

## 1 HOUSE BILL NO. 337

2 INTRODUCED BY A. REDFIELD

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING ADMINISTRATIVE RULEMAKING BY THE  
5 DEPARTMENT OF LIVESTOCK; REQUIRING THE DEPARTMENT OF LIVESTOCK TO PROVIDE NOTICE OF  
6 ADOPTED ADMINISTRATIVE RULES AND ORDERS; AMENDING SECTION 81-1-102, MCA; AND PROVIDING  
7 AN IMMEDIATE EFFECTIVE DATE."

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

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11 **Section 1.** Section 81-1-102, MCA, is amended to read:

12 **"81-1-102. Duties and powers of department -- fees based on costs -- notice of rules and orders.**

13 (1) The department shall exercise general supervision over and, so far as possible, protect the livestock interests  
14 of the state from theft and disease and recommend legislation that; in the judgment of the department; fosters  
15 the livestock industry. The department may compel the attendance of witnesses, employ counsel to assist in the  
16 prosecution of violations of laws made for the protection of livestock interests, and assist in the prosecution of  
17 persons charged with illegal branding or theft of livestock or any other crime under the laws of this state for the  
18 protection of stock owners. It may adopt rules governing the recording and use of livestock brands.

19 (2) Except as provided in 81-8-901, the department shall by rule establish all fees that it is authorized  
20 to charge, commensurate with costs as provided in 37-1-134.

21 (3) (a) In addition to the requirements of Title 2, chapter 4, the department shall provide notice of  
22 adopted, amended, and repealed administrative rules and orders as provided in subsection (3)(b).

23 (b) Within 10 working days of the effective date of a rule or order, notice of the rule or order must be  
24 published at least once in a newspaper of general circulation in any county or area in which the rule applies. The  
25 notice must also be published on the department's website and posted in each livestock market, brand office,  
26 conservation district, veterinarian's office, and county extension office in the state. The department shall provide  
27 the notification by electronic means to any person or to the office of any professional or trade organization or  
28 member of those entities who has made a request to the department to be informed of the adoption, amendment,  
29 or repeal of a rule or order by the department.

30 (c) The notice provided pursuant to this subsection (3) must include a brief summary of the contents of

1 the rule or order and instructions for accessing a complete copy of the rule or order electronically or by mail.

2 ~~(3)(4)~~ The department shall perform the duties assigned to the department relating to the administration  
3 and regulation of alternative livestock ranches."

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5 NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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