE FOLLOWING SPECIES OR SUBSPECIES AND THEIR HYBRIDS  
17 WITH NATIVE SPECIES ARE RESTRICTED FROM IMPORTATION  
18 DEPARTMENT RESTRICTIONS ON IMPORTATION FOR PURPOSES OF GAME  
19 FARMING:

20 (A) ALL EURASIAN SUBSPECIES OF RED DEER UNLESS  
21 SURGICALLY STERILIZED OR NEUTERED,

22 (B) ALL EURASIAN SHEEP AND GOATS IN THE SUBFAMILY  
23 CAPRINAE OF THE CAPRINI TRIBE UNLESS SURGICALLY NEUTERED,

24 AND  
25 (C) WHITE-TAILED BEER FROM EAST OF THE 100TH MERIDIAN

HB 0556/03

1 IN-NORTH-AMERICA-  
2 (2). THE DEPARTMENT OR THE DEPARTMENT OF LIVESTOCK MAY  
3 ADD-OTHER RESTRICT FROM IMPORTATION FOR PURPOSES OF GAME  
4 FARMING ANY SPECIES OR SUBSPECIES AND THEIR HYBRIDS WITH  
5 NATIVE SPECIES THAT ARE DETERMINED THROUGH SCIENTIFIC  
6 INVESTIGATION TO POSE A THREAT TO NATIVE WILDLIFE OR  
7 LIVESTOCK THROUGH NONSPECIFIC GENETIC DILUTION, PARASITES,  
8 OR DISEASE.  
9 NEW SECTION. SECTION 8. CODIFICATION INSTRUCTION.  
10 [SECTION 8 7] IS INTENDED TO BE CODIFIED AS AN INTEGRAL PART  
11 OF TITLE 87, CHAPTER 4, PART 4, AND THE PROVISIONS OF TITLE  
12 87, CHAPTER 4, PART 4, APPLY TO [SECTION 8 7].

-End-