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 2 INTRODUCTION BY *House* BILL NO. *669*  
 3 *Davis, Ells* *Don, Bangton, Conway, Mark*

4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE MOVEMENT  
 5 OF CATTLE TO AN ADJACENT COUNTY FOR GRAZING PURPOSES UNDER A  
 6 TRANSPORTATION PERMIT USED IN LIEU OF A COUNTY LINE BRAND  
 7 INSPECTION; AMENDING SECTIONS 46-801.2 AND 46-802, R.C.M.  
 8 1947."

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

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

13 "46-801.2. Inspection of livestock before change of  
 14 ownership or removal from county — transportation permits.

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

1 must be made in daylight provided, however, that the change  
 2 of ownership inspection requirements of this subsection  
 3 shall not apply when such sale or change of ownership  
 4 transaction involves five (5) or less such animals.

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

11 (3) It is unlawful to remove or cause to be removed  
 12 any livestock from the premises of a livestock market in  
 13 this state unless the livestock has been inspected for marks  
 14 and brands by a state stock inspector and an inspection  
 15 certificate for the livestock has been issued in connection  
 16 with and for the purpose of the removal from the premises of  
 17 the livestock market, as provided in this act.

18 (4) The person in charge of livestock being removed  
 19 from a county in this state, where inspection thereof is  
 20 required by this act, or where change of ownership has  
 21 occurred or when moved under a market consignment permit  
 22 shall have in his possession the certificate of inspection,  
 23 or market consignment permit, or transportation permit  
 24 issued in connection therewith, and shall exhibit the  
 25 certificate to any sheriff, deputy sheriff, constable,

1 highway patrolman, state stock inspector, or deputy state  
 2 stock inspector at the request of either of them. Section  
 3 46-803 shall be extended to livestock transported or sold  
 4 under the above-mentioned permits.

5 (5) The following transportation permits may be  
 6 issued:

7 (a) If a saddle, work, or show horse is being  
 8 transported from county to county in this state by the owner  
 9 for his personal use or business, or where a purebred cow is  
 10 being transported from county to county in this state by its  
 11 owner for show purposes, and where there is no change of  
 12 ownership, the inspection certificate as required by this  
 13 act, may be endorsed as to the purpose and extent of  
 14 transportation by the inspector issuing the certificate in  
 15 order to serve as a travel permit in this state for a period  
 16 not to exceed one (1) year for the horse or cow described  
 17 thereon. The permit becomes void upon any transfer of  
 18 ownership or if the horse or cow are to be removed from the  
 19 state. In such instances an inspection must be secured for  
 20 removal and the endorsed certificate surrendered.

21 (b) The owner of a saddle, work, or show horse may  
 22 apply for a permanent transportation permit valid for both  
 23 interstate and intrastate transportation of the horse until  
 24 there is a change of ownership. To obtain a permit a horse  
 25 must have either a registered brand that has been legally

1 cleared, or a lip tattoo, or the owner must present proof of  
 2 ownership to a state stock inspector. A written application,  
 3 on forms to be provided by the department, must be completed  
 4 by the owner and presented to a state stock inspector  
 5 together with a five dollar (\$5) permit fee for each horse.  
 6 The application shall contain a thorough physical  
 7 description of the horse and list all brands and tattoos  
 8 carried by the horse.

9 Upon approval of the application by a state stock  
 10 inspector, a permanent transportation permit shall be issued  
 11 by the department to the owner for each horse and such  
 12 permit shall be valid for the life of the horse. If there is  
 13 a change of ownership in a horse the permit shall  
 14 automatically become void. The permit must accompany the  
 15 horse for which it was issued at all times while the horse  
 16 is in transit. This permit shall be in lieu of other permits  
 17 and certificates required under the provisions of this  
 18 section. The state of Montana shall recognize as valid  
 19 permanent transportation permits issued in other  
 20 jurisdictions to the owner of a saddle, work, or show horse  
 21 subsequently entering the state. Such a permit shall be  
 22 automatically void upon a change of ownership.

