

SENATE BILL NO. 56

INTRODUCED BY J. ELLIS

BY REQUEST OF THE DEPARTMENT OF LIVESTOCK

A BILL FOR AN ACT ENTITLED: "AN ACT REMOVING THE REQUIREMENT TO HOLD A HEARING BEFORE SUSPENDING OR REVOKING A MEAT ESTABLISHMENT LICENSE; AMENDING SECTION 81-9-233, MCA; REPEALING SECTION 81-9-235, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

WHEREAS, federal rules state that the Food Safety Inspection Service within the U.S. Department of Agriculture may suspend operations at a slaughterhouse without prior notice to protect public safety; and

WHEREAS, Montana's Meat and Poultry Inspection Program operates in a manner at least equal to federal law and regulations and has adopted the federal regulations in rule; and

WHEREAS, section 81-9-235, MCA, conflicts with federal rules.

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

Section 1. Section 81-9-233, MCA, is amended to read:

"81-9-233. Cooperation with state and federal authorities. (1) In carrying out the provisions of 81-9-216 through 81-9-220, ~~and 81-9-226 through 81-9-234, and~~ 81-9-236, the chief shall consult with the department of environmental quality and any appropriate state laboratory in matters relating to the potability of water, to sewage systems, and to other sanitary conditions of slaughtering and meat processing establishments that might endanger public health. ~~If an official establishment fails to meet minimum applicable requirements of the department of environmental quality, inspection service to the establishment must be suspended as provided in 81-9-235 until the condition is remedied.~~

(2) The board is designated as the agency responsible for cooperating with the U.S. secretary of agriculture in receiving advisory assistance in developing the state program, technical and laboratory assistance and training, and financial assistance for administration of the program."

NEW SECTION. Section 2. Repealer. The following section of the Montana Code Annotated is repealed:



1 81-9-235. Suspension or revocation of inspection service or establishment number -- hearing -- appeal.

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

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