

1 *House* BILL NO. *338*
 2 INTRODUCED BY *John H. Anderson* *Sen*
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTIONS
 5 84-5211, 84-5212, 84-5214, AND 84-5215, R.C.M. 1947, TO
 6 UPDATE ARCHAIC LANGUAGE AND TO INCREASE THE MAXIMUM
 7 PERMISSIBLE LIMITS OF THE SPECIAL LEVIES ON LIVESTOCK USED
 8 TO FUND THE DEPARTMENT OF LIVESTOCK."
 9

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

11 Section 1. Section 84-5211, R.C.M. 1947, is amended to
 12 read as follows:

13 "84-5211. Limitation of levies--livestock moneys. The
 14 amount of such levy shall not in any event exceed ~~one-mill~~
 15 two (2) mills upon the assessed valuation of sheep and ~~one~~
 16 ~~and--one-half~~ three (3) mills upon the assessed valuation of
 17 other livestock, which shall be levied to aid in the payment
 18 of the general expense of the ~~livestock--commission--of~~
 19 Montana brands-enforcement division of the department of
 20 livestock, including salaries, office expense, detective
 21 expense, expense of prosecution, travel, and all incidental
 22 expense, and a separate levy of not exceeding ~~one--and~~
 23 ~~one-half~~ three (3) mills on all livestock for the use of the
 24 livestock--sanitary--board animal health division of the
 25 department of livestock to be placed in the earmarked

1 revenue fund for the payment of indemnity for animals
 2 slaughtered, and for salaries and expenses incurred in
 3 investigating, controlling and suppressing diseases,
 4 including expenses of quarantine and salaries and expenses
 5 incurred for such purposes, and for laboratory maintenance;
 6 provided further that the state treasurer and state
 7 controller, at the written request of the ~~livestock-sanitary~~
 8 ~~board~~ department of livestock shall set aside in a separate
 9 account in the earmarked revenue fund such moneys as may be
 10 available and requested, which moneys shall be expended only
 11 when the ~~livestock--sanitary-board~~ department of livestock
 12 determines that a livestock disease emergency exists
 13 requiring its expenditure, and they shall then be expended
 14 for such purposes as the ~~livestock-sanitary-board~~ department
 15 of livestock may order and direct."

16 Section 2. Section 84-5212, R.C.M. 1947, is amended to
 17 read as follows:

18 "84-5212. Use of moneys arising from taxes prescribed
 19 in preceding section. The money received from the tax levied
 20 on sheep, as provided in the first part of the preceding
 21 section, shall be placed to the credit of the earmarked
 22 revenue fund, and shall be used to aid in the payment of the
 23 general expenses, salaries, office expense, detective
 24 expense, expenses of prosecution, travel, and other expense
 25 of the ~~livestock-commission~~ brands-enforcement division of

1 the department of livestock, and the moneys received from
 2 the tax on all other stock, as provided in the preceding
 3 section, shall be placed to the credit of the earmarked
 4 revenue fund, to be used for like purposes ~~for--said~~
 5 ~~livestock-commission~~ by the department of livestock. The
 6 moneys received from the tax levied by the second division
 7 of the preceding section, shall be placed in the earmarked
 8 revenue fund, to be used by the ~~livestock-sanitary-board~~
 9 animal health division of the department of livestock for
 10 the payment of indemnity for animals slaughtered and for the
 11 payment of expenses in investigating and suppressing
 12 diseases, including quarantine and all expenses connected
 13 therewith."

14 Section 3. Section 84-5214, R.C.M. 1947, is amended to
 15 read as follows:

16 "84-5214. Levy for bounty moneys--use of proceeds. The
 17 department of revenue shall, annually prescribe, make and
 18 levy an ad valorem tax on all livestock in the state of
 19 Montana for the purpose of protecting such livestock by all
 20 means of effective predatory animal destruction,
 21 extermination and control, including systematic hunting,
 22 trapping in planned campaigns, or otherwise, and payment of
 23 bounties, against destruction, depredation and injury by
 24 wild animals, whether on lands in private ownership, in the
 25 ownership of the state, or in the ownership of the United

1 States, including open ranges and all lands in or of the
 2 public domain. The tax levy shall not exceed in any one (1)
 3 year (a) one and one-half (1 1/2) mills on the assessed
 4 valuation of all sheep, and (b) one (1) mill on the assessed
 5 valuation of other livestock. The moneys received from such
 6 tax levies shall be transmitted monthly with other taxes for
 7 state purposes, by the county treasurer of each county, to
 8 the state treasury, and be by the state treasurer placed in
 9 and to the credit of the earmarked revenue fund (with other
 10 moneys in that fund under the provisions of section 46-1901)
 11 and such moneys shall thereafter be paid out only on claims
 12 duly and regularly presented to the ~~Montana--livestock~~
 13 ~~commission~~ department of livestock, and thereafter approved
 14 by said ~~commission~~ department, in accordance with the law
 15 applicable either to claims for bounties, when such claims
 16 are approved, or to claims for other expenditures necessary
 17 and proper for predatory animal control by other means and
 18 methods than payment of bounties, as may be determined by
 19 the ~~Montana--livestock--commission~~ department of livestock.
 20 All such moneys shall be available for the payment of bounty
 21 claims and for expenditures in and for planned, seasonal, or
 22 other campaigns directed, or operated by the ~~commission~~
 23 department in cooperation with other agencies, for the
 24 systematic destruction, extermination and control of
 25 predatory wild animals, as may be determined by the

1 ~~commission department~~ and the advisory committee thereto. No
2 claims shall be approved in excess of moneys available for
3 such purposes, and no warrants shall be registered against
4 such moneys."

5 Section 4. Section 84-5215, R.C.M. 1947, is amended to
6 read as follows:

7 "84-5215. Bounties, when paid. The ~~livestock~~
8 ~~commission department of livestock~~ may, ~~at their~~
9 ~~discretion,~~ pay such a bounty for the destruction of wild
10 animals at ~~such those~~ times of the year ~~as~~ they ~~deem~~
11 consider advisable."

-End-

Approved by Committee
on Agriculture Livestock
& Irrigation

Hansen BILL NO. 338
John H. Anderson Jr
Lewis

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19 in preceding section. The money received from the tax levied
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-End-

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-End-

HB 338

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