23 (c) When livestock owned by and bearing the registered  
 24 brand of a bona fide rodeo producer are being transported  
 25 from county to county in this state by the owner for rodeo

1 purposes, and where there is no change of ownership, the  
 2 inspection certificate required by this section may be  
 3 endorsed as to the purpose and extent of transportation by  
 4 the inspector issuing the certificate in order to serve as a  
 5 travel permit in this state for the livestock described  
 6 thereon. The certificate is effective only between April 1  
 7 and October 31 of the year for which it is issued. The  
 8 certificate shall be issued by a state stock inspector.

9 (d) An owner of livestock or his agent may be issued a  
 10 transportation permit allowing the movement of his livestock  
 11 into an immediately adjoining county and return when the  
 12 livestock are being moved for grazing purposes and when they  
 13 are being moved to and from land owned or controlled by the  
 14 owner of the livestock or his agent. The permit is valid  
 15 for 6 months and must be issued by a state stock inspector.  
 16 The fee for the permit is \$5, which shall be paid to the  
 17 state stock inspector at the time the permit is issued and  
 18 remitted 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. This permit may be used in lieu of  
 21 the inspection and certificate required by this section for  
 22 movement of livestock across a county line."

23 Section 2. Section 46-802, R.C.M. 1947, is amended to  
 24 read as follows:

25 "46-802. Duties of state stock inspectors and deputy

1 stock inspectors -- department authorized to adopt rules.  
 2 (1) State stock inspectors and deputy state stock  
 3 inspectors, upon the application of the owner, or the duly  
 4 authorized agent of the owner of livestock, shall inspect  
 5 the livestock which are intended for sale, removal or  
 6 shipment and issue his certificate of inspection therefor,  
 7 if it appears with reasonable certainty that the applicant  
 8 is the owner of the livestock or has the lawful right to the  
 9 possession thereof.

10 (2) The inspection shall include an examination of the  
 11 livestock and all marks and brands thereon to identify the  
 12 livestock. The certificate of inspection shall be made in  
 13 triplicate and shall specify the date of inspection, the  
 14 place of origin and place of destination of the shipment,  
 15 the name and address of the owner of the livestock or of the  
 16 applicant for inspection, and the purchaser or transferee,  
 17 if applicable, the class of the animal, the marks and  
 18 brands, if any, upon the animal, and any other information  
 19 and upon the form of certificate as the department may from  
 20 time to time require. One ~~(1)~~ copy of the certificate shall  
 21 be retained by the inspector, one ~~(1)~~ copy shall be  
 22 furnished by the inspector to the owner or shipper of the  
 23 livestock, and one ~~(1)~~ copy shall be filed by the inspector  
 24 with the department within ~~five~~ ~~(5)~~ days.

25 (3) If it appears with reasonable certainty that the

1 applicant is the owner of the livestock or has the lawful  
 2 right to the possession thereof, the state stock inspectors  
 3 or deputy state stock inspectors or any sheriff or deputy  
 4 sheriff, upon application of an owner or his agent of the  
 5 livestock to be consigned and delivered directly to a  
 6 licensed livestock market located in another county of the  
 7 state, or delivered directly to a shipping point duly  
 8 approved by the department where a livestock inspector is  
 9 available for inspection, in an adjoining county, shall  
 10 issue to the person a separate market consignment permit or  
 11 transportation permit for each owner when the owner, or  
 12 owners, or their duly authorized agents sign the permit  
 13 certifying the brands, description and destination of the  
 14 livestock. The market consignment permit or transportation  
 15 permit shall be made in triplicate, shall specify the date  
 16 and time issued, the place of origin and place of  
 17 destination of the shipment, the name and address of the  
 18 owner of the livestock and the name and address of the  
 19 person actually transporting the livestock if different than  
 20 the owner, the kind of livestock, the marks and brands, if  
 21 any, upon the livestock, a description of the vehicle or  
 22 vehicles to be used to transport the livestock to include  
 23 the license number of the vehicles and any other information  
 24 and upon the form of permit as the department may from time  
 25 to time require. Any permit so issued shall be good for

