CHAPTER NO. 298

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HOUSE BILL NO. 577

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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

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Third reading, amendments adopted. Sent to enrolling.

Reported correctly enrolled.

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LC 1793/01

1 **Horal E** BILL NO. <u>577</u> 2 INTRODUCED BY Albanalleon 3 Itoiquille

4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE BRAND 5 INSPECTION LAW BY REQUIRING THE BRAND INSPECTION OF ASSES; 6 BY INCREASING THE INSPECTION FEES FOR EQUINE-TYPE ANIMALS; 7 BY MAKING THE INSPECTION FEE FOR OTHER LIVESTOCK A UNIFORM 8 20 CENTS A HEAD REGARDLESS OF THE NUMBER OF HEAD INSPECTED; 9 AND AMENDING SECTIONS 81-3-201 AND 81-3-205, MCA."

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

Section 1. Section 81-3-201, MCA, is amended to read: m81-3-201. 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.

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

(3) "Livestock" means e-cowv--oxv--bully--stagy-calfy
 steerv--heiferv-horsey-muley-morev-colty-foalv-or-filly any
 bovine_animal*_horsey_mules_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.

4 (5) "State stock inspector" means an employee of the 5 department of livestock designated by the department as a 6 state stock inspector."

7 Section 2. Section 81-3-205. NCA. is amended to read: #81-3-205. Fees for inspection livestock 8 and Q , transportation permits. (1) For the service of inspection of 10 all_livestock except borses, sules, or asses before removal 11 from a county or before change of ownership, the inspector 12 making the inspections shall receive 25-cents-per-head-for 13 +2-head-or-less-or-02-for-12-head-to-20-head-and 20 cents per head for-each-head-over-20-head. For the issuance of a 14 market consignment permit or transportation permit (other 15 than a permanent permit) before removal from a county for 16 all livestock, the inspector, sheriff, or deputy sheriff 17 18 issuing the permits shall receive 25 cents for each permit issued for 12 head or less, 50 cents for each permit for 12 19 to 30 head, and \$1 for each permit issued for over 30 head 20 21 and shall receive in addition his necessary actual expenses, 22 to be paid by the owner or the person for whom the inspection is made or permit issued. For the issuance of a 23 24 permanent horse transportation permit, the state stock inspector taking the application for permit shall receive \$5 25

> -2- HB 577 INTRODUCED BILL

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

(2) For the service of inspection before any livestock 11 except a horse mule, or ass is sold or offered for sale at 12 13 a licensed livestock market, a state stock inspector making the inspection shall receive 20 cents per head for an animal 14 originating within the county in the state in which the 15 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 person for whom the inspection is made. For releasing an 20 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 or the person for whom the release is made. All fees for 24 25 inspection and release at the market shall be collected at

the time tha inspection or release is made by the state 1 stock inspector making the inspection or release and shall 2 be sent by him to the department for deposit in the state 3 . 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 sules, or asses before removal from a county or before 8 change of ownership, the inspector making the inspection 9 shall receive \$1, a bead 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 horses 17 mules or ass is sold or offered for sale at a licensed livestock market, a state stock inspector making th 18 inspection shall receive \$1 per head. All fees shall be paid 19 by the owner or the person for whom the inspection is made 20 21 to the state stock inspector. (3)(4) All inspection and release fees and expenses 22 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

LC 1793/01

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

-End-



STATE OF MONTANA

Request No. 275-79

FISCAL NOTE

Form BD-15

In compliance with a written request received <u>February 8, 1979</u>, there is hereby submitted a Fiscal Note for <u>House Bill 577</u> 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:

13,000 head at \$1.00 per head 13,000 head at 20¢ per head (current rate)	<u>FY 80</u> \$13,000 2,600	<u>FY 81</u> \$13,000 _2,600
Net increase in fees	\$10,400	\$10,400

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

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BUDGET DIRECTOR Office of Budget and Program Planning Date: <u>-//// / 9</u>

