

1 HB BILL NO. 136  
 2 INTRODUCED BY Courroy, Callad, Davis, Ghata  
Striguel BY REQUEST OF THE DEPARTMENT OF LIVESTOCK Director  
 4 Synch Agessor Smith Menahan

5 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING NOTICE TO BE  
 6 GIVEN THE DEPARTMENT OF LIVESTOCK OF ANY LIVESTOCK IMPORTED  
 7 INTO THE STATE AND REQUIRING A BRAND INSPECTION OF SUCH  
 8 LIVESTOCK AFTER ARRIVAL IN MONTANA BUT PRIOR TO BEING  
 9 INTERMINGLED WITH NATIVE STOCK; AMENDING SECTION 46-801.1,  
 10 R.C.M. 1947."

11  
 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
 13 Section 1. Section 46-801.1, R.C.M. 1947, is amended  
 14 to read as follows:

15 "46-801.1. Definitions. Unless the context requires  
 16 otherwise, in sections 46-801.2 through 46-806, the  
 17 following definitions apply:

- 18 (1) "Livestock" means a cow, ox, bull, stag, calf,  
 19 steer, heifer, horse, mule, mare, colt, foal, or filly;
- 20 (2) "State stock inspector" means an employee of the  
 21 department of livestock and designated by the department as  
 22 a state stock inspector;
- 23 (3) "Deputy state stock inspector" means a person  
 24 designated by the department as a deputy state stock  
 25 inspector, who does not receive a salary or compensation

1 from the department;  
 2 (4) "Person" means an individual, partnership,  
 3 corporation, association, or any entity not enumerated  
 4 capable of owning or controlling livestock."

5 Section 2. There is a new R.C.M. section numbered  
 6 46-801.5 that reads as follows:

7 46-801.5. Importation of livestock -- notice to  
 8 department -- inspection. (1) Except as provided in  
 9 subsection (2) of this section, any person owning livestock  
 10 imported into this state or his agent must notify the  
 11 department or a salaried employee of the department of the  
 12 number, breed, type, and age of the livestock, their  
 13 location, and the purpose for which they have been brought  
 14 into the state. Such notification shall be made within 48  
 15 hours after the arrival of the livestock in the state.  
 16 Livestock so moved may not be commingled with any livestock  
 17 already in Montana until inspected for brands and marks in  
 18 daylight by a state stock inspector or deputy state stock  
 19 inspector.

20 (2) Livestock consigned to a licensed livestock market  
 21 or for immediate slaughter to a licensed slaughter facility  
 22 at which pre-slaughter inspection is maintained are exempt  
 23 from the requirements of this section.

-End-

HB 136

Approved by Committee  
on Agriculture Livestock  
& Irrigation

HOUSE BILL NO. 136

INTRODUCED BY CONROY, ELLERD, DAVIS, JOHNSTON,

STAIGHILLER, LYNCH, AAGESON, SMITH, MENAHAN, SIVERTSEN

BY REQUEST OF THE DEPARTMENT OF LIVESTOCK

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING NOTICE TO BE GIVEN THE DEPARTMENT OF LIVESTOCK OF ANY LIVESTOCK IMPORTED INTO THE STATE AND REQUIRING A BRAND INSPECTION OF SUCH LIVESTOCK AFTER ARRIVAL IN MONTANA BUT PRIOR TO BEING INTERMINGLED WITH NATIVE STOCK; AMENDING SECTION 46-801.1, R.C.M. 1947."

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

Section 1. Section 46-801.1, R.C.M. 1947, is amended to read as follows:

"46-801.1. Definitions. Unless the context requires otherwise, in sections 46-801.2 through 46-806, the following definitions apply:

(1) "Livestock" means a cow, ox, bull, stag, calf, steer, heifer, horse, mule, mare, colt, foal, or filly;

(2) "State stock inspector" means an employee of the department of livestock and designated by the department as a state stock inspector;

(3) "Deputy state stock inspector" means a person designated by the department as a deputy state stock

inspector, who does not receive a salary or compensation from the department;

(4) "Person" means an individual, partnership, corporation, association, or any entity not enumerated capable of owning or controlling livestock."

Section 2. There is a new R.C.M. section numbered 46-801.5 that reads as follows:

46-801.5. Importation of livestock -- notice to department -- inspection. (1) Except as provided in subsection (2) of this section, any person owning livestock imported into this state or his agent must notify the department or a salaried employee of the department of the number, breed, type, and age of the livestock, their location, and the purpose for which they have been brought into the state. Such notification shall be made within 48 hours after the arrival of the livestock in the state. Livestock so moved may not be commingled with any livestock already in Montana until inspected for brands and marks in daylight by a state stock inspector or deputy state stock inspector. THE FEES FOR THIS INSPECTION SHALL BE THE SAME AS THOSE IMPOSED FOR COUNTY LINE OR CHANGE OF OWNERSHIP INSPECTIONS. THE FEES PAID TO STATE STOCK INSPECTORS SHALL BE REMITTED TO THE DEPARTMENT FOR DEPOSIT IN THE EARMARKED REVENUE FUND FOR THE USE OF THE DEPARTMENT.

