

HOUSE BILL NO. 423

INTRODUCED BY GRADY, WEEDING, ANDERSON, GUTHRIE, DEMARS,
STEPPLER, SCHYE, THOFT, ZOOK, KASTEN, PATTERSON, CLARK,
MCLANE, ABRAMS, SEVERSON, GIACOMETTO, GOULD

IN THE HOUSE

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| JANUARY 25, 1989 | INTRODUCED AND REFERRED TO COMMITTEE ON AGRICULTURE, LIVESTOCK & IRRIGATION. |
| JANUARY 26, 1989 | FIRST READING. |
| FEBRUARY 7, 1989 | COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED. |
| FEBRUARY 8, 1989 | PRINTING REPORT. |
| FEBRUARY 9, 1989 | SECOND READING, DO PASS. |
| FEBRUARY 10, 1989 | ENGROSSING REPORT. |
| FEBRUARY 11, 1989 | THIRD READING, PASSED. AYES, 89; NOES, 3. |
| | TRANSMITTED TO SENATE. |

IN THE SENATE

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| FEBRUARY 13, 1989 | INTRODUCED AND REFERRED TO COMMITTEE ON AGRICULTURE, LIVESTOCK & IRRIGATION. |
| | FIRST READING. |
| MARCH 4, 1989 | COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED. |
| MARCH 6, 1989 | SECOND READING, CONCURRED IN. |
| MARCH 8, 1989 | THIRD READING, CONCURRED IN. AYES, 48; NOES, 2. |
| | RETURNED TO HOUSE. |

MARCH 9, 1989

IN THE HOUSE

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

HOUSE BILL 423

Introduced by Grady, et al.

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| 1/25 | Introduced |
| 1/26 | Referred to Agriculture, Livestock & Irrig. |
| 1/26 | Fiscal Note Requested |
| 2/01 | Fiscal Note Received |
| 2/03 | Hearing |
| 2/03 | Fiscal Note Printed |
| 2/07 | Committee Report--Bill Passed as Amended |
| 2/09 | 2nd Reading Passed |
| 2/11 | 3rd Reading Passed |

Transmitted to Senate

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| 2/13 | Referred to Agriculture, Livestock & Irrig. |
| 3/03 | Hearing |
| 3/04 | Committee Report--Bill Concurred |
| 3/06 | 2nd Reading Concurred |
| 3/08 | 3rd Reading Concurred |

Returned to House

| | |
|------|--------------------------|
| 3/14 | Signed by Speaker |
| 3/14 | Signed by President |
| 3/15 | Transmitted to Governor |
| 3/20 | Signed by Governor |
| | Chapter Number 175 |
| | Effective Date: 10/01/89 |

1 *House* BILL NO. *423*
 2 INTRODUCED BY *Grady Anderson* *St. Hill* *Dehars*
 3 *Stephens* *Lehr* *Wolf* *Rock* *Wesley* *Parsons* *Black*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE
 5 DEPARTMENT OF LIVESTOCK TO ADOPT RULES TO IMPOSE A PERMIT
 6 SYSTEM FOR THE TRANSPORTATION OF SHEEP; PROVIDING A PENALTY;
 7 REPEALING SECTIONS 81-5-201 THROUGH 81-5-204, MCA; AND
 8 PROVIDING A TERMINATION DATE."
 9 *Deer*

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

11 NEW SECTION. **Section 1.** Permit system for
 12 transportation of sheep -- penalty. (1) The department shall
 13 adopt rules imposing a permit system for the transportation
 14 of sheep within or out of the state if it finds that a
 15 permit system is necessary to prevent theft of sheep. The
 16 rules must establish fees commensurate with the department's
 17 cost of operating the permit system.

18 (2) A person who purposely or knowingly transports
 19 sheep in violation of rules adopted under subsection (1) is
 20 guilty of a misdemeanor and shall be punished by a fine not
 21 exceeding \$1,000 or imprisonment in the county jail for a
 22 term not exceeding 6 months, or both.

