

SENATE BILL NO. 320

INTRODUCED BY MANNING, WALKER, PAVLOVICH, QUILICI

BY REQUEST OF THE DEPARTMENT OF LIVESTOCK

IN THE SENATE

FEBRUARY 2, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON AGRICULTURE, LIVESTOCK & IRRIGATION. FIRST READING.
FEBRUARY 9, 1989	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
FEBRUARY 10, 1989	PRINTING REPORT.
FEBRUARY 11, 1989	SECOND READING, DO PASS.
FEBRUARY 13, 1989	ENGROSSING REPORT.
FEBRUARY 14, 1989	THIRD READING, PASSED. AYES, 47; NOES, 0. TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 14, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON AGRICULTURE, LIVESTOCK & IRRIGATION.
FEBRUARY 20, 1989	FIRST READING.
MARCH 7, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 9, 1989	SECOND READING, CONCURRED IN.
MARCH 10, 1989	THIRD READING, CONCURRED IN. AYES, 85; NOES, 4. RETURNED TO SENATE.

IN THE SENATE

MARCH 10, 1989

RECEIVED FROM HOUSE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *Senate* BILL NO. *320*
 2 INTRODUCED BY *Richard E. Manning*
 3 BY REQUEST OF THE DEPARTMENT OF LIVESTOCK
 4 *Julius*

5 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE
 6 LAW RELATING TO MEAT AND POULTRY SLAUGHTER AND INSPECTION;
 7 CLARIFYING THE REPORTING REQUIREMENTS FOR VIOLATIONS OF HIDE
 8 INSPECTION LAWS; CLARIFYING THE EXEMPTION PROVISION FOR
 9 CUSTOM MEAT PROCESSORS; REMOVING THE REQUIREMENT THAT THE
 10 CHIEF MEAT INSPECTOR BE A VETERINARIAN; AMENDING SECTIONS
 11 81-9-114, 81-9-218, AND 81-9-226, MCA; AND PROVIDING AN
 12 IMMEDIATE EFFECTIVE DATE."

13
 14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

15 **Section 1.** Section 81-9-114, MCA, is amended to read:

16 "81-9-114. Duty to report violations. A person
 17 required to be licensed under 81-9-201 shall report any
 18 violation of 81-9-112 to the department or the sheriff of
 19 the county wherein such where the violation occurred and of
 20 which such the person has knowledge. Upon failure to do so,
 21 the person shall suffer a revocation of his license and no
 22 license shall again be issued to such the person until the
 23 expiration of 1 year from the date of such revocation."

24 **Section 2.** Section 81-9-218, MCA, is amended to read:

25 "81-9-218. Exemptions. (1) The following persons are

1 exempt from 81-9-201, 81-9-216 through 81-9-220, and
 2 81-9-226 through 81-9-236:

3 (1)(a) a person who slaughters livestock or poultry or
 4 prepares or processes livestock or poultry products for his
 5 own personal or household use;

6 (2) ~~a person engaged in custom slaughtering of~~
 7 ~~livestock and preparation of the carcasses and parts and~~
 8 ~~meat food products thereof only with respect to the~~
 9 ~~slaughter of livestock delivered by the owner for custom~~
 10 ~~slaughter and the preparation of the carcasses for use by~~
 11 ~~the owner in his own household or by members of his~~
 12 ~~household or nonpaying guests; and~~

13 (3)(b) a person who transports dead, dying, or
 14 diseased animals or poultry for the purpose of treatment,
 15 burial, or disposal in a manner that would prevent the
 16 carcasses from being used as human food.

17 (2) A person engaged in the custom slaughtering of
 18 livestock or poultry delivered by the owner for custom
 19 slaughter or a person engaged in the preparation of the
 20 carcasses and parts and meat food products of such livestock
 21 or poultry when slaughtered or prepared for exclusive use in
 22 the owner's household by the owner or members of his
 23 household or his nonpaying guests or employees is exempt
 24 from 81-9-216 through 81-9-220 and 81-9-226 through
 25 81-9-236, provided the carcasses, parts, or meat food

1 products or containers of such articles are:

2 (a) kept separate from carcasses, parts, or meat food
3 products prepared for sale;

4 (b) plainly marked "Not for Sale" immediately after
5 being slaughtered or prepared and remain plainly marked
6 until delivered to the owner; and

7 (c) prepared and packaged in a sanitary manner and in
8 a sanitary facility."

9 **Section 3.** Section 81-9-226, MCA, is amended to read:

10 "81-9-226. Chief meat inspector -- deputies --
11 qualifications. (1) There is a chief meat inspector, who
12 must be appointed by the board and shall serve at its
13 pleasure. ~~Such person must be a veterinarian licensed in~~
14 ~~Montana who has practiced veterinary medicine for 5 years or~~
15 ~~longer.~~

16 (2) The chief shall supervise the state meat
17 inspection program established in 81-9-216 through 81-9-220
18 and 81-9-226 through 81-9-236 and shall enforce the
19 provisions of 81-9-216 through 81-9-220 and 81-9-226 through
20 81-9-236 to assure the public that only pure, wholesome, and
21 unadulterated meat or meat food products are offered for
22 sale.

23 (3) Upon recommendation of the chief, the board shall
24 appoint veterinary meat inspectors and lay meat inspectors,
25 who must be responsible to the chief and who shall conduct

1 ante-mortem and post-mortem inspections, enforce sanitary
2 requirements, and perform other necessary meat inspection
3 duties.

