

HOUSE BILL NO. 195

INTRODUCED BY CURTISS, KANDUCH, STOBIE, HURWITZ, HARP, THOFT,
BERTELSEN, ELLISON, McCALLUM, MUELLER

IN THE HOUSE

January 14, 1981	Introduced and referred to Committee on Natural Resources.
January 30, 1981	Committee recommend bill do pass as amended. Report adopted.
February 2, 1981	Bill printed and placed on members' desks.
February 3, 1981	Second reading, do pass.
February 4, 1981	Correctly engrossed.
February 6, 1981	Third reading, passed. Transmitted to Senate.

IN THE SENATE

February 7, 1981	Introduced and referred to Committee on Natural Resources.
March 5, 1981	Committee recommend bill be concurred in. Report adopted.
March 7, 1981	Second reading, concurred in as amended.
March 10, 1981	Third reading, concurred in as amended. Ayes, 47; Noes, 0.

IN THE HOUSE

March 11, 1961

Returned from Senate with amendments. Concurred in as amended.

March 12, 1961

Second reading, concurred in as amended.

March 14, 1961

Third reading, concurred in as amended. Ayes, 89; Nays, 3. Sent to enrolling.

Reported correctly enrolled.

1 *Mueller* *Law* HOUSE BILL NO. 195 *Jurwitz*
 2 INTRODUCED BY *Calvin Curtis Kanduch*
 3 *Holt Bertelsen Ellison McCallan*

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT TRANSPORT
 5 ON THE HIGHWAYS OF THE STATE MORE THAN 10 CONIFEROUS TREES
 6 WITHOUT A BILL OF SALE; AND PROVIDING A PENALTY."

7
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Unlawful transportation of trees. (1) No
 10 person may transport on the highways of this state more than
 11 10 coniferous trees without having in his possession a bill
 12 of sale showing his ownership of the trees. The bill of sale
 13 shall specify:

- 14 (a) the date of its execution;
- 15 (b) the name and address of the vendor or donor of the
 16 trees;
- 17 (c) the name and address of the vendee or donee of the
 18 trees;
- 19 (d) the number of trees, by species, sold or
 20 transferred by the bill of sale; and
- 21 (e) the shipping yards or the property from which the
 22 trees were taken.

23 (2) Subsection (1) does not apply to:

- 24 (a) the transportation of trees with their roots
 25 intact;

1 (b) the transportation of logs, poles, pilings, or
 2 other forest products from which substantially all the limbs
 3 and branches have been removed;

4 (c) the transportation of coniferous trees by the
 5 owner of the land from which they were taken or his agents;
 6 or

7 (d) the transportation of coniferous trees by a common
 8 carrier.

9 (3) A person who violates this section shall be
 10 punished by a fine not to exceed \$500 or imprisonment not to
 11 exceed 6 months, or both.

-End-

-2- INTRODUCED BILL
 HB 195

Approved by Committee
on Natural Resources

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THOFT, BERTELSEN, ELLISON, McCALLUM, MUELLER

A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT TRANSPORT
ON THE HIGHWAYS OF THE STATE ~~TO~~ OF MORE THAN ~~TO~~ 5 CONIFEROUS
TREES WITHOUT A BILL OF SALE; AND PROVIDING A PENALTY."

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

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person may transport on the highways of this state more than
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- (a) the date of its execution;
 - (b) the name and address of the vendor or donor of the trees;
 - (c) the name and address of the vendee or donee of the trees;
 - (d) the number of trees, by species, sold or transferred by the bill of sale; and
 - (e) the shipping yards or the property from which the trees were taken.
- (2) Subsection (1) does not apply to:
- (a) the transportation of trees with their roots

- intact;
- (b) the transportation of logs, poles, pilings, or other forest products from which substantially all the limbs and branches have been removed;
- (c) the transportation of coniferous trees by the owner of the land from which they were taken or his agents ~~†~~ or, PROVIDED THAT AGENT HAS IN HIS POSSESSION A TAX RECEIPT OR OTHER EVIDENCE INDICATING THE SECTION, TOWNSHIP, AND RANGE FROM WHICH THE TREES WERE HARVESTED;
- (d) the transportation of coniferous trees by a common carrier.
- (3) A person who violates this section shall be punished by a fine not to exceed \$500 or imprisonment not to exceed 6 months, or both.

-End-

SECOND READING

HOUSE BILL NO. 195

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OR OTHER EVIDENCE INDICATING THE SECTION, TOWNSHIP, AND
RANGE FROM WHICH THE TREES WERE HARVESTED;

(d) the transportation of coniferous trees by a common
carrier.

(3) A person who violates this section shall be
punished by a fine not to exceed \$500 or imprisonment not to
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-End-

THIRD READING

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RANGE FROM WHICH THE TREES WERE HARVESTED;

(d) the transportation of coniferous trees by a common
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punished by a fine not to exceed \$500 or imprisonment not to
exceed 6 months, or both.

-End-

COMMITTEE OF THE WHOLE AMENDMENT

3-7-81

SENATE

MR. CHAIRMAN: I MOVE TO AMEND HOUSE BILL 195, THIRD READING BILL, AS
FOLLOWS:

1. Title, line 6.
Following: "10"
Strike: "5"
Insert: "10"

2. Page 1, line 12.
Following: "10"
Strike: "5"
Insert: "10"