

Amendments to Senate Bill No. 136
1st Reading Copy

Requested by Senator Joe Balyeat

For the Senate Fish and Game Committee

Prepared by Joe Kolman
January 25, 2011 (12:37pm)

1. Title, line 5 through line 6.

Strike: "DEFINING" on line 5 through "LICENSES;" on line 6

2. Title, line 6.

Following: "SECTIONS"

Strike: "87-2-102, 87-2-106, and"

Insert: "87-1-290,"

Following: "87-2-514,"

Insert: "and 87-2-515,"

3. Page 1, line 11 through page 6, line 16.

Strike: section 1 through section 3 in their entirety

Insert: "Section 1. Section 87-1-290, MCA, is amended to read:

"87-1-290. (Effective March 1, 2011) **Hunting access account.** (1) There is a hunting access account in the state special revenue fund. Funds deposited in this account may be used only for the purpose of funding any hunting access program established by law or by the department through administrative rule.

(2) The following funds must be deposited in the account:

(a) 25% of the fee for Class B-10 nonresident big game combination licenses pursuant to 87-2-505(1)(c) and 25% of the fee for Class B-11 nonresident deer combination licenses pursuant to 87-2-510(1)(b);

(b) 25% of the fee for hunting licenses issued to nonresident children relatives of a resident pursuant to 87-2-514; and

(c) the hunting access enhancement fees assessed pursuant to 87-2-202(3)(c) and (3)(d).

(3) Any interest or income earned on the account must be deposited in the account."

{Internal References to 87-1-290: None.}

Insert: "Section 2. Section 87-2-514, MCA, is amended to read:

"87-2-514. Nonresident child relative of resident allowed to purchase nonresident licenses at reduced cost -- definitions.

(1) For the purposes of this section, the following definitions apply:

(a) "Nonresident relative of a resident" means a person born in Montana who is the natural or adoptive child, sibling, or

parent of a resident but is not a resident.

(b) "Resident" means a resident as defined in 87-2-102.

~~(2) Except as otherwise provided in this chapter, a person who is not a resident, as defined in 87-2-102, but who is the natural or adopted child nonresident relative of a resident, as defined in 87-2-102, and who meets the qualifications of subsection ~~(3)~~(5) may purchase:~~

(a) a Class B nonresident fishing license;

(b) a Class B-1 nonresident upland game bird license; and;

(c) a Class B-7 nonresident deer A tag; and

(d) at the reduced cost specified in subsection (2) and may purchase a Class B-15 nonresident child's elk license as provided in 87-2-515.

(3) This section does not allow a nonresident child relative of a resident to purchase nonresident combination licenses at a reduced price.

~~(2)~~(4) The fee for a nonresident license purchased pursuant to subsection ~~(1)~~(2) is twice the amount charged for an equivalent resident license. The nonresident child relative of a resident shall also purchase a nonresident wildlife conservation license as prescribed in 87-2-202 and pay the nonresident hunting access enhancement fee in 87-2-202(3)(d) if the nonresident child relative of a resident purchases a hunting license.

~~(3)~~(5) To qualify for a license pursuant to subsection ~~(1)~~(2), a nonresident child relative of a resident shall apply at any department regional office or at the department's state office in Helena and present proof of the following:

(a) a birth certificate verifying the applicant's birth in Montana;

~~(b) a high school diploma from a Montana public, private, or home school or certified verification that the applicant has passed the general educational development test in Montana~~

(b) evidence that the person previously held a Montana resident hunting or fishing license or has passed a hunter safety course in Montana pursuant to 87-2-105; and

(c) proof that the applicant has a natural or adoptive parent who is a current Montana resident, as defined in 87-2-102 is a nonresident relative of a resident.

~~(4) A qualified nonresident child of a resident may purchase licenses pursuant to subsection (1) for up to 6 license years after receiving a diploma or passing the general educational development test as provided in subsection (3)(b).~~

~~(5) A nonresident child of a resident who has been issued a hunting license pursuant to this section is not eligible to apply for or be issued any nonresident special permit.~~

~~(6) A nonresident child of a resident who has been issued a hunting license pursuant to this section must be accompanied by a licensed resident family member while hunting in the field."~~

{ Internal References to 87-2-514:

87-1-290 x 87-2-515x } "

Insert: "Section 2. Section 87-2-515, MCA, is amended to read:

"87-2-515. Class B-15 nonresident child's elk license. (1) Except as otherwise provided in this chapter, a nonresident child relative of a resident who is qualified to purchase licenses pursuant to 87-2-514 may purchase a Class B-15 nonresident child's elk license for twice the amount charged for a resident Class A-5 elk tag.

(2) A Class B-15 license entitles the holder to hunt elk in areas designated by the commission, at the times and upon the terms set forth by the commission, and to possess the carcass of an elk authorized by the license as set forth in department rules."

{ Internal References to 87-2-515:

87-2-514x }"

Renumber: subsequent section

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