



AN ACT REVISING RESIDENCY REQUIREMENTS FOR HUNTING LICENSES; AMENDING SECTIONS 87-1-290, 87-2-514, AND 87-2-515, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE.

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

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."

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; ~~i~~
 (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 ~~(4)~~ (2) is ~~twice~~ four times 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 ~~(4)~~ (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 or documentation that the applicant was born to parents who were residents at the time of birth;

~~(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."~~

Section 3. 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~~ four times 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."

Section 4. Effective date. [This act] is effective March 1, 2012.

- END -

I hereby certify that the within bill,
SB 0136, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2011.

Speaker of the House

Signed this _____ day
of _____, 2011.

SENATE BILL NO. 136

INTRODUCED BY J. BALYEAT, SONJU, JACKSON, STEINBEISSER, WARBURTON, BROWN, ARTHUN,
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