

## 1 SENATE BILL NO. 178

2 INTRODUCED BY K. VAN DYK

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4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS  
5 TO RETAIN A PERCENTAGE OF THE CLASS B-10 LICENSE FEE IF AN APPLICANT CHOOSES TO  
6 PURCHASE ONLY A PORTION OF THE LICENSE; AMENDING SECTION 87-2-511, MCA; AND PROVIDING  
7 A DELAYED EFFECTIVE DATE."

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

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11 **Section 1.** Section 87-2-511, MCA, is amended to read:  
12 **"87-2-511. Sale and use of Class B-10, Class B-11, and Class B-13 licenses.** (1) The department  
13 shall offer the Class B-10 and Class B-11 licenses for sale on March 15, with 2,000 of the authorized Class B-11  
14 licenses reserved for applicants indicating their intent to hunt with a resident sponsor on land owned by that  
15 sponsor, as provided in subsections (2) and (3).

16 (2) Each application for a resident-sponsored license under subsection (1) must contain a written  
17 affirmation by the applicant that the applicant intends to hunt with a resident sponsor and must indicate the name  
18 of the resident sponsor with whom the applicant intends to hunt. In addition, the application must be accompanied  
19 by a certificate that is signed by a resident sponsor and that affirms that the resident sponsor will:

20 (a) direct the applicant's hunting and advise the applicant of game and trespass laws of the state;  
21 (b) submit to the department, in a manner prescribed by the department, complete records of who hunted  
22 with the resident sponsor, where they hunted, and what game was taken; and  
23 (c) accept no monetary consideration for enabling the nonresident applicant to obtain a license or for  
24 providing any services or assistance to the nonresident applicant, except as provided in Title 37, chapter 47, and  
25 this title.

26 (3) The certificate signed by the resident sponsor pursuant to subsection (2) must also affirm that the  
27 sponsor is a landowner and that the applicant under the certificate will hunt only on land owned by the sponsor.  
28 If there is a sufficient number of licenses set forth in subsection (1), the department shall issue a license to one  
29 applicant sponsored by each resident landowner who owns 640 or more contiguous acres. If enough licenses  
30 remain for a second applicant for each resident landowner sponsor, the department shall issue a license to the

1 second applicant sponsored by each resident landowner. The department shall conduct a drawing for any  
2 remaining resident-sponsored licenses. If there is not a sufficient number of licenses set forth in subsection (1)  
3 to allow each resident landowner who owns 640 contiguous acres to sponsor one applicant, the department shall  
4 conduct a drawing for the resident-sponsored licenses. However, a resident sponsor of a Class B-11 license may  
5 submit no more than 15 certificates of sponsorship in any license year.

6 (4) A nonresident who hunts under the authority of a resident landowner-sponsored license shall conduct  
7 all deer hunting on the deeded lands of the sponsoring landowner.

8 (5) All Class B-10 and Class B-11 licenses that are not reserved under subsection (1) must be issued  
9 by a drawing among all applicants for the respective unreserved licenses.

10 (6) (a) An applicant who applies for a Class B-10 license and an applicable special elk permit but who  
11 is not successful in a drawing for the special elk permit may choose to retain only the Class B-7 portion of the  
12 Class B-10 license. The department shall sell the Class B-7 portion as a Class B-11 license for the fee set in  
13 87-2-510. The provisions of this subsection (6)(a) do not affect the limits established in 87-2-510(2). The  
14 remaining elk tag portion of the Class B-10 license must be sold by the department as an elk-only combination  
15 license for a fee that is \$150 less than that set for a Class B-10 license in 87-2-505.

16 (b) The department may ~~charge a \$25 processing~~ retain 10% of the Class B-10 license fee if an applicant  
17 chooses to buy only a portion of the Class B-10 license pursuant to subsection (6)(a) after the Class B-10 license  
18 has been issued to the applicant.

19 (c) The revenue collected pursuant to this subsection (6) must be deposited in the state special revenue  
20 account to the credit of the department and may not be allocated pursuant to other statutory requirements  
21 generally applicable to Class B-10 or Class B-11 licenses.

22 (7) The department shall offer the Class B-13 nonresident youth big game combination license for sale  
23 on March 1. An applicant shall provide the name and automated licensing system number of the adult immediate  
24 family member who will accompany the youth. The adult sponsor must possess either a valid Class B-10 or Class  
25 B-11 license or a valid resident deer or elk tag at the time of application."

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27 **NEW SECTION. Section 2. Effective date.** [This act] is effective March 1, 2014.

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