

SENATE BILL NO. 144

INTRODUCED BY T. JACOBSON

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE MANDATORY DATE OF SALE FOR CERTAIN COMBINATION HUNTING LICENSES; AMENDING SECTION 87-2-511, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

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

Section 1. Section 87-2-511, MCA, is amended to read:

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

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

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

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

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

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

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

9 (6) (a) An applicant who applies for a Class B-10 license and an applicable special elk permit but who
10 is not successful in a drawing for the special elk permit may choose to retain only the Class B-7 portion of the
11 Class B-10 license. The department shall sell the Class B-7 portion as a Class B-11 license for the fee set in
12 87-2-510. The provisions of this subsection (6)(a) do not affect the limits established in 87-2-510(2). The
13 remaining elk tag portion of the Class B-10 license must be sold by the department as an elk-only combination
14 license for a fee of \$831.

15 (b) Subject to the statutory quota provided in 87-2-505, if the department determines all available elk-only
16 combination licenses have sold by December 1 in any license year, the cost of the elk-only combination license
17 must be adjusted for the subsequent license year based on any change to the consumer price index from the
18 previous year. The consumer price index to be used for calculations is the consumer price index for all urban
19 consumers (CPI-U). The adjusted cost must be rounded down to the nearest even-numbered amount and applies
20 to subsequent license years unless the conditions of this subsection are met.

21 (c) The department may retain 10% of the Class B-10 license fee if an applicant chooses to buy only a
22 portion of the Class B-10 license pursuant to subsection (6)(a) after the Class B-10 license has been issued to
23 the applicant.

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

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28 **NEW SECTION. Section 2. Effective date.** [This act] is effective March 1, 2020.

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