

HOUSE BILL NO. 404

INTRODUCED BY FLYNN, HARRIS, JACOBSON, REDFIELD, C. SMITH, J. PETERSON

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FUNDING FOR BLOCK MANAGEMENT PROGRAMS FROM THE FEE FOR WILDLIFE HABITAT; PROVIDING THAT A PORTION OF HUNTING LICENSE FEES BE ALLOCATED TO THE HUNTING ACCESS ACCOUNT; AMENDING SECTIONS 87-1-230, 87-1-242, AND 87-1-290, MCA; AND PROVIDING ~~A DELAYED~~ AN EFFECTIVE DATE AND A TERMINATION DATE."

WHEREAS, the block management program has been a very successful program for providing access for hunting in Montana; and

WHEREAS, hunters would like to see the trend in declining acreage in the block management program reversed; and

WHEREAS, hunters would like to further reward landowners currently enrolled in the block management program; and

WHEREAS, hunters would like to provide incentives for more landowners to enroll in the block management program; and

WHEREAS, hunters would like to enhance the current block management program; and

WHEREAS, hunters would like to help resolve some of the corner-crossing issues by incentivizing landowner participation through the use of leases, easements, or block management programs to allow access to some of the isolated public lands in Montana; and

WHEREAS, this legislation requires the transfer of funds on a temporary basis from the habitat Montana fund to the hunting access account to work toward accomplishing these objectives.

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

Section 1. Section 87-1-230, MCA, is amended to read:

"87-1-230. (Temporary) Maintenance account -- annual report. (1) There is a maintenance account in the state special revenue fund. In addition to the funds set aside for maintenance of land or water acquired by the department pursuant to 87-1-209(1), the department shall also deposit into the maintenance account:

(a) funds dedicated for development and maintenance of real property used for wildlife habitat under



1 ~~87-1-242(4)(a)~~ 87-1-242(5)(a);

2 (b) interest earned on the account; and

3 (c) any other money that the department considers appropriate or necessary for maintenance of the
4 department's land or water.

5 (2) Funds deposited in the account are statutorily appropriated, as provided in 17-7-502, to the
6 department and may be used only for maintenance of any land or water acquired by the department.

7 (3) (a) The department shall provide an annual report regarding deposits into and withdrawals from the
8 account established in subsection (1) to the oversight subcommittee of the environmental quality council for the
9 purpose of demonstrating the use of funds in the account toward the good neighbor policy.

10 (b) The report must describe the types of maintenance completed by fish, wildlife, and parks region and
11 maintenance plans for the subsequent fiscal year.

12 (c) The report is due to the environmental quality council by September 1 following the end of each fiscal
13 year. (Terminates June 30, 2013--sec. 8, Ch. 427, L. 2009.)"

14

15 **Section 2.** Section 87-1-242, MCA, is amended to read:

16 **"87-1-242. Funding for wildlife habitat.** (1) The amount of money specified in this subsection from the
17 sale of each hunting license or permit listed must be used exclusively by the commission to secure, develop, and
18 maintain wildlife habitat, subject to appropriation by the legislature:

19 (a) Class B-10, nonresident combination, \$77;

20 (b) Nonresident antelope, \$20;

21 (c) Nonresident moose, \$20;

22 (d) Nonresident mountain goat, \$20;

23 (e) Nonresident mountain sheep, \$20;

24 (f) Class D-1, nonresident mountain lion, \$20;

25 (g) Nonresident black bear, \$20;

26 (h) Nonresident wild turkey, \$10;

27 (i) Class AAA, combination sports, \$7;

28 (j) Class B-11 nonresident deer combination, \$200.

29 (2) Twenty percent of any increase in the fee for the Class B-7 license or any license or permit listed in
30 subsection (1) must be allocated for use as provided in subsection (1).

1 (3) ~~Eighty~~ Fifty-five percent of the money allocated by this section, together with the interest and income
2 from the money, must be used to secure wildlife habitat pursuant to 87-1-209.

3 (4) Twenty-five percent of the money allocated by this section, together with the interest and income from
4 the money, must be deposited into the hunting access account established in 87-1-290 and used to fund the block
5 management program pursuant to 87-1-265.

6 ~~(4)(5)~~ Twenty percent of the money allocated by this section must be used as follows:

7 (a) up to 50% a year may be used for development and maintenance of real property used for wildlife
8 habitat; and

9 (b) the remainder and any money not allocated for development and maintenance under subsection
10 (4)(a) by the end of each odd-numbered fiscal year must be credited to the account created by 87-1-601(5) for
11 use in the manner prescribed for the development and maintenance of real property used for wildlife habitat."
12

13 **Section 3.** Section 87-1-290, MCA, is amended to read:

14 **"87-1-290. Hunting access account.** (1) There is a hunting access account in the state special revenue
15 fund. Funds deposited in this account may be used only for the purpose of funding any hunting access program
16 established by law or by the department through administrative rule.

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

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

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

22 (c) 25% of the funding from the sale of each hunting license or permit pursuant to 87-1-242(4); and

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

24 (3) Any interest or income earned on the account must be deposited in the account."
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26 NEW SECTION. Section 4. Effective date. [This act] is effective ~~January 1, 2014~~ JULY 1, 2013.

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28 NEW SECTION. Section 5. Termination. [This act] terminates June 30, ~~2017~~ 2015.

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