1 shipment within thirty-six (36) hours from date and time of  
 2 issue, however, permits not used within this time limitation  
 3 must be returned to the issuing officer to be canceled and  
 4 to release the permittee from performance. One (1) copy of  
 5 the permit shall be retained by the inspector or sheriff's  
 6 office, one (1) copy shall be filed by the inspector or  
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 10 the livestock which copy of the permit shall accompany the  
 11 shipment and be delivered to the state stock inspector at  
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14 (4) Upon application of an owner or his agent, when it  
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 18 transportation permit which will allow the movement of the  
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 20 or controlled by the owner or his agent for purposes of  
 21 grazing. The transportation permit shall state the breed,  
 22 description, marks and brands if any, head count, and  
 23 description of land to and from which the livestock will be  
 24 moved. The permit will be valid for 6 months. A state  
 25 stock inspector may enter the premises where livestock so

1 moved have been transported and inspect any livestock moved  
2 under the transportation permit or any livestock commingled  
3 therewith. Any person transporting strays or livestock not  
4 lawfully under his control is guilty of a misdemeanor and  
5 punishable as provided in 46-806.

6 (5) The department may adopt rules necessary to carry  
7 out this act.\*

-End-

Approved by Committee  
on Agriculture Livestock  
& Irrigation

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2 INTRODUCED BY *Don, Bangton, Conroy, Mark*  
3 *Dennis, Ellard*

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 22 movement of livestock across a county line."

23 Section 2. Section 46-802, R.C.M., 1947, is amended to  
 24 read as follows:

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 2 (1) State stock inspectors and deputy state stock  
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 18 brands, if any, upon the animal, and any other information  
 19 and upon the form of certificate as the department may from  
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 21 be retained by the inspector, one ~~††~~ copy shall be  
 22 furnished by the inspector to the owner or shipper of the  
 23 livestock, and one ~~††~~ copy shall be filed by the inspector  
 24 with the department within ~~five-†5~~ days.

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1 applicant is the owner of the livestock or has the lawful  
 2 right to the possession thereof, the state stock inspectors  
 3 or deputy state stock inspectors or any sheriff or deputy  
 4 sheriff, upon application of an owner or his agent of the  
 5 livestock to be consigned and delivered directly to a  
 6 licensed livestock market located in another county of the  
 7 state, or delivered directly to a shipping point duly  
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 22 vehicles to be used to transport the livestock to include  
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10 (2) The inspection shall include an examination of the  
 11 livestock and all marks and brands thereon to identify the  
 12 livestock. The certificate of inspection shall be made in  
 13 triplicate and shall specify the date of inspection, the  
 14 place of origin and place of destination of the shipment,  
 15 the name and address of the owner of the livestock or of the  
 16 applicant for inspection, and the purchaser or transferee,  
 17 if applicable, the class of the animal, the marks and  
 18 brands, if any, upon the animal, and any other information  
 19 and upon the form of certificate as the department may from  
 20 time to time require. One ~~(1)~~ copy of the certificate shall  
 21 be retained by the inspector, one ~~(1)~~ copy shall be  
 22 furnished by the inspector to the owner or shipper of the  
 23 livestock, and one ~~(1)~~ copy shall be filed by the inspector  
 24 with the department within ~~five (5)~~ days.

25 (1) If it appears with reasonable certainty that the

1 applicant is the owner of the livestock or has the lawful  
 2 right to the possession thereof, the state stock inspectors  
 3 or deputy state stock inspectors or any sheriff or deputy  
 4 sheriff, upon application of an owner or his agent of the  
 5 livestock to be consigned and delivered directly to a  
 6 licensed livestock market located in another county of the  
 7 state, or delivered directly to a shipping point duly  
 8 approved by the department where a livestock inspector is  
 9 available for inspection, in an adjoining county, shall  
 10 issue to the person a separate market consignment permit or  
 11 transportation permit for each owner when the owner, or  
 12 owners, or their duly authorized agents sign the permit  
 13 certifying the brands, description and destination of the  
 14 livestock. The market consignment permit or transportation  
 15 permit shall be made in triplicate, shall specify the date  
 16 and time issued, the place of origin and place of  
 17 destination of the shipment, the name and address of the  
 18 owner of the livestock and the name and address of the  
 19 person actually transporting the livestock if different than  
 20 the owner, the kind of livestock, the marks and brands, if  
 21 any, upon the livestock, a description of the vehicle or  
 22 vehicles to be used to transport the livestock to include  
 23 the license number of the vehicles and any other information  
 24 and upon the form of permit as the department may from time  
 25 to time require. Any permit so issued shall be good for

