

CHAPTER NO. 298.

HOUSE BILL NO. 577

INTRODUCED BY DONALDSON, STAIGMILLER

IN THE HOUSE

February 6, 1979	Introduced and referred to Committee on Agriculture, Livestock, and Irrigation.
February 15, 1979	Committee recommend bill do pass as amended. Report adopted.
February 17, 1979	Printed and placed on members' desks.
February 20, 1979	Second reading, do pass.
February 21, 1979	Considered correctly engrossed. Third reading, passed. Transmitted to second house.

IN THE SENATE

February 22, 1979	Introduced and referred to Committee on Agriculture, Livestock, and Irrigation.
March 3, 1979	Committee recommend bill be concurred in as amended. Report adopted.
March 6, 1979	Second reading, concurred in.
March 9, 1979	Third reading, concurred in as amended.

IN THE HOUSE

March 10, 1979	Returned from second house. Concurred in as amended.
March 14, 1979	Second reading, amendments adopted.

March 15, 1979

Third reading, amendments  
adopted. Sent to enrolling.

Reported correctly enrolled.

House BILL NO. 577

INTRODUCED BY Donald  
Stoigwiller

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE BRAND INSPECTION LAW BY REQUIRING THE BRAND INSPECTION OF ASSES; BY INCREASING THE INSPECTION FEES FOR EQUINE-TYPE ANIMALS; BY MAKING THE INSPECTION FEE FOR OTHER LIVESTOCK A UNIFORM 20 CENTS A HEAD REGARDLESS OF THE NUMBER OF HEAD INSPECTED; AND AMENDING SECTIONS 81-3-201 AND 81-3-205, MCA."

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

Section 1. Section 81-3-201, MCA, is amended to read:

"81-3-201. Definitions. Unless the context requires otherwise, in this part, the following definitions apply:

(1) "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.

(2) "Feedlot" means a confined livestock feeding operation where the owner or operator of the feedlot feeds livestock belonging to others for a fee.

(3) "Livestock" means ~~a cow, ox, bull, steer, colt, steery, heifer, horse, mule, mare, colt, foal, or filly~~ any bovine animal, horse, mule, or ass regardless of its age or sex.

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

(5) "State stock inspector" means an employee of the department of livestock designated by the department as a state stock inspector."

Section 2. Section 81-3-205, MCA, is amended to read:

"81-3-205. Fees for inspection and livestock transportation permits. (1) For the service of inspection of all livestock except horses, mules, or asses before removal from a county or before change of ownership, the inspector making the inspections shall receive ~~25 cents per head for 12 head or less, or 50 cents for 12 head to 20 head and 20 cents per head for each head over 20 head.~~ For the issuance of a market consignment permit or transportation permit (other than a permanent permit) before removal from a county ~~for all livestock,~~ the inspector, sheriff, or deputy sheriff issuing the permits shall receive 25 cents for each permit issued for 12 head or less, 50 cents for each permit for 12 to 30 head, and \$1 for each permit issued for over 30 head and shall receive in addition his necessary actual expenses, to be paid by the owner or the person for whom the inspection is made or permit issued. For the issuance of a permanent horse transportation permit, the state stock inspector taking the application for permit shall receive \$5

1 per head for each permit issued. All inspection and permit  
 2 fees and expenses shall be collected by the inspector,  
 3 sheriff, or deputy sheriff at the time of inspection or  
 4 issuance of permit, and all the fees and expenses collected  
 5 by a deputy state stock inspector, sheriff, or deputy  
 6 sheriff shall be retained by him, and all such fees and  
 7 expenses collected by a state stock inspector shall be sent  
 8 by him to the department for deposit in the state treasury  
 9 to the credit of the earmarked revenue fund for the use of  
 10 the department.

11 (2) For the service of inspection before any livestock  
 12 ~~except a horse, mule, or ass~~ is sold or offered for sale at  
 13 a licensed livestock market, a state stock inspector making  
 14 the inspection shall receive 20 cents per head for an animal  
 15 originating within the county in the state in which the  
 16 market is maintained or transported under a market  
 17 consignment permit and 10 cents per head for an animal  
 18 previously inspected before removal from a county as herein  
 19 provided. All fees shall be paid by the owner or by the  
 20 person for whom the inspection is made. For releasing an  
 21 animal so that it may be removed from the premises of a  
 22 licensed livestock market, the state stock inspector making  
 23 the release shall receive 20 cents per head from the owner  
 24 or the person for whom the release is made. All fees for  
 25 inspection and release at the market shall be collected at

1 the time the inspection or release is made by the state  
 2 stock inspector making the inspection or release and shall  
 3 be sent by him to the department for deposit in the state  
 4 treasury to the credit of the earmarked revenue fund for the  
 5 use of the department.