4 (4) An inspector assigned to an official establishment
5 may not be related to the management of the establishment or
6 have any financial interest therein."

7 **NEW SECTION. Section 4.** Extension of authority. Any
8 existing authority to make rules on the subject of the
9 provisions of [this act] is extended to the provisions of
10 [this act].

11 **NEW SECTION. Section 5.** Effective date. [This act] is
12 effective on passage and approval.

-End-

APPROVED BY COMMITTEE
ON AGRICULTURE LIVESTOCK
& IRRIGATION

1 INTROSUCED BY *Senators* BILL NO. *320*
2 *Richard E. Manning* *William Paul*
3 BY REQUEST OF THE DEPARTMENT OF LIVESTOCK
4 *Julian*

5 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE
6 LAW RELATING TO MEAT AND POULTRY SLAUGHTER AND INSPECTION;
7 CLARIFYING THE REPORTING REQUIREMENTS FOR VIOLATIONS OF HIDE
8 INSPECTION LAWS; CLARIFYING THE EXEMPTION PROVISION FOR
9 CUSTOM MEAT PROCESSORS; REMOVING THE REQUIREMENT THAT THE
10 CHIEF MEAT INSPECTOR BE A VETERINARIAN; AMENDING SECTIONS
11 81-9-114, 81-9-218, AND 81-9-226, MCA; AND PROVIDING AN
12 IMMEDIATE EFFECTIVE DATE."

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

15 **Section 1.** Section 81-9-114, MCA, is amended to read:

16 "81-9-114. Duty to report violations. A person
17 required to be licensed under 81-9-201 shall report any
18 violation of 81-9-112 to the department or the sheriff of
19 the county wherein such where the violation occurred and of
20 which such the person has knowledge. Upon failure to do so,
21 the person shall suffer a revocation of his license and no
22 license shall again be issued to such the person until the
23 expiration of 1 year from the date of such revocation."

24 **Section 2.** Section 81-9-218, MCA, is amended to read:

25 "81-9-218. Exemptions. (1) The following persons are

1 exempt from 81-9-201, 81-9-216 through 81-9-220, and
2 81-9-226 through 81-9-236:

3 (1)(a) a person who slaughters livestock or poultry or
4 prepares or processes livestock or poultry products for his
5 own personal or household use;

6 (2) a person engaged in custom slaughtering of
7 livestock and preparation of the carcasses and parts and
8 meat food products thereof only with respect to the
9 slaughter of livestock delivered by the owner for custom
10 slaughter and the preparation of the carcasses for use by
11 the owner in his own household or by members of his
12 household or nonpaying guests; and

13 (3)(b) a person who transports dead, dying, or
14 diseased animals or poultry for the purpose of treatment,
15 burial, or disposal in a manner that would prevent the
16 carcasses from being used as human food.

17 (2) A person engaged in the custom slaughtering of
18 livestock or poultry delivered by the owner for custom
19 slaughter or a person engaged in the preparation of the
20 carcasses and parts and meat food products of such livestock
21 or poultry when slaughtered or prepared for exclusive use in
22 the owner's household by the owner or members of his
23 household or his nonpaying guests or employees is exempt
24 from 81-9-216 through 81-9-220 and 81-9-226 through
25 81-9-236, provided the carcasses, parts, or meat food

1 products or containers of such articles are:

2 (a) kept separate from carcasses, parts, or meat food
3 products prepared for sale;

4 (b) plainly marked "Not for Sale" immediately after
5 being slaughtered or prepared and remain plainly marked
6 until delivered to the owner; and

7 (c) prepared and packaged in a sanitary manner and in
8 a sanitary facility."

9 **Section 3.** Section 81-9-226, MCA, is amended to read:

10 **"81-9-226. Chief meat inspector -- deputies --**
11 **qualifications. (1) There is a chief meat inspector, who**
12 **must be appointed by the board and shall serve at its**
13 **pleasure. ~~Such person must be a veterinarian licensed in~~**
14 **~~Montana who has practiced veterinary medicine for 5 years or~~**
15 **~~longer.~~**

16 (2) The chief shall supervise the state meat
17 inspection program established in 81-9-216 through 81-9-220
18 and 81-9-226 through 81-9-236 and shall enforce the
19 provisions of 81-9-216 through 81-9-220 and 81-9-226 through
20 81-9-236 to assure the public that only pure, wholesome, and
21 unadulterated meat or meat food products are offered for
22 sale.

23 (3) Upon recommendation of the chief, the board shall
24 appoint veterinary meat inspectors and lay meat inspectors,
25 who must be responsible to the chief and who shall conduct

1 ante-mortem and post-mortem inspections, enforce sanitary
2 requirements, and perform other necessary meat inspection
3 duties.

4 (4) An inspector assigned to an official establishment
5 may not be related to the management of the establishment or
6 have any financial interest therein."

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8 existing authority to make rules on the subject of the
9 provisions of [this act] is extended to the provisions of
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 5 own personal or household use;

6 (2)--a--person--engaged--in--custom---slaughtering---of
 7 livestock--and--preparation--of--the--carcasses--and--parts--and
 8 meat--food--products--thereof--only--with--respect--to---the
 9 slaughter--of--livestock--delivered--by--the--owner--for--custom
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