

SENATE BILL NO. 380

INTRODUCED BY C. VINCENT

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR NONRESIDENT HUNTING LICENSES IN
5 WILDERNESS AREAS; ESTABLISHING A LICENSE FEE; DESIGNATING AN ACCOUNT FOR PROCEEDS
6 FROM LICENSE FEES; REMOVING THE SUNSET DATE ON A MEASURE ALLOWING LICENSES FOR A
7 NONRESIDENT TO HUNT WITH A RESIDENT SPONSOR OR FAMILY MEMBER; AMENDING SECTIONS
8 87-2-505 AND 87-2-526, MCA; ~~AND~~ REPEALING SECTION 4, CHAPTER 345, LAWS OF 2009; AND
9 PROVIDING A TERMINATION DATE."

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

12
13 **Section 1.** Section 87-2-505, MCA, is amended to read:

14 **"87-2-505. Class B-10--nonresident big game combination license.** (1) (a) Except as otherwise
15 provided in this chapter, a person who is not a resident, as defined in 87-2-102, but who is 12 years of age or
16 older or who will turn 12 years old before or during the season for which the license is issued may, upon payment
17 of the fee of \$897 plus the nonresident hunting access enhancement fee in 87-2-202(3)(d) and subject to the
18 limitations prescribed by law and department regulation, apply to the fish, wildlife, and parks office, Helena,
19 Montana, to purchase a B-10 nonresident big game combination license that entitles a holder who is 12 years
20 of age or older to all the privileges of Class B, Class B-1, and Class B-7 licenses and an elk tag. This license
21 includes the nonresident conservation license as prescribed in 87-2-202.

22 (b) ~~Not~~ EXCEPT AS PROVIDED IN SUBSECTION (4), NOT more than 17,000 Class B-10 licenses may be sold
23 in any 1 license year.

24 (c) Of the fee paid for the purchase of a Class B-10 nonresident big game combination license pursuant
25 to subsection (1)(a), 25% must be deposited in the account established in 87-1-290.

26 (d) The cost of the Class B-10 nonresident big game combination license must be adjusted annually
27 based on any change to the consumer price index from the previous year. The consumer price index to be used
28 for calculations is the consumer price index for all urban consumers (CPI-U).

29 (2) A person who is not a resident, as defined in 87-2-102, who is unsuccessful in the Class B-10 big
30 game combination license drawing may pay a fee of \$25 to participate in a preference system for deer and elk

1 permits established by the commission.

2 (3) (a) In addition to the Class B-10 licenses made available in subsection (1) PURSUANT TO SUBSECTION
3 (1)(B), the department shall offer 1,200 CLASS B-10 LICENSES THROUGH FEBRUARY 28, 2015, AND BEGINNING MARCH
4 1, 2015, 1,500 Class B-10 licenses to nonresident applicants indicating their intent THAT ENTITLE THE HOLDER TO
5 hunt only in the following wilderness areas:

6 (i) Absaroka-Beartooth wilderness;

7 (ii) Anaconda Pintler wilderness;

8 (iii) Bob Marshall wilderness;

9 (iv) Cabinet Mountains wilderness;

10 (v) Gates of the Mountains wilderness;

11 (vi) Great Bear wilderness;

12 (vii) Lee Metcalf wilderness;

13 (viii) Medicine Lake wilderness;

14 (ix) Mission Mountains wilderness;

15 (x) Rattlesnake wilderness;

16 (xi) Red Rock Lakes wilderness;

17 (xii) Scapegoat wilderness;

18 (xiii) Selway-Bitterroot wilderness;

19 (xiv) UL Bend wilderness; or

20 (xv) Welcome Creek wilderness.

21 (b) Licenses issued pursuant to subsection (3)(a) must be sold for the fee of \$825 plus the nonresident
22 hunting access enhancement fee in 87-2-202(3)(d).

23 (c) The commission may issue permits to implement the provisions of this subsection (3).

24 (d) The revenue collected pursuant to this subsection (3) must be deposited in the account provided for
25 in 87-2-526(5).

26 (4) IF MORE THAN 17,000 APPLICATIONS FOR CLASS B-10 LICENSES ARE MADE IN ANY 1 LICENSE YEAR, THE
27 DEPARTMENT SHALL, THROUGH FEBRUARY 28, 2015, OFFER AN ADDITIONAL NOT MORE THAN 18,200 CLASS B-10
28 LICENSES WITH 1,200 CLASS B-10 LICENSES THROUGH FEBRUARY 28, 2015 RESERVED FOR NONRESIDENT APPLICANTS
29 THAT ENTITLE THE HOLDER TO HUNT ONLY IN THE WILDERNESS AREAS LISTED IN SUBSECTION (3)(A) AND SUBJECT TO THE
30 PROVISIONS OF SUBSECTIONS (3)(B) THROUGH (3)(D), AND BEGINNING MARCH 1, 2015, AN ADDITIONAL SHALL OFFER NOT

1 MORE THAN 18,500 CLASS B-10 LICENSES WITH 1,500 CLASS B-10 LICENSES TO BE RESERVED FOR NONRESIDENT
 2 APPLICANTS THAT ENTITLE THE HOLDER TO HUNT ONLY IN THE WILDERNESS AREAS LISTED IN SUBSECTION (3)(A) AND
 3 SUBJECT TO THE PROVISIONS OF SUBSECTIONS (3)(B) THROUGH (3)(D)."

