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INTRODUCED BY

*House* BILL NO. 278  
*Storall* *Chris Mrazek*

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING COUNTIES TO RETAIN 100 PERCENT OF THE MONEY RECEIVED BY THE COUNTY FOR ISSUING COUNTY LICENSES; REVISING THE ALLOCATION OF FEE MONEY FOR PREDATOR CONTROL; AMENDING SECTIONS 7-21-2105, 81-7-111, 81-7-114, 81-7-118, 81-7-120, 81-7-121, AND 81-7-122, MCA; AND REPEALING SECTION 81-7-119, MCA."

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

**Section 1.** Section 7-21-2105, MCA, is amended to read:

**"7-21-2105. Disbursement of license fees.** ~~(1) Unless the disposition is otherwise provided for,~~ ~~all~~ All money collected by the county treasurer for licenses issued by the county under this chapter must be paid into the treasury of the county for the use of the county.

~~(2) Unless otherwise provided, the county treasurer shall retain 50% thereof for the use of the county, pay over 45% thereof to the state treasurer for the use of the general fund of the state, and pay over 5% thereof to the state treasurer for deposit in the state special revenue fund to be used by the board of livestock for predatory animal control."~~

**Section 2.** Section 81-7-111, MCA, is amended to read:

**"81-7-111. Evidence of killing by bounty claimant.** (1) Any person killing ~~any of the aforesaid~~ ~~animals~~ a predatory animal, except a mountain lion, to obtain a bounty thereon shall within 30 days of the date of the killing:

(a) exhibit the entire skin ~~or skins~~ of the ~~said~~ ~~animal~~ ~~or animals~~, including the entire head with ears, the tail, and all four paws, to the bounty inspector nearest to the locality in which the animal ~~or animals~~ was killed; and

(b) at the same time file with the bounty inspector, ~~as hereinafter provided,~~ an affidavit setting forth:

(i) that ~~he~~ the person killed the animal ~~or animals~~ from which the skin ~~or skins~~ was taken;

(ii) that the ~~same~~ animal was killed nearer to or, if more than one hide is presented, that the greater

1 number of animals were killed nearer to the residence of the ~~said~~ bounty inspector to which the ~~same was~~  
2 animals are being presented than to any other bounty inspector; and

3 (iii) the county or counties in which ~~said~~ the animals were killed.

4 (2) Any person killing ~~any~~ a mountain lion to obtain a bounty ~~thereon~~ shall present the ~~same~~  
5 mountain lion to a bounty inspector as provided in this section ~~for wolves and coyotes~~, except that, in  
6 addition to the requirements of this section, the ~~skins~~ skin of a mountain ~~lion~~ lion ~~shall~~ must also contain  
7 the entire skin of the lower jaw, which ~~shall~~ must be severed by the bounty inspector and thereafter treated  
8 in the same manner as ~~scalps of wolves and coyotes herein provided~~ the skins of other animals subject to  
9 this section.

10 (3) Every bounty inspector appointed under the provisions of 81-7-111 through ~~81-7-122~~ 81-7-118  
11 and 81-7-120 through 81-7-122 ~~shall be~~ is empowered to administer oaths to ~~any and all~~ persons making  
12 any the affidavit as aforesaid required by this section."

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14 **Section 3.** Section 81-7-114, MCA, is amended to read:

15 "**81-7-114. Certificate and record of sheriff.** (1) Upon receiving the affidavit required pursuant to  
16 81-7-113, the ~~The~~ officer shall ~~at the same time make out and~~ deliver to the person claiming a bounty a  
17 certificate addressed to the county clerk of ~~his~~ the officer's county and immediately deliver to the county  
18 clerk a duplicate of the certificate, showing the date, number, and kind of skins marked for severing and  
19 the name of the person presenting the skins. The certificate ~~shall~~ must also recite that the filing of the  
20 affidavits of taxpayers ~~previously~~ required by 81-7-113 has been done and the examination of the skins  
21 has been made as required. The certificate ~~shall~~ must be signed by the officer in ~~his~~ the officer's official  
22 capacity. When a doubt exists as to the kind of skin presented, whether wolf or coyote, the certificate ~~shall~~  
23 must be issued for the lesser bounty. Each sheriff shall keep a record of all skins marked and severed,  
24 showing the date, number, and kinds and the names of the persons presenting the skins. This record is an  
25 official record. The sheriff, undersheriff, or deputy sheriff may not perform any duties under 81-7-111  
26 through ~~81-7-122~~ 81-7-118 and 81-7-120 through ~~81-7-122~~ except at the county seat.

