

SENATE BILL NO. 414

INTRODUCED BY S. MORIGEAU, D. ZOLNIKOV, D. FERN

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS RELATED TO GARBAGE FEEDING; PROHIBITING PACKAGING MATERIALS FROM BEING INCLUDED IN GARBAGE FED TO SWINE; REVISING A DEFINITION; AND AMENDING SECTIONS 81-2-501, 81-2-502, AND 81-2-511, MCA."

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

Section 1. Section 81-2-501, MCA, is amended to read:

"81-2-501. Definitions. When used in this part, the following definitions apply:

~~(1) "Garbage" means wastes resulting from the handling, preparation, cooking, and consumption of animal products, including animal carcasses or parts of animal carcasses, or other refuse of any character that has been associated with any animal products, including animal carcasses or parts of animal carcasses. Waste products that do not contain animal products are not considered garbage for the purpose of garbage feeding.~~

(1) (a) "Garbage" means:

(i) waste material derived in whole or in part from the meat of an animal, including fish and poultry, or from other animal materials, including animal carcasses; or

(ii) other waste materials resulting from the handling, preparation, cooking, or consumption of food.

(b) The term does not include packaging materials or other waste materials that do not contain animal products.

(2) "Garbage feeder" means a person who handles, prepares, cooks, or otherwise treats garbage to feed to swine or other animals, as well as a person who feeds garbage to swine or other animals.

(3) "Person" means the state, any municipality, political subdivision, school district, institution, public or private corporation, individual, partnership, or other entity."

Section 2. Section 81-2-502, MCA, is amended to read:

1 **"81-2-502. Illegal to feed garbage to swine.** (1) It is unlawful to:

2 (a) _____ handle, prepare, cook, or otherwise treat garbage to feed to swine or other animals; or to

3 (b) _____ feed garbage to swine or other animals.

4 (2) This part does not apply to a person who feeds only the person's own household garbage to

5 swine or other animals under their ownership."

6

7 **Section 3.** Section 81-2-511, MCA, is amended to read:

8 **"81-2-511. Penalties.** ~~Any person who shall violate any of the provisions of or who fails to perform~~

9 ~~any duty imposed by this part shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished~~

10 ~~by a fine of not less than \$50 or more than \$250 or by imprisonment for a term of not more than 6 months or by~~

11 ~~both such fine and imprisonment. In addition thereto, such person may be enjoined from continuing such~~

12 ~~violation. Each day upon which such violation occurs shall constitute a separate violation.~~

13 (1) A person who violates this part is guilty of a misdemeanor and is subject to a fine of not less than

14 \$50 or more than \$250, imprisonment for not more than 6 months, or both.

15 (2) A court may issue an injunction to prohibit a person from repeating a violation of this part.

16 (3) Each day of violation constitutes a separate violation for the purposes of this section."

17

- END -