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5 **Section 2.** Section 87-2-526, MCA, is amended to read:

6 **"87-2-526. (Temporary) License for nonresident to hunt with resident sponsor or family member**
 7 **-- use of license revenue.** (1) In addition to the nonresident licenses provided for in 87-2-505 and 87-2-510, the
 8 department may offer for sale 500 B-10 nonresident big game combination licenses and 500 B-11 nonresident
 9 deer combination licenses. The licenses may be used only as provided in this section and as authorized by
 10 department rules. Sale of licenses pursuant to this section may not affect the license quotas established in
 11 87-2-505 and 87-2-510. The price of licenses sold under this subsection must be the same as nonresident big
 12 game combination licenses and nonresident deer combination licenses offered by general drawing pursuant to
 13 87-2-505 and 87-2-510.

14 (2) A license authorized in subsection (1) may be used only by an adult nonresident family member of
 15 a resident who sponsors the license application and who meets the qualifications of subsection (3). The
 16 nonresident family member must have completed a Montana hunter safety and education course ~~prior to March~~
 17 ~~4, 2010~~, or have previously purchased a resident hunting license. A nonresident family member who receives
 18 a license pursuant to subsection (1) must be accompanied in the field by a sponsor or family member who meets
 19 the qualifications of subsection (3).

20 (3) To qualify as a sponsor or family member who will accompany a nonresident licensed under
 21 subsection (1), a person must be a resident, as defined in 87-2-102, who is 18 years old or older and possesses
 22 a current resident hunting license and who is related to the nonresident within the second degree of kinship by
 23 blood or marriage. The second degree of kinship includes a mother, father, brother, sister, son, daughter, spouse,
 24 grandparent, grandchild, brother-in-law, sister-in-law, son-in-law, daughter-in-law, father-in-law, mother-in-law,
 25 stepfather, stepmother, stepbrother, stepsister, stepson, and stepdaughter. The sponsor shall list on the license
 26 application the names of family members who are eligible to hunt with the nonresident hunter.

27 (4) If the department receives more applications for licenses than the number that are available under
 28 subsection (1), the department shall conduct a drawing for the licenses. Applicants who are unsuccessful in the
 29 drawing must be entered in the general drawing for a nonresident license provided under 87-2-505 or 87-2-510,
 30 as applicable.

1 (5) (A) All money received from the sale of licenses under 87-2-505(3) and subsection (1) of this section
2 must be deposited in a separate account and must be used by the department to acquire public hunting access
3 to inaccessible public land, which may include obtaining hunting access through private land to inaccessible
4 public land.

5 (B) IF AT LEAST \$500,000 HAS BEEN DEPOSITED IN THE ACCOUNT IN ANY 1 LICENSE YEAR, THE EXCESS MUST
6 BE DEPOSITED IN THE GENERAL LICENSE ACCOUNT.

7 (C) THE DEPARTMENT SHALL PROVIDE A REPORT ON A QUARTERLY BASIS TO THE ENVIRONMENTAL QUALITY
8 COUNCIL IDENTIFYING:

9 (I) POTENTIAL, COMPLETED, OR ABANDONED PROJECTS PROVIDING PUBLIC HUNTING ACCESS TO INACCESSIBLE
10 PUBLIC LAND;

11 (II) DEPOSITS INTO AND WITHDRAWALS FROM THE ACCOUNT ESTABLISHED IN SUBSECTION (5)(A); AND

12 (III) PLANS FOR FUTURE PROJECTS PROVIDING PUBLIC HUNTING ACCESS TO INACCESSIBLE PUBLIC LAND FOR THE
13 SUBSEQUENT FISCAL YEAR.

14 (D) ANY UNSPENT OR UNENCUMBERED MONEY IN THE ACCOUNT ESTABLISHED IN SUBSECTION (5)(A) AT THE END
15 OF THE FISCAL YEAR MUST REMAIN IN THE ACCOUNT. (~~Terminates March 1, 2014--sec. 4, Ch. 345, L. 2009.~~)"

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17 NEW SECTION. Section 3. Repealer. Section 4, Chapter 345, Laws of 2009, is repealed.

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19 NEW SECTION. SECTION 4. TERMINATION. [THIS ACT] TERMINATES FEBRUARY 28, 2018.

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