1 shipment within thirty-six (36) hours from date and time of  
 2 issue, however, permits not used within this time limitation  
 3 must be returned to the issuing officer to be canceled and  
 4 to release the permittee from performance. One (1) copy of  
 5 the permit shall be retained by the inspector or sheriff's  
 6 office, one (1) copy shall be filed by the inspector or  
 7 sheriff's office with the department within five (5) days of  
 8 the date of issue, and one (1) copy shall be furnished by  
 9 the inspector or sheriff's office to the owner or shipper of  
 10 the livestock which copy of the permit shall accompany the  
 11 shipment and be delivered to the state stock inspector at  
 12 the livestock market or shipping point where the livestock  
 13 is delivered.

14 (4) Upon application of an owner or his agent, when it  
 15 appears with reasonable certainty that the applicant is the  
 16 owner of the livestock or has lawful right to the possession  
 17 thereof, a state stock inspector shall issue a  
 18 transportation permit which will allow the movement of the  
 19 livestock into an immediately adjoining county to land owned  
 20 or controlled by the owner or his agent for purposes of  
 21 grazing. The transportation permit shall state the breed,  
 22 description, marks and brands if any, head count, and  
 23 description of land to and from which the livestock will be  
 24 moved. The permit will be valid for 6 months. A state  
 25 stock inspector may enter the premises where livestock so

1 moved have been transported and inspect any livestock moved  
2 under the transportation permit or any livestock commingled  
3 therewith. Any person transporting strays or livestock not  
4 lawfully under his control is guilty of a misdemeanor and  
5 punishable as provided in 46-806.

6 [5] The department may adopt rules necessary to carry  
7 out this act."

-End-

1 HOUSE BILL NO. 669  
 2 INTRODUCED BY DAY, BENGTSON, CONROY, MARKS,  
 3 DAVIS, ELLERD  
 4  
 5 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE MOVEMENT  
 6 OF CATTLE TO AN ADJACENT COUNTY FOR GRAZING PURPOSES UNDER A  
 7 TRANSPORTATION PERMIT USED IN LIEU OF A COUNTY LINE BRAND  
 8 INSPECTION; AMENDING SECTIONS 46-801.2 AND 46-802, R.C.M.  
 9 1947."

10  
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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

14 "46-801.2. Inspection of livestock before change of  
15 ownership or removal from county -- transportation permits.

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

1 change of ownership as provided in this act. The inspection  
 2 must be made in daylight provided, however, that the change  
 3 of ownership inspection requirements of this subsection  
 4 shall not apply when such sale or change of ownership  
 5 transaction involves five ~~(5)~~ or less such animals.

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

12 (3) It is unlawful to remove or cause to be removed  
 13 any livestock from the premises of a livestock market in  
 14 this state unless the livestock has been inspected for marks  
 15 and brands by a state stock inspector and an inspection  
 16 certificate for the livestock has been issued in connection  
 17 with and for the purpose of the removal from the premises of  
 18 the livestock market, as provided in this act.

19 (4) The person in charge of livestock being removed  
 20 from a county in this state, where inspection thereof is  
 21 required by this act, or where change of ownership has  
 22 occurred or when moved under a market consignment permit  
 23 shall have in his possession the certificate of inspection,  
 24 or market consignment permit, or transportation permit  
 25 issued in connection therewith, and shall exhibit the



1 certificate to any sheriff, deputy sheriff, constable,  
 2 highway patrolman, state stock inspector, or deputy state  
 3 stock inspector at the request of either of them. Section  
 4 46-803 shall be extended to livestock transported or sold  
 5 under the above-mentioned permits.

