LC 0453/01

BILL NO. 55 1 2 INTRODUCED BY BY REQUEST OF THE DEPARTMENT OF LIVESTOCK 3 A BILL FOR AN ACT ENTITLED: "AN ACT REMOVING ANBIGUITIES IN 4 STATUTES PERMITTING THE SLAUGHTER OF LIVESTOCK BEARING 5 ALTERED BRANDS TO DETERMINE PROPER OWNERSHIP; AMENDING 6 SECTIONS 46-706 AND 46-708. R.C.M. 1947.* 7 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 10 Section 1. Section 46-706, R.C.M. 1947, is amended to read as follows: 11 "46-706. Brands fraudulently changed. Whenever a mark 12 13 or brand upon any neat cattle, horse, or other animals animal has been fraudulently altered, obliterated, or 14 15 defacedy so that the original mark or brand cannot be determined through the external inspection thereof, any 16 17 stock inspector or sheriff may seize and kill said the animal to ascertain the mark or brand so altered or defacedy 18 19 upon--paying--to-the-owner-the-value-of-said-animal. Payment 20 equal to the value of the slaughtered animal shall be made

21 after proper ownership is determined."

22 Section 2. Section 46-708, R.C.M. 1947, is amended to 23 read as follows:

24 "46-708. Action by dissatisfied owner -- costs. Should
25 the owner of the animal so seized and killed feel

INTRODUCED BILL

dissatisfied with the valuation made, he may maintain an action against said-officer-seizing-said--animal the department or, if the animal is seized by a sheriff, against that_sheriff*s_county, and should he fail to recover damages in any greater amount than that allowed under section 46-707, he shall bear all costs that may be incurred in the maintenance of said the action."

-End-

45th Legislature

SB 0055/02

SB 0055/02

Approved by Committee on Agrigulture Livestock & Irrigation

1	SEWATE BILL NO. 55
2	INTRODUCED BY GALT, MANLEY, DEVINE
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT REMOVING AMBIGUITIES IN
5	STATUTES PERMITTING THE SLAUGHTER OF LIVESTOCK BEARING
6	ALTERED BRANDS TO DETERMINE PROPER OWNERSEIF; AMENDING
7	SECTIONS 46-706 AND 46-708, R.C.M. 1947.*
A	

9 BE IT EMACTED BY THE LEGISLATURE OF THE STATE OF SONTAWA:

10 Section 1. Section 46-706, H.C.M. 1947, is amended to 11 read as follows:

12 #46-706. Brands fraudulently changed. Whenever a mark 13 or brand upon any neat cattle, horse, or other anisals animal has been fraudulently altered, obliterated, or 14 defaced, so that the original mark or brand cannot be 15 determined through the external inspection thereof, any 16 17 stock inspector or sheriff may seize and kill said the 18 animal to ascertain the mark or brand so altered or defaced, 19 upon--- paying---to-the-owner-the-value-of-caid-asisal. Paysent equal to the PAIR MARKET value of the glaughtored LIVE 20 21 animal shall be made after proper ownership is determined." 22 Section 2. Section 46-708, R.C.H. 1947, is amended to 23 read as follows:

24 "46-708. Action by dissatisfied owner -- costs. Should
25 the owner of the animal so seized and killed feel

1 dissatisfied with the valuation made, he may maintain an

- 2 action against said-officer-seising-said-animal the
- 3 department or, if the animal is seized by a sheriff, against
- 4 that sheriff's county, and should be fail to recover damages
- 5 in any greater amount than that allowed under section
- 6 46-707, he shall bear all costs that may be incurred in the
- 7 maintenance of said the action."

-End-

SECOND READING

SB 0055/02

1 SEWATE BILL NO. 55 2 INTRODUCED BY GALT, MANLEY, DEVINE з 4 A BILL FOR AN ACT ENTITLED: "AN ACT REMOVING AMBIGUITIES IN STATUTES PERMITTING THE SLAUGHTER OF LIVESTOCK BEARING 5 б ALTERED BRANDS TO DETERMINE PROPER OWNERSHIP: AMENDING 7 SECTIONS 46-706 AND 46-708, R.C.M. 1947." 8 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HONTANA:

Section 1. Section 46-706, R.C.H. 1947, is amended to
read as follows:

12 "46-706. Brands fraudulently changed. Whenever a mark or brand upon any neat cattle, horse, or other animals 13 14 anisal has been fraudulently altered, obliterated, or 15 defaced, so that the original mark or brand cannot be 16 determined through the external inspection thereof, any 17 stock inspector or sheriff may seize and kill said the 18 animal to ascertain the mark or brand so altered or defaced τ 19 upon-paying to the owner the value of caid animal. Payment 20 equal to the PAIR MARKET value of the slaughtered LIVE 21 animal shall be made after proper ownership is determined." 22 Section 2. Section 46-708, R.C.M. 1947, is amended to 23 read as follows:

24 "46-708. Action by dissatisfied owner -- costs. Should
25 the owner of the animal so seized and killed feel

THIRD READING

1 dissatisfied with the valuation made, he may maintain an

- 2 action against said officer seising said the
- 3 department or, if the animal is seized by a sheriff, against
- 4 that sheriff's county, and should be fail to recover damages
- 5 in any greater amount than that allowed under section
- 6 46-707, he shall bear all costs that may be incurred in the
- 7 maintenance of said the action."

-End-

-2-

SB 0055/02

1 SEWATE BILL NO. 55 2 INTRODUCED BY GALT, MANLEY, DEVINE 3 ы A STLL FOR AN ACT ENTITLED: "AN ACT REMOVING AMBIGUITIES IN 5 STATUTES PERMITTING THE SLAUGHTER OF LIVESTOCK BEARING ALTERED BRANDS TO DETERMINE PROPER OWNERSBIP; AMENDING 6 7 SECTIONS 46-706 AND 46-708, R.C.M. 1947." 8 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: Section 1. Section 46-706, R.C.M. 1947, is amended to 10 11 read as follows: "46-706. Brands fraudulently changed. Whenever a wark 12 or brand upon any neat cattle, horse, or other anisals 13 animal has been fraudulently altered, obliterated, or 14 15 defaced, so that the original mark or brand cannot be determined through the external inspection thereof, any 16 stock inspector or sheriff may seize and kill said the 17 18 animal to ascertain the mark or brand so altered or defacedy 19 apon--paring--to-the-owner-the-value-of-said-anisal, Payment 20 equal to the FAIR BARKET value of the claughtered LIVE 21 animal shall be made after proper ownership is determined." 22 Section 2. Section 46-708, R.C.H. 1947, is amended to read as follows: 23 "46-708. Action by dissatisfied owner -- costs. Should 24 25 the owner of the animal so seized and killed feel

1 dissatisfied with the valuation made, he may maintain an 2 action against caid - officer - solving - caid - animal the

- 3 <u>department or, if the animal is seized by a sheriff, against</u>
- 4 that sheriff's county, and should he fail to recover damages
- 5 in any greater amount than that allowed under section
- 6 46-707, he shall bear all costs that may be incurred in the
- 7 maintenance of said the action."

-End-

REFERENCE BILL