

# WEST VIRGINIA LEGISLATURE

## 2020 REGULAR SESSION

Introduced

### Senate Bill 167

FISCAL NOTE
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BY SENATORS BLAIR AND HAMILTON

[Introduced January 9, 2020; referred  
to the Committee on Agriculture and Rural  
Development; and then to the Committee on Finance]

1 A BILL to amend and reenact §7-7-6e of the Code of West Virginia, 1931, as amended, relating  
 2 to expanding the Coyote Control Program by providing for an assessment on breeding  
 3 cows; providing an option for owners of breeding cows not to participate in the program;  
 4 requiring notice; and setting forth a purpose.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 7. COMPENSATION OF ELECTED COUNTY OFFICIALS.**

~~§7-7-6e. Collection of head tax on sheep and goats; duties of county assessors and  
 Commissioner of Agriculture; deposit of tax collections; creation of special revenue  
 fund; purposes~~ Coyote Control Program; purpose; assessment on breeding age  
 sheep, goats, and cows; participation; notice.

1 (a) Coyotes are a continuing threat to owners of livestock throughout West Virginia. The  
 2 best course of action, as recognized by professional wildlife biologists, has been the depopulation  
 3 of potential or offending individual animals and family units on farms where they present problems  
 4 to livestock. The West Virginia Integrated Predation Management Program, created in 1996  
 5 collaboratively with USDA Wildlife Services, was instrumental in reversing the decline in the goat  
 6 and sheep industry within the state. With coyotes now occupying every county in the state, it is  
 7 necessary to expand the Coyote Control Program statewide to include breeding age cows.

8 ~~After June 30, 2005, it shall be the duty of~~ (b) In order to fund our ability to better protect  
 9 the state's livestock the county assessor and his or her deputies of each county within the state,  
 10 at the time they are making assessments of the personal property within such county, ~~to~~ shall  
 11 assess and collect an assessment of \$1 on all breeding age sheep, ~~and~~ \$1 on all breeding age  
 12 goats, and \$1 on all breeding age cows: Provided, That payment of the assessment on breeding  
 13 age cows is voluntary at the option of the cow owner: Provided, however, That a cow owner who  
 14 chooses not to pay the assessment is not eligible to participate in the Coyote Control Program.

15 (c) The assessor collecting the assessment on breeding age sheep and goats shall be  
 16 allowed a commission of 10 percent upon all such taxes moneys collected and shall send the

17 Commissioner of Agriculture 90 percent of ~~such taxes as~~ the assessment collected, who shall  
18 deposit the same in a special account in the State Treasury to be known as the “Integrated  
19 Predation Management Fund.” Expenditures from the fund shall be for the purposes set forth in  
20 this section and are not authorized from collections but are to be made only in accordance with  
21 appropriation by the Legislature and in accordance with the provisions set forth in §12-3-1 *et seq.*  
22 of this code and upon the fulfillment of the provisions set forth in §11B-2-1 *et seq.* of this code.  
23 ~~Provided, That for the fiscal year ending June 30, 2006, expenditures are authorized from~~  
24 ~~collections rather than pursuant to an appropriation by the Legislature.~~

25 (d) The money in the fund shall be used by the commissioner solely to enter into a  
26 cooperative service agreement with the United States Department of Agriculture Animal and Plant  
27 Health Inspection Service (APHIS) and Wildlife Services (WS) to expand the Coyote Control  
28 Program statewide.

29 ~~Any person who does not pay this assessment is not eligible for the services provided by~~  
30 ~~this cooperative agreement.~~

31 (e) Within 30 days of a cow owner’s election to participate in the Coyote Control Program,  
32 and prior to the placement of any control method on the land, the participating cow owner must  
33 provide written notice of his or her participation in the program to:

34 (1) Any landowner from whom the cow owner leases property to graze cattle and whose  
35 property may be affected by the cow owner’s participation in the program, and

36 (2) Any landowner of property adjacent to the property on which the Coyote Control  
37 Program will be implemented.

38 (f) Notwithstanding any provision of this code to the contrary, a property owner may, upon  
39 written notice to any applicable lessee, withhold his or her consent from participation in the Coyote  
40 Control Program, and no device for this purpose shall be placed upon his or her property.

NOTE: The purpose of this bill is to expand the Coyote Control Program by providing for

an assessment on breeding cows. The bill provides an option for owners of breeding cows not to participate in the program. The bill requires notice and sets forth a purpose.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.