

1 H BILL NO. 153
 2 INTRODUCED BY Liam Courcy Dassingier
 3 BY REQUEST OF THE DEPARTMENT OF LIVESTOCK

4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE
 6 INSPECTION OF LIVESTOCK ENTERING AND LEAVING A FEEDLOT;
 7 AMENDING SECTIONS 46-801.2 AND 46-804; R.C.M. 1947."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 46-801.2, R.C.M. 1947, is amended
 11 to read as follows:

12 "46-801.2. Inspection of livestock before change of
 13 ownership or removal from county -- transportation permits.
 14 (1) Except as otherwise provided in this act, it is unlawful
 15 to remove or cause to be removed from a county in this state
 16 any livestock, or to transfer ownership by sale or otherwise
 17 or for an intended purchaser or his agent to take possession
 18 of any such animal subject to title passing upon meeting or
 19 satisfaction of any conditions unless the livestock has been
 20 inspected for brands by a state stock inspector or deputy
 21 state stock inspector, and a certificate of the inspection
 22 has been issued in connection with and for the purpose of
 23 the transportation or removal or of such change of ownership
 24 as provided in this act. The inspection must be made in
 25 daylight provided, however, that the change of ownership

1 inspection requirements of this subsection shall not apply
 2 when such sale or change of ownership transaction involves
 3 five (5) or less such animals.

4 (2) It is unlawful to sell or offer for sale at a
 5 livestock market any livestock originating within any county
 6 in this state in which a livestock market is maintained, or
 7 transported under a market consignment permit, until the
 8 livestock has been inspected for marks and brands by a state
 9 stock inspector, as provided in this act.

10 ~~(3) All cattle going into or being removed from a~~
 11 ~~feedlot shall be inspected for marks and brands at the time~~
 12 ~~of entry or removal by a state stock inspector or deputy~~
 13 ~~state stock inspector. For purposes of this section,~~
 14 ~~"feedlot" means a confined livestock feeding operation where~~
 15 ~~the owner or operator of the feedlot feeds livestock~~
 16 ~~belonging to others for a fee. A county line or change of~~
 17 ~~ownership inspection made to permit the movement of cattle~~
 18 ~~into or out of a feedlot may be used in lieu of the~~
 19 ~~inspection required by this subsection.~~

20 ~~(4)~~ (4) It is unlawful to remove or cause to be removed
 21 any livestock from the premises of a livestock market in
 22 this state unless the livestock has been inspected for marks
 23 and brands by a state stock inspector and an inspection
 24 certificate for the livestock has been issued in connection
 25 with and for the purpose of the removal from the premises of

1 the livestock market, as provided in this act.

2 ~~{4}{5}~~ The person in charge of livestock being removed
 3 from a county in this state where of which inspection
 4 thereof is required by this act or where change of
 5 ownership has occurred or when moved under a market
 6 consignment permit section shall have in his possession the
 7 certificate of inspection or market consignment permit
 8 issued in connection therewith, and shall exhibit the
 9 certificate to any sheriff, deputy sheriff, constable,
 10 highway patrolman, state stock inspector or deputy state
 11 stock inspector at the request of either of them. Section
 12 46-803 shall be extended to livestock transported or sold
 13 under the above-mentioned permits.

14 ~~{5}{6}~~ The following transportation permits may be
 15 issued:

16 (a) If a saddle, work, or show horse is being
 17 transported from county to county in this state by the owner
 18 for his personal use or business, or where a purebred cow is
 19 being transported from county to county in this state by its
 20 owner for show purposes, and where there is no change of
 21 ownership, the inspection certificate as required by this
 22 act, may be endorsed as to the purpose and extent of
 23 transportation by the inspector issuing the certificate in
 24 order to serve as a travel permit in this state for a period
 25 not to exceed one {1} year for the horse or cow described

1 thereon. The permit becomes void upon any transfer of
 2 ownership or if the horse or cow are to be removed from
 3 the state. In such instances an inspection must be secured
 4 for removal and the endorsed certificate surrendered.

5 (b) The owner of a saddle, work, or show horse may
 6 apply for a permanent transportation permit valid for both
 7 interstate and intrastate transportation of the horse until
 8 there is a change of ownership. To obtain a permit a horse
 9 must have either a registered brand that has been legally
 10 cleared, or a lip tattoo, or the owner must present proof of
 11 ownership to a state stock inspector. A written application,
 12 on forms to be provided by the department, must be completed
 13 by the owner and presented to a state stock inspector
 14 together with a five-dollar {5} permit fee for each horse.
 15 The application shall contain a thorough physical
 16 description of the horse and list all brands and tattoos
 17 carried by the horse.

18 Upon approval of the application by a state stock
 19 inspector, a permanent transportation permit shall be issued
 20 by the department to the owner for each horse and such
 21 permit shall be valid for the life of the horse. If there is
 22 a change of ownership in a horse, the permit shall
 23 automatically become void. The permit must accompany the
 24 horse for which it was issued at all times while the horse
 25 is in transit. This permit shall be in lieu of other permits

1 and certificates required under the provisions of this
 2 section. The state of Montana shall recognize as valid
 3 permanent transportation permits issued in other
 4 jurisdictions to the owner of a saddle, work, or show horse
 5 subsequently entering the state. Such a permit shall be
 6 automatically void upon a change of ownership.