6 (5) The following transportation permits may be  
 7 issued:

8 (a) If a saddle, work, or show horse is being  
 9 transported from county to county in this state by the owner  
 10 for his personal use or business, or where a purebred cow is  
 11 being transported from county to county in this state by its  
 12 owner for show purposes, and where there is no change of  
 13 ownership, the inspection certificate as required by this  
 14 act, may be endorsed as to the purpose and extent of  
 15 transportation by the inspector issuing the certificate in  
 16 order to serve as a travel permit in this state for a period  
 17 not to exceed one (1) year for the horse or cow described  
 18 thereon. The permit becomes void upon any transfer of  
 19 ownership or if the horse or cow are to be removed from the  
 20 state. In such instances an inspection must be secured for  
 21 removal and the endorsed certificate surrendered.

22 (b) The owner of a saddle, work, or show horse may  
 23 apply for a permanent transportation permit valid for both  
 24 interstate and intrastate transportation of the horse until  
 25 there is a change of ownership. To obtain a permit a horse

1 must have either a registered brand that has been legally  
 2 cleared, or a lip tattoo, or the owner must present proof of  
 3 ownership to a state stock inspector. A written application,  
 4 on forms to be provided by the department, must be completed  
 5 by the owner and presented to a state stock inspector  
 6 together with a five dollar (\$5) permit fee for each horse.  
 7 The application shall contain a thorough physical  
 8 description of the horse and list all brands and tattoos  
 9 carried by the horse.

10 Upon approval of the application by a state stock  
 11 inspector, a permanent transportation permit shall be issued  
 12 by the department to the owner for each horse and such  
 13 permit shall be valid for the life of the horse. If there is  
 14 a change of ownership in a horse the permit shall  
 15 automatically become void. The permit must accompany the  
 16 horse for which it was issued at all times while the horse  
 17 is in transit. This permit shall be in lieu of other permits  
 18 and certificates required under the provisions of this  
 19 section. The state of Montana shall recognize as valid  
 20 permanent transportation permits issued in other  
 21 jurisdictions to the owner of a saddle, work, or show horse  
 22 subsequently entering the state. Such a permit shall be  
 23 automatically void upon a change of ownership.

24 (c) When livestock owned by and bearing the registered  
 25 brand of a bona fide rodeo producer are being transported

1 from county to county in this state by the owner for rodeo  
 2 purposes, and where there is no change of ownership, the  
 3 inspection certificate required by this section may be  
 4 endorsed as to the purpose and extent of transportation by  
 5 the inspector issuing the certificate in order to serve as a  
 6 travel permit in this state for the livestock described  
 7 thereon. The certificate is effective only between April 1  
 8 and October 31 of the year for which it is issued. The  
 9 certificate shall be issued by a state stock inspector.

10 (d) An owner of livestock or his agent may be issued a  
 11 transportation permit allowing the movement of his livestock  
 12 into an immediately adjoining county and return when the  
 13 livestock are being moved for grazing purposes and when they  
 14 are being moved to and from land owned or controlled by the  
 15 owner of the livestock or his agent. The permit is valid  
 16 for 6 months and must be issued by a state stock inspector.  
 17 The fee for the permit is \$5, which shall be paid to the  
 18 state stock inspector at the time the permit is issued and  
 19 remitted by him to the department for deposit in the state  
 20 treasury to the credit of the earmarked revenue fund for the  
 21 use of the department. This permit may be used in lieu of  
 22 the inspection and certificate required by this section for  
 23 movement of livestock across a county line."

24 Section 2. Section 46-802, R.C.M. 1947, is amended to  
 25 read as follows:

1 "46-802. Duties of state stock inspectors and deputy  
 2 stock inspectors -- department authorized to adopt rules.  
 3 (1) State stock inspectors and deputy state stock  
 4 inspectors, upon the application of the owner, or the duly  
 5 authorized agent of the owner of livestock, shall inspect  
 6 the livestock which are intended for sale, removal or  
 7 shipment and issue his certificate of inspection therefor,  
 8 if it appears with reasonable certainty that the applicant  
 9 is the owner of the livestock or has the lawful right to the  
 10 possession thereof.