23 NEW SECTION. **Section 2.** Repealer. Sections 81-5-201
 24 through 81-5-204, MCA, are repealed.

25 NEW SECTION. **Section 3.** Codification instruction.

1 [Section 1] is intended to be codified as an integral part
 2 of Title 81, chapter 5, part 1, and the provisions of Title
 3 81 apply to [section 1].

4 NEW SECTION. **Section 4.** Termination. [This act]
 5 terminates September 30, 1993.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB423, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:


HB423 would authorize the Department of Livestock to adopt rules to impose a permit system for the transportation of sheep and impose a penalty.

ASSUMPTIONS:

1. The Dept. of Livestock will utilize current inspectors and other staff to issue and file permits and to follow-up on permits or violations of the proposed legislation. Existing district inspectors currently respond to reported sheep thefts.
2. Approximately 500 permits at \$1.00 per permit will be issued by state-employed inspectors who turn in inspection fees to the department's Helena office. The majority of permits are likely to be issued by the department's local inspectors who retain such fees for their services.
3. Additional permit books will be purchased by the department at an estimated cost of \$500 per year for use by both the state-employed inspectors and the local inspectors.

FISCAL IMPACT:

| <u>Dept. of Livestock</u> <u>Expenditures:</u> | <u>Current</u> <u>Law</u> | <u>FY90</u> <u>Proposed</u> <u>Law</u> | <u>Difference</u> | <u>Current</u> <u>Law</u> | <u>FY91</u> <u>Proposed</u> <u>Law</u> | <u>Difference</u> |
|---|------------------------------|--|-------------------|------------------------------|--|-------------------|
| Operating Expenses | -0- | \$500 | \$500 | -0- | \$500 | \$500 |
| <u>Funding:</u> | | | | | | |
| State Special - Fees | -0- | \$500 | \$500 | -0- | \$500 | \$500 |
| <u>Revenue Impact:</u> | | | | | | |
| State Special - Fees | -0- | -0- | -0- | -0- | -0- | -0- |


 RAY SHACKLEFORD, BUDGET DIRECTOR
 OFFICE OF BUDGET AND PROGRAM PLANNING
 DATE 2/1/89

EDWARD J. GRADY, PRIMARY SPONSOR
 DATE 2/23/89

Fiscal Note for HB423, as introduced

HB 423

APPROVED BY COMMITTEE
ON AGRICULTURE LIVESTOCK
& IRRIGATION

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SYSTEM FOR THE TRANSPORTATION OF SHEEP; PROVIDING A PENALTY;
REPEALING SECTIONS 81-5-201 THROUGH 81-5-204, MCA; AND
PROVIDING A TERMINATION DATE."

STATEMENT OF INTENT

A statement of intent for this bill is necessary
because it requires the department of livestock to adopt
rules implementing a permit system for the transportation of
sheep within or out of the state. The legislature intends
that the rules be designed to provide the owner with
protection against the theft of his sheep by requiring a
permit for the removal of sheep:

(a) from one county to another county within the
state; and

(b) out of the state.

Provision must be made for the form of the permit and
for issuance of the permit by state livestock inspectors.
The department shall also determine a fee for the issuance

of the permit, commensurate with the cost of operating the
permit system.

It is the intent of the legislature that the department
of livestock monitor this permit system to determine the
system's effectiveness prior to the termination date of this
legislation.

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

NEW SECTION. **Section 1.** Permit system for
transportation of sheep -- penalty. (1) The department shall
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of sheep within or out of the state if it finds that a
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sheep in violation of rules adopted under subsection (1) is
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exceeding \$1,000 or imprisonment in the county jail for a
term not exceeding 6 months, or both.

NEW SECTION. **Section 2.** Repealer. Sections 81-5-201
through 81-5-204, MCA, are repealed.

NEW SECTION. **Section 3.** Codification instruction.
[Section 1] is intended to be codified as an integral part
of Title 81, chapter 5, part 1, and the provisions of Title

HB 0423/02

1 81 apply to [section 1].

2 NEW SECTION. **Section 4. Termination.** [This act]

3 terminates September 30, 1993.

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- 1 **§1** apply to (section 1).
- 2 **NEW SECTION. Section 4. Termination.** {This act}
- 3 terminates September 30, 1993.

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