(2) Livestock consigned to a licensed livestock market

1 or for immediate slaughter to a licensed slaughter facility  
2 at which pre-slaughter inspection is maintained are exempt  
3 from the requirements of this section.

-End-

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2 INTRODUCED BY CONROY, ELLERD, DAVIS, JOHNSTON,

3 STAIGHILLER, LYNCH, AAGESON, SMITH, MENAHAN, SIVERTSEN

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15 to read as follows:16 "46-801.1. Definitions. Unless the context requires  
17 otherwise, in sections 46-801.2 through 46-806.1, the  
18 following definitions apply:19 (1) "Livestock" means a cow, ox, bull, stag, calf,  
20 steer, heifer, horse, mule, mare, colt, foal, or filly.21 (2) "State stock inspector" means an employee of the  
22 department of livestock and designated by the department as  
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25 designated by the department as a deputy state stock1 inspector, who does not receive a salary or compensation  
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21 AS THOSE IMPOSED FOR COUNTY LINE OR CHANGE OF OWNERSHIP  
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-End-

February 3, 1977

STANDING COMMITTEE REPORT  
Senate Committee on Agriculture, Livestock & Irrigation

That House Bill No. 136, be amended as follows:

1. Amend page 2, section 2, line 10.

Following: line 9

Strike: "subsection"

Insert: "subsections"

Following: "(2)"

Insert: "and (3)"

2. Amend page 3, section 2, line 3.

Following: line 3

Insert: "(3) Livestock moved between Montana and an adjacent state for graze on a regular basis and as part of the usual operation of a farm or ranch shall be exempt from the notice and inspection requirements of this section provided a transportation permit for the entry of the livestock into Montana has been obtained by the owner or his agent from a state stock inspector prior to the entry of the livestock into Montana. The fee for the permit shall be \$5 which shall be remitted by the department to the state treasury for credit to the earmarked revenue account of the department. The department shall provide by rule for the issuance and control of transportation permits authorized by this subsection."

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7 46-801.5 that reads as follows:

8 46-801.5. Importation of livestock -- notice to  
9 department -- inspection. (1) Except as provided in  
10 subsection SUBSECTIONS (2) AND (3) of this section, any  
11 person owning livestock imported into this state or his  
12 agent must notify the department or a salaried employee of  
13 the department of the number, breed, type, and age of the  
14 livestock, their location, and the purpose for which they  
15 have been brought into the state. Such notification shall be  
16 made within 48 hours after the arrival of the livestock in  
17 the state. Livestock so moved may not be commingled with any  
18 livestock already in Montana until inspected for brands and  
19 marks in daylight by a state stock inspector or deputy state  
20 stock inspector. THE FEES FOR THIS INSPECTION SHALL BE THE  
21 SAME AS THOSE IMPOSED FOR COUNTY LINE OR CHANGE OF OWNERSHIP  
22 INSPECTIONS. THE FEES PAID TO STATE STOCK INSPECTORS SHALL  
23 BE REMITTED TO THE DEPARTMENT FOR DEPOSIT IN THE FARMARKED  
24 REVENUE FUND FOR THE USE OF THE DEPARTMENT.

25 (2) Livestock consigned to a licensed livestock market

1 or for immediate slaughter to a licensed slaughter facility  
2 at which pre-slaughter inspection is maintained are exempt  
3 from the requirements of this section.

4 (3) LIVESTOCK MOVED BETWEEN MONTANA AND AN ADJACENT  
5 STATE FOR GRAZE ON A REGULAR BASIS AND AS PART OF THE USUAL  
6 OPERATION OF A FARM OR RANCH SHALL BE EXEMPT FROM THE NOTICE  
7 AND INSPECTION REQUIREMENTS OF THIS SECTION PROVIDED A  
8 TRANSPORTATION PERMIT FOR THE ENTRY OF THE LIVESTOCK INTO  
9 MONTANA HAS BEEN OBTAINED BY THE OWNER OR HIS AGENT FROM A  
10 STATE STOCK INSPECTOR PRIOR TO THE ENTRY OF THE LIVESTOCK  
11 INTO MONTANA. THE FEE FOR THE PERMIT SHALL BE \$5 WHICH SHALL  
12 BE REMITTED BY THE DEPARTMENT TO THE STATE TREASURY FOR  
13 CREDIT TO THE FARMARKED REVENUE ACCOUNT OF THE DEPARTMENT.  
14 THE DEPARTMENT SHALL PROVIDE BY RULE FOR THE ISSUANCE AND  
15 CONTROL OF TRANSPORTATION PERMITS AUTHORIZED BY THIS  
16 SUBSECTION.

-End-