11 (2) The inspection shall include an examination of the  
 12 livestock and all marks and brands thereon to identify the  
 13 livestock. The certificate of inspection shall be made in  
 14 triplicate and shall specify the date of inspection, the  
 15 place of origin and place of destination of the shipment,  
 16 the name and address of the owner of the livestock or of the  
 17 applicant for inspection, and the purchaser or transferee,  
 18 if applicable, the class of the animal, the marks and  
 19 brands, if any, upon the animal, and any other information  
 20 and upon the form of certificate as the department may from  
 21 time to time require. One ~~(1)~~ copy of the certificate shall  
 22 be retained by the inspector, one ~~(1)~~ copy shall be  
 23 furnished by the inspector to the owner or shipper of the  
 24 livestock, and one ~~(1)~~ copy shall be filed by the inspector  
 25 with the department within ~~five~~(5) days.

1       (3) If it appears with reasonable certainty that the  
 2 applicant is the owner of the livestock or has the lawful  
 3 right to the possession thereof, the state stock inspectors  
 4 or deputy state stock inspectors or any sheriff or deputy  
 5 sheriff, upon application of an owner or his agent of the  
 6 livestock to be consigned and delivered directly to a  
 7 licensed livestock market located in another county of the  
 8 state, or delivered directly to a shipping point duly  
 9 approved by the department where a livestock inspector is  
 10 available for inspection, in an adjoining county, shall  
 11 issue to the person a separate market consignment permit or  
 12 transportation permit for each owner when the owner, or  
 13 owners, or their duly authorized agents sign the permit  
 14 certifying the brands, description and destination of the  
 15 livestock. The market consignment permit or transportation  
 16 permit shall be made in triplicate, shall specify the date  
 17 and time issued, the place of origin and place of  
 18 destination of the shipment, the name and address of the  
 19 owner of the livestock and the name and address of the  
 20 person actually transporting the livestock if different than  
 21 the owner, the kind of livestock, the marks and brands, if  
 22 any, upon the livestock, a description of the vehicle or  
 23 vehicles to be used to transport the livestock to include  
 24 the license number of the vehicles and any other information  
 25 and upon the form of permit as the department may from time

1 to time require. Any permit so issued shall be good for  
 2 shipment within thirty-six (36) hours from date and time of  
 3 issue, however, permits not used within this time limitation  
 4 must be returned to the issuing officer to be canceled and  
 5 to release the permittee from performance. One (1) copy of  
 6 the permit shall be retained by the inspector or sheriff's  
 7 office, one (1) copy shall be filed by the inspector or  
 8 sheriff's office with the department within five (5) days of  
 9 the date of issue, and one (1) copy shall be furnished by  
 10 the inspector or sheriff's office to the owner or shipper of  
 11 the livestock which copy of the permit shall accompany the  
 12 shipment and be delivered to the state stock inspector at  
 13 the livestock market or shipping point where the livestock  
 14 is delivered.

15       (4) Upon application of an owner or his agent, when it  
 16 appears with reasonable certainty that the applicant is the  
 17 owner of the livestock or has lawful right to the possession  
 18 thereof, a state stock inspector shall issue a  
 19 transportation permit which will allow the movement of the  
 20 livestock into an immediately adjoining county to land owned  
 21 or controlled by the owner or his agent for purposes of  
 22 grazing. The transportation permit shall state the breed,  
 23 description, marks and brands if any, head count, and  
 24 description of land to and from which the livestock will be  
 25 moved. The permit will be valid for 6 months. A state

1 stock inspector may enter the premises where livestock so  
2 moved have been transported and inspect any livestock moved  
3 under the transportation permit or any livestock commingled  
4 therewith. Any person transporting strays or livestock not  
5 lawfully under his control is guilty of a misdemeanor and  
6 punishable as provided in 46-806.

7       (5) The department may adopt rules necessary to carry  
8 out this act."

-End-