7 (c) When livestock owned by and bearing the registered
 8 brand of a bona fide rodeo producer are being transported
 9 from county to county in this state by the owner for rodeo
 10 purposes, and where there is no change of ownership, the
 11 inspection certificate required by this section may be
 12 endorsed as to the purpose and extent of transportation by
 13 the inspector issuing the certificate in order to serve as a
 14 travel permit in this state for the livestock described
 15 thereon. The certificate is effective only between April 1
 16 and October 31 of the year for which it is issued. The
 17 certificate shall be issued by a state stock inspector."

18 Section 2. Section 46-804, R.C.M. 1947, is amended to
 19 read as follows:

20 "46-804. Fees for inspection and livestock
 21 transportation permits. (1) For the service of inspection
 22 before removal from a county, or before change of ownership,
 23 or before entry or removal from a feedlot, the inspector
 24 making the inspections shall receive ~~twenty-five--cents~~
 25 ~~(\$25)~~ 25 cents per head for ~~twelve--(12)~~ head or less, or

1 ~~three-dollars--(\$3)~~ for from ~~twelve--(12)~~ head to ~~twenty--(20)~~
 2 head and shall receive ~~twenty-cents--(\$20)~~ 20 cents per head
 3 for each head over ~~twenty--(20)~~ head. For the issuance of a
 4 market consignment permit or transportation permit (other
 5 than a permanent permit) before removal from a county, the
 6 inspector, sheriff, or deputy sheriff issuing the permits
 7 shall receive ~~twenty-five--cents--(\$25)~~ 25 cents for each
 8 permit issued for ~~twelve--(12)~~ head or less; ~~fifty--cents~~
 9 ~~(\$50)~~ 50 cents for each permit for ~~twelve--(12)~~ to ~~thirty~~
 10 ~~(30)~~ head and ~~one-dollar--(\$1)~~ for each permit issued for
 11 over ~~thirty--(30)~~ head and shall receive in addition his
 12 necessary actual expenses, to be paid by the owner or the
 13 person for whom the inspection is made or permit issued. For
 14 the issuance of a permanent horse transportation permit, the
 15 state stock inspector taking the application for permit
 16 shall receive ~~five-dollars--(\$5)~~ per head for each permit
 17 issued. All inspection and permit fees and expenses shall be
 18 collected by the inspector, sheriff, or deputy sheriff at
 19 the time of inspection or issuance of permit, and all the
 20 fees and expenses collected by a deputy state stock
 21 inspector, sheriff, or deputy sheriff shall be retained by
 22 him, and all such fees and expenses collected by a state
 23 stock inspector shall be sent by him to the department for
 24 deposit in the state treasury to the credit of the earmarked
 25 revenue fund for the use of the department.

1 (2) For the service of inspection before livestock is
 2 sold or offered for sale at a licensed public market, a
 3 state stock inspector making the inspection shall receive
 4 ~~twenty--cents--{~~\$=20~~}~~ 20 cents per head for an animal
 5 originating within the county in the state in which the
 6 market is maintained, or transported under a market
 7 consignment permit, and ~~ten-cents--{~~\$=10~~}~~ 10 cents per head
 8 for an animal previously inspected before removal from a
 9 county as herein provided. All fees shall be paid by the
 10 owner or by the person for whom the inspection is made. For
 11 inspecting an animal before it is removed from the premises
 12 of a licensed public market, the state stock inspector
 13 making the inspection shall receive ~~ten-cents--{~~\$=10~~}~~ 10
 14 cents per head from the owner or the person for whom the
 15 inspection is made. All fees for inspection at the market
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 17 inspection at the time the inspection is made and shall be
 18 sent by him to the department for deposit in the state
 19 treasury to the credit of the earmarked revenue fund for the
 20 use of the department.

21 (3) All inspection fees and expenses shall be paid to
 22 the department for deposit in the state treasury to the
 23 credit of the earmarked revenue fund for the use of the
 24 department. State stock inspectors shall be paid for their
 25 services and receive their expenses as fixed by the

1 department."

-End-

Approved by Committee
on Agriculture Livestock
& Irrigation

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18 ~~into or out of a feedlot may be used in lieu of the~~
19 ~~inspection required by this subsection.~~

20 ~~(3)(4)~~ It is unlawful to remove or cause to be removed
21 any livestock from the premises of a livestock market in
22 this state unless the livestock has been inspected for marks
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25 with and for the purpose of the removal from the premises of

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 22 act, may be endorsed as to the purpose and extent of
 23 transportation by the inspector issuing the certificate in
 24 order to serve as a travel permit in this state for a period
 25 not to exceed one {1} year for the horse or cow described

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 3 the state. In such instances an inspection must be secured
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