

CHAPTER NO. 236.

HOUSE BILL NO. 756

INTRODUCED BY STAIGMILLER, CONROY, LIEN, ELLERD, C. SMITH

IN THE HOUSE

February 12, 1979	Introduced and referred to Committee on Business and Industry.
	Rereferred to Committee on Agriculture, Livestock, and Irrigation.
February 17, 1979	Committee recommend bill do pass. Report adopted.
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 6, 1979	Committee recommend bill be concurred in. Report adopted.
March 8, 1979	Second reading, concurred in.
March 12, 1979	Third reading, concurred in.

IN THE HOUSE

March 13, 1979	Returned from second house. Concurred in. Sent to enrolling.  Reported correctly enrolled.
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1 House BILL NO. 756  
 2 INTRODUCED BY Steingiller Courcy Lion-Elled  
 3 C. Smith

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE THE  
 5 LAW RELATING TO HIDE DEALERS; AMENDING SECTIONS 81-9-401,  
 6 81-9-402, AND 81-9-423, MCA."

7  
 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 81-9-401, MCA, is amended to read:

10 "81-9-401. Definitions. (1) "Animal hide" means the  
 11 hide of a horse, mare, colt, mule, jack, jenny or cattle  
 12 ~~bovine, equine, mule, ass, sheep, goat, or swine of any age,~~  
 13 ~~sex, or breed.~~

14 (2) "Hide certificate" means a certificate showing a  
 15 transfer of ownership of animal hides.

16 (3) "Hide dealer" or "buyer" means, for the purpose of  
 17 this part, every person, firm, corporation, or association  
 18 engaged in the business of buying or selling the ~~hide or~~  
 19 ~~hides of any cattle or of any horse, mare, colt, mule, jack~~  
 20 ~~or jenny animal hides.~~ However, licensed slaughterhouses  
 21 shall not be deemed hide dealers or buyers.

22 (4) "Inspector" means a ~~sheriff, deputy sheriff, state~~  
 23 ~~stock inspector, or deputy state stock inspector, as defined~~  
 24 ~~in 81-3-201,~~ appointed by the department of livestock.

25 (5) "Seller" means a person selling or delivering

1 animal hides for or without a pecuniary consideration."

2 Section 2. Section 81-9-402, MCA, is amended to read:

3 "81-9-402. Hide certificate -- identification. (1) A  
 4 seller of an animal hide shall obtain a hide certificate  
 5 from the person receiving the hide. The department shall  
 6 prescribe the form of the certificate, which shall include  
 7 the marks and brands on each hide. The party receiving the  
 8 hide must designate where it will be kept for 30 days  
 9 following delivery. The certificate must be signed by the  
 10 seller or his agent and the person receiving the hide.

11 (2) The original certificate shall be ~~filed with the~~  
 12 ~~sheriff of the county of the seller's residence. One copy~~  
 13 ~~shall be sent by the party receiving the hide to the~~  
 14 ~~department within 5 days after purchase. One copy shall~~  
 15 ~~be retained by the seller, and one by the hide buyer. If~~  
 16 ~~hides are purchased outside the county of the seller's~~  
 17 ~~residence, the hide dealer or buyer must also mail a copy of~~  
 18 ~~the hide certificate to the sheriff of each county in which~~  
 19 ~~hides are purchased within 5 days after purchase. On~~  
 20 ~~reasonable notice, a sheriff, deputy sheriff, state stock and~~  
 21 ~~inspector, or deputy state stock inspector, other agent of~~  
 22 ~~the department, or a peace officer, may inspect the hide~~  
 23 ~~certificate copy of the seller or buyer.~~

24 (3) The department shall prescribe an identification  
 25 tag to be affixed to each hide by the person receiving the

1 hide when it is delivered. Hide certificates, tags, and glue  
2 shall be furnished ~~to the sheriff of each county~~ by the  
3 department at cost ~~and by the sheriff~~ to any person  
4 requiring the certificates, tags, and glue. Only those  
5 certificates, tags, and glue distributed by the department  
6 may lawfully be used under this part."

7 Section 3. Section 81-9-423, MCA, is amended to read:

8 "81-9-423. Mutilation or concealment of hides a  
9 felony. ~~(1)~~ Every person who ~~willfully or maliciously~~  
10 knowingly mutilates, destroys, or conceals the an animal  
11 ~~hide of any horse, mare, colt, mule, jack, jenny, bull,~~  
12 ~~steer, cow, calf, goat, hog, or sheep with intent to or for~~  
13 the purpose of removing evidence of ownership of such hide  
14 or the animal from which the hide was removed is guilty of a  
15 felony and punishable ~~as hereinafter provided.~~

16 ~~(2) Any person or persons who violate any of the~~  
17 ~~provisions of this section shall be deemed guilty of a~~  
18 ~~felony and upon conviction thereof shall be punished by a~~  
19 fine of not less than \$500 or more than \$5,000 or  
20 imprisonment in the state prison for not less than 1 year or  
21 more than 10 years, or both."

-End-

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 2 INTRODUCED BY *Stiguerilla Courney Linn-Ellis*  
 3 *C. Smith*

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(2) "Hide certificate" means a certificate showing a transfer of ownership of animal hides.

(3) "Hide dealer" or "buyer" means, for the purpose of this part, every person, firm, corporation, or association engaged in the business of buying or selling the--hide--or--hides--of--any--cattle--or--of--any--horse--mare--colt--mule--jack--or--jenny animal hides. However, licensed slaughterhouses shall not be deemed hide dealers or buyers.

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