

Senate Bill 136
January 20, 2011
Presented by Joe Maurier
Senate Fish and Game Committee

Mr. Chairman and committee members, I am Joe Maurier, Director of Montana Department of Fish, Wildlife & Parks (FWP). I am here informationally.

We certainly understand the desire of many Montanans who were born here to be able to return and hunt the state's wild resources. However, SB136 presents a number of issues.

There are many people who were, in fact born here, but their residence was short-lived. These would include children of military families that were briefly stationed here at Malmstrom AFB or the children of non-resident university students. It would be necessary to include them under this bill as it would be difficult to exclude them.

Most states have very specific residency laws in regards to the purchase of hunting and fishing licenses. Not the least of these, and one shared almost nationally, is that to be considered a resident a person must not hold resident hunting licenses in any other state. This bill would certainly confound that issue for a resident of another state in spite of their Montana birth. It would, additionally, confound our own residency laws.

It is relatively easy to get a fake birth certificate that from all appearances is a bone fide document. Our staff would have no way to verify the authenticity of a birth certificate as Montana law prohibits anyone other than certain individuals from having access to that information directly (50-15-121 MCA; 37.8.126 ARM). We annually prosecute a substantial number of cases of residency fraud attesting to the temptation some would have to commit fraud.

We suggest that another means of addressing this is through an adjustment to the current law which authorized the "Come Home to Hunt" program (2009 Legislature HB 585; 87-2-505 and 87-2 510 MCA). This act allowed individuals with familial connections to Montana to hunt here without going through the drawing process. The current law keeps the price at the nonresident rate but an amendment to that law adjusting it to resident prices would accomplish the same intent as this bill. Coming Home to Hunt is currently limited to 500 non-resident deer combination; 500 non-resident big game combination licenses at this point but very few of those licenses were sold in its first year of implementation. We believe that modification to these statutes may provide the means to accommodate what SB136 is attempting to do within existing law. Thank you.