SENATE BILL NO. 231

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

IN THE SENATE

	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.

COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.

SECOND READING, CONCURRED IN.

THIRD READING, CONCURRED IN. AYES, 93; NOES, 2.

RETURNED TO SENATE.

IN THE SENATE

RECEIVED FROM HOUSE.

MARCH 7, 1989

MARCH 1, 1989

MARCH 4, 1989

MARCH 6, 1989

SENT TO ENROLLING.
REPORTED CORRECTLY ENROLLED.

INTRODUCED BY

INTROD

9 10

11

12

13

14 15

16 17

18

19

20

21

23

24

25

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

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

"87-1-512. Certificate of sale. (1) Upon the sale of property as provided in 87-1-511, the officer shall issue a 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) Buring-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."

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

NEW SECTION. Section 3. Effective date. [This act] is

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:		FY90			FY91	
Dept. of	Current	Proposed		Current	Proposed	
Fish, Wildlife, 8	k Parks <u>Law</u>	Law	Difference	<u>Law</u>	Law	Difference
Revenues:						
License Account						
Carcass Sales	\$62,180	\$74,616	\$12,436	\$62,180	\$74,616	\$12,436

RAY/SHACKLEFORD, BUDGET DIRECTOR
OFFICE OF BUDGET AND PROGRAM PLANNING

DATE

Fiscal Note for SB231, as introduced

SB 231

25

institutions.

APPROVED BY COMM. ON FISH AND GAME.

•	SERGIE BILL NO. 231
2	INTRODUCED BY PIPINICH, MOORE, WILLIAMS,
3	WEEDING, RAPP-SVRCEK, VAN VALKENBURG
4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE RESALE
6	OF CARCASSES PURCHASED AT AUCTION FROM THE STATE OF MONTANA
7	IF THE CARCASSES ARE NOT INTENDED FOR HUMAN CONSUMPTION;
8	AMENDING SECTION 87-1-512, MCA; AND PROVIDING AN IMMEDIATE
9	EPFECTIVE DATE."
O	
1	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12	Section 1. Section 87-1-512, MCA, is amended to read:
13	"87-1-512. Certificate of sale. (1) Upon the sale of
L 4	property as provided in 87-1-511, the officer shall issue a
15	certificate to the purchasing party, certifying that the
16	purchaser has the legal right to be in possession of the
17	property and that anyone so acquiring this property from the
18	state is prohibited from reselling or-using-the-same the
19	property for any-commercial-purpose human consumption.
20	(2) Buring-an-auction-only Only one carcass of either
21	deer, moose, or elk may be purchased per person at an
22	auction conducted pursuant to 87-1-511. At its discretion,
23	the department may donate unsold carcasses to welfare
24	departments, public institutions, or charitable

2	heads, hides, teethy-claws, perts, partsy-orcarcassesnot
3	intended-for-human-consumption OR MOUNTS."
4	NEW SECTION. Section 2. Extension of authority. Any
5	existing authority to make rules on the subject of the
6	provisions of [this act] is extended to the provisions of
7	[this act].
8	NEW SECTION. Section 3. Effective date. [This act] is
9	effective on passage and approval.

-End-

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

51st Legislature

EFFECTIVE DATE."

1

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

SB 0231/02

SB 0231/02

2	INTRODUCED BY PIPINICH, MOORE, WILLIAMS,
3	WEEDING, RAPP-SVRCEK, VAN VALKENBURG
4	
5	A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE RESALE
6	OF CARCASSES PURCHASED AT AUCTION FROM THE STATE OF MONTANA
7	IF THE CARCASSES ARE NOT INTENDED FOR HUMAN CONSUMPTION;
8	AMENDING SECTION 87-1-512, MCA; AND PROVIDING AN IMMEDIATE

SENATE BILL NO. 231

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

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

"87-1-512. Certificate of sale. (1) Upon the sale of property as provided in 87-1-511, the officer shall issue a 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-maing-the-same the property for eny-commercial-purpose human consumption.

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.

1 (3) Subsection (1) does not prohibit the resale of
2 heads, hides, teethy-clawsy pelts, partsy-or-carcasses not
3 intended-for-human-consumption OR MOUNTS."
4 NEW SECTION. Section 2. Extension of authority. Any
5 existing authority to make rules on the subject of the

7 [this act].
8 NEW SECTION. Section 3. Effective date. [This act] is

effective on passage and approval.

-End-

provisions of [this act] is extended to the provisions of

departments,

institutions.

public

H, MOORE, WILLIAMS, K, VAN VALKENBURG N ACT AUTHORIZING THE RESALE	
	3 WEED!
N ACT AIREIGHTSING THE TREES O	
N ACT AUTUODISING THE TREATS	4
N ACI HUINOKIZIMO IND RESALE	5 A BILL FOR AN ACT
ION FROM THE STATE OF MONTANA	6 OF CARCASSES PUR
DED FOR HUMAN CONSUMPTION:	7 IF THE CARCASSES
A; AND PROVIDING AN IMMEDIATE	8 AMENDING SECTION
	9 MFFECTIVE DATE."
	0
E OF THE STATE OF MONTANA:	1 MR IT ENACTED BY
12, MCA, is amended to read:	
of sale. (1) Upon the sale of	87-1-512.
1, the officer shall issue a	.4 prope rty as provi
g party, certifying that the	5 certificate to
o be in possession of the	6 purcha ser has the
uiring this property from the	17 property and that
eselling or-using-the-same the	l8 state is prohil
rpose human consumption.	19 property for any
	20 (2) Buring
y Only one carcass of either	
by Only one carcass of either e purchased per person at an	21 deer, moose, o
	•
o be in possession of the possession of the property for the property for the property of the	purchaser has the property and that is prohile property for eny

intended-	ntended-for-human-consumption OR MOUNTS."						
NEW S	ECTION.	Section	2. Ext	ension	of author	rity.	Any
existing a	uthority	to make	rules	on the	e subject	of	the
provision	of [t	his act]	is ext	ended to	o the prov	isions	s of
[this act	١.						
NEW	SECTION.	Section	3. Eff	ective d	late. (This	s act)	is

-End-

charitable

institutions,