

HOUSE BILL NO. 136

INTRODUCED BY E. MCCLAFFERTY

BY REQUEST OF THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE APPLICATION PROCESS FOR A NONRESIDENT YOUTH COMBINATION LICENSE; REVISING THE LICENSING REQUIREMENTS FOR AN ACCOMPANYING ADULT; AND AMENDING SECTIONS 87-2-511 AND 87-2-522, MCA."

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

Section 1. Section 87-2-511, MCA, is amended to read:

"87-2-511. Sale and use of Class B-10, Class B-11, and Class B-13 licenses. (1) The department shall offer the Class B-10 and Class B-11 licenses for sale on March 15, with 2,000 of the authorized Class B-11 licenses reserved for applicants indicating their intent to hunt with a resident sponsor on land owned by that sponsor, as provided in subsections (2) and (3).

(2) Each application for a resident-sponsored license under subsection (1) must contain a written affirmation by the applicant that the applicant intends to hunt with a resident sponsor and must indicate the name of the resident sponsor with whom the applicant intends to hunt. In addition, the application must be accompanied by a certificate that is signed by a resident sponsor and that affirms that the resident sponsor will:

- (a) direct the applicant's hunting and advise the applicant of game and trespass laws of the state;
- (b) submit to the department, in a manner prescribed by the department, complete records of who hunted with the resident sponsor, where they hunted, and what game was taken; and
- (c) accept no monetary consideration for enabling the nonresident applicant to obtain a license or for providing any services or assistance to the nonresident applicant, except as provided in Title 37, chapter 47, and this title.

(3) The certificate signed by the resident sponsor pursuant to subsection (2) must also affirm that the sponsor is a landowner and that the applicant under the certificate will hunt only on land owned by the sponsor. If there is a sufficient number of licenses set forth in subsection (1), the department shall issue a license to one applicant sponsored by each resident landowner who owns 640 or more contiguous acres. If enough licenses remain for a second applicant for each resident landowner sponsor, the department shall issue a license to the



1 second applicant sponsored by each resident landowner. The department shall conduct a drawing for any
2 remaining resident-sponsored licenses. If there is not a sufficient number of licenses set forth in subsection (1)
3 to allow each resident landowner who owns 640 contiguous acres to sponsor one applicant, the department shall
4 conduct a drawing for the resident-sponsored licenses. However, a resident sponsor of a Class B-11 license may
5 submit no more than 15 certificates of sponsorship in any license year.

6 (4) A nonresident who hunts under the authority of a resident landowner-sponsored license shall conduct
7 all deer hunting on the deeded lands of the sponsoring landowner.

8 (5) All Class B-10 and Class B-11 licenses that are not reserved under subsection (1) must be issued
9 by a drawing among all applicants for the respective unreserved licenses.

10 (6) (a) An applicant who applies for a Class B-10 license and an applicable special elk permit but who
11 is not successful in a drawing for the special elk permit may choose to retain only the Class B-7 portion of the
12 Class B-10 license. The department shall sell the Class B-7 portion as a Class B-11 license for the fee set in
13 87-2-510. The provisions of this subsection (6)(a) do not affect the limits established in 87-2-510(2). The
14 remaining elk tag portion of the Class B-10 license must be sold by the department as an elk-only combination
15 license for a fee that is \$150 less than that set for a Class B-10 license in 87-2-505.

16 (b) The department may charge a \$25 processing fee if an applicant chooses to buy only a portion of
17 the Class B-10 license pursuant to subsection (6)(a) after the Class B-10 license has been issued to the
18 applicant.

19 (c) The revenue collected pursuant to this subsection (6) must be deposited in the state special revenue
20 account to the credit of the department and may not be allocated pursuant to other statutory requirements
21 generally applicable to Class B-10 or Class B-11 licenses.

22 (7) ~~The department shall offer the Class B-13 nonresident youth big game combination license for sale~~
23 ~~on March 4. An~~ Subject to 87-2-522(2), at the time of application, an applicant for a Class B-13 license shall
24 provide the name and automated licensing system number of the adult immediate family member who will
25 accompany the youth. ~~The adult sponsor must possess either a valid Class B-10 or Class B-11 license or a valid~~
26 ~~resident deer or elk tag at the time of application."~~

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28 **Section 2.** Section 87-2-522, MCA, is amended to read:

29 **"87-2-522. Class B-13--nonresident youth big game combination license.** (1) Except as otherwise
30 provided in this chapter, a person who is not a resident, as defined in 87-2-102, and who is 12 years of age or

1 older or will turn 12 years old before or during the season for which the license is issued and who is under 18
2 years of age may, upon payment of a fee of one-half the cost of a regularly priced Class B-10 nonresident big
3 game combination license, plus the nonresident hunting access enhancement fee in 87-2-202(3)(d), and subject
4 to the limitations prescribed by law and department regulation, apply to the fish, wildlife, and parks office in
5 Helena, Montana, to purchase a Class B-13 nonresident youth big game combination license.

6 (2) The holder of a Class B-13 license is entitled to all the privileges of a Class B license, a Class B-1
7 license, a Class B-7 license, an elk tag, and a nonresident wildlife conservation license. When using a Class B-13
8 license, the holder must be accompanied by an adult immediate family member who is the holder of a valid
9 ~~nonresident Class B-10 or Class B-11 combination~~ Class B-7, Class B-10, Class B-11, or Class B-15 license or
10 who is the holder of a valid resident deer or elk tag. As used in this subsection, an adult immediate family member
11 means an applicant's natural or adoptive parent, grandparent, brother, or sister who is 18 years of age or older.

12 (3) Class B-13 licenses are not included in the limit on the number of available Class B-10 nonresident
13 big game combination licenses issued pursuant to 87-2-505.

14 (4) The holder of a valid Class B-13 license may apply for a Class B-12 nonresident elk B tag license
15 when authorized by the commission pursuant to 87-2-104. The fee for a Class B-12 license is \$270. The license
16 entitles the holder to hunt in the hunting district or portion of a hunting district and under the terms and conditions
17 specified by the commission."

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