27 (2) The sheriff shall, not later than the 15th of each month, give to the county clerk and recorder  
28 a report setting forth the names of the persons presenting skins, with the number of the certificate and the  
29 kind and number of the skins presented. The sheriff shall report for each certificate ~~which he has~~ issued  
30 during the month."

1           **Section 4.** Section 81-7-118, MCA, is amended to read:

2           **"81-7-118. (Temporary) Levy of tax for purpose of paying bounty claims -- limitation on levy.** The  
3 department of revenue shall annually prescribe the levy recommended by the department to be made  
4 against livestock of all classes for paying for the destruction of wild animals killed in this state. The tax in  
5 any 1 year may not exceed 7.5 mills on the taxable value of the livestock. The money received ~~shall~~ must  
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7 for the administration of 81-7-111 through ~~81-7-122~~ 81-7-118 and 81-7-120 through ~~81-7-122~~. The  
8 money received for the taxes levied ~~shall~~ must be sent annually with other taxes to the state treasurer by  
9 the county treasurer of each county. When the money is received by the state treasurer, it ~~shall~~ must be  
10 placed in the state special revenue fund and may then be paid out on claims approved under the law  
11 governing the payment of claims.

12           **81-7-118. (Effective on occurrence of contingency) Levy of tax for purpose of paying bounty**  
13 **claims -- limitation on levy.** The department of revenue shall annually prescribe the levy recommended by  
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21 approved under the law governing the payment of claims."

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23           **Section 5.** Section 81-7-120, MCA, is amended to read:

24           **"81-7-120. Use of funds remaining after payment of bounties -- sale of furs, skins, and specimens**  
25 **-- presentation to museums.** (1) If, at the end of a bounty paying season, there is surplus money available  
26 for the administration of 81-7-111 through ~~81-7-122~~ 81-7-118 and 81-7-120 through ~~81-7-122~~, the surplus  
27 may be used to hire salaried hunters and trappers to hunt and trap predatory animals and to purchase and  
28 supply poison to be used for a poison campaign on predatory animals.

29           (2) All furs, skins, and specimens taken by hunters or trappers whose salaries are paid in whole  
30 or in part out of this money ~~shall~~ must be sold by the department, and the proceeds from these sales ~~shall~~

1 must be credited to the state special revenue fund. These funds ~~shall~~ must be used to carry out 81-7-111  
 2 through ~~81-7-122~~ 81-7-118 and 81-7-120 through 81-7-122. Specimens may be presented free of charge  
 3 to a state museum or institution."

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5 **Section 6.** Section 81-7-121, MCA, is amended to read:

6 **"81-7-121. Falsifying certificates or affidavits -- penalty.** Any A person who falsely makes, alters,  
 7 forges, or counterfeits any of the certificates or orders and any person who falsely swears to any affidavit  
 8 provided for by 81-7-111 through ~~81-7-122~~ 81-7-118 and 81-7-120 through 81-7-122 or procures the  
 9 same act to be done by another, with the intent of obtaining any one of the certificates or orders, is  
 10 punishable as provided in Title 45."

11

12 **Section 7.** Section 81-7-122, MCA, is amended to read:

13 **"81-7-122. Penalty for fraudulent claims.** Any A person ~~or persons~~ who ~~shall patch~~ patches up  
 14 any a skin or scalp or ~~who shall present~~ presents any a punched or patched skin or scalp or who ~~shall bring~~  
 15 brings in any skin or skins from other states or ~~territory~~ territories with the intent to fraudulently obtain ~~the~~  
 16 a bounty ~~on the same fraudulently~~ or any an officer who ~~shall sign any~~ signs a certificate ~~herein provided~~  
 17 ~~for~~ without first counting ~~the skins~~ and examining the ~~same~~ skins to determine the kind of skins and to see  
 18 that the skin from the scalp or head is properly severed and preserved ~~as hereinbefore provided~~ or a person  
 19 who shall evade or violate evades or violates any provision of ~~any~~ law of the state of Montana relative to  
 20 bounties or bounty claims shall be ~~deemed~~ guilty of a misdemeanor and, ~~on~~ upon conviction ~~thereof~~, shall  
 21 be punished by a fine not exceeding \$1,000 or by imprisonment in the county jail not exceeding 1 year or  
 22 ~~by both such fine and imprisonment and, two-thirds~~ Two-thirds of the fine, ~~if the same be collected or can~~  
 23 ~~be collected, shall~~ must be given to the ~~informer~~ person, if any, reporting the evasion or violation and the  
 24 balance must be deposited in the state special revenue fund and used for the administration of 81-7-111  
 25 through ~~81-7-122~~ 81-7-118 and 81-7-120 through 81-7-122."

26

27 **NEW SECTION. Section 8. Repealer.** Section 81-7-119, MCA, is repealed.

28

-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0278, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

An act allowing counties to retain 100 percent of the money received by the country for issuing county licenses; revising the allocation of fee money for predator control.

ASSUMPTIONS:

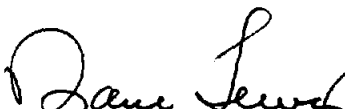
1. The Department of Livestock fiscal year 1996 actual collections were \$97.82.
2. The department would be able to absorb this loss within the present law base budget.

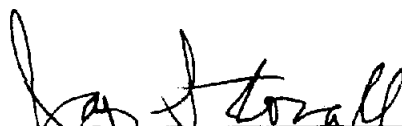
FISCAL IMPACT:

None.

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

At present the counties are not assessing business licenses pursuant to authority they now have under the code. With this bill, some of the larger counties may in fact look to using some of that authority.

  
\_\_\_\_\_  
DAVE LEWIS, BUDGET DIRECTOR      DATE  
Office of Budget and Program Planning

 1-21-97  
\_\_\_\_\_  
JAY STOVALL, PRIMARY SPONSOR      DATE  
Fiscal Note for HB0278, as introduced  
HB 278

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House BILL NO. 278

INTRODUCED BY Storall Chester

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~~(2) Unless otherwise provided, the county treasurer shall retain 50% thereof for the use of the county, pay over 45% thereof to the state treasurer for the use of the general fund of the state, and pay over 5% thereof to the state treasurer for deposit in the state special revenue fund to be used by the board of livestock for predatory animal control."~~

**Section 2.** Section 81-7-111, MCA, is amended to read:

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(a) exhibit the entire skin ~~or skins~~ of the ~~said animal or animals~~, including the entire head with ears, the tail, and all four paws, to the bounty inspector nearest to the locality in which the animal ~~or animals~~ was killed; and

(b) at the same time file with the bounty inspector, ~~as hereinafter provided,~~ an affidavit setting forth:

- (i) that ~~he~~ the person killed the animal ~~or animals~~ from which the skin ~~or skins~~ was taken;
- (ii) that the ~~same~~ animal was killed nearer to or, if more than one hide is presented, that the greater

1 number of animals were killed nearer to the residence of the ~~said~~ bounty inspector to which the ~~same was~~  
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3 (iii) the county or counties in which ~~said~~ the animals were killed.

4 (2) Any person killing ~~any~~ a mountain lion to obtain a bounty ~~thereon~~ shall present the ~~same~~  
5 mountain lion to a bounty inspector as provided in this section ~~for wolves and coyotes~~, except that, in  
6 addition to the requirements of this section, the ~~skins~~ skin of a mountain ~~lion~~ lion ~~shall~~ must also contain  
7 the entire skin of the lower jaw, which ~~shall~~ must be severed by the bounty inspector and thereafter treated  
8 in the same manner as ~~scalps of wolves and coyotes herein provided~~ the skins of other animals subject to  
9 this section.

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26 through ~~81-7-122~~ 81-7-118 and 81-7-120 through 81-7-122 except at the county seat.

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30 during the month."

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28 supply poison to be used for a poison campaign on predatory animals.

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INTRODUCED BY

*Stoall* *Chris Marshall*

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15 animals killed in this state. The tax in any 1 year may not exceed 7.5 mills on the taxable value of the  
16 livestock. The money received must be used only for the payment of claims approved by the department  
17 for the destruction of predatory animals and for the administration of 81-7-111 through ~~81-7-122~~ 81-7-118  
18 and 81-7-120 through 81-7-122. The money received for the taxes levied must be sent annually with other  
19 taxes to the state treasurer by the county treasurer of each county. When the money is received by the  
20 state treasurer, it must be placed in the state special revenue fund and may then be paid out on claims  
21 approved under the law governing the payment of claims."

22

23           **Section 5.** Section 81-7-120, MCA, is amended to read:

24           "81-7-120. **Use of funds remaining after payment of bounties -- sale of furs, skins, and specimens**  
25 **-- presentation to museums.** (1) If, at the end of a bounty paying season, there is surplus money available  
26 for the administration of 81-7-111 through ~~81-7-122~~ 81-7-118 and 81-7-120 through 81-7-122, the surplus  
27 may be used to hire salaried hunters and trappers to hunt and trap predatory animals and to purchase and  
28 supply poison to be used for a poison campaign on predatory animals.

29           (2) All furs, skins, and specimens taken by hunters or trappers whose salaries are paid in whole  
30 or in part out of this money ~~shall~~ must be sold by the department, and the proceeds from these sales ~~shall~~

1 must be credited to the state special revenue fund. These funds ~~shall~~ must be used to carry out 81-7-111  
 2 through ~~81-7-122~~ 81-7-118 and 81-7-120 through 81-7-122. Specimens may be presented free of charge  
 3 to a state museum or institution."  
 4

5 **Section 6.** Section 81-7-121, MCA, is amended to read:

6 **"81-7-121. Falsifying certificates or affidavits -- penalty.** ~~Any~~ A person who falsely makes, alters,  
 7 forges, or counterfeits any of the certificates or orders and any person who falsely swears to any affidavit  
 8 provided for by 81-7-111 through ~~81-7-122~~ 81-7-118 and 81-7-120 through 81-7-122 or procures the  
 9 same act to be done by another, with the intent of obtaining any one of the certificates or orders, is  
 10 punishable as provided in Title 45."  
 11

12 **Section 7.** Section 81-7-122, MCA, is amended to read:

13 **"81-7-122. Penalty for fraudulent claims.** ~~Any~~ A person ~~or persons~~ who ~~shall patch~~ patches up  
 14 ~~any a~~ skin or scalp or ~~who shall present~~ presents ~~any a~~ punched or patched skin or scalp or who ~~shall bring~~  
 15 brings in any skin or skins from other states or ~~territory~~ territories with the intent to fraudulently obtain the  
 16 a bounty ~~on the same fraudulently~~ or ~~any an~~ officer who ~~shall sign any~~ signs a certificate ~~herein provided~~  
 17 ~~for~~ without first counting ~~the skins~~ and examining the ~~same~~ skins to determine the kind of skins and to see  
 18 that the skin from the scalp or head is properly severed and preserved ~~as hereinbefore provided~~ or a person  
 19 who shall evade or violate evades or violates any provision of ~~any~~ law of the state of Montana relative to  
 20 bounties or bounty claims shall be ~~deemed~~ guilty of a misdemeanor and, ~~on~~ upon conviction ~~thereof~~, shall  
 21 be punished by a fine not exceeding \$1,000 or by imprisonment in the county jail not exceeding 1 year or  
 22 by both ~~such fine and imprisonment and, two-thirds~~ Two-thirds of the fine, ~~if the same be collected or can~~  
 23 ~~be collected, shall~~ must be given to the ~~informer~~ person, if any, reporting the evasion or violation and the  
 24 balance must be deposited in the state special revenue fund and used for the administration of 81-7-111  
 25 through ~~81-7-122~~ 81-7-118 and 81-7-120 through 81-7-122."  
 26

27 **NEW SECTION. Section 8. Repealer.** Section 81-7-119, MCA, is repealed.

28 -END-

House BILL NO. 278

INTRODUCED BY

*Storall* *Chris Russell*

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING COUNTIES TO RETAIN 100 PERCENT OF THE MONEY RECEIVED BY THE COUNTY FOR ISSUING COUNTY LICENSES; REVISING THE ALLOCATION OF FEE MONEY FOR PREDATOR CONTROL; AMENDING SECTIONS 7-21-2105, 81-7-111, 81-7-114, 81-7-118, 81-7-120, 81-7-121, AND 81-7-122, MCA; AND REPEALING SECTION 81-7-119, MCA."

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

Section 1. Section 7-21-2105, MCA, is amended to read:

"7-21-2105. Disbursement of license fees. ~~(1) Unless the disposition is otherwise provided for,~~ ~~all~~ All money collected by the county treasurer for licenses issued by the county under this chapter must be paid into the treasury of the county for the use of the county.

~~(2) Unless otherwise provided, the county treasurer shall retain 50% thereof for the use of the county, pay over 45% thereof to the state treasurer for the use of the general fund of the state, and pay over 5% thereof to the state treasurer for deposit in the state special revenue fund to be used by the board of livestock for predatory animal control."~~

Section 2. Section 81-7-111, MCA, is amended to read:

"81-7-111. Evidence of killing by bounty claimant. (1) Any person killing ~~any of the aforesaid animals~~ a predatory animal, except ~~a~~ a mountain ~~lion~~ lion, to obtain ~~a~~ a bounty ~~thereon~~ shall within 30 days of the date of the killing:

(a) exhibit the entire skin ~~or skins~~ of the ~~said~~ animal ~~or animals~~, including the entire head with ears, the tail, and all four paws, to the bounty inspector nearest to the locality in which the animal ~~or animals~~ was killed; and

(b) at the same time file with the bounty inspector, ~~as hereinafter provided,~~ an affidavit setting forth:

- (i) that ~~he~~ the person killed the animal ~~or animals~~ from which the skin ~~or skins~~ was taken;
- (ii) that the ~~same~~ animal was killed nearer to or, if more than one hide is presented, that the greater

1 number of animals were killed nearer to the residence of the ~~said~~ bounty inspector to which the ~~same was~~  
2 animals are being presented than to any other bounty inspector; and

3 (iii) the county or counties in which ~~said~~ the animals were killed.

4 (2) Any person killing ~~any~~ a mountain lion to obtain a bounty ~~thereon~~ shall present the ~~same~~  
5 mountain lion to a bounty inspector as provided in this section ~~for wolves and coyotes~~, except that, in  
6 addition to the requirements of this section, the ~~skins~~ skin of a mountain ~~lion~~ lion ~~shall~~ must also contain  
7 the entire skin of the lower jaw, which ~~shall~~ must be severed by the bounty inspector and thereafter treated  
8 in the same manner as ~~skins of wolves and coyotes herein provided~~ the skins of other animals subject to  
9 this section.

10 (3) Every bounty inspector appointed under the provisions of 81-7-111 through ~~81-7-122~~ 81-7-118  
11 and 81-7-120 through 81-7-122 ~~shall be~~ is empowered to administer oaths to ~~any and all~~ persons making  
12 any the affidavit as aforesaid required by this section."

13

14 **Section 3.** Section 81-7-114, MCA, is amended to read:

15 **"81-7-114. Certificate and record of sheriff.** (1) Upon receiving the affidavit required pursuant to  
16 81-7-113, the ~~The~~ officer shall ~~at the same time make out and~~ deliver to the person claiming a bounty a  
17 certificate addressed to the county clerk of ~~his~~ the officer's county and immediately deliver to the county  
18 clerk a duplicate of the certificate, showing the date, number, and kind of skins marked for severing and  
19 the name of the person presenting the skins. The certificate ~~shall~~ must also recite that the filing of the  
20 affidavits of taxpayers ~~previously~~ required by 81-7-113 has been done and the examination of the skins  
21 has been made as required. The certificate ~~shall~~ must be signed by the officer in ~~his~~ the officer's official  
22 capacity. When a doubt exists as to the kind of skin presented, whether wolf or coyote, the certificate ~~shall~~  
23 must be issued for the lesser bounty. Each sheriff shall keep a record of all skins marked and severed,  
24 showing the date, number, and kinds and the names of the persons presenting the skins. This record is an  
25 official record. The sheriff, undersheriff, or deputy sheriff may not perform any duties under 81-7-111  
26 through ~~81-7-122~~ 81-7-118 and 81-7-120 through 81-7-122 except at the county seat.

27 (2) The sheriff shall, not later than the 15th of each month, give to the county clerk and recorder  
28 a report setting forth the names of the persons presenting skins, with the number of the certificate and the  
29 kind and number of the skins presented. The sheriff shall report for each certificate ~~which he has~~ issued  
30 during the month."

1           **Section 4.** Section 81-7-118, MCA, is amended to read:

2           "81-7-118. (Temporary) Levy of tax for purpose of paying bounty claims -- limitation on levy. The  
3 department of revenue shall annually prescribe the levy recommended by the department to be made  
4 against livestock of all classes for paying for the destruction of wild animals killed in this state. The tax in  
5 any 1 year may not exceed 7.5 mills on the taxable value of the livestock. The money received ~~shall~~ must  
6 be used only for the payment of claims approved by the department for the destruction of wild animals and  
7 for the administration of 81-7-111 through ~~81-7-122~~ 81-7-118 and 81-7-120 through 81-7-122. The  
8 money received for the taxes levied ~~shall~~ must be sent annually with other taxes to the state treasurer by  
9 the county treasurer of each county. When the money is received by the state treasurer, it ~~shall~~ must be  
10 placed in the state special revenue fund and may then be paid out on claims approved under the law  
11 governing the payment of claims.

12           **81-7-118. (Effective on occurrence of contingency) Levy of tax for purpose of paying bounty**  
13 **claims -- limitation on levy.** The department of revenue shall annually prescribe the levy recommended by  
14 the department to be made against livestock of all classes for paying for the destruction of predatory  
15 animals killed in this state. The tax in any 1 year may not exceed 7.5 mills on the taxable value of the  
16 livestock. The money received must be used only for the payment of claims approved by the department  
17 for the destruction of predatory animals and for the administration of 81-7-111 through ~~81-7-122~~ 81-7-118  
18 and 81-7-120 through 81-7-122. The money received for the taxes levied must be sent annually with other  
19 taxes to the state treasurer by the county treasurer of each county. When the money is received by the  
20 state treasurer, it must be placed in the state special revenue fund and may then be paid out on claims  
21 approved under the law governing the payment of claims."

22

23           **Section 5.** Section 81-7-120, MCA, is amended to read:

24           "81-7-120. Use of funds remaining after payment of bounties -- sale of furs, skins, and specimens  
25 -- presentation to museums. (1) If, at the end of a bounty paying season, there is surplus money available  
26 for the administration of 81-7-111 through ~~81-7-122~~ 81-7-118 and 81-7-120 through 81-7-122, the surplus  
27 may be used to hire salaried hunters and trappers to hunt and trap predatory animals and to purchase and  
28 supply poison to be used for a poison campaign on predatory animals.

29           (2) All furs, skins, and specimens taken by hunters or trappers whose salaries are paid in whole  
30 or in part out of this money ~~shall~~ must be sold by the department, and the proceeds from these sales ~~shall~~



1 must be credited to the state special revenue fund. These funds ~~shall~~ must be used to carry out 81-7-111  
 2 through ~~81-7-122~~ 81-7-118 and 81-7-120 through 81-7-122. Specimens may be presented free of charge  
 3 to a state museum or institution."  
 4

5 **Section 6.** Section 81-7-121, MCA, is amended to read:

6 **"81-7-121. Falsifying certificates or affidavits -- penalty.** ~~Any~~ A person who falsely makes, alters,  
 7 forges, or counterfeits any of the certificates or orders and any person who falsely swears to any affidavit  
 8 provided for by 81-7-111 through ~~81-7-122~~ 81-7-118 and 81-7-120 through 81-7-122 or procures the  
 9 same act to be done by another, with the intent of obtaining any one of the certificates or orders, is  
 10 punishable as provided in Title 45."  
 11

12 **Section 7.** Section 81-7-122, MCA, is amended to read:

13 **"81-7-122. Penalty for fraudulent claims.** ~~Any~~ A person ~~or persons~~ who ~~shall patch~~ patches up  
 14 ~~any~~ a skin or scalp or ~~who shall present~~ presents ~~any~~ a punched or patched skin or scalp or who ~~shall bring~~  
 15 brings in any skin or skins from other states or ~~territory~~ territories with the intent to fraudulently obtain the  
 16 a bounty ~~on the same fraudulently~~ or ~~any~~ an officer who ~~shall sign~~ signs a certificate ~~herein provided~~  
 17 ~~for~~ without first counting ~~the skins~~ and examining the ~~same~~ skins to determine the kind of skins and to see  
 18 that the skin from the scalp or head is properly severed and preserved ~~as hereinbefore provided~~ or a person  
 19 who shall evade or violate evades or violates any provision of ~~any~~ law of the state of Montana relative to  
 20 bounties or bounty claims shall be ~~deemed~~ guilty of a misdemeanor and, ~~on~~ upon conviction ~~thereof~~, shall  
 21 be punished by a fine not exceeding \$1,000 or by imprisonment in the county jail not exceeding 1 year or  
 22 ~~by both such fine and imprisonment and, two-thirds~~ Two-thirds of the fine, ~~if the same be collected or can~~  
 23 ~~be collected, shall~~ must be given to the ~~informer~~ person, if any, reporting the evasion or violation and the  
 24 balance must be deposited in the state special revenue fund and used for the administration of 81-7-111  
 25 through ~~81-7-122~~ 81-7-118 and 81-7-120 through 81-7-122."  
 26

27 **NEW SECTION. Section 8. Repealer.** Section 81-7-119, MCA, is repealed.

28 -END-

## HOUSE BILL NO. 278

INTRODUCED BY STOVALL, OHS, MASOLO

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING COUNTIES TO RETAIN 100 PERCENT OF THE MONEY RECEIVED BY THE COUNTY FOR ISSUING COUNTY LICENSES; REVISING THE ALLOCATION OF FEE MONEY FOR PREDATOR CONTROL; AMENDING SECTIONS 7-21-2105, 81-7-111, 81-7-114, 81-7-118, 81-7-120, 81-7-121, AND 81-7-122, MCA; AND REPEALING SECTION 81-7-119, MCA."

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

**Section 1.** Section 7-21-2105, MCA, is amended to read:

**"7-21-2105. Disbursement of license fees.** ~~(1) Unless the disposition is otherwise provided for,~~ All money collected by the county treasurer for licenses issued by the county under this chapter must be paid into the treasury of the county for the use of the county.

~~(2) Unless otherwise provided, the county treasurer shall retain 50% thereof for the use of the county, pay over 45% thereof to the state treasurer for the use of the general fund of the state, and pay over 5% thereof to the state treasurer for deposit in the state special revenue fund to be used by the board of livestock for predatory animal control."~~

**Section 2.** Section 81-7-111, MCA, is amended to read:

**"81-7-111. Evidence of killing by bounty claimant.** (1) Any person killing ~~any of the aforesaid animals~~ a predatory animal, except ~~a~~ a mountain ~~lion~~ lion, to obtain ~~a~~ a bounty ~~thereon~~ shall within 30 days of the date of the killing:

(a) exhibit the entire skin ~~or skins~~ of the ~~said~~ animal ~~or animals~~, including the entire head with ears, the tail, and all four paws, to the bounty inspector nearest to the locality in which the animal ~~or animals~~ was killed; and

(b) at the same time file with the bounty inspector, ~~as hereinafter provided,~~ an affidavit setting forth:

(i) that ~~he~~ the person killed the animal ~~or animals~~ from which the skin ~~or skins~~ was taken;

(ii) that the ~~same~~ animal was killed nearer to or, if more than one hide is presented, that the greater

1 number of animals were killed nearer to the residence of the ~~said~~ bounty inspector to which the ~~same was~~  
2 animals are being presented than to any other bounty inspector; and

3 (iii) the county or counties in which ~~said~~ the animals were killed.

4 (2) Any person killing ~~any a~~ a mountain lion to obtain a bounty ~~thereon~~ shall present the ~~same~~  
5 mountain lion to a bounty inspector as provided in this section ~~for wolves and coyotes~~, except that, in  
6 addition to the requirements of this section, the ~~skins~~ skin of a mountain ~~lion~~ lion ~~shall~~ must also contain  
7 the entire skin of the lower jaw, which ~~shall~~ must be severed by the bounty inspector and thereafter treated  
8 in the same manner as ~~scalps of wolves and coyotes herein provided~~ the skins of other animals subject to  
9 this section.

10 (3) Every bounty inspector appointed under the provisions of 81-7-111 through ~~81-7-122~~ 81-7-118  
11 and 81-7-120 through 81-7-122 ~~shall be~~ is empowered to administer oaths to ~~any and all~~ persons making  
12 any the affidavit as aforesaid required by this section."

13  
14 **Section 3.** Section 81-7-114, MCA, is amended to read:

15 **"81-7-114. Certificate and record of sheriff.** (1) Upon receiving the affidavit required pursuant to  
16 81-7-113, the ~~The~~ officer shall ~~at the same time make out and~~ deliver to the person claiming a bounty a  
17 certificate addressed to the county clerk of ~~his~~ the officer's county and immediately deliver to the county  
18 clerk a duplicate of the certificate, showing the date, number, and kind of skins marked for severing and  
19 the name of the person presenting the skins. The certificate ~~shall~~ must also recite that the filing of the  
20 affidavits of taxpayers ~~previously~~ required by 81-7-113 has been done and the examination of the skins  
21 has been made as required. The certificate ~~shall~~ must be signed by the officer in ~~his~~ the officer's official  
22 capacity. When a doubt exists as to the kind of skin presented, whether wolf or coyote, the certificate ~~shall~~  
23 must be issued for the lesser bounty. Each sheriff shall keep a record of all skins marked and severed,  
24 showing the date, number, and kinds and the names of the persons presenting the skins. This record is an  
25 official record. The sheriff, undersheriff, or deputy sheriff may not perform any duties under 81-7-111  
26 through ~~81-7-122~~ 81-7-118 and 81-7-120 through 81-7-122 except at the county seat.

27 (2) The sheriff shall, not later than the 15th of each month, give to the county clerk and recorder  
28 a report setting forth the names of the persons presenting skins, with the number of the certificate and the  
29 kind and number of the skins presented. The sheriff shall report for each certificate ~~which he has~~ issued  
30 during the month."

1           **Section 4.** Section 81-7-118, MCA, is amended to read:

2           **"81-7-118. (Temporary) Levy of tax for purpose of paying bounty claims -- limitation on levy.** The  
3 department of revenue shall annually prescribe the levy recommended by the department to be made  
4 against livestock of all classes for paying for the destruction of wild animals killed in this state. The tax in  
5 any 1 year may not exceed 7.5 mills on the taxable value of the livestock. The money received ~~shall~~ must  
6 be used only for the payment of claims approved by the department for the destruction of wild animals and  
7 for the administration of 81-7-111 through ~~81-7-122~~ 81-7-118 and 81-7-120 through 81-7-122. The  
8 money received for the taxes levied ~~shall~~ must be sent annually with other taxes to the state treasurer by  
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12           **81-7-118. (Effective on occurrence of contingency) Levy of tax for purpose of paying bounty**  
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23           **Section 5.** Section 81-7-120, MCA, is amended to read:

24           **"81-7-120. Use of funds remaining after payment of bounties -- sale of furs, skins, and specimens**  
25 **-- presentation to museums.** (1) If, at the end of a bounty paying season, there is surplus money available  
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28 supply poison to be used for a poison campaign on predatory animals.

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 15 brings in any skin or skins from other states or ~~territory~~ territories with the intent to fraudulently obtain ~~the~~  
 16 a bounty on the same fraudulently or ~~any an~~ officer who ~~shall sign any~~ signs a certificate herein provided  
 17 ~~for~~ without first counting ~~the skins~~ and examining the ~~same skins~~ to determine the kind of skins and to see  
 18 that the skin from the scalp or head is properly severed and preserved ~~as hereinbefore provided~~ or a person  
 19 who shall evade or violate evades or violates any provision of ~~any~~ law of the state of Montana relative to  
 20 bounties or bounty claims shall be ~~deemed~~ guilty of a misdemeanor and, ~~on~~ upon conviction ~~thereof~~, shall  
 21 be punished by a fine not exceeding \$1,000 or by imprisonment in the county jail not exceeding 1 year or  
 22 ~~by both such fine and imprisonment and, two-thirds~~ Two-thirds of the fine, ~~if the same be collected or can~~  
 23 ~~be collected, shall~~ must be given to the ~~informer~~ person, if any, reporting the evasion or violation and the  
 24 balance must be deposited in the state special revenue fund and used for the administration of 81-7-111  
 25 through ~~81-7-122~~ 81-7-118 and 81-7-120 through 81-7-122."  
 26

27 **NEW SECTION. Section 8. Repealer.** Section 81-7-119, MCA, is repealed.

28 -END-