46th Legislature

HB 0577/02

Approved by Counittee on Agrisulture Livestock & Irrigation

1	HOUSE BILL NO. 577
2	INTRODUCED BY DONALDSON, STAIGMILLER
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE BRAND
5	INSPECTION LAW BY REQUIRING THE BRAND INSPECTION OF ASSES;
5	BY INCREASING THE INSPECTION FEES FOR EQUINE-TYPE ANIMALS;
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8	20-EENTS-A-HEAD-REGARDLESS-8F- The-NUMBER-8F-HE AB INSPEGTE8 ;
9	AND AMENDING SECTIONS 81-3-201 AND 81-3-205+ MCA."
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11	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12	Section 1. Section 81-3-201, MCA, is amended to read:
13	*81-3-201. Definitions. Unless the context requires
14	otherwise, in this part, the following definitions apply:
15	(1) "Deputy state stock inspector" means a person
16	designated by the department as a deputy state stock
17	inspector, who does not receive a salary or compensation
18	from the department.
19	(2) "Feedlot" means a confined livestock feeding
20	operation where the owner or operator of the feedlot feeds
21	livestock belonging to others for a fee.

(3) "Livestock" means a-cowy--oxy--bully--stagy--calfy
steery--haifery--horsey-muley-marey-colty-feely-or-filly any
boying_animal*_borse*_mules_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.

4 {5} "State stock inspector" means an employee of the
5 department of livestock designated by the department as a
6 state stock inspector."

7 Section 2. Section 81-3-205, NCA, is amended to read: 8 #81-3-205. Fees for inspection and livestock 9 transportation permits. (1) For the service of inspection of all_livestock_except_horses._mules.or_asses before removal 10 from a county or before change of ownership, the inspector 11 making the inspections shall receive 25 CENTS PER HEAD FOR 12 12 HEAD OR LESS: OR \$3 FOR 12 HEAD TO 20 HEAD AND 25--cents 13 per--head--for-12-head-or-tassr-or-\$3-for-12-head-to-28-head 14 and 20 cents per head for-each-head-over-20--head EDR__EACH 15 16 HEAD_DVER_20 HEAD. For the issuance of a market consignment 17 permit or transportation permit (other than a permanent 18 permit) before removal from a county for all livestock, the inspector, sheriff, or deputy sheriff issuing the permits 19 shall receive 25 cents for each permit issued for 12 head or 20 less, 50 cents for each permit for 12 to 30 head, and \$1 for 21 each permit issued for over 30 head and shall receive in 22 23 addition his necessary actual expenses, to be paid by the 24 owner or the person for whom the inspection is made or 25 permit issued. For the issuance of a permanent horse

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SECOND READING

1 transportation permit, the state stock inspector taking the application for permit shall receive \$5 per head for each 2 3 permit issued. All inspection and permit fees and expenses shall be collected by the inspector, sheriff, or deputy 4 5 sheriff at the time of inspection or issuance of permit, and all the fees and expenses collected by a deputy state stock 6 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 revenue fund for the use of the department. 11

12 (2) For the service of inspection before any livestock except a horse, mule, or ass is sold or offered for sale at 13 14 a licensed livestock market, a state stock inspector making the inspection shall receive 20 cents per head for an animal 15 originating within the county in the state in which the 16 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

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 5 treasury to the credit of the earmarked revenue fund for the 6 use of the department. (3) (a) For the service of inspection of horses: 7 mules, or asses before removal from a county or before A 9 change of ownership, the inspector making the inspection 10 shall receive s1 a head and shall receive in addition his 11 orcessary actual expenses to be paid by the owner or the 12 person for whom the inspection is made. All fees and 13 expenses collected by a state stock inspector must be sent 14 by him to the department for deposit in the state treasury 15 to the credit of the earmarked revenue fund for the use of 16 the department. 17 (b) For the service of inspection before a horses 18 mules_or_ass_is_sold_or_offered_for_sale_at_a_licensed 19 livestock market, a state stock inspector making the 20 inspection_shall_receive_\$1_per_beads_All_fees_shall_be_paid 21 by the owner or the person for whom the inspection is made 22 to the state stock inspector. 23 (3)(4) All inspection and release fees and expenses 24 shall be paid to the department for deposit in the state 25 treasury to the credit of the earmarked revenue fund for the

