

HOUSE BILL NO. 99

INTRODUCED BY G. GOLIE

BY REQUEST OF THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS

A BILL FOR AN ACT ENTITLED: "AN ACT REINSTATING THE AUTHORITY OF THE FISH, WILDLIFE, AND PARKS COMMISSION TO SET THE NUMBER OF NONRESIDENT UPLAND GAME BIRD LICENSES SOLD IF CERTAIN CONDITIONS ARE MET; PROVIDING THAT THE LICENSES MAY BE AWARDED THROUGH A DRAWING; ALLOWING THE COMMISSION TO ADOPT RULES FOR GROUP LICENSE APPLICATIONS; AMENDING SECTION 87-2-402, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 87-2-402, MCA, is amended to read:

"87-2-402. Class B-1--nonresident upland game bird license. (1) Except as otherwise provided in this chapter, a person who is not a resident, as defined in 87-2-102, but who is 12 years of age or older or who will turn 12 years old before or during the season for which the license is issued, upon payment of a fee of \$110, may receive a Class B-1 license that entitles a holder who is 12 years of age or older to hunt upland game birds and possess the carcasses of upland game birds as authorized by department rules.

(2) (a) After providing public notice and holding a public hearing, the commission may set the number of Class B-1 nonresident upland game bird licenses to be sold in any license year and institute a drawing system to award the licenses if the commission has analyzed the impacts on landowners, outfitters, bird populations, local communities, local economies, private property rights, and hunting access opportunities for resident and nonresident upland game bird hunters.

(b) If the commission establishes a limit on the number of Class B-1 nonresident upland game bird licenses to be sold as authorized in subsection (2)(a), the commission shall provide documentation of the analysis required in subsection (2)(a) and shall provide justification for its decision to establish a limit.

(c) The commission may not set aside any number of licenses issued under this section for the clients of licensed outfitters.

(3) If the commission sets limits as authorized in subsection (2), the commission may develop and adopt rules that provide for a group of applicants to participate in the drawing system under one application. The rules must clarify that each member of a group that is successful in the drawing shall still obtain the license required

by this section."

NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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