6 ~~(3) (a) For the service of inspection of horses,~~  
 7 ~~mules, or asses before removal from a county or before~~  
 8 ~~change of ownership, the inspector making the inspection~~  
 9 ~~shall receive \$1 a head and shall receive in addition his~~  
 10 ~~necessary actual expenses to be paid by the owner or the~~  
 11 ~~person for whom the inspection is made. All fees and~~  
 12 ~~expenses collected by a state stock inspector must be sent~~  
 13 ~~by him to the department for deposit in the state treasury~~  
 14 ~~to the credit of the earmarked revenue fund for the use of~~  
 15 ~~the department.~~

16 ~~(b) For the service of inspection before a horse,~~  
 17 ~~mule, or ass is sold or offered for sale at a licensed~~  
 18 ~~livestock market, a state stock inspector making th~~  
 19 ~~inspection shall receive \$1 per head. All fees shall be paid~~  
 20 ~~by the owner or the person for whom the inspection is made~~  
 21 ~~to the state stock inspector.~~

22 ~~(3)(4)~~ All inspection and release fees and expenses  
 23 shall be paid to the department for deposit in the state  
 24 treasury to the credit of the earmarked revenue fund for the  
 25 use of the department. State stock inspectors shall be paid

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1 for their services and receive their expenses as fixed by  
2 the department."

-End-

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## STATE OF MONTANA

Request No. 275-79

## FISCAL NOTE

Form BD-15

In compliance with a written request received February 8, 1979, there is hereby submitted a Fiscal Note for House Bill 577 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly. Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

## DESCRIPTION OF PROPOSED LEGISLATION:

House Bill 577 amends section 81-3-201 and 81-3-205 by changing the fee structure for brand inspections.

## ASSUMPTIONS:

1. There will be approximately 13,000 head of horses, mules and asses inspected each year by salaried stock inspectors.
2. The change in inspection fees for livestock other than horses, mules or asses will have no impact on revenue.

## FISCAL IMPACT:

	<u>FY 80</u>	<u>FY 81</u>
13,000 head at \$1.00 per head	\$13,000	\$13,000
13,000 head at 20¢ per head (current rate)	<u>2,600</u>	<u>2,600</u>
Net increase in fees	<u>\$10,400</u>	<u>\$10,400</u>

The additional fee collections will be deposited into a Department of Livestock earmarked revenue account.

*Richard L. Denny*  
 BUDGET DIRECTOR  
 Office of Budget and Program Planning  
 Date: 2/12/79

Approved by Committee  
on Agriculture Livestock  
& Irrigation

HOUSE BILL NO. 577

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INSPECTION LAW BY REQUIRING THE BRAND INSPECTION OF ASSES;  
BY INCREASING THE INSPECTION FEES FOR EQUINE-TYPE ANIMALS;  
BY--MAKING--THE--INSPECTION-FEE-FOR-OTHER-LIVESTOCK-A-UNIFORM  
20-CENTS-A-HEAD-REGARDLESS-OF-THE-NUMBER-OF-HEAD--INSPECTED,  
AND AMENDING SECTIONS 81-3-201 AND 81-3-205, MCA."

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

Section 1. Section 81-3-201, MCA, is amended to read:

"81-3-201. Definitions. Unless the context requires  
otherwise, in this part, the following definitions apply:

(1) "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.

(2) "Feedlot" means a confined livestock feeding  
operation where the owner or operator of the feedlot feeds  
livestock belonging to others for a fee.

(3) "Livestock" means a cow, ox, bull, steer, calf,  
steer, heifer, horse, mule, mare, colt, foal, or filly any  
bovine animal, horse, mule, or ass regardless of its age or  
sex.

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

(5) "State stock inspector" means an employee of the  
department of livestock designated by the department as a  
state stock inspector."