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- 1 use of the department. State stock inspectors shall be paid
- 2 for their services and receive their expenses as fixed by
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H8 0577/02

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> -2-THIRD READING 577

1 transportation permit, the state stock inspector taking the 2 application for permit shall receive \$5 per head for each permit issued. All inspection and permit fees and expenses 3 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 sule or ass is sold or offered for sale at 14 a licensed livestock market, a state stock inspector making the inspection shall receive 20 cents per head for an animal 15 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 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 23 licensed livestock market, the state stock inspector making the release shall receive 20 cents per head from the owner 24 25 or the person for whom the release is made. All fees for

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9	change_of_ownerships_the_inspector_making_the_inspection
10	<pre>shall_receive_\$1_a_bead_and_shall_receive_in_addition_bis</pre>
11	necessary actual expenses to be paid by the owner or the
12	person_forwhomthminspectionismadesAllfeesand
13	expenses_collected_by_a_state_stock_inspector_must_be_sent
14	by him to the department for deposit in the state treasury
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19	livestock_markets_a_state_stock_inspector_makingthe
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HOUSE BILL NO. 577 1 INTRODUCED BY DONALDSON. STAIGHILLER 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE BRAND 4 INSPECTION LAW BY REQUIRING THE BRAND INSPECTION OF ASSES; 5 BY INCREASING THE INSPECTION FEES FOR EQUINE-TYPE ANIMALS; 6 BY--HAKING--THE-INSPECTION-FEE-FOR-OTHER-LIVESTOCK-A-UNIFORM 7 28-EENTS-4-HEAD-REGARDLESS-8F-THE-NUMBER-8F-HEAD--TNSPEETED+ а AND AMENDING SECTIONS 81-3-201 AND 81-3-205, MCA." 9 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 11 Section 1. Section 81-3-201, MCA, is amended to read: 12 *81-3-201. Definitions. Unless the context requires 13 otherwise, in this part, the following definitions apply: 14 15 (1) "Deputy state stock inspector" means a person 16 designated by the department as a deputy state stock 17 inspector, who does not receive a salary or compensation 18 from the department. (2) "Feedlot" means a confined livestock feeding 19 operation where the owner or operator of the feedlot feeds 20 21 livestock belonging to others for a fee. (3) "Livestock" means e-cowy--oxy--bully--stagy--colfy 22 23 steery -- heifery -- horsey-muley-morey-colty-foaty-or-filly any 24 boying animals borses mules or ass regardless of its age or

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(4) "Person" means an individual, partnership,

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REFERENCE BILL

1 transportation permit, the state stock inspector taking the application for permit shall receive \$5 per head for each 2 4 permit issued. All inspection and permit fees and expenses shall be collected by the inspector, sheriff, or deputy 4 5 sheriff at the time of inspection or issuance of permit, and all the fees and expenses collected by a deputy state stock . inspector, sheriff, or deputy sheriff shall be retained by 7 him, and all such fees and expenses collected by a state A 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.

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- shall receive \$1.a head FOR THE FIRST 10 HEAD: AND 50 CENIS 10
- PER HEAD FOR EACH ANIMAL MORE THAN 10 and shall receive in 11 addition his necessary actual expenses to be paid by the 12
- 13 owner_or_the person for whom the inspection is made. All
- 14 fees and expenses collected by a state stock inspector must
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- 16 treasury to the credit of the earmarked revenue fund for the
- 17 use of the departments

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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-

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"