

THE MINUTES OF THE MEETING OF THE AGRICULTURE COMMITTEE
January 16, 1981

The meeting was called to order by Chairman Smith. Roll was called with the following absent: Tom Conroy. Those excused were: Representative Ernst and Representative Bengtson.

HOUSE BILL 182 was presented by Sponsor Michael "Gerry" Devlin (Attachment). He explained the Bill and asked the support of it from the Committee.

Proponents were asked to address the Committee. Bob Gilbert, Secretary, Treasurer of the Montana Wool Growers Association, told the Committee that because of the cost of the helicopter used for predatory control and necessity of it to the wool growers, they wish to help pay for this expense by urging the passage of this bill.

REPRESENTATIVE JOHN RYAN, Cosigner of H.B.182, also urged the passage of this Bill.

REPRESENTATIVE DEVLIN closed in urging again the support of this Bill.

REPRESENTATIVE SCHULTZ noted that there was no change in this Bill except for the 50¢.

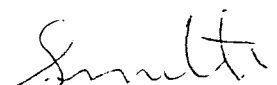
The meeting was closed and motion was made to call the meeting into Executive Session.

MOTION was made by Representative Schultz, seconded by Representative Robbins that House Bill 182 be passed. MOTION PASSED with one NO vote by Representative Bengtson.

MOTION was made by Representative Schultz and seconded that House Bill 182 be put on the Consent Calendar. MOTION PASSED.

CHAIRMAN SMITH announced that House Bill 232 and 247 will be heard at the January 19th meeting.

Meeting adjourned at 1:00 p.m.



CARL SMITH, CHAIRMAN

1 HOUSE BILL NO. 182
 2 INTRODUCED BY *Michael G. Harrison, John A. Ryan*

3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REMOVE THE
 5 LIMITATION ON THE AMOUNT OF THE LICENSE FEE THAT MAY BE
 6 IMPOSED ON SHEEP FOR THE PURPOSE OF PREDATOR CONTROL;
 7 AMENDING SECTIONS 81-7-303 AND 81-7-305, MCA."

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

10 Section 1. Section 81-7-303, MCA, is amended to read:

11 "81-7-303. County commissioners permitted to require
 12 per capita license fee on sheep. (1) To defray the expense
 13 of such protection the board of county commissioners of any
 14 county shall have the power to require all owners or persons
 15 in possession of any sheep coming 1 year old or over in the
 16 county on the regular assessment date of each year to pay a
 17 license fee of ~~not exceeding 50 cents in an amount to be~~
 18 ~~determined by the board on a per head basis of for~~ sheep so
 19 owned or possessed by him in the county. All owners or
 20 persons in possession of any sheep coming 1 year old or over
 21 coming into the county after the regular assessment date and
 22 subject to taxation under the provisions of 15-24-301 shall
 23 also be subject to payment of the license fee herein
 24 prescribed.

25 (2) Upon the order of the board of county

1 commissioners such license fees may be imposed by the entry
 2 thereof in the name of the licensee upon the property tax
 3 rolls of the county by the county assessor. Said license
 4 fees shall be payable to and collected by the county
 5 treasurer, and when so levied, shall be a lien upon the
 6 property, both real and personal, of the licensee. In case
 7 the person against whom said license fee is levied owns no
 8 real estate against which said license fee is or may become
 9 a lien, then said license fee shall be payable immediately
 10 upon its levy and the treasurer shall collect the same in
 11 the manner provided by law for the collection of personal
 12 property taxes which are not a lien upon real estate.

13 (3) When collected, said fees shall be placed by the
 14 treasurer in the predatory animal control fund and the
 15 moneys in said fund shall be expended on order of the board
 16 of county commissioners of the county for predatory animal
 17 control only."

18 Section 2. Section 81-7-305, MCA, is amended to read:

19 "81-7-305. Duty of county commissioners -- petition of
 20 sheep owners -- license fees. (1) In conducting a predatory
 21 animal control program, the board of county commissioners
 22 shall give preference to recommendations for such program
 23 and its incidents as made by organized associations of sheep
 24 growers in the county. Upon petition of the resident owners
 25 of at least 51% of the sheep in the county, as shown by the

1 assessment rolls of the last preceding assessment, which
 2 petition shall be filed with the board of county
 3 commissioners on or before the first Monday in December in
 4 any year, such board shall establish the predatory animal
 5 control program and cause said licenses to be secured and
 6 issued and the fees collected for the following year in such
 7 amount--not--exceeding--the--limits-of-50-cents-per-head-of
 8 sheep--as-shown-by-said-assessment-rolls as will defray the
 9 cost of administering the program so established. The
 10 license fee determined and set by the board--within--said
 11 limits shall remain in full force and effect from year to
 12 year without change, unless there is filed with the board a
 13 petition subscribed by the resident owners of at least 51%
 14 of the sheep in the county, as shown by the assessment rolls
 15 of the last assessment preceding the filing of the petition,
 16 for termination of the program and repeal of the license
 17 fee, in which event the program shall by order of the board
 18 of county commissioners be disestablished and the license
 19 fee shall not be further levied.

20 (2) If the resident owners of at least 51% of the
 21 sheep in the county either petition for an increase in the
 22 license fee--subject-always-to-the-maximum-limitation-of-50
 23 cents-per-head-of-sheep or petition for a decrease in the
 24 license fee then in force, the board of county commissioners
 25 shall upon receipt of any such petition fix a new license

1 fee to continue from year to year and the program shall
 2 thereupon continue within the limits of the aggregate amount
 3 of the license fee as collected from year to year."

-End-

NAME BOB GILBERT Bill No. HB 182
ADDRESS Helena Montana DATE 1-14-81
WHOM DO YOU REPRESENT Montana Wool Growers Assn
SUPPORT ☒ OPPOSE ☐ AMEND ☐

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

THIS BILL IS SUPPORTED BY THE ASSN &
IS THE RESULT OF A RESOLUTION CALLING
FOR THE REMOVAL OF THE TAXING LIMIT.

NAME

Jo Panner

BILL No.

42182

ADDRESS

531 S Oakes

DATE

Jan 15-81

WHOM DO YOU REPRESENT

W. I. F. E.

SUPPORT

☒

OPPOSE

AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

*W. I. F. E. has authorized Bob Gilbert
to testify for the W. I. F. E.
organization. We concur
with his testimony.*

Agriculture

COMMITTEE

HB

182

1-18-81

OPPOS

Manhattan, N.Y.

APD

✓

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

NAME Shay D. Smith Bill No. 152

ADDRESS _____ DATE _____

WHOM DO YOU REPRESENT Senator

SUPPORT ☒ OPPOSE ☐ AMEND ☐

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments: