

SENATE BILL NO. 406

INTRODUCED BY BALES, STEINBEISSER, LEWIS, TASH, BLACK, CURTISS, STORY, GEBHARDT

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE PROCESS OF PETITIONING FOR ESTABLISHMENT OF A COUNTY BOUNTY PROGRAM AND COUNTY PREDATORY ANIMAL CONTROL PROGRAMS BY PROVIDING THAT A SIGNATURE ON A PETITION MAY NOT BE WITHDRAWN BY THE SIGNER AFTER THE HOUR SET FOR HEARING THE PETITION; AMENDING SECTIONS 81-7-202, 81-7-305, AND 81-7-605, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 81-7-202, MCA, is amended to read:**"81-7-202. Signers of petition -- time for presenting -- limitation on bounties -- bounty inspectors.**

(1) The petition provided for in 81-7-201 must be signed by the owners or agents of the owners of not less than 51% of the livestock of the county and must recommend to the board of county commissioners the bounties to be paid on predatory animals, which may not exceed the following:

- (a) on each wolf or mountain lion, \$100;
- (b) on each wolf pup or mountain lion kitten, \$20;
- (c) on one coyote, \$5; and
- (d) on each coyote pup, \$2.50.

(2) A petition must be presented not later than August 1 of each year, and the board of county commissioners on determining the sufficiency of the petition shall make an order granting the petition. A signature on a petition may not be withdrawn by the signer after the hour set for hearing the petition. The order must fix the fee for that year and the amount of the bounties to be paid for the killing of each predatory animal, which may not exceed the amounts recommended in the petition. The order may also appoint not less than 10 or more than 20 stockowners of the county to be bounty inspectors under this part, without compensation, who shall hold their offices for 1 year."

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 a 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 assessment rolls of the last preceding assessment, ~~which petition shall be filed with the board of county commissioners on or before the first Monday in December in any year, such~~ the board shall establish the predatory animal control program and ~~cause said issue licenses to be secured and issued and the collect fees collected for the following year in such an amount as that will defray the cost of administering the program so established.~~ The petition must be filed with the board on or before the first Monday in December in any year, and a signature on a petition may not be withdrawn by the signer after the hour set for hearing the petition. The license fee determined and set by the board ~~shall~~ must remain in full force and effect from year to year without change, unless there is filed with the board a petition subscribed by the resident owners of at least 51% of the sheep in the county, as shown by the assessment rolls of the last assessment preceding the filing of the petition, for termination of the program and repeal of the license fee, ~~in which event the program shall by order of~~ Upon the filing of the petition, the board of county commissioners be disestablished and the license fee shall not be further levied shall terminate the program and cease levying the license fee.

(2) If the resident owners of at least 51% of the sheep in the county either petition for an increase in the license fee or petition for a decrease in the license fee then in force effect, the board of county commissioners shall ~~upon receipt of any such petition fix~~ set a new license fee to continue from year to year and the program shall thereupon continue within the limits of the aggregate amount of the license fee as collected from year to year."

Section 3. Section 81-7-605, MCA, is amended to read:

"81-7-605. Duty of county commissioners -- petition of cattle owners -- license fees. (1) In conducting a predatory animal control program, the board of county commissioners shall give preference to recommendations for a program made by an organized association of cattle producers in the county. Upon petition of the resident owners of at least 51% of the cattle in the county, as shown by the property tax record of the last preceding assessment, ~~which petition must be filed with the board of county commissioners on or before the first Monday in December in any year,~~ the board shall establish the predatory animal control program and issue licenses and collect fees for the following year in an amount that will defray the cost of administering the program. The petition must be filed with the board on or before the first Monday in December in any year, and

1 a signature on a petition may not be withdrawn by the signer after the hour set for hearing the petition. The license
2 fee set by the board must remain in effect from year to year without change unless there is filed with the board
3 a petition signed by the resident owners of at least 51% of the cattle in the county, as shown by the property tax
4 record of the last assessment preceding the filing of the petition, for termination of the program and elimination
5 of the license fee. Upon the filing of the petition, the board ~~of county commissioners~~ shall terminate the program
6 and cease levying the license fee.

7 (2) If the resident owners of at least 51% of the cattle in the county file a petition with the board ~~of county~~
8 ~~commissioners~~ either for an increase in the license fee or for a decrease in the license fee then in ~~force~~ effect,
9 the board ~~of county commissioners~~ shall set a new license fee to continue from year to year."

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11 NEW SECTION. **Section 4. Effective date.** [This act] is effective on passage and approval.

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