HOUSE BILL NO. 218

INTRODUCED BY BRANDEWIE, MERCER, DARKO, NELSON

IN THE HOUSE

- JANUARY 15, 1987 INTRODUCED AND REFERRED TO COMMITTEE ON BUSINESS & LABOR.
- JANUARY 26, 1987 COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
- JANUARY 27, 1987 PRINTING REPORT.
- JANUARY 28, 1987 SECOND READING, DO PASS.
 - ENGROSSING REPORT.
 - THIRD READING, PASSED.
 - TRANSMITTED TO SENATE.

ON BUSINESS & INDUSTRY.

INTRODUCED AND REFERRED TO COMMITTEE

- IN THE SENATE
- JANUARY 30, 1987
- FEBRUARY 7, 1987

JANUARY 29, 1987

- 1987 COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
- FEBRUARY 11, 1987 SECOND READING, CONCURRED IN.
- FEBRUARY 13, 1987 THIRD READING, CONCURRED IN. AYES, 47; NOES, 3.

RETURNED TO HOUSE.

IN THE HOUSE

FEBRUARY 16, 1987

SENT TO ENROLLING.

RECEIVED FROM SENATE.

B- Lunie Marca alasta John 1 1 2 INTRODUCED BY 2 3 ٦ 4 A BILL FOR AN ACT ENTITLED: "AN ACT REOUIRING EVIDENCE OF 4 OWNERSHIP OF CERTAIN FOREST PRODUCTS TO BE SHOWN TO LAW 5 5 ENFORCEMENT OFFICERS UPON REQUEST; AND AMENDING SECTION 6 6 7 76-13-601, MCA." 7 8 8 q BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA. 9 10 Section 1. Section 76-13-601, MCA, is amended to read: 10 "76-13-601. Unlawful transportation of trees and 11 11 boughs. (1) No person may transport on the ways of this 12 12 13 state more than five coniferous trees without having in his 13 possession a bill of sale showing his ownership of the 14 14 15 trees. The bill of sale shall specify: 15 16 (a) the date of its execution; 16 17 (b) the name and address of the vendor or donor of the 17 18 trees; 18 19 (c) the name and address of the vendee or donee of the 19 20 trees; 20 21 (d) the number of trees, by species, sold or 21 22 transferred by the bill of sale; and 22 23 (e) the shipping yards or the property from which the 23 24 trees were taken. 24

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



2 intact; 3 (b) the transportation of logs, poles, pilings, or 4 other forest products from which substantially all the limbs 5 and branches have been removed; 6 (c) the transportation of coniferous trees by the 7 owner of the land from which they were taken or his agent, 8 provided that agent has in his possession a tax receipt or 9 other evidence indicating the section, township, and range 10 from which the trees were harvested;

(a) the transportation of trees with their roots

11 (d) the transportation of coniferous trees by a common 12 carrier.

13 (3) No person may transport on the ways of this state
14 more than 200 pounds of boughs from coniferous trees without
15 written authorization of the owner of the boughs.

6 (4) The bill of sale required in subsection (1) or the

17 written authorization required in subsection (3) must be

8 <u>exhibited</u> on request of a law enforcement officer, highway

9 patrolman, state fish and game warden, an employee of the

department of highways as appointed under 61-12-201, or an

21 agent of the department of state lands.

22 (4)(5) A person who violates this section shall be
23 punished by a fine not to exceed \$500 or imprisonment not to
24 exceed 6 months, or both.

25 (5)(6) For the purposes of this section, "ways of this

INTRODUCED BILL -2-HR-218

state" means any highway, road, alley, lane, parking area,
 or other public or private place adapted and fitted for
 public vehicle travel that is commonly used by the public
 with the express or implied consent of the owner."

-End-

APPROVED BY COMM. ON BUSINESS AND LABOR

HB BILL NO. 210 1 INTRODUCED BY 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING EVIDENCE OF 4 OWNERSHIP OF CERTAIN FOREST PRODUCTS TO BE SHOWN TO LAW 5 ON REQUEST; AND AMENDING SECTION ENFORCEMENT OFFICERS 6 7 76-13-601, MCA." 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 Section 1. Section 76-13-601, MCA, is amended to read: 10 "76-13-601. Unlawful transportation of trees and 11 boughs. (1) No person may transport on the ways of this 12 state more than five coniferous trees without having in his 13 possession a bill of sale showing his ownership of the 14 trees. The bill of sale shall specify: 15 (a) the date of its execution; 16 (b) the name and address of the vendor or donor of the 17 18 trees; (c) the name and address of the vendee or donee of the 19 20 trees; number of trees, by species, sold or 21 (d) the transferred by the bill of sale; and 22 (e) the shipping yards or the property from which the 23 trees were taken. 24 (2) Subsection (1) does not apply to: 25



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

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

6 (c) the transportation of coniferous trees by the 7 owner of the land from which they were taken or his agent, 8 provided that agent has in his possession a tax receipt or 9 other evidence indicating the section, township, and range 10 from which the trees were harvested;

11 (d) the transportation of coniferous trees by a common 12 carrier.

(3) No person may transport on the ways of this state
more than 200 pounds of boughs from coniferous trees without
written authorization of the owner of the boughs.

