INTRODUCED BY Gertelsen - Colleg Smits Wyrich

BY REQUEST OF THE DEPARTMENT OF LIVESTOCK

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A BILL FOR AN ACT ENTIFLED: "AN ACT AMENDING SECTION 46-2903.2 OF THE LIVESTOCK DEALERS ACT BY CHANGING THE TIME OF HEARING REQUIREMENTS."

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- BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
- Section 1. Section 46-2903.2, R.C.M. 1947, is amended to read as follows:
- "46-2903.2. Suspension and revocation of license.

 (1) When the department finds that a livestock dealer has violated subsection (2), (3), or (4) of section 46-2902, section 46-2903.1, or section 46-2905, the department may, by order, suspend the license of the offender for a period not to exceed one-(1) year. If the violation is repeated, the department may, by order, permanently revoke the license of the offender.
- (2) Before a license issued under this chapter may be suspended or revoked, a hearing shall be given the licensee, before the department, to determine whether the license should be suspended or revoked. The licensee shall be given notice of the time and place of the hearing. The hearing shall be held not less than ten-f10; days nor or more than

- 1 fifteen-(15) 30 days after the mailing of the notice. At the
- hearing, the department small take and receive evidence,
- 3 under oath, with respect to the complaint, and upon the
- 4 evidence received shall promptly dismiss the proceedings or
- 5 revoke or suspend the license. On an adverse ruling, the
- 6 licensee may appeal to the district court in the county
- 7 where his principal place of business is located.**

-End-

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Approved by Committee on Agriculture Livestock & Irrigation

INTRODUCED BY Gertelsen - Eller Frieten Wyrich

3 BY REQUEST OF THE DEPARTMENT OF LIVESTOCK

5 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
6 46-2903.2 OF THE LIVESTOCK DEALERS ACT BY CHANGING THE TIME

7 UF HEARING REQUIREMENTS.

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

Section 1. Section 46-2903.2, R.C.M. 1947. is amended to read as follows:

"46-2903.2. Suspension and revocation of license.

(1) When the department finds that a livestock dealer has violated subsection (2), (3), or (4) of section 46-2902, section 46-2903.1, or section 46-2905, the department may, by order, suspend the license of the offender for a period not to exceed one—(1) year. If the violation is repeated, the department may, by order, permanently revoke the license of the offender.

(2) Before a license issued under this chapter may be suspended or revoked, a hearing shall be given the license, before the department, to determine whether the license should be suspended or revoked. The licensee shall be given notice of the time and place of the hearing. The hearing shall be held not less than ten-(10) days nor or more than

fifteen-(15) 30 days after the mailing of the notice. At the hearing, the department shall take and receive evidence, under oath, with respect to the complaint, and upon the evidence received shall promptly dismiss the proceedings or revoke or suspend the license. On an adverse ruling, the licensee may appeal to the district court in the county where his principal place of business is located.

-End-

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24 25 INTRODUCED BY Gentelson - Eller Smitse Wyrish

3 BY REQUEST OF THE DEPARTMENT OF LIVESTOCK

5 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
6 46-2903.2 OF THE LIVESTOCK DEALERS ACT BY CHANGING THE TIME
7 OF HEARING REQUIREMENTS."

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

Section 1. Section 46-2903.2, R.C.M. 1947, is amended to read as follows:

"46-2903.2. Suspension and revocation of license.

(1) When the department finds that a livestock dealer has violated subsection. (2), (3), or (4) of section 46-2902, section 46-2903.1, or section 46-2905, the department may, by order, suspend the license of the offender for a period not to exceed one-(1) year. If the violation is repeated, the department may, by order, permanently revoke the license of the offender.

(2) Before a license issued under this chapter may be suspended or revoked, a hearing shall be given the licensee, before the department, to determine whether the license should be suspended or revoked. The licensee shall be given notice of the time and place of the hearing. The hearing shall be held not less than ten-fl0t days nor or more than

fifteen-(15) 30 days after the mailing of the notice. At the
hearing, the department shall take and receive evidence,
under oath, with respect to the complaint, and upon the
evidence received shall promptly dismiss the proceedings or
revoke or suspend the license. On an adverse ruling, the
licensee may appeal to the district court in the county
where his principal place of business is located.

-End-

45th Legislature HB 0167/02

ı	HOUSE BILL NO. 167
2	INTRODUCED BY BERTELSEN, ELLERD, SIVERTSEN, WYRICK
3	BY REQUEST OF THE DEPARTMENT OF LIVESTOCK
4	
5	A BILL FOR AN ACT ENTITLED: MAN ACT AMENDING SECTION
6	46-2903-2 OF THE LIVESTUCK DEALERS ACT BY CHANGING THE TIME
7	OF HEARING REQUIREMENTS."
8	
9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10	Section 1. Section 46-2903.2, R.C.M. 1947, is amended
11	to read as follows:
12	#46-2903.2. Suspension and revocation of license.
13	(1) When the department finds that a livestock dealer has
14	violated subsection (2), (3), or (4) of section 46-2902,
15	section 46-2903.1, or section 46-2905, the department may,
16	by order, suspend the license of the offender for a period
17	not to exceed one-{1} year. If the violation is repeated,
18	the department may, by order, permanently revoke the license
19	of the offender.
20	(2) Before a license issued under this chapter may be
21	suspended or revoked, a hearing shall be given the licensee.
72	hefore the department, to determine whether the license

should be suspended or revoked. The licensee shall be given

notice of the time and place of the hearing. The hearing shall be held not less than ten-t10+ days nor or more than

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fifteen-(15) 30 days after the mailing of the notice. At the
hearing, the department shall take and receive evidence.

3 under oath, with respect to the complaint, and upon the

evidence received shall promptly dismiss the proceedings or revoke or suspend the license. On an adverse ruling, the

6 licensee may appeal to the district court in the county

where his principal place of business is located.

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-End-

HB 0167/02