

HOUSE BILL NO. 111

INTRODUCED BY HANSON, ELLISON, OCHSNER
BY REQUEST OF THE DEPARTMENT OF LIVESTOCK

IN THE HOUSE

January 6, 1983	Introduced and referred to Committee on Agriculture, Livestock and Irrigation.
January 10, 1983	On motion by chief sponsor, Representative Ochsner was added as an author to the prefiled bill.
January 17, 1983	Committee recommend bill do pass. Report adopted. Posted on Consent Calendar.
January 18, 1983	Considered correctly engrossed. Questions and answers.
January 19, 1983	Consent Calendar, do pass. Transmitted to Senate.

IN THE SENATE

January 20, 1983	Introduced and referred to Committee on Agriculture, Livestock and Irrigation.
January 26, 1983	Committee recommend bill be concurred in. Report adopted.
January 28, 1983	Second reading, concurred in as amended.
January 31, 1983	Third reading, concurred in. Ayes, 47; Noes, 2.

IN THE HOUSE

January 31, 1983

Returned to House with
amendments.

February 2, 1983

Second reading, amendments
concurred in.

February 3, 1983

Third reading, amendments
concurred in. Sent to
enrolling.

Reported correctly enrolled.

1 House BILL NO. 111
2 INTRODUCED BY Hanson, Ellison
3 BY REQUEST OF THE DEPARTMENT OF LIVESTOCK
4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THAT THE
6 STATUTORY PROHIBITIONS ON DRIVING ANIMALS INCLUDE MOVING THE
7 ANIMALS BY WHATEVER MEANS; AMENDING SECTIONS 81-5-101 AND
8 81-5-102, MCA."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
11 Section 1. Section 81-5-101, MCA, is amended to read:
12 "81-5-101. ~~Driving~~ Moving cattle from customary range
13 forbidden. Every person who willfully ~~drives~~ moves or causes
14 to be ~~driven~~ moved any cattle, horses, mules, or sheep from
15 their customary range without the permission of the owner
16 thereof is punishable by imprisonment in the county jail not
17 exceeding 90 days or by fine not exceeding \$100, or both."
18 Section 2. Section 81-5-102, MCA, is amended to read:
19 "81-5-102. ~~Driving~~ Moving animals upon railroad track.
20 If a person willfully ~~drives~~ moves or causes to be moved an
21 animal upon a railroad track with intent to injure the
22 corporation or persons owning the railroad and such animal
23 is killed or injured thereby, the person is punishable by a
24 fine not exceeding \$50,000 or imprisonment in the state
25 prison not exceeding 5 years, or both, and is liable for all

1 injury or damage occasioned by reason of such act."

-End-

Approved by Committee
on Agriculture Livestock
& Irrigation

HOUSE BILL NO. 111

INTRODUCED BY HANSON, ELLISON, OCHSNER
BY REQUEST OF THE DEPARTMENT OF LIVESTOCK

A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THAT THE
STATUTORY PROHIBITIONS ON DRIVING ANIMALS INCLUDE MOVING THE
ANIMALS BY WHATEVER MEANS; AMENDING SECTIONS 81-5-101 AND
81-5-102, MCA."

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

Section 1. Section 81-5-101, MCA, is amended to read:

"81-5-101. ~~Driving~~ Moving cattle from customary range
forbidden. Every person who willfully drives ~~moves~~ or causes
to be driven ~~moved~~ any cattle, horses, mules, or sheep from
their customary range without the permission of the owner
thereof is punishable by imprisonment in the county jail not
exceeding 90 days or by fine not exceeding \$100, or both."

Section 2. Section 81-5-102, MCA, is amended to read:

"81-5-102. ~~Driving~~ Moving animals upon railroad track.
If a person willfully drives ~~moves or causes to be moved~~ an
animal upon a railroad track with intent to injure the
corporation or persons owning the railroad and such animal
is killed or injured thereby, the person is punishable by a
fine not exceeding \$50,000 or imprisonment in the state
prison not exceeding 5 years, or both, and is liable for all

1 injury or damage occasioned by reason of such act."

-End-

THIRD READING

-2-

HB 111

CONSENT CALENDAR

COMMITTEE OF THE WHOLE AMENDMENT

MR. CHAIRMAN: I MOVE TO AMEND House Bill No. 111

Second Reading

1. Page 1, Line 18

Strike: Section 2. in its entirety

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6 STATUTORY PROHIBITIONS ON DRIVING ANIMALS INCLUDE MOVING THE
7 ANIMALS BY WHATEVER MEANS; AMENDING SECTIONS SECTION
8 81-5-101 AND 81-5-102, MCA."
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10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
11 Section 1. Section 81-5-101, MCA, is amended to read:
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16 thereof is punishable by imprisonment in the county jail not
17 exceeding 90 days or by fine not exceeding \$100, or both."
18 Section 2. ~~Section 81-5-102, MCA, is amended to read:~~
19 ~~"81-5-102. Driving Moving animals upon railroad tracks~~
20 ~~if a person willfully drives moves or causes to be moved an~~
21 ~~animal upon a railroad track with intent to injure the~~
22 ~~corporation or persons owning the railroad and such animal~~
23 ~~is killed or injured thereby, the person is punishable by a~~
24 ~~fine not exceeding \$50,000 or imprisonment in the state~~
25 ~~prison not exceeding 5 years or both and is liable for all~~

1 injury or damage occasioned by reason of such act"

-End-