(4) The bill of sale required in subsection (1) or the
written authorization required in subsection (3) must be
exhibited on request of a law enforcement officer, highway
patrolman, state fish and game warden, an employee of the
department of highways as appointed under 61-12-201, or an

21 agent of the department of state lands.

22 (4)(5) A person who violates this section shall be
23 punished by a fine not to exceed \$500 or imprisonment not to
24 exceed 6 months, or both.

25 (5)(6) For the purposes of this section, "ways of this

SECOND READING -2-HRZIS

state" means any highway, road, alley, lane, parking area,
 or other public or private place adapted and fitted for
 public vehicle travel that is commonly used by the public
 with the express or implied consent of the owner."

-End-

50th Legislature

LC 1000/01

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1	HB BILL NO. 218	1		
2	INTRODUCED BY Dundavie Maria alacka Jelen	2		
3		3		
4	A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING EVIDENCE OF	4		
5	OWNERSHIP OF CERTAIN FOREST PRODUCTS TO BE SHOWN TO LAW	5		
6	ENFORCEMENT OFFICERS UPON REQUEST; AND AMENDING SECTION	6		
7	76-13-601, MCA."			
8		8		
9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	9		
10	Section 1. Section 76-13-601, MCA, is amended to read:	10		
11	"76-13-601. Unlawful transportation of trees and	11		
12	boughs. (1) No person may transport on the ways of this			
13	state more than five coniferous trees without having in his			
14	possession a bill of sale showing his ownership of the	14		
15	trees. The bill of sale shall specify:	15		
16	(a) the date of its execution;	16		
17	(b) the name and address of the vendor or donor of the	17		
18	trees;	18		
19	(c) the name and address of the vendee or donee of the	19		
20	trees;	20		
21	(d) the number of trees, by species, sold or	21		
22	transferred by the bill of sale; and	22		
23	(e) the shipping yards or the property from which the	23		
24	trees were taken.	24		
25	(2) Subsection (1) does not apply to:	25		

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 agent, 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) No person may transport on the ways of this state 3 more than 200 pounds of boughs from coniferous trees without written authorization of the owner of the boughs. (4) The bill of sale required in subsection (1) or the 7 written authorization required in subsection (3) must be exhibited on request of a law enforcement officer, highway patrolman, state fish and game warden, an employee of the department of highways as appointed under 61-12-201, or an agent of the department of state lands. (4)(5) A person who violates this section shall be 2 punished by a fine not to exceed \$500 or imprisonment not to 3 4 exceed 6 months, or both.

(a) the transportation of trees with their roots

(5)(6) For the purposes of this section, "ways of this

-2-

THIRD READING HB-218

1 state" means any highway, road, alley, lane, parking area,
2 or other public or private place adapted and fitted for
3 public vehicle travel that is commonly used by the public
4 with the express or implied consent of the owner."

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HB 0218/02

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1	HOUSE BILL NO. 218	1	(a) the transportation of trees with their roots
2	INTRODUCED BY BRANDEWIE, MERCER, DARKO, NELSON	2	intact;
3		3	(b) the transportation of logs, poles, pilings, or
4	A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING EVIDENCE OF	4	other forest products from which substantially all the limbs
5	OWNERSHIP OF CERTAIN FOREST PRODUCTS TO BE SHOWN TO LAW	5	and branches have been removed;
6	ENFORCEMENT OFFICERS UPON REQUEST; AND AMENDING SECTION	6	(c) the transportation of coniferous trees by the
7	76-13-601, MCA."	7	owner of the land from which they were taken or his agent,
8		8	provided that agent has in his possession a tax receipt or
9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	9	other evidence indicating the section, township, and range
10	Section 1. Section 76-13-601, MCA, is amended to read:	10	from which the trees were harvested;
11	"76-13-601. Unlawful transportation of trees and	11	(d) the transportation of coniferous trees by a common
12	boughs. (1) No person may transport on the ways of this	12	carrier.
13	state more than five coniferous trees without having in his	13	(3) No person may transport on the ways of this state
14	possession a bill of sale showing his ownership of the	14	more than 200 pounds of boughs from coniferous trees without
15	trees. The bill of sale shall specify:	15	written authorization of the owner of the boughs.
16	(a) the date of its execution;	16	(4) The bill of sale required in subsection (1) or the
17	(b) the name and address of the vendor or donor of the	17	written authorization required in subsection (3) must be
18	trees;	18	exhibited on request of a law enforcement officer, highway
19	(c) the name and address of the vendee or donee of the	19	patrolman, state fish and game warden, an employee of the
20	trees;	20	department of highways as appointed under 61-12-201, or an
21	(d) the number of trees, by species, sold or	21	agent of the department of state lands.
22	transferred by the bill of sale; and	22	$\{4\}$ A person who violates this section shall be
23	(e) the shipping yards or the property from which the	23	punished by a fine not to exceed \$500 or imprisonment not to
24	trees were taken.	24	exceed 6 months, or both.
25	(2) Subsection (1) does not apply to:	25	(5)[6] For the purposes of this section, "ways of this
	A		-2- HB 216
	L Montana Legislative Council		REFERENCE BILL

HB 0218/02

state" means any highway, road, alley, lane, parking area, or other public or private place adapted and fitted for public vehicle travel that is commonly used by the public with the express or implied consent of the owner."

-End-

HB 218

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