

SENATE BILL NO. 231

INTRODUCED BY PIPINICH, MOORE, WILLIAMS,  
WEEDING, RAPP-SVRCEK, VAN VALKENBURG

IN THE SENATE

JANUARY 25, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON FISH & GAME.
	FIRST READING.
FEBRUARY 1, 1989	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
FEBRUARY 2, 1989	PRINTING REPORT.
FEBRUARY 3, 1989	SECOND READING, DO PASS.
FEBRUARY 4, 1989	ENGROSSING REPORT.
FEBRUARY 6, 1989	THIRD READING, PASSED. AYES, 49; NOES, 0.
	TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 6, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON FISH & GAME.
FEBRUARY 20, 1989	FIRST READING.
MARCH 1, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 4, 1989	SECOND READING, CONCURRED IN.
MARCH 6, 1989	THIRD READING, CONCURRED IN. AYES, 93; NOES, 2.
	RETURNED TO SENATE.

IN THE SENATE

MARCH 7, 1989	RECEIVED FROM HOUSE.
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SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *Senate* BILL NO. *231*  
 2 INTRODUCED BY *Senator 72199rc William*  
 3 *Wendy Rapp-Jones*  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE RESALE  
 5 OF CARCASSES PURCHASED AT AUCTION FROM THE STATE OF MONTANA  
 6 IF THE CARCASSES ARE NOT INTENDED FOR HUMAN CONSUMPTION;  
 7 AMENDING SECTION 87-1-512, MCA; AND PROVIDING AN IMMEDIATE  
 8 EFFECTIVE DATE."

9  
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 **Section 1.** Section 87-1-512, MCA, is amended to read:

12 "87-1-512. Certificate of sale. (1) Upon the sale of  
 13 property as provided in 87-1-511, the officer shall issue a  
 14 certificate to the purchasing party, certifying that the  
 15 purchaser has the legal right to be in possession of the  
 16 property and that anyone so acquiring this property from the  
 17 state is prohibited from reselling ~~or using the same~~ the  
 18 property for any-commercial-purpose human consumption.

19 (2) During an auction only Only one carcass of either  
 20 deer, moose, or elk may be purchased per person at an  
 21 auction conducted pursuant to 87-1-511. At its discretion,  
 22 the department may donate unsold carcasses to welfare  
 23 departments, public institutions, or charitable  
 24 institutions.

25 (3) Subsection (1) does not prohibit the resale of

1 heads, hides, teeth, claws, pelts, parts, or carcasses not  
 2 intended for human consumption."

3 **NEW SECTION. Section 2.** Extension of authority. Any  
 4 existing authority to make rules on the subject of the  
 5 provisions of [this act] is extended to the provisions of  
 6 [this act].

7 **NEW SECTION. Section 3.** Effective date. [This act] is  
 8 effective on passage and approval.

-End-

## STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB231, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

The Act authorizes the resale of carcasses purchased at auction from the Department of Fish, Wildlife, & Parks if the carcasses are not intended for human consumption.

ASSUMPTIONS:

1. Interest in acquiring confiscated carcasses from auctions would increase because of the profit to be made by reselling wildlife parts.
2. Increased interest would generate higher prices for the auctioned carcasses; the increase could be as high as 20%.
3. The average annual revenue produced from confiscated game auctions over the past 4 years is \$62,180 and is representative of future years under the current law.

FISCAL IMPACT:

Dept. of	Current	FY90		Current	FY91	
Fish, Wildlife, & Parks	Law	Proposed	Difference	Law	Proposed	Difference
		Law			Law	
<u>Revenues:</u>						
License Account						
Carcass Sales	\$62,180	\$74,616	\$12,436	\$62,180	\$74,616	\$12,436

Ray Shackelford 1/31/89  
RAY SHACKLEFORD, BUDGET DIRECTOR DATE  
OFFICE OF BUDGET AND PROGRAM PLANNING

Bob Pipinich 1/31/89  
BOB PIPINICH, PRIMARY SPONSOR DATE

Fiscal Note for SB231, as introduced

SB 231

APPROVED BY COMM.  
ON FISH AND GAME .

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certificate to the purchasing party, certifying that the  
purchaser has the legal right to be in possession of the  
property and that anyone so acquiring this property from the  
state is prohibited from reselling ~~or using the same~~ the  
property for any-commercial-purpose human consumption.

~~(2) During an auction only~~ Only one carcass of either  
deer, moose, or elk may be purchased per person at an  
auction conducted pursuant to 87-1-511. At its discretion,  
the department may donate unsold carcasses to welfare  
departments, public institutions, or charitable  
institutions.

~~(3) Subsection (1) does not prohibit the resale of  
heads, hides, ~~teeth, claws, pelts, parts, or--carcasses--not~~  
~~intended-for-human-consumption~~ OR MOUNTS."~~

**NEW SECTION. Section 2.** Extension of authority. Any  
existing authority to make rules on the subject of the  
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