

OPINION
67-6

April 5, 1967 (OPINION)

Mr. C. R. Krogstad

Dairy Commissioner

RE: Agriculture - Livestock Dealers - Bonds and License

Your request for an opinion from this office dated March 30, 1967, reads as follows:

House Bill No. 598 amended subsection 1 of Section 36-04-06 of the North Dakota Century Code, relating to the bond required of livestock dealers and agents, to read as follows:

'1. For a dealer in livestock ten thousand dollars and for agents of livestock dealers five thousand dollars each.'

Prior to this amendment, the bond for a dealer in livestock has been \$5,000 and for agents of livestock dealers an additional \$1,500.

"The licensing period for livestock dealers and agents is the calendar year, subsequently dealers and agents for the year 1967 have been licensed and bonds have been furnished in the amounts previously required.

"Since House Bill 598 becomes effective July 1, 1967, we would like your opinion as to whether or not those dealers and agents who have been licensed for the year 1967 and have furnished the bond required must increase these bonds for the six months period - July 1 through December 31, 1967 - and to what extent, and if so, the procedure to be followed to secure compliance."

House Bill No. 598 which amends Section 36-04-06 of the North Dakota Century Code so as to increase the bond requirements of livestock dealers and agents from five thousand dollars (\$5,000) and fifteen hundred dollars (\$1,500) to ten thousand dollars (\$10,000) and five thousand dollars (\$5,000), respectively, becomes effective on July 1, 1967. Therefore, in order to retain a livestock dealer's or agent's license, every livestock dealer or agent must comply with House Bill No. 598 by July 1, 1967.

To comply with the new law, every livestock dealer must raise his bond from five thousand dollars to ten thousand dollars, and every dealer's agent must raise his bond from fifteen hundred dollars to five thousand dollars.

The procedure which should be followed in order to secure compliance with the law is an administrative matter which must be determined by your office. It would seem, however, that each livestock dealer and agent licensed for the year 1967 should be notified within a reasonable time before July 1, 1967, that the livestock dealer's and agent's license law has been amended and that they are now required

to carry the increased bond.

HELGI JOHANNESON

Attorney General