Section 2. Section 81-3-205, MCA, is amended to read:

"81-3-205. Fees for inspection and livestock  
transportation permits. (1) For the service of inspection of  
all livestock except horses, mules, or asses before removal  
from a county or before change of ownership, the inspector  
making the inspections shall receive 25 CENTS PER HEAD FOR  
12 HEAD OR LESS, OR \$1 FOR 12 HEAD TO 20 HEAD AND 25--cents  
per--head--for--12-head-or-less--or--\$1--for--12-head-to--20-head  
and 20 cents per head for each head over 20--head FOR EACH  
HEAD OVER 20 HEAD. For the issuance of a market consignment  
permit or transportation permit (other than a permanent  
permit) before removal from a county for all livestock, the  
inspector, sheriff, or deputy sheriff issuing the permits  
shall receive 25 cents for each permit issued for 12 head or  
less, 50 cents for each permit for 12 to 30 head, and \$1 for  
each permit issued for over 30 head and shall receive in  
addition his necessary actual expenses, to be paid by the  
owner or the person for whom the inspection is made or  
permit issued. For the issuance of a permanent horse

1 transportation permit, the state stock inspector taking the  
 2 application for permit shall receive \$5 per head for each  
 3 permit issued. All inspection and permit fees and expenses  
 4 shall be collected by the inspector, sheriff, or deputy  
 5 sheriff at the time of inspection or issuance of permit, and  
 6 all the fees and expenses collected by a deputy state stock  
 7 inspector, sheriff, or deputy sheriff shall be retained by  
 8 him, and all such fees and expenses collected by a state  
 9 stock inspector shall be sent by him to the department for  
 10 deposit in the state treasury to the credit of the earmarked  
 11 revenue fund for the use of the department.

12 (2) For the service of inspection before ~~any~~ livestock  
 13 ~~except a horse, mule, or ass~~ is sold or offered for sale at  
 14 a licensed livestock market, a state stock inspector making  
 15 the inspection shall receive 20 cents per head for an animal  
 16 originating within the county in the state in which the  
 17 market is maintained or transported under a market  
 18 consignment permit and 10 cents per head for an animal  
 19 previously inspected before removal from a county as herein  
 20 provided. All fees shall be paid by the owner or by the  
 21 person for whom the inspection is made. For releasing an  
 22 animal so that it may be removed from the premises of a  
 23 licensed livestock market, the state stock inspector making  
 24 the release shall receive 20 cents per head from the owner  
 25 or the person for whom the release is made. All fees for

1 inspection and release at the market shall be collected at  
 2 the time the inspection or release is made by the state  
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1 use of the department. State stock inspectors shall be paid  
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-End-

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(2) "Feedlot" means a confined livestock feeding operation where the owner or operator of the feedlot feeds livestock belonging to others for a fee.

(3) "Livestock" means ~~a-cow--ox--butt--steer--calf~~ steer--heifer--horse--mule--mare--colt--foal--or--filly any bovine animal, horse, mule, or ass regardless of its age or sex.

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Section 2. Section 81-3-205, MCA, is amended to read:

"81-3-205. Fees for inspection and livestock transportation permits. (1) For the service of inspection of all livestock except horses, mules, or asses before removal from a county or before change of ownership, the inspector making the inspections shall receive 25 CENTS PER HEAD FOR 12 HEAD OR LESS, OR \$3 FOR 12 HEAD TO 20 HEAD AND 25--cents per--head--for--12-head-or-less--or--\$3-for--12-head-to--20-head and 20 cents per head for--each-head-over--20--head FOR EACH HEAD OVER 20 HEAD. For the issuance of a market consignment permit or transportation permit (other than a permanent permit) before removal from a county for all livestock, the inspector, sheriff, or deputy sheriff issuing the permits shall receive 25 cents for each permit issued for 12 head or less, 50 cents for each permit for 12 to 30 head, and \$1 for each permit issued for over 30 head and shall receive in addition his necessary actual expenses, to be paid by the owner or the person for whom the inspection is made or permit issued. For the issuance of a permanent horse

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 6 use of the department.

7 ~~(3) (a) For the service of inspection of horses,~~  
 8 ~~mules, or asses before removal from a county or before~~  
 9 ~~change of ownership, the inspector making the inspection~~  
 10 ~~shall receive \$1 a head FOR THE FIRST 10 HEAD, AND 50 CENTS~~  
 11 ~~PER HEAD FOR EACH ANIMAL MORE THAN 10 and shall receive in~~  
 12 ~~addition his necessary actual expenses to be paid by the~~  
 13 ~~owner or the person for whom the inspection is made. All~~  
 14 ~~fees and expenses collected by a state stock inspector must~~  
 15 ~~be sent by him to the department for deposit in the state~~  
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1 treasury to the credit of the earmarked revenue fund for the  
2 use of the department. State stock inspectors shall be paid  
3 for their services and receive their expenses as fixed by  
4 the department."

-End-

March 3, 1979

SENATE STANDING COMMITTEE REPORT  
(Agriculture, Livestock & Irrigation)

That House Bill No. 577 be amended as follows:

1. Page 4, line 10.

Following: "head"

Insert: "for the first 10 head, and 50 cents per head for each  
animal more than 10"