

HOUSE BILL NO. 182

INTRODUCED BY DEVLIN, RYAN

IN THE HOUSE

January 13, 1981	Introduced and referred to Committee on Agriculture.
January 19, 1981	Committee recommend bill do pass. Report adopted.
January 20, 1981	Bill printed and placed on members' desks.
January 21, 1981	Second reading, do pass.
January 22, 1981	Considered correctly engrossed. Third reading, passed. Transmitted to Senate.

IN THE SENATE

January 23, 1981	Introduced and referred to Committee on Agriculture, Livestock, and Irrigation.
February 7, 1981	Committee recommend bill be concurred in. Report adopted.
February 10, 1981	Second reading, concurred in.
February 12, 1981	Third reading, concurred in. Yeas, 49; Nays 0.

IN THE HOUSE

February 13, 1981	Returned from Senate. Concurred in. Sent to enrolling. Reported correctly enrolled.
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1 HOUSE BILL NO. 182
 2 INTRODUCED BY Michael G. Hartman, John A. Ryan
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 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-

Approved by Committee
on Agriculture Livestock
& Irrigation

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INTRODUCED BY

Michael G. Hartman John A. Ryan

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LIMITATION ON THE AMOUNT OF THE LICENSE FEE THAT MAY BE
IMPOSED ON SHEEP FOR THE PURPOSE OF PREDATOR CONTROL;
AMENDING SECTIONS 81-7-303 AND 81-7-305, MCA."

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

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

(2) Upon the order of the board of county

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

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

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

"81-7-305. Duty of county commissioners -- petition of
sheep owners -- license fees. (1) In conducting a predatory
animal control program, the board of county commissioners
shall give preference to recommendations for such program
and its incidents as made by organized associations of sheep
growers in the county. Upon petition of the resident owners
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~~y--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~~y--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,
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 17 fee, in which event the program shall by order of the board
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 21 sheep in the county either petition for an increase in the
 22 license fee~~,--subject--always--to--the--maximum--limitation--of--50~~
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 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
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"81-7-303. County commissioners permitted to require per capita license fee on sheep. (1) To defray the expense of such protection the board of county commissioners of any county shall have the power to require all owners or persons in possession of any sheep coming 1 year old or over in the county on the regular assessment date of each year to pay a license fee ~~of not exceeding 50 cents in an amount to be determined by the board on a per head basis of~~ for sheep so owned or possessed by him in the county. All owners or persons in possession of any sheep coming 1 year old or over coming into the county after the regular assessment date and subject to taxation under the provisions of 15-24-301 shall also be subject to payment of the license fee herein prescribed.

(2) Upon the order of the board of county

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

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

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

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

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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~~y--not--exceeding--the--limits--of--50--cents--per--head--of~~
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 9 cost of administering the program so established. The
 10 license fee determined and set by the board~~y--within--said~~
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 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
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 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~~y--subject--always--to--the--maximum--limitation--of--50~~
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 25 shall upon receipt of any such petition fix a new license

1 fee to continue from year to year and the program shall
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