

## 1 SENATE BILL NO. 419

2 INTRODUCED BY B. HAMLETT

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO PREDATOR CONTROL;  
5 REQUIRING AN ADDITIONAL FEE ON CATTLE, SHEEP, AND GOATS TO FUND COYOTE CONTROL;  
6 AMENDING SECTIONS 15-24-922, 81-7-103, 81-7-104, AND 81-7-106, MCA; AND PROVIDING AN  
7 IMMEDIATE EFFECTIVE DATE."

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

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11 **Section 1.** Section 15-24-922, MCA, is amended to read:

12 **"15-24-922. Board of livestock to prescribe per capita fee -- refunds.** (1) The board of livestock shall  
13 annually prescribe the amount of the per capita fee to be made against livestock of all classes for the purpose  
14 indicated in 15-24-921.

15 (2) (a) ~~The Subject to subsection (2)(b),~~ the per capita fee must be calculated each year to provide not  
16 more than 110% of the average annual revenue that was generated in the 3 previous years. The calculation must  
17 apply a reasonable factor for nonpayment and late payment of fees and for reimbursement to the department  
18 pursuant to 15-24-925 for collection of the fee.

19 (b) In addition to the amount calculated pursuant to subsection (2)(a), the board of livestock shall add  
20 10 cents to the per capita fee imposed on cattle, sheep, and goats. The revenue generated pursuant to this  
21 subsection (2)(b) must be deposited in the predatory animal special revenue account established in 81-7-106 and  
22 used to control coyotes under the provisions of 81-7-101 through 81-7-104.

23 (3) (a) A livestock owner who moves livestock between states is entitled to a refund of the per capita fee  
24 collected under 15-24-921 based on the number of months that the livestock have situs in Montana. The amount  
25 of the refund is equal to the ratio of the number of months that the livestock do not have situs in the state to the  
26 number of months in the year, multiplied by the original per capita fee due. A taxpayer shall apply to the board  
27 of livestock on a form prescribed by the board for a refund allowed under this subsection by January 31 of the  
28 following year. The application must include a statement showing the date when the livestock were moved out  
29 of the state.

30 (b) For the purposes of 15-24-921 and this section, the per capita fee may not be prorated."

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2           **Section 2.** Section 81-7-103, MCA, is amended to read:

3           **"81-7-103. Administration of funds by department.** ~~Except~~ Subject to 15-24-922(2)(b) and except as  
4 provided in 81-7-106(2), the department shall administer and expend for predatory animal control all money that  
5 is made available to it, including the money allocated for this purpose under 81-7-104 and all money that is made  
6 available to the department by appropriations made by the legislature for predatory animal control by the  
7 department. The department shall expend the funds for predatory animal control by all effective means  
8 responsive to the necessities of control in various areas of the state, including employment of hunters, trappers,  
9 and other personnel, procurement of traps, poisons, equipment, and supplies, and payment of bounties in the  
10 discretion of the department at those times of the year it considers advisable."  
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12           **Section 3.** Section 81-7-104, MCA, is amended to read:

13           **"81-7-104. Predator control money -- use of proceeds.** (1) In addition to the ~~transfer~~ transfers  
14 provided for in 15-24-922(2)(b) and 15-24-925, the department shall allocate a portion of the money from the fee  
15 under 15-24-921 for the purpose of protecting livestock in the state against destruction, depredation, and injury  
16 by predatory animals, whether the livestock is on lands in private ownership, in the ownership of the state, or in  
17 the ownership of the United States, including open ranges and all lands in or of the public domain. This protection  
18 may be by any means of effective predatory animal destruction and control, including systematic hunting and  
19 trapping and payment of bounties.

20           (2) Money may be paid out only on claims presented to the department and approved by the department  
21 in accordance with the law applicable either to claims for bounties or for other expenditures for predatory animal  
22 control by methods other than payment of bounties, as determined by the department. Money designated for  
23 predator control must be available for the payment of bounty claims and for expenditures for planned, seasonal,  
24 or other campaigns directed or operated by the department in cooperation with other agencies for the systematic  
25 destruction and control of predatory animals, as determined by the department and its advisory committee.  
26 Claims may not be approved in excess of money available for that purpose, and warrants may not be registered  
27 against the money."  
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29           **Section 4.** Section 81-7-106, MCA, is amended to read:

30           **"81-7-106. Predatory animal state special revenue account.** (1) There is an account in the state

1 special revenue fund established by 17-2-102 to be known as the predatory animal special revenue account. The  
2 account is administered by the department.

3 (2) Money from per capita fees is transferred to the account pursuant to 15-24-922(2)(b) and 15-24-925  
4 for the purpose of protecting livestock in the state under the provisions of 81-7-101 through 81-7-104. The  
5 department is not required to spend all money allocated to this account by the end of each fiscal year.

6 (3) The predatory animal special revenue account is statutorily appropriated, as provided in 17-7-502,  
7 to the department for the purpose of protecting livestock as provided in subsection (2) of this section. (Subsection  
8 (3) terminates June 30, 2017--sec. 13, Ch. 339, L. 2011.)"

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10 NEW SECTION. **Section 5. Effective date.** [This act] is effective on passage and approval.

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