

SB 136

AN ACT REVISING RESIDENCY REQUIREMENTS FOR HUNTING LICENSES: DEFINING  
NONRESIDENTS BORN IN MONTANA AS RESIDENTS FOR THE PURPOSE OF OBTAINING  
CERTAIN LICENSES

“(9)A PERSON WHO DOES NOT RESIDE IN MONTANA BUT WHO WAS BORN IN MONTANA AND WHO APPLIES FOR A LICENSE PURSUANT TO 87-2-106(5) IS CONSIDERED A RESIDENT FOR THE PURPOSE OF OBTAINING ANY HUNTING LICENSE FOR WHICH A DRAWING IS NOT REQUIRED, REGARDLESS OF WHETHER THE PERSON ALSO POSSESSES, HAS APPLIED FOR, OR HAS RECEIVED RESIDENT HUNTING, FISHING, OR TRAPPING PRIVILEGES IN ANOTHER STATE.”

Headwaters Fish and Game Association hereby opposes SB 136 for the following reasons:

1. To our knowledge, there is no other state that allows dual residency for the purpose of hunting.
2. It establishes a dangerous precedent for future legislation i.e. resident fishing licenses for those born in Montana, but now living elsewhere.
3. Non-residents do not pay Montana State income taxes and very few pay Montana state property taxes.
4. Based on the Fiscal Note #6, 7, 8, & 9, it is estimated that app. 6,797 non-residents would take advantage of this bill and of that number 10% are currently paying non-resident fees. This means that app. 6,117 new non-resident hunters would be hunting in the state at resident license fees. A very high percentage of them would be hunting elk. Based on 2009 hunter harvest surveys, Region 3 currently supports app. 46% of the elk killed in Montana and app. 47% of the current non-resident hunters hunt in Region 3. As has been well documented, elk herds in many parts of Region 3 have been declining due to heavy predation. Region 3 FWP officials are already working on revised license/tag opportunities in many areas. Resident hunters are already experiencing excessive hunter pressure from non-residents in many of our popular areas i.e. Madison Valley, Gravelly's, Ruby Valley, and Snowcrest range. This bill would only increase the hunting pressure and place undue stress on the resource.
5. If I can live in another state and buy a Montana resident license, why would I not move to Wyoming and enjoy the benefits of dual residency for hunting purposes while enjoying Wyoming's 0% state income tax.

This bill is very bad for the current Montana resident hunter and offers no benefits to them or the wildlife resource. If you want those born in Montana to receive a guaranteed license at non-resident fees, with those licenses being subtracted from the current non-resident big game combo licenses, then we may be able to support that bill.

WE RESPECTFULLY OPPOSE SB 136 AND ASK THAT THIS BILL BE TABLED AND NOT BROUGHT UP FOR FURTHER ACTION.



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GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2013 Biennium

**Bill #** SB0136

**Title:** Revise residency requirements for hunting

**Primary Sponsor:** Balyeat, Joe

**Status:** As Introduced

- Significant Local Gov Impact    
 Needs to be included in HB 2    
 Technical Concerns  
 Included in the Executive Budget    
 Significant Long-Term Impacts    
 Dedicated Revenue Form Attached

### FISCAL SUMMARY

	<u>FY 2012</u> <u>Difference</u>	<u>FY 2013</u> <u>Difference</u>	<u>FY 2014</u> <u>Difference</u>	<u>FY 2015</u> <u>Difference</u>
<b>Expenditures:</b>				
General Fund	\$0	\$0	\$0	\$0
State Special Revenue	\$0	\$0	\$0	\$0
<b>Revenue:</b>				
General Fund	\$0	\$0	\$0	\$0
State Special Revenue	\$156,258	\$156,258	\$156,258	\$156,258
<b>Net Impact-General Fund Balance:</b>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

**Description of fiscal impact:** This legislation defines non-residents born in Montana as residents for the purpose of obtaining any hunting license for which a drawing is not required. It is estimated that this could increase state special revenue by \$156,258 per year.

### FISCAL ANALYSIS

#### Assumptions:

1. Nonresidents born in Montana who present a Montana birth certificate at a Department of Fish, Wildlife and Parks office will be required to purchase a nonresident conservation license. These individuals are then established as nonresidents who are eligible to purchase certain resident hunting licenses at resident prices.
2. These individuals are eligible to apply only for hunting licenses for which a drawing is not required, i.e. upland bird, migratory bird, turkey, black bear, mountain lion, deer A, elk, deer B over-the-counter/surplus, elk B over-the-counter/surplus, antelope surplus, and antelope B over-the-counter/surplus.
3. The number of individuals born in Montana who would be between the ages of 12 and 60 is 665,352 (from Department of Public Health and Human Services birth statistics).

**Fiscal Note Request – As Introduced**

*(continued)*

4. The US death rate is 0.81%. The number of Montana-born people still alive is 659,949 ( $1.0000 - 0.00812 = 0.99188 \times 665,352 = 659,949$ ).
5. The percentage of Montanans who hunt is 20.6% (based on current statistics) ( $659,949 \times 20.6\% = 135,950$  hunters).
6. It is estimated that 20% of the Montana-born hunters move out of state. ( $135,950 \times 20\% = 27,190$ )
7. It is estimated that 25% of the non-resident, Montana born hunters would purchase licenses available from this legislation ( $27,190 \times .25 = 6,797$ ).
8. These 6,797 hunters would purchase the available licenses at resident prices rather than nonresident prices. Total revenue at resident prices = \$230,181.
9. It is estimated that 10% of the 6,797 nonresidents would have purchased these licenses at the nonresident prices. Total revenue that would have been received at non-resident prices = \$73,923.
10. Total new revenue generated if this legislation passes is \$156,258 ( $\$230,181 - \$73,923 = \$156,258$ ).
11. It is assumed that the passage of Initiative 161 will not reduce the demand for nonresident combination licenses below the quota allotted; otherwise these licenses would not be issued through drawings and that would make them eligible for purchase under this bill.
12. The impact from the removal of the requirement to be born in Montana under Section 3 of SB 136 will have limited, if any, fiscal impact since the average annual participation is 3 individuals per year.

	<u>FY 2012</u> <u>Difference</u>	<u>FY 2013</u> <u>Difference</u>	<u>FY 2014</u> <u>Difference</u>	<u>FY 2015</u> <u>Difference</u>
<b><u>Fiscal Impact:</u></b>				
<b><u>Expenditures:</u></b>				
TOTAL Expenditures	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<b><u>Funding of Expenditures:</u></b>				
TOTAL Funding of Exp.	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<b><u>Revenues:</u></b>				
General Fund (01)	\$0	\$0	\$0	\$0
State Special Revenue (02)	<u>\$156,258</u>	<u>\$156,258</u>	<u>\$156,258</u>	<u>\$156,258</u>
TOTAL Revenues	<u>\$156,258</u>	<u>\$156,258</u>	<u>\$156,258</u>	<u>\$156,258</u>
<b><u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u></b>				
General Fund (01)	\$0	\$0	\$0	\$0
State Special Revenue (02)	\$156,258	\$156,258	\$156,258	\$156,258

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*Sponsor's Initials*

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*Date*

\_\_\_\_\_  
*Budget Director's Initials*

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*Date*