



AN ACT PROHIBITING THE USE OF HUNTING ACCESS ENHANCEMENT FEES FOR FEE TITLE LAND ACQUISITION; AMENDING SECTIONS 87-1-270 AND 87-1-271, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

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

**Section 1.** Section 87-1-270, MCA, is amended to read:

**"87-1-270. Allocation of license fees to hunting access enhancement program.** (1) Except as provided in 87-2-805(1)(b)(ii), the amount of \$55 from the sale of each Class B-1 nonresident upland game bird license must be used by the department to encourage public access to private lands for hunting purposes in accordance with 87-1-265 through 87-1-267.

(2) (a) The Except as provided in subsection (2)(b), the resident hunting access enhancement fee in 87-2-202(3)(c) and the nonresident hunting access enhancement fee in 87-2-202(3)(d) must be used by the department to encourage public access to private and public lands for hunting purposes in accordance with 87-1-265 through 87-1-267.

(b) The department may not use any portion of the hunting access enhancement fees collected pursuant to 87-2-202 for the fee title acquisition of land."

**Section 2.** Section 87-1-271, MCA, is amended to read:

**"87-1-271. Annual lottery of hunting licenses -- proceeds dedicated to hunting access enhancement.** (1) The commission may issue through a lottery one license each year for each of the following:

- (a) deer;
- (b) elk;
- (c) shiras moose;
- (d) mountain sheep;
- (e) mountain goat;

- (f) wild buffalo or bison;
- (g) antelope; and
- (h) mountain lion.

(2) The restriction in 87-2-702(4) that a person who receives a moose, mountain goat, or mountain sheep special license is not eligible to receive another license for that species for the next 7 years does not apply to a person who receives a license through a lottery conducted pursuant to this section.

- (3) The commission shall establish rules regarding:
- (a) the conduct of the lottery authorized in this section;
  - (b) the use of licenses issued through the lottery; and
  - (c) the price of lottery tickets.

(4) All proceeds from a lottery conducted pursuant to this section must be used by the department for hunting access enhancement programs and law enforcement. Any proceeds dedicated to hunting access enhancement programs may not be used by the department for the fee title acquisition of land."

**Section 3. Effective date.** [This act] is effective on passage and approval.

- END -

I hereby certify that the within bill,  
HB 0272, originated in the House.

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Chief Clerk of the House

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Speaker of the House

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2011.

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President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2011.

HOUSE BILL NO. 272

INTRODUCED BY K. FLYNN, SKATTUM, GREEF, HENDRICK, STAHL, C. SMITH, MILLER, MURPHY,  
RANDALL, TAYLOR, SKEES, HALE, KERNS, WAGNER, O'NEIL, HARRIS, CLARK

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